



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

Councillor Kirrilee Boyd
Councillor Adrian Cheater
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

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 24 October 2023

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.

Greg Georgopoulos
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 24 October 2023
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 Kaurna 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

Cr Adrian Cheater

3.2. Leave of Absence

Cr Leith Mudge from 22 October 2023 to 27 October 2023, approved at Council 10 October 2023.

3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – Tuesday 10 October 2023

That the minutes of the ordinary meeting held on Tuesday 10 October 2023 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
- 8.2. Deputations
 - 8.2.1 Stage 2 – Multi Use Houghton Hub – Mr Matt Thomas
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

- 11.1. Campbelltown City Council Boundary Change Proposal – Cr Mark Osterstock

12. ADMINISTRATION REPORTS – DECISION ITEMS

- 12.1. Annual Financial Statements and End of Year Report 2022-23

- 1. *That the report be received and noted.*
- 2. *That, in accordance with Section 127 of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 1999, Council adopts the General Purpose Financial Statements for the financial year ended 30 June 2023.*
- 3. *To authorise the Mayor and CEO to sign the General Purpose Financial Statements for the financial year ended 30 June 2023.*

- 12.2. Service Review – Development Services

- 1. *That the report be received and noted.*
- 2. *To receive and note the Service Review 2022-23 – Development Services, as contained in Appendix 3.*
- 3. *To receive and note the Management Review and Action Plan in response to the Service Review 2022-23 – Development Services, as contained in Appendix 4.*
- 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.*

12.3. Draft CEO PRP Terms of Reference

1. *That the report be received and noted.*
2. *That with an effective date of 24 October 2023, to revoke the 1 September 2017 Adelaide Hills Council CEO Performance Review Panel Terms of Reference and to adopt the revised Adelaide Hills Council CEO Performance Review Panel Terms of Reference in Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature, or other minor changes to the Council Terms of Reference during the period of their life.*

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

13.1. Quarterly Council Performance Report – Q1 2023-24

14. CORRESPONDENCE FOR INFORMATION

- 14.1 Department for Energy and Mining – Hanson Construction Materials Ltd – White Rock Quarry
- 14.2 Ombudsman SA Annual Report
- 14.2 Local Government Association

15. QUESTIONS WITHOUT NOTICE

16. MOTIONS WITHOUT NOTICE

17. REPORTS

- 17.1. Council Member Function or Activity on the Business of Council
- 17.2. Reports of Members/Officers as Council Representatives on External Organisations
- 17.3. CEO Report

18. REPORTS OF COMMITTEES

- 18.1. Council Assessment Panel
Nil
- 18.2. Audit Committee - Monday 16 October 2023.
That the minutes of the Audit Committee meeting held on Monday 16 October 2023, as supplied, be received, and noted.
- 18.3. CEO Performance Review Panel
Nil

18.4. Boundary Change Committee
Nil

19. CONFIDENTIAL ITEMS
Nil

20. NEXT MEETING
Tuesday 14 November 2023, 6.30pm, 63 Mt Barker Road, Stirling

21. CLOSE MEETING

Council Meeting & Workshops 2023

DATE	TYPE	LOCATION	MINUTE TAKER
OCTOBER 2023			
Tues 24 October	Council	Stirling	Kylie Hopkins
Tues 31 October	Workshop	Stirling	N/A
NOVEMBER 2023			
Mon 6 November	Workshop	Woodside	N/A
Wed 8 November	CAP	Stirling	Karen Savage
Tues 14 November	Council	Stirling	Kylie Hopkins
Mon 20 November	Audit Committee	Stirling	Jody Atkins
Tues 21 November	Workshop	Stirling	N/A
Tues 28 November	Council	Stirling	Kylie Hopkins
DECEMBER 2023			
Mon 4 December	Workshop	Woodside	N/A
Wed 13 December	CAP	Stirling	Karen Savage
Thur 14 December	CEOPRP	Stirling	Jody Atkins
Tues 19 December	Council	Stirling	Kylie Hopkins

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

Conflict of Interest Disclosure Form

CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS

Date: _____

Meeting Name (please tick one)

- | | | | |
|------------------------------|--------------------------|---------------------------|--------------------------|
| Ordinary Council | <input type="checkbox"/> | Audit Committee | <input type="checkbox"/> |
| Special Council | <input type="checkbox"/> | Boundary Change Committee | <input type="checkbox"/> |
| CEO Performance Review Panel | <input type="checkbox"/> | Other: _____ | <input type="checkbox"/> |

Item No **Item Name:**

(Only one conflict of interest entry per form)

I, Mayor / Cr _____ have identified a conflict of interest as:

GENERAL

MATERIAL

GENERAL

In considering a General Conflict of Interest (COI), an impartial, fair-minded person might consider that the Council Member’s private interests might result in the Member acting in a manner that is contrary to their public duty.

MATERIAL

In considering a Material Conflict of Interest (COI), a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council if a class of persons as defined in s75(1)(a-l) in the Act would gain a benefit, or suffer a loss, (whether directly or indirectly and whether of a personal or pecuniary nature) depending on the outcome of the consideration of the matter at the meeting.

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)

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

- I intend to **stay** in the meeting (please complete details below)
- I intend to **stay** in the meeting as exempt under s75A (please complete details below)
- I intend to **leave** the meeting (*mandatory if you intend to declare a Material conflict of interest*)

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

(This section must be completed and ensure sufficient detail is recorded of the specific circumstances of your interest.)

Office use only: Council Member voted FOR / AGAINST the motion.

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 10 OCTOBER 2023
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom

Members:

Councillor Kirrilee Boyd
Councillor Adrian Cheater
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Terry Crackett	Director Corporate Services
Natalie Armstrong	Director Community and Development
David Waters	Director Environment and Operations
Michael Kelledy (Kelledy Jones)	Governance Support
Kylie Hopkins	Minute Secretary
Tom Portas	Systems Analyst

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.

3. Apology

Cr Pauline Gill

Mayor _____ ... 24 October 2023

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 10 OCTOBER 2023
63 MT BARKER ROAD STIRLING**

3.1 Leave of Absence

Moved Cr Mark Osterstock
S/- Cr Nathan Daniell

254/23

1. That a Leave of Absence from all duties of office be granted to Cr Chris Grant from 30 October 2023 to 10 November 2023.
2. That any committee or panel membership currently held by Cr Chris Grant be undertaken by the Deputy during the leave of absence.

Carried Unanimously

Moved Cr Chris Grant
S/- Cr Louse Pascale

255/23

1. That a Leave of Absence from all duties of office be granted to Cr Leith Mudge from 22 October 2023 to 27 October 2023.
2. That any committee or panel membership currently held by Cr Leith Mudge 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 – 26 September 2023

Moved Cr Melanie Selwood
S/- Cr Malcolm Herrmann

256/23

That the minutes of the Ordinary Council meeting held on Tuesday 26 September 2023 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 10 OCTOBER 2023
63 MT BARKER ROAD STIRLING**

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 Material Conflict of Interest, Cr Melanie Selwood, Item 12.1

Under section 75C of the *Local Government Act 1999* Cr Melanie Selwood disclosed a Material (section 75) Conflict of Interest in Item 12.1, the nature of which is as follows:

- My husband is employed by a not-for-profit organisation, Treecovery Ltd, which works in the bushfire recovery space providing local landholders with alternative uses for dead trees remaining on their property after a bushfire. Therefore, I have a material conflict of interest as any strategy implemented by Council could have an impact on his employment.

Cr Selwood intends to leave the Chamber when this item is discussed.

6. PRESIDING MEMBER'S OPENING REMARKS

The Mayor welcomed everyone to the chamber and introduced Michael Kelledy who will be providing governance support at the meeting. The Mayor then introduced Directors and staff to the gallery and welcomed all to the chamber.

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 Imagine Uraidla – Ms Jessica De Campo

8.3 Public Forum

Mike Pettigrew, Pedare Park Road, Woodside
Peter O'Brien, Amy Gillett Bikeway

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 10 OCTOBER 2023
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With Leave of the Meeting, Item 14 was brought forward on the agenda.

14. QUESTIONS WITHOUT NOTICE

Cr Malcolm Herrmann asked a question regarding the Amy Gillett Bikeway.

With Leave of the Meeting, Item 12.3 was brought forward on the agenda.

7.01PM Cr Malcolm Herrmann left the Chamber

7.03PM Cr Malcolm Herrmann returned the Chamber

12.3 Pedare Park Road Woodside – Road Opening and Closure

Moved Cr Lucy Huxter

S/- Cr Malcolm Herrmann

257/23

Council resolves:

1. That the report be received and noted.
2. The land marked "A" in Preliminary Plan No. 22/0043 (known as the Road Land) be closed and declared surplus to Council's requirements.
3. That upon deposit of the Road Closure, the land will be excluded from the classification of Community Land and not be included in Council's Community Land Register.
4. That the Chief Executive, or his delegate, be authorised to negotiate with the owners of 205 Pedare Park Road for the sale and transfer of the piece marked "A" in Preliminary Plan No. 22/0043 for nil consideration given the initial construction of Pedare Road on the adjoining property potentially contributed to the encroachment, on the proviso that the owners agree to pay fees associated with the administrative process of the land transfer.
5. That the Chief Executive, or his delegate, be authorised to purchase from the owners of 340 Tiers Road Woodside, the piece marked "1" in Preliminary Plan No. 22/0043 for the sum of \$108,000 plus GST (if applicable).
6. That the net capital cost required to fund the road exchanges be included into the 2023/24 Budget as part of the next available Budget Review.
7. That the Chief Executive Officer is authorised to finalise and sign all necessary documentation pursuant to this resolution.

Carried

9. PRESENTATIONS

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 10 OCTOBER 2023
63 MT BARKER ROAD STIRLING**

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

Nil

12. OFFICER REPORTS – DECISION ITEMS

7:33PM Cr Malcolm Herrmann left the Chamber

12.1 Bushfire Mitigation Strategy Public Consultation

Under section 75C of the *Local Government Act 1999* Cr Melanie Selwood disclosed a Material (section 75) Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in Item 12.1 Bushfire Mitigation Strategy Public Consultation, the nature of which is as follows:

- My husband is employed by a not-for-profit organisation, Treecoverly Ltd, which works in the bushfire recovery space providing local landholders with alternative uses for dead trees remaining on their property after a bushfire. Therefore, I have a material conflict of interest as any strategy implemented by Council could have an impact on his employment.

7:33PM Cr Melanie Selwood left the Chamber

7:34PM Cr Herrmann Herrmann returned to the Chamber

Moved Cr Nathan Daniell

S/- Cr Chris Grant

258/23

Council resolves:

- 1. That the report be received and noted.**
- 2. That Council approves public consultation on the draft Bushfire Mitigation Landscape Strategy, as contained in Appendix 1, to commence on Wednesday 18 October 2023 and conclude on Friday 17 November 2023.**
- 3. That the Chief Executive Officer, or delegate, be authorised to make formatting and/or other minor content changes to reflect any outcomes from the meeting deliberations prior to public consultation commencing.**
- 4. That the Chief Executive Officer, or delegate, be authorised to amend the dates for public consultation should circumstances arise necessitating a change to occur.**

Carried Unanimously

7.47PM Cr Melanie Selwood returned to the Chamber

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 10 OCTOBER 2023
63 MT BARKER ROAD STIRLING**

12.2 37 Yanagin Road Greenhill – Revocation of Community Land Classification

Moved Cr Kirsty Parkin
S/- Cr Leith Mudge

259/23

Council resolves:

1. That the report be received and noted.
2. That the Community Land classification over portion of Allotment 7 in File Plan 129661 in Certificate of Title Volume 5636 Folio 762 as hatched in purple in proposed Plan of Division dated 14/10/2022 be revoked
3. The land swap to proceed with the areas hatched in green to be amalgamated in Allotment 7 in File Plan 129661 in Certificate of Title Volume 5636 Folio 762, known as Yanagin Reserve. The area hatched in purple to be amalgamated into the adjoining owners land parcel in Certificate of Title Volume 5350 Folio 424 as shown in Appendix 1 of this Report.
4. Council to apply to vary the Heritage Agreement currently over Yanagin Reserve showing the land swap variations accordingly.

Carried Unanimously

12.3 Pedare Park Road Woodside – Road Opening and Closure

This item was considered earlier in the meeting.

12.4 Revised CEO Probation Review Process

Moved Cr Chris Grant
S/- Cr Kirsty Parkin

Council resolves:

1. That the report be received and noted.
2. That Council approve the revised CEO Probationary Period Performance Review Process and the Probationary Period Key Performance Indicators as detailed in Appendix 1 of the report.

ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 10 OCTOBER 2023
63 MT BARKER ROAD STIRLING

AMENDMENT (red text)

Moved Cr Mark Osterstock
S/- Cr Lucy Huxter

Council resolves:

1. That the report be received and noted.
2. That Council approve the revised CEO Probationary Period Performance Review Process ~~and the Probationary Period Key Performance Indicators~~ as detailed in Appendix 1 of the report.
3. **That Council approve the revised Probationary Period Key Performance Indicators as detailed below:**
 1. **Forge and develop positive working relationships with Staff, Council Members, the Community, and External Stakeholders. Provides effective, clear communication, consistent decision making, consultation and actively listens.**
Timeline: 10th November 2023
 2. **Undertake a high-level review of the suite of Strategic Plans and identifying gaps and opportunities.**
Timeline: 10th November 2023
 3. **Undertake a high-level assessment of the organisation's capability to deliver the strategic goals and quality services, including resourcing, finances, systems and processes, and document ideas and suggestions for improvements.**
Timeline: 10th November 2023
 4. **Undertake a high-level assessment of Council's operations and the delivery of projects and provide suggestions for improvements.**
Timeline: 10th November 2023
 5. **Undertake a high-level assessment of Council's environment sustainability vision and aspirations and identify viable, achievable, and appropriate opportunities for leadership in this area.**
Timeline: 10th November 2023

8.01PM Cr Adrian Cheater left the Chamber

8.03PM Cr Adrian Cheater returned to the Chamber

The Amendment was put and Carried
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**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 10 OCTOBER 2023
63 MT BARKER ROAD STIRLING**

MOTION AS AMENDED

Moved Cr Chris Grant
S/- Cr Kirsty Parkin

260/23

Council resolves:

1. That the report be received and noted.
2. That Council approve the revised CEO Probationary Period Performance Review Process as detailed in Appendix 1 of the report.
3. That Council approve the revised Probationary Period Key Performance Indicators as detailed below:
 1. Forge and develop positive working relationships with Staff, Council Members, the Community, and External Stakeholders. Provides effective, clear communication, consistent decision making, consultation and actively listens.
Timeline: 10th November 2023
 2. Undertake a high-level review* of the suite of Strategic Plans and identifying gaps and opportunities.
Timeline: 10th November 2023
 3. Undertake a high-level assessment* of the organisation's capability to deliver the strategic goals and quality services, including resourcing, finances, systems and processes, and document ideas and suggestions for improvements.
Timeline: 10th November 2023
 4. Undertake a high-level assessment* of Council's operations and the delivery of projects and provide suggestions for improvements.
Timeline: 10th November 2023
 5. Undertake a high-level assessment* of Council's environment sustainability vision and aspirations and identify viable, achievable, and appropriate opportunities for leadership in this area.
Timeline: 10th November 2023

Carried Unanimously

**ADELAIDE HILLS COUNCIL
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13. OFFICER REPORTS - INFORMATION ITEMS

Nil

14. QUESTIONS WITHOUT NOTICE

Cr Malcolm Herrmann asked a question regarding the Amy Gillett Bikeway which was discussed in the Public Forum section of the meeting.

Cr Malcolm Herrmann asked a question regarding an update on the Martin Hill Road, Warren Road and Lucky Hit Road upgrades.

Cr Andrian Cheater asked a question regarding technical equipment for Council Meetings.

15. MOTIONS WITHOUT NOTICE

Having taken into account the Guiding Principles, the Mayor accepted the following Motion Without Notice.

15.1 Draft Boundary Encroachment Policy

Moved Cr Kirsty Parkin

S/- Cr Nathan Daniell

261/23

- 1. Council research and develop a draft Boundary Encroachment Policy to bring to the chamber for review by 29 February 2024.**

Carried Unanimously

16. REPORTS**16.1 Council Member Function or Activity on the Business of Council****Mayor Jan-Claire Wisdom**

- 26 September 2023, Council meeting, Stirling
- 27 September 2023, Director Peter Bice leaving BBQ, Heathfield
- 27 September 2023, Exit interview with Mr Peter Bice, Director of Infrastructure & Operations, Aldgate
- 28 September 2023, CEOPRP meeting, Stirling
- 29 September 2023, Photoshoot/media with Courier re new Waste Trial, Stirling
- 29 September 2023, Exit interview with Mr Lachlan Miller, Executive Manager Governance, Strathalbyn
- 30 September - 2 October 2023, Media enquiries (phone/email) regarding AHC Waste Trial plus interview with Advertiser
- 3 October 2023, Meeting with Cr Grant, Woodside
- 3 October 2023, AHC Information/Briefing Session, Woodside

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- 4 October 2023, Meeting with Cr Cheater, Stirling
- 5 October 2023, Meeting with Mt Torrens Heritage Group & Ashton Hurn MP re Heritage Management
- 8 October 2023, RSL lunch – subsequently cancelled
- 9 October 2023, Meeting with Deputy Mayor Cr Daniell

16.2 Reports of Members as Council/Committee Representatives on External Organisations

Nil

16.3 CEO Report

Greg Georgopoulos, CEO, provided Council with a verbal update.

17. REPORTS OF COMMITTEES

17.1 Council Assessment Panel

Nil

17.2 Audit Committee

Nil

17.3 CEO Performance Review Panel – 28 September 2023

Moved Cr Grant

S/- Cr Parkin

262/23

That the minutes of the CEO Performance Review Panel meeting held on 28 September 2023 as distributed, be received and noted.

Carried Unanimously

17.4 Boundary Change Committee

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 10 OCTOBER 2023
63 MT BARKER ROAD STIRLING**

18. CONFIDENTIAL ITEMS

18.1 Electricity Procurement – Legal Matter – Exclusion of the Public

Moved Cr Leith Mudge

S/- Cr Kirrilee Boyd

263/23

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except:
 - Chief Executive Officer, Greg Georgopoulos
 - Director Corporate Services, Terry Crackett
 - Director Community and Development, Natalie Armstrong
 - Director Environment and Infrastructure, David Waters
 - Governance Support, Michael Kelledy (Kelledy Jones)
 - Systems Analysis, Tom Portas
 - Minute Secretary, Kylie Hopkins
 be excluded from attendance at the meeting for Agenda Item 19.1.1. Electricity Procurement - Legal Matter in confidence.
2. 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:
3. Section 90(3)(h) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this Agenda Item is legal advice the disclosure of which could reasonably be expected to prejudice Council's position in future legal proceedings.
4. 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 10 OCTOBER 2023
63 MT BARKER ROAD STIRLING**

18.1.1 Electricity Procurement – Legal Matter

**ADELAIDE HILLS COUNCIL
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18.1.2 Electricity Procurement – Legal Matter – Duration of Confidentiality

Moved Cr Mark Osterstock
S/- Cr Chris Grant

265/23

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 19.1 in confidence under sections 90(2) and 90(3)(h) of the Local Government Act 1999, resolves that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence in accordance with the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Electricity Procurement Legal Matter	26 October 2024 or until legal release date
Related Attachments	26 October 2024 or until legal release date
Minutes	26 October 2024 or until legal release date

Pursuant to section 91(9)(c) of the Local Government Act 1999, the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.

Carried Unanimously

19. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 24 October 2023 from 6.30pm at 63 Mt Barker Road, Stirling.

20. CLOSE MEETING

The meeting closed at 8:40PM

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 October 2023
AGENDA BUSINESS ITEM**

Item: 11.1 Motion on Notice

Originating from: Cr Mark Osterstock

Subject: Campbelltown City Council Boundary Change Proposal

1. MOTION

I move that:

1. That the Chief Executive Officer, on behalf of Council, writes to Rob Donaldson, Chairperson, Local Government Boundaries Commission (the Commission), seeking an update on the status of the Campbelltown City Council (CCC) Boundary Change Proposal (noting that it has been some three and a half years since the proposal was first initiated by CCC), including yet not limited to information on the:
 - a. The cost estimate for the inquiry into the proposal, and
 - b. A timeframe for CCC to respond to the cost estimate.
 2. That once a response has been received from the Commission that the response is presented to Council for tabling and inclusion in the minutes.
-

2. BACKGROUND

On 1 January 2019, new provisions in the *Local Government Act 1999* regarding boundary reform came into effect (Chapter 3, Part 2). The provisions fundamentally changed the way boundary reform proposals would be managed.

Two of the key changes were as follows:

- The Local Government Boundaries Commission (LGBC) was established to oversee boundary change proposals undertaken under Part 2; and
- Boundary reform proposals could be initiated by one council without the consent of a neighbouring 'affected' council.

At its 22 January 2019 meeting, the CCC resolved to submit a Stage 1 proposal to the LGBC. The submission was for the boundary between CCC and AHC to be realigned to the eastern and southern side of Woodforde and Rostrevor suburbs, effectively moving those suburbs into CCC's area.

3. OFFICER'S RESPONSE – Terry Crackett, Director Corporate Services

➤ 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

➤ 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 LGBC 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.

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 LGBC 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 LGBC.

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 LGBC 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 LGBC determines that a proposal has merit it will advise the initiating council that the LGBC 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 LGBC-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 LGBC 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.

➤ **Risk Management Implications**

Examining the veracity of the CCC boundary reform proposal could assist in mitigating the risk of:

Realignment of Council boundaries bordering Campbelltown City Council leading to financial, resource allocation, social and representation changes

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

➤ **Financial and Resource Implications**

At its 26 July 2022 meeting, Council considered a Motion on Notice regarding the establishment of the Boundary Change Committee and resolved (179/22) in part:

2.3 A budget allocation of \$10,000 (exclusive of GST), will be made to enable the Committee to seek external advice in order to assist the Committee in fulfilling its objectives.

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

There are minimal community implications associated with the Motion on Notice.

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

➤ **Sustainability Implications**

There are no direct sustainability implications from this report however there may be financial sustainability implications from a boundary change.

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

There was no direct consultation in the development of this report.

4. ANALYSIS

The CCC proposal has progressed through each of the boundary reform stages (see Legal Implications below for a description of the key stages of the boundary reform process).

Unfortunately, the legislated process does not enable the ‘affected’ council to have any formal role in the process until a proposal has progressed to the Inquiry (investigation) stage

other than the LGBC notifying the council on the progression of the proposal through the process stages. Notwithstanding this lack of formal 'status', AHC has been very active in communicating with the LGBC regarding the CCC proposal.

As such it should be noted that have been many other actions and interactions in relation to the proposal between AHC, CCC and LGBC however the table below only deals with milestones related to the stages of the process.

Given it has been 12 months since the Commission advised Adelaide Hills Council of the details within the Inquiry Plan it is seen as appropriate that an update be sought as per the Motion on Notice.

19 Feb 2019	CCC lodges its Stage 1 proposal with the LGBC
21 Mar 2019	LGBC considers the CCC Stage proposal at its meeting and determines that CCC may refer a Stage 2 proposal to the LGBC
6 Apr 2022	CCC resolves to proceed with the submission of a Stage 2 proposal and advises LGBC of such on 14 April 2022
14 Apr 2022	CCC lodges Stage 2 proposal with LGBC
18 May 2022	LGBC considers the CCC Stage 2 proposal at its meeting
6 Jun 2022	LGBC advises CCC that before the Commission considers whether to inquire (Stage 3) into the proposal CCC needs to provide: <ul style="list-style-type: none"> • further information about the advantages and disadvantages of the proposal; and • clear cadastral and topographic maps of the subject areas clearly displaying the proposed boundary alignment The further information was to be provided by 20 June 2022.
28 Jun 2022	CCC lodges its Supplementary information to the Stage 2 proposal
15 July 2022	Mayor Wisdom wrote to LGBC highlighting a significant number of deficiencies in the Stage 2 proposal
20 Jul 2022	LGBC consider CCC Supplementary information to the Stage 2 proposal at its meeting and determines that the proposal progress to the Inquiry (Stage 3) phase
29 Jul 2022	LGBC advises AHC and CCC that it has determined that the Stage 2 proposal meets the requirements of the applicable LGBC Guideline and s26 of the Act and that an Inquiry into the proposal may proceed. Further, LGBC invites AHC and CCC to provide comment on the draft Inquiry Plan (which set out the matters that the independent investigator(s) will examine in assessing the proposal against the provisions of s26). The LGBC's letter did not reference the 15 July 2022 correspondence or provide any commentary on the numerous deficiencies identified in that correspondence.
26 Aug 2022	AHC provides extensive feedback on the draft Inquiry Plan
18 Oct 2022	LGBC provides AHC and CCC with the final Inquiry Plan (accepting all AHC's feedback). Further LGBC advises that it would seek cost estimate from suitable consultants for the inquiry based on the Inquiry Plan and that once the estimates were known these would be provided to CCC post-2022 LG election. The inquiry would only proceed is CCC provides clear direction to do so including accepting to fund the inquiry costs.
27 Jan 2023	AHC requests status update from LGBC regarding inquiry
14 Feb 2023	LGBC advises AHC that a cost estimate has not yet been determined and therefore it has not been provided to CCC for decision
24 May 2023	LGBC advises AHC that a cost estimate has not yet been finalised and therefore has not been provided to CCC for decision

5. APPENDICES

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 October 2023
AGENDA BUSINESS ITEM**

Item:	12.1
Responsible Officer:	Gary Lewis Manager Financial Services Corporate Services
Subject:	2022-23 Annual Financial Statements and End of Year Report
For:	Decision

SUMMARY

This report presents the Adelaide Hills Council's 2022-23 General Purpose Financial Statements (**Appendix 1**) to Council for adoption and subsequent inclusion in the 2022-23 Annual Report.

The Audit Committee considered the 2022-23 General Purpose Financial Statements at its meeting on 16 October 2023 where it resolved to advise Council that it had reviewed the General Purpose Financial Statements and was satisfied that they presented fairly the state of affairs of the Council.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
 - 2. That, in accordance with Section 127 of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 1999*, Council adopts the General Purpose Financial Statements for the financial year ended 30 June 2023**
 - 3. To authorise the Mayor and CEO to sign the General Purpose Financial Statements for the financial year ended 30 June 2023.**
-

1. BACKGROUND

Following the completion of Galpin's appointment as Council's statutory external auditors, BDO have undertaken their first audit for Council. The Annual Financial Statements (or General Purpose Financial Report) in **Appendix 1** have been prepared in accordance with Australian equivalents to International Financial Reporting Standards (AIFRS) as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board and relevant South Australian local government legislation.

The Audit Committee considered the draft 2022-23 General Purpose Financial Statements at its meeting on 16 October 2023 where it resolved the following:

Moved Peter Brass

S/- Pamela Lee

AC40/23

1. *That the 2022/23 Annual Financial Statements and End of Year Report be received and noted*
2. *That in accordance with Section 126(4)(a) of the Local Government (Financial Management) Regulations 1999, the Audit Committee advises Council that it has reviewed:*
 - i. *the General Purpose Financial Statements of the Council for the financial year ended 30 June 2023 as contained in Appendix 1, and*
 - ii. *the External Auditor BDO's Annual Completion Report as contained in Appendix 2, and is satisfied that the 2022-23 financial statements present fairly the state of affairs of the Council.*
3. *To recommend that the Adelaide Hills Council 2022-23 General Purpose Financial Statements, contained in Appendix 1, may be certified by the Chief Executive Officer and the Mayor.*
4. *To note the confirmation of BDO's Auditor Independence Statement provided at Appendix 2.*
5. *To recommend that the Certification of Auditor Independence statement contained in Appendix 3 may be certified by the Chief Executive Officer and the Presiding Member of the Audit Committee in accordance with the requirements of Regulation 22(3) of the Local Government (Financial Management) Regulations 2011.*

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5	A Progressive Organisation
Objective O3	Our organisation is financially sustainable for both current and future generations.
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.
Objective O5	We are accountable, informed and make decisions in the best interests of the whole community.
Priority O5.1	Enhance governance structure and systems to prudently adapt to changing circumstances and meet our legislative obligations.
Priority O5.3	Demonstrate accountability through robust corporate planning and reporting that enhances performance, is relevant and easily accessible by the community.

The Council is committed to open, participative, and transparent decision-making and administrative processes. We diligently adhere to legislative requirements to ensure public accountability and exceed those requirements where possible.

➤ **Legal Implications**

Section 126 (4)(a) of the *Local Government Act 1999* requires the Audit Committee to review the Financial Statements to ensure that they present fairly the state of affairs of the Council.

Section 127 of the *Local Government Act 1999* states that a council must prepare for each financial year financial statements and notes in accordance with standards prescribed by the regulations and that a copy of the audited statements be submitted by the council to the persons or bodies prescribed by the regulations on or before the day prescribed by the regulations.

➤ **Risk Management Implications**

Completing the year end general purpose financial statements in accordance with the timetable will assist in mitigating the risk of:

Loss of reputation as a result of not meeting legislative timelines for the delivery of Council's Annual Report.

Inherent Risk	Residual Risk	Target Risk
Medium (4D)	Low (2E)	Low (2E)

Council's Annual Report is required to be completed by 30 November each year. The adoption of the General Purpose Financial Statements at this meeting will assist in meeting this timeline.

➤ **Financial and Resource Implications**

The General Purpose Financial Statements (Financial Statements) are considered to be the most significant output from Council's financial management and reporting processes, and are required for inclusion in the Annual Report.

Funding and resources required to prepare the Financial Statements is provided for as part of the annual budget process.

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

It is important to the Community to be aware and understand Council's financial result for the year in the context of its longer term financial sustainability. Council's audited Financial Statements are provided to the community within the Annual Report.

➤ **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: Council's Financial Statements were considered by the Audit Committee at its meeting on 16 October 2023.

Council Workshops: Not applicable

Advisory Groups: Not applicable

External Agencies: Not applicable





Community: Not applicable.

➤ **Financial Analysis**

The completed Financial Statements for 2022/23 are closely in line with those communicated in the End of Financial Year Update provided to the Audit Committee at its meeting on 21 August 2023.

The statements show an annual performance comparable to the prior year and a continuing strong balance sheet.

Key Performance Indicators

Ratio	\$ 000's	Indicator	Target	2022	Variation	
1 Operating Surplus	1,430	2.63%	1% to 5%	2.20%	0.43%	
	54,445					
Adjusted Operating Surplus Ratio*	695	1.3%	1% to 5%	1.00%	0.29%	
	53,710					
2 Net Financial Liabilities Ratio	22,839	41.9%	25% to 75%	46%	-4.05%	
	54,445					
3 Asset Renewal Funding Ratio	10,070	97.8%	95% to 105%	114%	-16.16%	
	10,292					

**The adjustment made to the Operating Surplus Ratio now includes two components. In previous years it solely took into account the timing of the Federal Assistance Grants, which generated \$443k of additional income in FY2022/23. A new adjustment is now included to take account for the Capital Grants that are included in the Operating statement due to the specific accounting rules that dictate where the income is to be reported. This amount increased Operating income by \$292k while being used to fund capital grants.*

All of the indicators continue to be within target ranges. Operating Surplus and Net Financial Liability Ratios have improved year on year. The Asset Renewal Ratio reduced in FY 2023 following a particularly high ratio the previous year. For efficient asset management the asset renewal program funding ratio is likely to fluctuate year to year. The FY23 result brings the 5 year average to 99%.

It should be noted that the Adjusted Operating Surplus has improved year on year even though the adjustment passed in 2023 has been expanded to take into account grants used to fund capital projects that have had to be reported in operating income due to accounting rules. These were not adjusted for in prior years, and can now be seen split out.

The reduced level of capital expenditure has had a positive impact on the Net Financial Liabilities (NFL) Ratio. Asset expenditure was below the budgeted level which has contributed to the low level of NFL's.

Preliminary End of Year vs End of Year Final Position

At the time of reporting the preliminary result in August, it was noted that there was potential for changes to the estimated operating result for proposed adjustments regarding leasehold improvements, provisions for landfills, grant recognition, and finalisation of asset revaluations.

As a result of the finalisation of the audit, the proposed adjustment items have been finalised and the impact on the operating result was positive, presenting a favourable position in comparison to the estimate. Refer to **Appendix 3** for details.

The preliminary end of year position was estimated to be a \$1.362m surplus. Compared to a final operating surplus of \$1.430m, there is a favourable variance of \$68k.

\$'000	Final 2022/23 \$'000	Preliminary Fav/(Unfav) \$'000	Variance Fav/(Unfav) \$'000
Operating income	54,445	54,265	180
Operating expenditure	53,015	52,903	(112)
Operating Surplus	1,430	1,362	68

Operating Income

A net gain of \$169k from Council's share of the operating results of East Waste Management Authority (EWMA) and Adelaide Hills Region Waste Management Authority (AHRWMA), and an increase in investment income of \$11k due to the unwinding of the PV discount on landfill monitoring provision.

Operating Expenditure

A \$64k increase in provision expenses for landfill monitoring, additional depreciation expense of \$33k, and a net loss of \$19k from Council's share of the operating result for the Gawler River Floodplain Management Authority (GRFMA), offset by a reduction of (\$4k) in the expected interest expense for leases.

Actual Result 2022/23 compared to Actual Result 2021/22

The summary of the operating result is as follows.

\$'000	Actual 2022/23 \$'000	Actual 2021/22 \$'000	Variance Fav/(Unfav) \$'000	Variance Fav/(Unfav) %
Operating income	54,445	52,457	1,988	4%
Operating expenditure	53,015	51,315	(1,700)	(3%)
Operating Surplus	1,430	1,142	288	25%

With an economic environment of raised levels of inflation leading to rapidly increasing interest rates it is inevitable that there will be pressure on the cost base and if service levels are maintained costs will rise. The increase in expenses by 3% is in a context of the Adelaide Consumer Price index increasing 7.9% and the Local Government Price Index (Recurrent) rising 4.3% in FY 2022/23.

Operating Expenses

	Actual 2023 \$ 000's	Actual 2022 \$ 000's	Change \$ 000's	Change %
Employee costs	20,693	19,608	1,085	6%
Material, contracts & other	21,273	21,515	(242)	(1%)
Depreciation	10,479	9,820	659	7%
Finance costs	551	306	245	80%
Loss on equity businesses	19	66	(47)	(71%)
Total	53,015	51,315	1,700	3%

The increase in employee costs is driven by a below CPI wage increase during the year of 4.7% and increase in superannuation costs of 0.5%. The increase in Depreciation costs is mostly due to five changes in four categories of assets, as set out below.

	2023 \$ 000's	2022 \$ 000's	Change \$ 000's	Change %
Buildings	1,357	1,082	275	25%
Footpaths	424	338	86	25%
Roads	4,469	4,334	135	3%
Plant & Equipment	1,090	928	162	17%
All other	3,139	3,139	1	0%
Total	10,479	9,820	659	7%

The changes above will be driven by changes in the portfolio of assets and any reassessment of their condition during the year. Buildings have been subject to revaluations in both 2022 and 2023 and disposals (Bridgewater Retirement Village). Footpaths have had significant additions and revaluations over the last two years. Plant and equipment have had material expenditure across both FY 2022 and FY 2023 (\$4.2m in total). While the dollar value of the change in Roads is material, the relative change is small compared to the overall value of roads.

The level of depreciation is materially the same as the budgeted figure (\$10.5m), this is particularly significant when considering potential changes to future budgets. That there is

little variation tends to support the current year budget (FY 2023/24) as being accurate in this regard.

Finance Costs

The RBA cash rate has risen through 2022/23 from 0.85% to 4.1%. This has had a material impact on the cost of funding on Councils variable loans. Variable loans are a key tool for Treasury management however the table below shows the relative impact compared to the fixed loans.

Fixed Rate Loans		Actual 2022/23	Actual 2021/22	Change
Average Loan Fixed \$5m	\$'000	5,000	5,000	
Average rate	%	4.60%	4.60%	
Average Loan Fixed \$3m CF	\$'000	3,000		3,000
Average rate	%	4.45%		4.45%
Total Interest Cost	\$'000	342	230	112

Variable Rate & Balance Loans				
Average rate (LGFA)	%	4.17%	1.37%	2.80%
Loan int cost (LGFA)	\$'000	11	22	(11)
Average rate (Westpac)	%	3.75%	0.93%	2.82%
Loan int cost (Westpac)	\$'000	188	38	150
Interest cost	\$'000	199	60	139
Total Finance Costs	\$'000	551	306	245

Prior Year Adjustments

Through 2022/23 two necessary corrections were discovered that have been incorporated in the FY23 financial statements. These relate to misstatements that occurred in preceding years and have been adjusted within the opening balance of the Equity Statement rather than through Other Comprehensive Income. This is the treatment that is required under Australian GAAP.

- Capital Work in Progress included assets of \$960,012 that related to land that Council had disposed of in 2019. The land had been derecognised at the date of disposal, but the associated capital work in progress had not been. This variation was discovered following a review of the carrying value of Work in Progress. Internal controls with regards to Work in Progress will be reviewed and updated accordingly.
- An amount of \$1,208,492 relating to renewal assets that was overstated in 2022 through the Asset Revaluation Reserve. This was due to a transaction being incorrectly processed in FY22. Discussion with the Auditors have clarified the appropriate treatment going forward.

The impact these changes have made to the opening balances are set out in Note 24. Equity - retained earnings and revaluation reserves adjustments.

Implications of noted variations

The variations to budget that occurred in FY 2022/23 have been reviewed for their potential to influence the financial performance in FY2023/24. These variations do not indicate any necessity to change the FY2023/24 operating budget.

Net Borrowing Position.

The net cash position for Council remains unchanged and no adjustments are being considered for borrowings in FY 2023/24.

	Actual 2022-23 \$'000	Actual 2021-22 \$'000	Variance Fav/(Unfav) \$'000
Cash & Investments	489	3,215	(2,726)
Short term drawdown	(7,025)	(9,206)	2,181
Fixed Term Loans	(7,729)	(5,000)	(2,729)
Total Borrowings	(14,754)	(14,206)	(548)
Net Position	(14,265)	(10,991)	(3,274)

Councils' net requirement to borrow has increased over the year, in line with budget.

Capital variations

	Actual 2022-23 \$'000	Actual 2021-22 \$'000	Variance \$'000
Capital income	2,035	4,580	(2,545)
Capital expenditure - new	(5,200)	(6,102)	902
Capital expenditure - renewal	(10,070)	(12,337)	2,267
Net expenditure - Capital projects	(13,235)	(13,859)	624
Carry forward Capital Expense			(4,325)
Carry forward Capital Income			2,919
Overall Capital Result			(782)

Net capital expenditure is similar year on year but the level of both renewal and new capital expenditure has fallen by \$3m. The level of renewal expenditure is now more in line with long term levels following elevated expenditure in FY22.

Capital income including carry forwards relates primarily to deferred grant income already received for Fabrik (\$955k) and funding yet to be received from the Department for Infrastructure and Transport for Council's Black Spot Roads Program (\$2.0m). Projects identified under this program are expected to be completed in 2023-24.

Capital expenditure is impacted by FABRIK projects still in progress and yet to be undertaken, LRCIP projects that have not been started and/or completed and carry forward of capital expenditure relating to approximately 35 projects.

2022-23 Audit Completion Report

The role of the external auditor is to provide an audit opinion to Council with respect to the General-Purpose Financial Statements. In addition, Council's Auditor BDO is required to provide an opinion on the compliance of the Adelaide Hills Council with the requirements of Section 125 of the *Local Government Act 1999* in relation to the Internal Controls established by the Council.

The Council is responsible for implementing and maintaining an adequate system of internal controls in accordance with Section 125 of the *Local Government Act 1999*.

The Auditor's responsibility is to express a conclusion on the Council's compliance with Section 125 of the *Local Government Act 1999* in relation only to the Internal Controls established by the Council for the period 1 July 2022 to 30 June 2023 to ensure that financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities have been conducted properly and in accordance with law in all material respects.

The Auditors procedures included assessing the controls of Council based on the criteria in the *Better Practice Model—Internal Financial Controls*.

BDO have provided their final Audit Completion Report on matters arising from the audit. This Audit Completion Report (see **Appendix 2**) indicates that BDO intend to issue unmodified opinions in relation to the financial statements and internal controls.

Statement by Auditor of Audit Independence

Regulation 22(5) of the *Local Government (Financial Management) Regulations 2011* requires the auditor of a council to provide a written statement attesting to their independence. Council's Auditor, BDO have provided their signed Audit Independence Declaration. This Statement to Council is contained within **Appendix 2**.

Audit Committee Review & minor updates

Following the completion of the Financial Statements a couple of immaterial changes have been made, the most significant of which is in Note 5 of the statements. This Note incorrectly classified GST Recoupment within Accrued Revenues, this has been corrected. Other changes were spelling mistakes or formatting.

The Audit Committee raised questions with regards the restatement of the opening balance sheet especially with regards to the Work in Progress (WiP) change dating back several years. The WiP in question related to the Adelaide Hills Business and Tourism Centre (AHBTC) development and the capital work on the site. The allocation of this expenditure across the sub-developments involved complexities that led to the misstatement.

The Audit Committee noted that the fact that this was identified by the Administration prior to the Audit gave them reassurance in the internal controls. They agreed that more detailed review of the Work In Progress should be conducted going forward through a collaboration between the Strategic Assets and Finance teams.

3. OPTIONS

Council has the following options:

- I. To adopt the General Purpose Financial Statements as recommended by the Audit Committee; or
- II. To defer adoption of the General Purpose Financial Statements in order for further information to be provided.

4. APPENDICES

- (1) 2022-23 Draft Financial Statements
- (2) Annual Completion Report and Auditor Independence Statement
- (3) 2022-23 Actual to Budget Comparison
- (4) Management Representation letter

Appendix 1

2022-23 Draft Financial Statements

Adelaide Hills Council

GENERAL PURPOSE FINANCIAL STATEMENTS
for the year ended 30 June 2023



General Purpose Financial Statements

for the year ended 30 June 2023

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General Purpose Financial Statements

for the year ended 30 June 2023

Certification of Financial Statements

We have been authorised by the Council to certify the financial statements in their final form.

In our opinion:

- the accompanying financial statements comply with the *Local Government Act 1999, Local Government (Financial Management) Regulations 2011* and Australian Accounting Standards,
- the financial statements present a true and fair view of the Council's financial position at 30 June 2023 and the results of its operations and cash flows for the financial year,
- internal controls implemented by the Council provide a reasonable assurance that the Council's financial records are complete, accurate and reliable and were effective throughout the financial year,
- the financial statements accurately reflect the Council's accounting and other records.

Gregory Georgopoulos
Chief Executive Officer

Jan-Claire Wisdom
Mayor

Date

Statement of Comprehensive Income

for the year ended 30 June 2023

\$ '000	Notes	2023	Restated 2022
Income			
Rates	2a	44,401	41,504
Statutory charges	2b	1,428	1,430
User charges	2c	901	884
Grants, subsidies and contributions - capital	2g	292	1,263
Grants, subsidies and contributions - operating	2g	6,090	6,404
Investment income	2d	37	59
Reimbursements	2e	306	197
Other income	2f	821	583
Net gain - equity accounted council businesses	19(a)	169	133
Total income		54,445	52,457
Expenses			
Employee costs	3a	20,693	19,608
Materials, contracts and other expenses	3b	21,273	21,515
Depreciation, amortisation and impairment	3c	10,479	9,820
Finance costs	3d	551	306
Net loss - equity accounted council businesses	19(a)	19	66
Total expenses		53,015	51,315
Operating surplus / (deficit)		1,430	1,142
Physical resources received free of charge	2h	551	4,072
Asset disposal and fair value adjustments	4	(1,300)	(1,693)
Amounts received specifically for new or upgraded assets	2g	2,283	1,905
Net surplus / (deficit)		2,964	5,426
Other comprehensive income			
Changes in revaluation surplus - I,PP&E	9a	47,645	1,606
Share of other comprehensive income - equity accounted council businesses	19	23	1
Other Equity Adjustments - Equity Accounted Council Businesses	19(a)i	43	6
Total other comprehensive income		47,711	1,613
Total comprehensive income *		50,675	7,039

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

(*) Refer to Note 23 for further details on the restatement.

Statement of Financial Position

as at 30 June 2023

\$ '000	Notes	2023	Restated 2022
ASSETS			
Current assets			
Cash and cash equivalent assets	5a	489	3,215
Trade and other receivables	5b	3,573	3,025
Inventories	5c	17	32
Total current assets		<u>4,079</u>	<u>6,272</u>
Non-current assets			
Equity accounted investments in council businesses	6	2,631	2,416
Infrastructure, property, plant and equipment	7	492,588	443,289
Total non-current assets		<u>495,219</u>	<u>445,705</u>
TOTAL ASSETS		<u>499,298</u>	<u>451,977</u>
LIABILITIES			
Current liabilities			
Trade and other payables	8a	6,107	9,647
Borrowings	8b	1,721	9,581
Provisions	8c	5,257	4,072
Total current liabilities		<u>13,085</u>	<u>23,300</u>
Non-current liabilities			
Borrowings	8b	13,230	5,200
Provisions	8c	583	1,751
Total non-current liabilities		<u>13,813</u>	<u>6,951</u>
TOTAL LIABILITIES		<u>26,898</u>	<u>30,251</u>
Net assets *		<u>472,400</u>	<u>421,726</u>
EQUITY			
Accumulated surplus		150,021	147,004
Asset revaluation reserves	9a	322,268	274,623
Other reserves	9b	111	99
Total council equity		<u>472,400</u>	<u>421,726</u>
Total equity		<u>472,400</u>	<u>421,726</u>

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

(*) Refer to Note 23 for further details on the restatement.

Statement of Changes in Equity

for the year ended 30 June 2023

\$ '000	Notes	Accumulated surplus	Asset revaluation reserve	Other reserves	Total equity
2023					
Balance at the end of previous reporting period		147,004	274,623	99	421,726
Net surplus / (deficit) for year		2,964	–	–	2,964
Other comprehensive income					
- Gain (Loss) on Revaluation of I,PP&E	9a	–	47,645	–	47,645
Share of OCI - equity accounted council businesses		23	–	–	23
Other equity adjustments - equity accounted council businesses	19(a)i	42	–	–	42
Other comprehensive income		65	47,645	–	47,710
Total comprehensive income		3,029	47,645	–	50,674
Transfers between reserves		(12)	–	12	–
Balance at the end of period *		150,021	322,268	111	472,400
2022					
Balance at the end of previous reporting period		142,182	273,017	448	415,647
Adjustments (correction of prior period errors)	23a	(960)	–	–	(960)
Net surplus / (deficit) for year		5,426	–	–	5,426
Other comprehensive income					
- Gain (Loss) on Revaluation of I,PP&E	9a	–	1,606	–	1,606
Share of OCI - equity accounted council businesses		1	–	–	1
Other equity adjustments - equity accounted council businesses	19(a)i	6	–	–	6
Other comprehensive income		7	1,606	–	1,613
Total comprehensive income		5,433	1,606	–	7,039
Transfers between reserves		349	–	(349)	–
Balance at the end of period *		147,004	274,623	99	421,726

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

(*) Refer to Note 23 for further details on the restatement.

Statement of Cash Flows

for the year ended 30 June 2023

\$ '000	Notes	2023	2022
Cash flows from operating activities			
<u>Receipts</u>			
Rates receipts		44,446	41,289
Statutory charges		1,428	1,430
User charges		901	884
Grants, Subsidies and Contributions (operating purpose)		5,832	8,225
Investment receipts		37	59
Reimbursements		306	197
Other receipts		404	292
<u>Payments</u>			
Finance payments		(551)	(306)
Payments to employees		(20,502)	(19,191)
Payments for materials, contracts and other expenses		(22,682)	(19,972)
Net cash provided by (or used in) operating activities	11b	<u>9,619</u>	<u>12,907</u>
Cash flows from investing activities			
<u>Receipts</u>			
Grants utilised for capital purposes		292	1,263
Amounts Received Specifically for New/Upgraded Assets		538	2,552
Sale of replaced assets		427	756
Sale of surplus assets		778	9
<u>Payments</u>			
Expenditure on renewal/replacement of assets		(10,070)	(12,337)
Expenditure on new/upgraded assets		(5,200)	(6,102)
Net cash provided (or used in) investing activities		<u>(13,235)</u>	<u>(13,859)</u>
Cash flows from financing activities			
<u>Receipts</u>			
Proceeds from Borrowings		2,729	–
Proceeds from bonds and deposits		71	–
Proceeds from aged care facility deposits		645	–
<u>Payments</u>			
Repayment of lease liabilities		(374)	(400)
Repayment of aged care facility deposits		–	(76)
Net cash provided by (or used in) financing activities		<u>3,071</u>	<u>(476)</u>
Net increase (decrease) in cash held		<u>(545)</u>	<u>(1,428)</u>
plus: cash & cash equivalents at beginning of period		(5,991)	(4,563)
Cash and cash equivalents held at end of period	11a	<u>(6,536)</u>	<u>(5,991)</u>

Additional information:

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

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Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 1. Summary of Significant Accounting Policies

The principal accounting policies adopted by Council in the preparation of these consolidated financial statements are set out below.

These policies have been consistently applied to all the years presented, unless otherwise stated.

(1) Basis of preparation

1.1 Compliance with Australian Accounting Standards

This general purpose financial report has been prepared on a going concern basis using the historical cost convention in accordance with Australian Accounting Standards as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board, Interpretations and relevant South Australian legislation.

The financial report was authorised for issue by certificate under regulation 14 of the *Local Government (Financial Management) Regulations 2011*.

1.2 Critical accounting estimates

The preparation of financial statements in conformity with Australian Accounting Standards requires the use of certain critical accounting estimates and requires management to exercise its judgement in applying Council's accounting policies.

The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements are specifically referred to in the relevant sections of these Notes.

1.3 Rounding

All amounts in the financial statements have been rounded to the nearest thousand dollars (\$'000).

1.4 Estimates and assumptions

COVID-19 is not expected to have a material financial impact on Council operations. Council has determined that there is no material uncertainty that casts doubt on Council's ability to continue as a going concern.

(2) The local government reporting entity

Adelaide Hills Council is incorporated under the South Australian Local Government Act 1999 and has its principal place of business at 63 Mount Barker Road, Stirling. These financial statements include the Council's direct operations and all entities through which Council controls resources to carry on its functions. In the process of reporting on the Council as a single unit, all transactions and balances between activity areas and controlled entities have been eliminated.

Other entities in which Council has an interest but does not control are reported in Note 19.

(3) Income recognition

Income recognition

Income is measured at the fair value of the consideration received or receivable. Income is recognised when the Council obtains control over the assets comprising the income, or when the amount due constitutes an enforceable debt, whichever first occurs.

The Council recognises revenue under *AASB 1058 Income of Not-for-Profit Entities* (AASB 1058) or *AASB 15 Revenue from Contracts with Customers* (AASB 15) when appropriate.

In cases where there is an 'enforceable' contract with a customer with 'sufficiently specific' performance obligations, the transaction is accounted for under AASB 15 where income is recognised when (or as) the performance obligations are satisfied (i.e. when it transfers control of a product or service to a customer). Revenue is measured based on the consideration to which the Council expects to be entitled in a contract with a customer.

In other cases, AASB 1058 applies when a not-for-profit (NFP) entity enters into transactions where the consideration to acquire an asset is significantly less than the fair value of the asset principally to enable the entity to further its objectives. The excess of the asset recognised (at fair value) over any 'related amounts' is recognised as income immediately, except in the case where a financial asset has been received to enable the council to acquire or construct a recognisable non-financial asset that

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 1. Summary of Significant Accounting Policies (continued)

is to be controlled by the council. In this case, the council recognises the excess as a liability that is recognised over time in profit and loss when (or as) the entity satisfies its obligations under the transfer.

In recent years the payment of untied financial assistance grants from the Commonwealth Government has varied from the annual allocation as shown in the table below:

	Cash Payment Received	Annual Allocation	Difference
2019-20	\$1,640,046	\$1,564,152	+\$75,894
2020-21	\$1,516,052	\$1,581,658	- \$65,606
2021-22	\$2,304,241	\$1,661,744	+\$642,497
2022-23	\$2,253,435	\$1,810,018	+\$443,417

As these grants are untied, the Australian Accounting Standards require that these payments be recognised upon receipt.

Accordingly, the operating results of these periods have been distorted compared to those that would have been reported had the grants been paid in the year to which they were allocated.

The Operating Surplus Ratio disclosed in Note 15 has also been calculated after adjusting for the distortions resulting from the differences between the actual grants received and the grants entitlements allocated.

Construction contracts

Construction works undertaken by Council for third parties are generally on an agency basis where the third party reimburses Council for actual costs incurred, and usually do not extend beyond the reporting period. Reimbursements not received are recognised as receivables and reimbursements received in advance are recognised as "payments received in advance".

For works undertaken on a fixed price contract basis, revenues are recognised over time using the input method, with costs incurred compared to total expected costs used as a measure of progress. When it is probable that total contract costs will exceed total contract revenue, the expected loss is recognised as an expense immediately.

(4) Cash, cash equivalents and other financial instruments

Cash Assets include all amounts readily convertible to cash on hand at Council's option with an insignificant risk of changes in value with a maturity of three months or less from the date of acquisition.

Receivables for rates and annual charges are secured over the subject land, and bear interest at rates determined in accordance with the *Local Government Act 1999*. Other receivables are generally unsecured and do not bear interest.

All receivables are reviewed as at the reporting date and adequate allowance made for amounts the receipt of which is considered doubtful.

All financial instruments are recognised at fair value at the date of recognition, except for trade receivables from a contract with a customer, which are measured at the transaction price. A detailed statement of the accounting policies applied to financial instruments forms part of Note 13.

(5) Inventories

Inventories held in respect of stores have been valued by using the weighted average cost on a continual basis, after adjustment for loss of service potential. Inventories held in respect of business undertakings have been valued at the lower of cost and net realisable value.

(6) Infrastructure, property, plant and equipment**6.1 Initial recognition**

All assets are initially recognised at cost. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 1. Summary of Significant Accounting Policies (continued)

All non-current assets purchased or constructed are capitalised as the expenditure is incurred and depreciated as soon as the asset is held "ready for use". Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition, including architects' fees and engineering design fees and all other costs incurred. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

6.2 Materiality

Assets with an economic life in excess of one year are only capitalised where the cost of acquisition exceeds materiality thresholds established by Council for each type of asset. In determining (and in annually reviewing) such thresholds, regard is had to the nature of the asset and its estimated service life.

Examples of capitalisation thresholds applied during the year are given below. No capitalisation threshold is applied to the acquisition of land or interests in land.

Furniture & Fittings and Plant & Equipment for Retirement Villages	\$1,000
Office Furniture & Fittings	\$3,000
Other Plant & Equipment	\$3,000
Building Fixture and Fittings	\$5,000
Building Structures	\$5,000
Paving & Footpaths, Kerb & Gutter	\$5,000
Road construction & reconstruction	\$5,000
Stormwater, Gravity mains and Culverts	\$5,000
All Other Assets	\$5,000
Artworks	\$5,000

6.3 Subsequent recognition

All material asset classes are revalued on a regular basis such that the carrying values are not materially different from fair value. Significant uncertainties exist in the estimation of fair value of a number of asset classes including land, buildings and associated structures and infrastructure. Further detail of these uncertainties, and of existing valuations, methods and valuers are provided at Note 7.

6.4 Depreciation of non-current assets

Other than land, all infrastructure, property, plant and equipment assets recognised are systematically depreciated over their useful lives on a straight-line basis which, in the opinion of Council, best reflects the consumption of the service potential embodied in those assets.

Depreciation methods, useful lives and residual values of classes of assets are reviewed annually.

Major depreciation periods for each class of asset are listed below. Depreciation periods for infrastructure assets have been estimated based on the best information available to Council, but appropriate records covering the entire life cycle of these assets are not available, and extreme care should be used in interpreting financial information based on these estimates.

Plant, Furniture & Equipment

Office Furniture and Equipment	5 to 10 years
Vehicles and Heavy Plant	8 to 16 years
Other Plant & Equipment	5 to 10 years

Building & Other Structures

Buildings – masonry	50 to 100 years
Buildings – other construction	20 to 40 years
Benches, seats, etc	10 to 20 years
Park Structures – masonry	50 to 100 years
Park Structures – other construction	20 to 40 years
Playground equipment	5 to 15 years

Notes to and forming part of the Financial Statements for the year ended 30 June 2023

Note 1. Summary of Significant Accounting Policies (continued)

Infrastructure

Bores	20 to 40 years
Bridges	80 to 100 years
Culverts	50 to 75 years
CWMS Pipes	70 to 80 years
Dams and Lagoons	80 to 100 years
Flood Detention Systems	80 to 100 years
Irrigation Pipes and Systems	25 to 75 years
Paving & Footpaths, Kerb & Gutter	40 to 100 years
Pumps & Telemetry	15 to 25 years
Road Pavement	65 to 180 years
Sealed Roads – Surface	15 to 25 years
Stormwater and Gravity Mains	80 to 100 years
Unsealed Roads	10 to 20 years

Other Assets

Artworks	indefinite
Right-of-Use Assets	2 to 5 years

6.5 Impairment

Assets whose future economic benefits are not dependent on the ability to generate cash flows, and where the future economic benefits would be replaced if Council were deprived thereof, are not subject to impairment testing.

Other assets that are subject to depreciation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount (which is the higher of the present value of future cash inflows or value in use).

Where an asset that has been revalued is subsequently impaired, the impairment is first offset against such amount as stands to the credit of that class of assets in Asset Revaluation Reserve, any excess being recognised as an expense.

6.6 Borrowing costs

Borrowing costs in relation to qualifying assets (net of offsetting investment revenue) have been capitalised in accordance with AASB 123 "Borrowing Costs". The amounts of borrowing costs recognised as an expense or as part of the carrying amount of qualifying assets are disclosed in Note 3, and the amount (if any) of interest revenue offset against borrowing costs in Note 2.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 1. Summary of Significant Accounting Policies (continued)

(7) Payables

7.1 Goods & Services

Creditors are amounts due to external parties for the supply of goods and services and are recognised as liabilities when the goods and services are received. Creditors are normally paid 30 days after the month of invoice. No interest is payable on these amounts.

7.2 Payments Received in Advance & Deposits

Amounts other than grants received from external parties in advance of service delivery, and security deposits held against possible damage to Council assets, are recognised as liabilities until the service is delivered or damage reinstated, or the amount is refunded as the case may be.

(8) Borrowings

Borrowings are initially recognised at fair value, net of transaction costs incurred and are subsequently measured at amortised cost. Any difference between the proceeds (net of transaction costs) and the redemption amount is recognised in the income statement over the period of the borrowings using the effective interest method.

Borrowings are carried at their principal amounts which represent the present value of future cash flows associated with servicing the debt. Interest is accrued over the period to which it relates, and is recorded as part of "Payables"

(9) Employee benefits

9.1 Salaries, Wages & Compensated Absences

Liabilities for employees' entitlements to salaries, wages and compensated absences expected to be paid or settled within 12 months of reporting date are accrued at nominal amounts (including payroll based oncosts) measured in accordance with AASB 119.

Liabilities for employee benefits not expected to be paid or settled within 12 months are measured as the present value of the estimated future cash outflows (including payroll based oncosts) to be made in respect of services provided by employees up to the reporting date. Present values are calculated using government guaranteed securities rates with similar maturity terms.

9.2 Superannuation

The Council makes employer superannuation contributions in respect of its employees to the Hostplus Superannuation Scheme. The Scheme has two types of membership, each of which is funded differently. Details of the accounting policies applied and Council's involvement with the schemes are reported in Note 18.

(10) Provisions for reinstatement, restoration and rehabilitation

Close down and restoration costs include the dismantling and demolition of infrastructure and the removal of residual materials and remediation and rehabilitation of disturbed areas. Estimated close down and restoration costs are provided for in the accounting period when the obligation arising from the related disturbance occurs and are carried at the net present value of estimated future costs.

Although estimated future costs are based on a closure plan, such plans are based on current environmental requirements which may change. Council's policy to maximise recycling is extending the operational life of these facilities, and significant uncertainty exists in the estimation of the future closure date.

(11) Leases

Accounting policy applicable from 01 July 2019

The Council assesses at contract inception whether a contract is, or contains, a lease. That is, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

11.1 Council as a lessee

The Council recognises lease liabilities to make lease payments and right-of-use assets representing the right to use the underlying assets.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 1. Summary of Significant Accounting Policies (continued)

i) Right-of-Use-Assets

The Council recognises right-of-use assets at the commencement date of the lease. Right-of-use assets are measured at cost, less any accumulated depreciation and impairment losses, and adjusted for any remeasurement of lease liabilities. The cost of right-of-use assets includes the amount of lease liabilities recognised, initial direct costs incurred, lease payments made at or before the commencement date less any lease incentives received and the estimate of costs to be incurred to restore the leased asset. Right-of-use assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the assets, as follows:

Computers & IT Equipment	3 to 5 years
Building Occupancy	Up to 3 years

The right-of-use assets are also subject to impairment. Refer to the accounting policies above - Impairment of non-financial assets.

ii) Lease Liabilities

At the commencement date of the lease, the Council recognises lease liabilities measured at the present value of lease payments to be made over the lease term. In calculating the present value of lease payments, the Council uses its incremental borrowing rate or the interest rate implicit in the lease.

iii) Short-term leases and leases of low-value assets

The Council applies the short-term lease recognition exemption to its short-term leases of machinery and equipment (i.e., those leases that have a lease term of 12 months or less from the commencement date). It also applies the low-value assets recognition exemption to leases of office equipment that are considered to be low value. Lease payments on short-term leases and leases of low-value assets are recognised as expense on a straight-line basis over the lease term.

(12) Equity accounted Council businesses

Council participates in cooperative arrangements with other Councils for the provision of services and facilities. Council's interests in cooperative arrangements, which are only recognised if material, are accounted for in accordance with AASB 128 and set out in detail in Note 19.

(13) GST implications

In accordance with UIG Abstract 1031 "Accounting for the Goods & Services Tax"

- Receivables and Creditors include GST receivable and payable.
- Except in relation to input taxed activities, revenues and operating expenditures exclude GST receivable and payable.
- Non-current assets and capital expenditures include GST net of any recoupment.
- Amounts included in the Statement of Cash Flows are disclosed on a net basis.

(14) New accounting standards and UIG interpretations

In the current year, Council adopted where relevant, all of the new and revised Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that are relevant to its operations and effective for the current reporting period.

The adoption of the new and revised Standards and Interpretations has not resulted in any material changes to Council's accounting policies.

(15) Comparative figures

To ensure comparability with the current reporting period's figures, some comparative period line items and amounts may have been reclassified or individually reported for the first time within these financial statements and/or the notes.

(16) Disclaimer

Nothing contained within these statements may be taken to be an admission of any liability to any person under any circumstance.

Notes to and forming part of the Financial Statements for the year ended 30 June 2023

Note 2. Income

\$ '000	2023	2022
(a) Rates		
General rates		
General rates	41,549	39,123
Less: mandatory rebates	(303)	(300)
Less: discretionary rebates, remissions and write-offs	(75)	(274)
Total general rates	41,171	38,549
Other rates (including service charges)		
Community wastewater management systems	1,694	1,676
Landscape levy	1,118	970
Separate and special rates	5	5
Stirling Business Association Separate Rate	95	97
Total other rates (including service charges)	2,912	2,748
Other charges		
Penalties for late payment	246	204
Legal and other costs recovered	72	3
Total other charges	318	207
Total rates	44,401	41,504
(b) Statutory charges		
Animal registration fees and fines	524	465
Development Act fees	658	731
Health and septic tank inspection fees	99	101
Other licences, fees and fines	41	31
Parking fines / expiation fees	48	36
Searches	58	66
Total statutory charges	1,428	1,430
(c) User charges		
Cemetery Fees	308	418
Community centres	165	97
Lobethal Woollen Mill Precinct	149	142
Retirement Villages	66	32
Sundry	213	195
Total user charges	901	884
(d) Investment income		
Interest on investments		
- Local Government Finance Authority	2	1
- Banks and other	24	4
Unwinding of premiums and discounts	11	54
Total investment income	37	59

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 2. Income (continued)

\$ '000	2023	2022
(e) Reimbursements		
Lobethal Woollen Mill Precinct	224	172
Other Properties	18	13
Private works	18	11
Other	46	1
Total reimbursements	306	197
(f) Other income		
Insurance and other recoupments - infrastructure, property, plant and equipment	107	309
Other (settlement proceeds)	500	–
Significant Environmental Benefit Credits	18	–
Sundry	196	274
Total other income	821	583
(g) Grants, subsidies and contributions		
Amounts received specifically for new or upgraded assets	2,283	1,905
Total	2,283	1,905
Other grants, subsidies and contributions - capital		
Local Roads & Community Infrastructure Program	292	1,043
Sport & Recreation Community Facilities Grants	–	220
Total Other grants, subsidies and contributions - capital	292	1,263
Other grants, subsidies and contributions		
Annual		
Community Home Support Program Grants	987	953
Community Wastewater Management Systems Contributions	25	37
Library and communications	295	273
Roads to Recovery	650	699
Sundry	404	288
Supplementary Local Roads Funding	343	344
Untied - Financial Assistance Grant	2,253	2,304
Ad hoc / One Off		
Community Recovery Grants	6	36
Community Resilience Grants	750	186
Local Roads & Community Infrastructure Program	169	367
Open Space Biodiversity Grants	197	371
Sport & Recreation Community Facilities Grants	–	546
Waste Management Grants	11	–
Total other grants, subsidies and contributions	6,090	6,404
Total grants, subsidies and contributions	8,665	9,572

The functions to which these grants relate are shown in Note 12.

Notes to and forming part of the Financial Statements
for the year ended 30 June 2023

Note 2. Income (continued)

\$ '000	2023	2022
(i) Sources of grants		
Commonwealth Government	5,996	6,405
State Government	2,511	2,544
Other	158	623
Total	8,665	9,572
(ii) Individually significant items		
Grant Commission (FAG) Grant received in advance recognised as Income	1,932	1,488
 (h) Physical resources received free of charge		
Land and improvements	551	4,072
Total physical resources received free of charge	551	4,072

Notes to and forming part of the Financial Statements for the year ended 30 June 2023

Note 3. Expenses

\$ '000	Notes	2023	2022
(a) Employee costs			
Salaries and wages		16,476	15,071
Employee leave expense		2,857	2,907
Superannuation - defined contribution plan contributions	18	1,756	1,589
Superannuation - defined benefit plan contributions	18	189	216
Other employee related costs		79	491
Fringe Benefits Tax		245	238
Personal Income Protection Insurance		311	302
Workers' compensation insurance		455	475
Less: capitalised and distributed costs		(1,675)	(1,681)
Total operating employee costs		20,693	19,608
Total number of employees (full time equivalent at end of reporting period)		200	199
(b) Materials, contracts and other expenses			
(i) Materials, Contracts and Expenses			
Bank Fees		78	89
Contractors		5,367	4,351
Contractors - Cleaning		335	329
Contractors - Tree Management		558	975
Consultants		108	-
Contributions & Donations		720	785
Contract Labour		312	587
Energy		581	451
Grant Related Expenditure		252	452
Heathfield High School Contribution		233	1,123
Insurance		800	712
Landfill Remediation		539	739
Legal expenses		354	183
Levies - other		267	232
Levies Paid to Government - Landscape Levy		1,117	968
Licencing - ICT		788	775
Pandemic Response		-	21
Parts, accessories and consumables		2,109	2,064
Professional services		138	66
Return of LGA CWMS Contribution		1	348
Stirling Business Association		95	95
Sundry		444	409
Telephone (incl data)		249	293
Water		196	221
Waste		4,856	4,461
Work-in-Progress Write-off		124	230
Less: capitalised and distributed Costs		(87)	(87)
Subtotal - Material, Contracts & Expenses		20,534	20,872

Notes to and forming part of the Financial Statements for the year ended 30 June 2023

Note 3. Expenses (continued)

\$ '000	2023	2022
(ii) Prescribed Expenses		
Auditor's remuneration		
- Auditing the financial reports	11	24
- Other auditors	10	23
Bad and doubtful debts	1	–
Elected members' expenses	467	456
Election expenses	14	13
Lease expense - low value assets / short term leases	236	127
Subtotal - prescribed expenses	739	643
Total materials, contracts and other expenses	21,273	21,515

(c) Depreciation, amortisation and impairment

Depreciation and Amortisation

Buildings	1,357	1,082
Infrastructure		
- Bridges	297	293
- Cemeteries	29	33
- Community Wastewater Management Systems	317	411
- Footpaths	424	338
- Guardrails	104	99
- Kerb & Gutter	537	528
- Playgrounds	101	100
- Retaining Walls	171	169
- Roads	4,469	4,334
- Sport & Recreation	390	324
- Stormwater	633	591
- Street Furniture	83	86
- Traffic Controls	38	36
- Other Infrastructure	3	–
Furniture and fittings	70	66
Plant and equipment	1,090	928
Right-of-use assets	366	402
Total depreciation, amortisation and impairment	10,479	9,820

(d) Finance costs

Charges on finance leases	10	16
Interest on loans	342	230
Interest on overdraft and short-term drawdown	199	60
Total finance costs	551	306

Notes to and forming part of the Financial Statements
for the year ended 30 June 2023

Note 4. Asset disposal and fair value adjustments

\$ '000	2023	2022
Infrastructure, property, plant and equipment		
(i) Assets renewed or directly replaced		
Proceeds from disposal	427	756
Less: Carrying Amount of Assets Sold or Disposed of	(2,162)	(2,367)
Other sale costs	(5)	–
Gain (loss) on disposal	(1,740)	(1,611)
(ii) Assets surplus to requirements		
Proceeds from disposal	778	9
Less: other amounts relating to the sale of surplus assets	(101)	(91)
Less: carrying amount of surplus assets disposed of	(1,395)	–
Add: liabilities forgiven upon sale of surplus assets	1,158	–
Gain (loss) on disposal	440	(82)
Net gain (loss) on disposal or revaluation of assets	(1,300)	(1,693)

Notes to and forming part of the Financial Statements for the year ended 30 June 2023

Note 5. Current assets

\$ '000	2023	2022
(a) Cash and cash equivalent assets		
Cash on hand and at bank	467	2,845
Short Term Deposits	22	370
Total cash and cash equivalent assets	489	3,215
(b) Trade and other receivables		
Rates - general and other	1,648	1,714
Council rates postponement scheme	186	165
Accrued revenues	567	262
Debtors - general	251	269
GST recoupment	592	463
Prepayments	329	152
Total trade and other receivables	3,573	3,025
(c) Inventories		
Stores and materials	17	32
Total inventories	17	32

Note 6. Non-current assets

\$ '000	Notes	2023	2022
Equity accounted investments in council businesses			
Adelaide Hills Regional Waste Management Authority (AHRWMA)	19i	1,392	1,241
Eastern Waste Management Authority (EWMA)	19i	148	121
Gawler River Floodplain Management Authority (GRFMA)	19i	1,091	1,054
Total equity accounted investments in Council businesses		2,631	2,416

Notes to and forming part of the Financial Statements for the year ended 30 June 2023

Note 7. Infrastructure, Property, Plant & Equipment

Infrastructure, property, plant and equipment

\$ '000	Fair Value Level	as at 30/06/22				Asset movements during the reporting period										as at 30/06/23				
		At Fair Value	At Cost	Accumulated Depreciation	Carrying amount	Asset Additions New / Upgrade	Asset Additions Renewals	WDV of Asset Disposals	Depreciation Expense (Note 3c)	Impairment Loss (recognised in Equity) (Note 9)	WIP Transfers	Adjustments & Transfers	Other Physical Resources Free of Charge	RoU Additions	Revaluation Decrements to Equity (ARR) (Note 9)	Revaluation Increments to Equity (ARR) (Note 9)	At Fair Value	At Cost	Accumulated Depreciation	Carrying amount
Capital work in progress		–	3,564	–	3,564	5,200	10,070	–	–	–	(12,157)	(124)	–	–	–	–	–	6,552	–	6,552
Land - community	3	87,980	–	–	87,980	–	–	(1,290)	–	–	–	–	–	–	–	19,281	105,971	–	–	105,971
Buildings	3	62,989	–	(23,940)	39,049	–	–	(664)	(1,357)	–	1,512	–	–	–	–	7,376	75,619	–	(29,703)	45,916
Infrastructure																				
- Bridges	3	21,351	–	(12,296)	9,055	–	–	(14)	(297)	–	300	–	–	–	–	368	22,463	–	(13,052)	9,411
- Cemeteries	3	1,934	–	(969)	965	–	–	–	(29)	–	89	–	–	–	(10)	–	1,960	–	(946)	1,014
- Community Wastewater Management Systems	3	21,036	–	(7,135)	13,901	–	–	(174)	(317)	–	276	–	–	–	–	10	21,914	–	(8,218)	13,696
- Footpaths	3	19,412	–	(6,721)	12,691	–	–	(175)	(424)	–	798	–	148	–	–	1,628	20,082	–	(5,417)	14,665
- Guardrails	3	5,040	–	(1,378)	3,662	–	–	(2)	(104)	–	93	–	–	–	–	143	5,316	–	(1,524)	3,792
- Kerb & Gutter	3	43,260	–	(19,252)	24,008	–	–	(13)	(537)	–	91	–	145	–	–	7,585	43,515	–	(12,236)	31,279
- Playgrounds	3	2,070	–	(837)	1,233	–	–	–	(101)	–	–	–	13	–	–	20	2,117	–	(952)	1,165
- Retaining Walls	3	12,242	–	(3,678)	8,564	–	–	(71)	(171)	–	37	–	–	–	(406)	–	11,822	–	(3,869)	7,953
- Roads	3	272,569	–	(94,694)	177,875	–	–	(632)	(4,469)	–	5,532	–	245	–	–	9,147	289,871	–	(102,174)	187,697
- Sport & Recreation	3	20,340	–	(9,826)	10,514	–	–	(105)	(390)	–	614	–	–	–	–	410	20,593	–	(9,549)	11,044
- Stormwater	3	58,475	–	(22,091)	36,384	–	–	(37)	(633)	–	338	–	–	–	–	1,950	61,830	–	(23,828)	38,002
- Street Furniture	3	2,538	–	(876)	1,662	–	–	(61)	(83)	–	241	–	–	–	–	37	2,728	–	(931)	1,797
- Traffic Controls	3	2,030	–	(613)	1,417	–	–	–	(38)	–	–	–	–	–	–	57	2,111	–	(675)	1,436
- Other Infrastructure	3	–	2,196	(628)	1,568	–	–	–	(3)	–	–	–	–	–	–	19	–	2,232	(648)	1,584
Right-of-use assets		–	1,521	(956)	565	–	–	–	(366)	–	–	–	–	(4)	–	–	–	1,517	(1,322)	195
Plant and equipment		–	13,615	(5,387)	8,228	–	–	(319)	(1,090)	–	2,181	–	–	–	–	23	–	14,943	(5,920)	9,023
Furniture and fittings		–	692	(288)	404	–	–	–	(70)	–	55	–	–	–	–	7	–	754	(358)	396
Total infrastructure, property, plant and equipment		633,266	21,588	(211,565)	443,289	5,200	10,070	(3,557)	(10,479)	–	–	(124)	551	(4)	(416)	48,061	687,912	25,998	(221,322)	492,588
Comparatives		614,990	20,924	(202,322)	433,592	4,839	12,337	(2,367)	(9,820)	–	–	(232)	4,072	227	(2,023)	4,837	633,266	21,588	(211,565)	443,289

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 7. Infrastructure, Property, Plant & Equipment (continued)

Valuation of Infrastructure, Property, Plant & Equipment

Valuation of assets

The fair value of assets and liabilities must be estimated in accordance with various Accounting Standards for either recognition and measurement requirements or for disclosure purposes.

AASB 13 Fair Value Measurement requires all assets and liabilities measured at fair value to be assigned to a "level" in the fair value hierarchy as follows:

Level 1: Unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Inputs for the asset or liability that are not based on observable market data (unobservable inputs).

Refer to Note 7(a) for the disclosure of the Fair Value Levels of Infrastructure, Property, Plant and Equipment Assets.

Information on valuations

Valuations of Crown land, community land and land subject to other restrictions on use or disposal, shown above as being based on fair value hierarchy level 3 valuation inputs, are based on prices for similar assets in an active market, but include adjustments for specific advantages or disadvantages attaching to the particular asset that are not directly or indirectly observable in that market, or the number and / or amount of observable adjustments of which are so great that the valuation is more fairly described as being based on level 3 valuation inputs.

There is no known market for buildings, infrastructure and other assets. These assets are valued at depreciated current replacement cost. This method involves:

- The determination of the cost to construct the asset (or its modern engineering equivalent) using current prices for materials and labour, the quantities of each being estimated based on recent experience of this or similar Councils, or on industry construction guides where these are more appropriate.
- The calculation of the depreciation that would have accumulated since original construction using current estimates of residual value and useful life under the prime cost depreciation method adopted by Council.

This method has significant inherent uncertainties, relying on estimates of quantities of materials and labour, residual values and useful lives, and the possibility of changes in prices for materials and labour, and the potential for development of more efficient construction techniques.

Other information

At 1 July 2004 upon the transition to AIFRS, Council elected pursuant to *AASB 1.D5* to retain a previously established deemed cost under GAAP as its deemed cost. With subsequent addition at cost, this remains as the basis of recognition of non-material asset classes.

Upon revaluation, the current new replacement cost and accumulated depreciation are re-stated such that the difference represents the fair value of the asset determined in accordance with *AASB 13 Fair Value Measurement*: accumulated depreciation is taken to be the difference between current new replacement cost and fair value. In the case of land, current replacement cost is taken to be the fair value.

Highest and best use

All of Council's non financial assets are considered as being utilised for their highest and best use.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 7. Infrastructure, Property, Plant & Equipment (continued)

Transition to AASB 13 - Fair Value Measurement

The requirements of AASB 13 Fair Value Measurement have been applied to all valuations undertaken since 1 July 2013 as shown by the valuation dates by individual asset classes below.

Land & Land Improvements

Council being of the opinion that it is not possible to attribute value sufficiently reliably to qualify for recognition, land under roads has not been recognised in these reports.

Land - Level 3: Crown Land which is subject to restriction for its use or sale has been valued by Council officers based on the Valuer General's site values as at 1 January 2022 less allowances for the restriction on sale (requiring Ministerial consent) which are unobservable inputs that have a significant effect on valuation.

Buildings & Other Structures

- Basis of valuation: Fair Value
- Date of valuation: 1 July 2017
- Valuer: APV Valuers & Asset Management

Council discloses Buildings as a separate class of Infrastructure Assets for the purposes of AASB 13 Fair Value Measurement, and the level of fair value hierarchy to be Level 3, as no relevant observable inputs (Markets) are available.

- Council commenced a Building Audit and Revaluation in the 2022-2023 financial year, however, delays in the final reports and validation of all the assumptions has resulted in a combination of adjustments to the Building assets.
- There were \$5.8m of Building assets that were previously not valued and these have been included in the revaluation.
- The remainder of the assets have been adjusted manually in line with the Australian Bureau of Statistics Time Series data, Table 17 (Construction Industries) movements specific for Adelaide.
- This adjustment was done as at 1 July 2022.
- Finalisation of the Building Asset revaluation will be completed in 2023-2024 with revaluation to occur at 1 July 2023.

Infrastructure

Council discloses Infrastructure Assets for the purpose of AASB 13 Fair Value Measurement as level 3 as no relevant observable inputs (markets) are available.

- There were no assets valued where it was considered that the highest and best use was other than its current use.

Bridges

- Basis of valuation: Valuation was undertaken using modern equivalent asset principles as per the International Infrastructure Management Manual (IIMM 6th edition, 2020) and included a condition audit.
- The assets were indexed in between independent valuation and the latest indexation was for 30 June 2023.
- Date of valuation: June 2021
- Valuer: ARRB Group

Community Wastewater Management Systems (CWMS)

- Basis of valuation: Fair Value
- Date of valuation: 1 July 2022
- Valuer: APV Valuers & Asset Management

Footpaths & Retaining Walls

- Basis of valuation: Fair Value
- Date of valuation: 1 July 2022
- Valuer: Private Public Property
- During 2021-2022 and 2022-2023 Council officers undertook a condition audit of the asphalt, concrete and paver footpaths. This condition data was used to undertake a revaluation of these assets at 1 July 2022.

Kerb & Gutter and Guardrails (safety barriers)

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 7. Infrastructure, Property, Plant & Equipment (continued)

- Basis of valuation: Fair Value
- Date of valuation: 1 July 2022
- Valuer: Private Public Property
-
- During 2021-2022 and 2022-2023 Council officers undertook a condition audit of the concrete kerbing. This condition data was used to undertake a revaluation of these assets at 1 July 2022.

Roads

- Valuations were derived as at June 2019 referencing individual rates in Rawlinsons and Council Contracts to determine an overall rate for Council assets including road seal and road pavement by Steve Walker, Principal, Asset Engineering.
- Road Seals rates were established by using Council's recent contract rates for resealing which includes profiling, raising top stones, supply and laying of asphaltic concrete and supply and laying of spray seal
- Road Pavement rates were established by using rates from Rawlinsons applicable to the reconstruction of road pavements and compared against Council's actual costs
- During 2019-20 Council undertook a review of its sealed road components following an external review by Jeff Roorda, TechnologyOne, regarding components for road pavements. The assessment resulted in road pavement being componentised into a pavement base-course (layer immediately under the seal component) and a sub-base (bottom layer of road pavement). The base course layer retained the same useful life and the sub-base useful life was increased based on industry knowledge and standards. Given this useful life change, the sub-base was subsequently revalued from the asset construction date and hence the written down value of the assets adjusted downwards. As part of this process, the overall unit rate was also reallocated between the base-course and sub-base components.
- Since the detailed valuation using unit rates undertaken at June 2019, valuations have been updated by Council Officers at depreciated current replacement cost based on Australia Bureau of Statistics Time Series data, Table 17 (Construction Industries) movements specific to Adelaide for the period since valuation to July 2022.

Stormwater

- Valuations have been updated by Council officers at depreciated current replacement cost based on Australian Bureau of Statistics Time Series data, Table 17 (Construction Industries) movements specific to Adelaide for the period to July 2022.

Cemeteries, Playgrounds, Sport and Recreation Facilities (S&R), Street Furniture, Stormwater and Traffic Controls

- Valuations were performed by Council Officers at depreciated current replacement cost as at 1 July 2022 based on Australia Bureau of Statistics Time Series data, Tables 17 (Construction Industries) specific to Adelaide for July 2022.

Plant & Equipment

- Basis of valuation: Historic Cost

Furniture & Fittings

- Basis of valuation: Historic Cost

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 8. Liabilities

\$ '000	2023 Current	2023 Non Current	2022 Current	2022 Non Current
(a) Trade and other payables				
Accrued expenses - employee entitlements	1,096	-	925	-
Accrued expenses - other	1,187	-	1,044	-
Aged care facility deposits	-	-	514	-
Deposits, retentions and bonds	78	-	7	-
Goods and services	2,753	-	4,172	-
Payments received in advance	986	-	2,989	-
Other	7	-	(4)	-
Total trade and other payables	6,107	-	9,647	-

\$ '000	Notes	2023 Current	2023 Non Current	2022 Current	2022 Non Current
(b) Borrowings					
Bank overdraft		1,000	6,025	9,206	-
Lease liabilities	17b	160	37	375	200
Loans		561	7,168	-	5,000
Total Borrowings		1,721	13,230	9,581	5,200

All interest bearing liabilities are secured over the future revenues of the Council

(c) Provisions

Employee entitlements (including oncosts)	3,663	261	3,669	235
Future reinstatement / restoration, etc ¹	1,594	322	403	1,516
Total provisions	5,257	583	4,072	1,751

(1) At the reporting date, Council made provision for its monitoring and rehabilitation obligations regarding 3 formal landfill sites. The provision represents Council's best estimate of the expenditure required to settle the present obligation at the end of the reporting period.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 9. Reserves

\$ '000	as at 30/06/22		Transfers	Impairments	as at 30/06/23	
	Opening Balance	Increments (Decrements)			Closing Balance	
(a) Asset revaluation reserve						
Land - community	60,814	19,281	–	–		80,095
Buildings	30,464	7,376	–	–		37,840
Infrastructure						
- Bridges	4,055	368	–	–		4,423
- Cemeteries	2,202	(10)	–	–		2,192
- Community Wastewater Management Systems	6,048	10	–	–		6,058
- Footpaths	–	1,628	–	–		1,628
- Guardrails	1,774	143	–	–		1,917
- Kerb & Gutter	21,743	7,585	–	–		29,328
- Playgrounds	124	20	–	–		144
- Retaining Walls	4,951	(406)	–	–		4,545
- Roads	113,766	9,147	–	–		122,913
- Sport & Recreation	2,205	410	–	–		2,615
- Stormwater	24,652	1,950	–	–		26,602
- Street Furniture	1,040	37	–	–		1,077
- Traffic Controls	557	57	–	–		614
- Other Infrastructure	–	19	–	–		19
Plant and equipment	–	23	–	–		23
Furniture and fittings	–	7	–	–		7
JV's / associates - other comprehensive income	228	–	–	–		228
Total asset revaluation reserve	274,623	47,645	–	–		322,268
Comparatives	273,017	1,606	–	–		274,623

\$ '000	as at 30/06/22		Tfrs to Reserve	Tfrs from Reserve	Other Movements	as at 30/06/23	
	Opening Balance					Closing Balance	
(b) Other reserves							
Biodiversity SEB Reserve	–	17	–	–	–		17
Scott Creek Progress Association	1	–	–	–	–		1
Significant Trees Reserve	5	–	–	–	–		5
Torrens Valley Community Centre	93	–	(5)	–	–		88
Total other reserves	99	17	(5)	–	–		111
Comparatives	448	2	(351)	–	–		99

Purposes of reserves

Asset revaluation reserves

The asset revaluation reserve is used to record increments and decrements arising from changes in fair value of non current assets (less any subsequent impairment losses, where applicable).

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 9. Reserves (continued)

Other reserves

Biodiversity SEB Reserve

Adelaide Hills Council is an Accredited Third Party Provider under Section 25C(12) of the *Native Vegetation Act 1991*. One of Council's conservation reserves is now a formal "SEB Area" (Significant Environmental Benefit) under the *Native Vegetation Act 1991* which allows Council to on-sell SEB credits.

The financial return on these credits will need to be spent in accordance with the SEB Management Plan which outlines what agreed actions will be undertaken in a 10 year period and how the area will be protected into the future.

The funds held will be accessed over the next 10 years in order to invest in the annual bushcare activities as set out in the plan.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 10. Assets subject to restrictions

\$ '000	2023	2022
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The uses of the following assets are restricted, wholly or partially, by legislation or other externally imposed requirements. The assets are required to be utilised for the purposes for which control was transferred to Council, or for which the revenues were originally obtained.

Cash and financial assets

Community Wastewater Management Systems Investigations	–	348
Total cash and financial assets	–	348
Total assets subject to externally imposed restrictions	–	348

Note 11. Reconciliation to Statement of Cash Flows

\$ '000	Notes	2023	2022
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(a) Reconciliation of cash

Cash assets comprise highly liquid investments with short periods to maturity subject to insignificant risk of changes of value. Cash at the end of the reporting period as shown in the Statement of Cash Flows is reconciled to the related items in the Statement of Financial Position as follows:

Total cash and equivalent assets	5	489	3,215
Less: short-term borrowings	8	(7,025)	(9,206)
Balances per Statement of Cash Flows		(6,536)	(5,991)

Notes to and forming part of the Financial Statements for the year ended 30 June 2023

Note 11. Reconciliation to Statement of Cash Flows (continued)

\$ '000	Notes	2023	2022
(b) Reconciliation of change in net assets to cash from operating activities			
Net surplus/(deficit)		2,964	5,426
Non-cash items in income statements			
Depreciation, amortisation and impairment		10,479	9,820
Equity movements in equity accounted investments (increase)/decrease		(150)	(67)
Premiums and discounts recognised and unwound		(11)	(54)
Non-cash asset acquisitions		(551)	(4,072)
Grants for capital acquisitions treated as investing activity		(2,575)	(1,905)
Net (gain)/loss on disposals		1,300	1,693
Other		1,776	(371)
		<u>13,232</u>	<u>10,470</u>
Add (less): changes in net current assets			
Net (increase)/decrease in receivables		(548)	200
Net (increase)/decrease in inventories		15	(9)
Net increase/(decrease) in trade and other payables		(3,097)	1,913
Net increase/(decrease) in unpaid employee benefits		20	144
Net increase/(decrease) in other provisions		(3)	189
Net cash provided by (or used in) operations		<u>9,619</u>	<u>12,907</u>

(c) Non-cash financing and investing activities

Acquisition of assets by means of:

Physical resources received free of charge	2h	551	4,072
Amounts recognised in income statement		<u>551</u>	<u>4,072</u>
Total non-cash financing and investing activities		<u>551</u>	<u>4,072</u>

(d) Financing arrangements

Unrestricted access was available at balance date to the following lines of credit:

Bank overdrafts	200	200
Corporate credit cards	180	180
Asset Finance - Leasing	750	750
LGFA cash advance debenture facility	8,600	14,800
Westpac Bank Bill Business Loan ¹	9,000	10,000

The bank overdraft facilities may be drawn at any time and may be terminated by the bank without notice.

(1) Council utilises the Westpac bank bill business loan as an overdraft facility which can be paid off at any time at the discretion of the Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2023

Note 12(a). Functions

Income, Expenses and Assets have been directly attributed to the following Functions / Activities.
Details of these Functions/Activities are provided in Note 12(b).

\$ '000	INCOME		EXPENSES		OPERATING SURPLUS (DEFICIT)		GRANTS INCLUDED IN INCOME		TOTAL ASSETS HELD (CURRENT AND NON-CURRENT)	
	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022
Functions/Activities										
Council	–	–	–	–	–	–	(292)	(1,263)	499,298	451,977
Community Capacity	2,692	1,970	7,768	7,424	(5,076)	(5,454)	2,397	1,698	–	–
Corporate Services	45,061	42,853	13,178	10,411	31,883	32,442	1,197	1,872	–	–
Infrastructure & Operations	5,161	6,198	27,882	29,476	(22,721)	(23,278)	2,718	4,059	–	–
Development & Regulatory Services	1,531	1,436	4,187	4,004	(2,656)	(2,568)	70	38	–	–
Total Functions/Activities	54,445	52,457	53,015	51,315	1,430	1,142	6,090	6,404	499,298	451,977

Revenues and expenses exclude net gain (loss) on disposal or revaluation of assets, amounts received specifically for new or upgraded assets and physical resources received free of charge.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 12(b). Components of functions

The activities relating to Council functions are as follows:

COMMUNITY CAPACITY

Communications, Engagement & Events, Community Capacity Director's Office, Community Development, Community Programs, Community Resilience, Cultural Development, Customer Experience, Customer Service, Economic Development, FABRIK Arts and Heritage Hub, Library Services, Positive Ageing (Home and Social Support), Positive Ageing Project (Collaborative), The Summit Community Centre, Torrens Valley Community Centre, Volunteering and Youth Development.

CORPORATE SERVICES

Cemeteries, Corporate Services Director's Office, Financial Services, Governance & CEO Office, Information Services, Lobethal Woollen Mill Precinct, Organisational Development & Work Health & Safety, Property Management, Retirement Villages and Sport & Recreation.

INFRASTRUCTURE & OPERATIONS

Civil Services, Community Wastewater Management System (CWMS), Emergency Management, Infrastructure & Operations Director's Office, Open Space Biodiversity, Open Space Operations, Sustainability, Strategic Assets and Waste.

DEVELOPMENT & REGULATORY SERVICES

Animal Management, Development Assessment & Compliance, Development & Regulatory Services Director's Office, Fire Prevention, Parking and By-Laws, Policy Planning and Public Health.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 13. Financial instruments

Recognised financial instruments

Bank, deposits at call, short term deposits

Accounting Policy:

Initially recognised at fair value and subsequently measured at amortised cost; interest is recognised when earned.

Terms & Conditions:

Deposits are returning fixed interest rates between **4.30%** and **4.60%** (2022: **1.05%** and **1.35%**).

Carrying Amount:

Approximates fair value due to the short term to maturity.

Receivables - rates and associated charges

Accounting Policy:

Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:

Secured over the subject land, arrears attract interest of **6.05%** (2022: **5.05%**). Council is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Council's boundaries in the State.

Carrying Amount:

Approximates fair value (after deduction of any allowance).

Receivables - fees and other charges

Accounting Policy:

Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:

Unsecured, and do not bear interest. Council is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Council's boundaries.

Carrying Amount:

Approximates fair value (after deduction of any allowance).

Receivables - other levels of government

Accounting Policy:

Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:

Amounts due have been calculated in accordance with the terms and conditions of the respective programs following advice of approvals, and do not bear interest. All amounts are due by Departments and Agencies of State and Federal Governments.

Carrying Amount:

Approximates fair value.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 13. Financial instruments (continued)

Receivables - retirement home contributions**Accounting Policy:**

Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:

Amounts due have been calculated in accordance with the terms and conditions of the respective legislation.

Carrying Amount:

Approximates fair value (after deduction of any allowance).

Liabilities - creditors and accruals**Accounting Policy:**

Liabilities are recognised for amounts to be paid in the future for goods and services received, whether or not billed to the Council.

Terms & Conditions:

Liabilities are normally settled on 30 day terms.

Carrying Amount:

Approximates fair value.

Liabilities - retirement home contributions**Accounting Policy:**

To avoid inconvenience when complying with the separate audit requirements imposed by the relevant legislation, amounts are carried at nominal values.

Terms & Conditions:

Pursuant to Commonwealth legislation certain intending residents are required to contribute amounts on an interest free basis. The amounts are subject to certain deductions as prescribed by the legislation, the balance being repaid on termination of tenancy.

Carrying Amount:

Approximates fair value for short tenancies; may be non-materially overstated for longer tenancies.

Liabilities - interest bearing borrowings**Accounting Policy:**

Initially recognised at fair value and subsequently at amortised cost using the effective interest rate.

Terms & Conditions:

Secured over future revenues. Borrowings are repayable upon maturity. Interest is charged at a fixed rate between **4.45%** and **4.60%** (2022: **4.6%**) and paid bi-annually.

Carrying Amount:

Approximates fair value.

Liabilities - leases**Accounting Policy:**

Accounted for in accordance with AASB 16 as stated in Note 17.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 13. Financial instruments (continued)

\$ '000	Due < 1 year	Due > 1 year and ≤ 5 years	Due > 5 years	Total Contractual Cash Flows	Carrying Values
Financial assets and liabilities					
2023					
Financial assets					
Cash and cash equivalents	489	–	–	489	489
Receivables	3,245	–	–	3,245	3,244
Total financial assets	3,734	–	–	3,734	3,733
Financial liabilities					
Payables	4,073	–	–	4,073	4,025
Westpac bank bill	1,000	6,025	–	7,025	7,586
LGFA loan	905	7,595	–	8,500	7,168
Lease liabilities	160	37	–	197	197
Total financial liabilities	6,138	13,657	–	19,795	18,976
Total financial assets and liabilities	9,872	13,657	–	23,529	22,709
2022					
Financial assets					
Cash and cash equivalents	3,216	–	–	3,216	3,215
Receivables	2,874	–	–	2,874	2,873
Total financial assets	6,090	–	–	6,090	6,088
Financial liabilities					
Payables	5,735	–	–	5,735	5,733
Westpac bank bill	9,206	–	–	9,206	9,206
LGFA loan	230	5,460	–	5,690	5,000
Lease liabilities	–	–	–	–	–
Total financial liabilities	15,171	5,460	–	20,631	19,939
Total financial assets and liabilities	21,261	5,460	–	26,721	26,027

The following interest rates were applicable to Council's borrowings at balance date:

\$ '000	2023		2022	
	Weighted Avg Interest Rate	Carrying Value	Weighted Avg Interest Rate	Carrying Value
Overdraft	4.45%	7,025	1.10%	9,206
Fixed interest rates	4.53%	7,926	4.60%	5,575
		14,951		14,781

Net fair value

All carrying values approximate fair value for all recognised financial instruments. There is no recognised market for the financial assets of the Council.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 13. Financial instruments (continued)

Risk exposures

Credit Risk represents the loss that would be recognised if counterparties fail to perform as contracted. The maximum credit risk on financial assets of the Council is the carrying amount, net of any impairment. All Council investments are made with the SA Local Government Finance Authority and NAB. Except as detailed in Notes 5 & 6 in relation to individual classes of receivables, exposure is concentrated within the Council's boundaries, and there is no material exposure to any individual debtor.

Market Risk is the risk that fair values of financial assets will fluctuate as a result of changes in market prices. All of Council's financial assets are denominated in Australian dollars and are not traded on any market, and hence neither market risk nor **currency risk** apply.

Liquidity Risk is the risk that Council will encounter difficulty in meeting obligations with financial liabilities. In accordance with the model Treasury Management Policy (LGA Information Paper 15), liabilities have a range of maturity dates. Council also has available a range of bank overdraft and standby borrowing facilities that it can access.

Interest Rate Risk is the risk that future cash flows will fluctuate because of changes in market interest rates. Council has a balance of both fixed and variable interest rate borrowings and investments. Cash flow fluctuations are managed holistically in seeking to minimise interest costs over the longer term in a risk averse manner.

Notes to and forming part of the Financial Statements
for the year ended 30 June 2023

Note 14. Capital expenditure and investment property commitments

\$ '000	2023	2022
Capital commitments		
Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities:		
Infrastructure	418	317
Plant and equipment	57	798
	475	1,115
These expenditures are payable:		
Not later than one year	475	1,115
	475	1,115

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 15. Financial indicators

\$ '000	Amounts 2023	Indicator 2023	Indicators 2022 2021	
Financial Indicators overview				
<i>These Financial Indicators have been calculated in accordance with Information paper 9 - Local Government Financial Indicators prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia.</i>				
1. Operating Surplus Ratio				
Operating surplus	1,430	2.6%	2.2%	4.5%
Total operating income	54,445			
<i>This ratio expresses the operating surplus as a percentage of total operating revenue.</i>				
2. Net Financial Liabilities Ratio				
Net financial liabilities	22,836	42%	46%	39%
Total operating income	54,445			
<i>Net Financial Liabilities are defined as total liabilities less financial assets (excluding equity accounted investments in Council businesses). These are expressed as a percentage of total operating revenue.</i>				
Adjusted Operating Surplus Ratio				
Operating surplus	695	1.3%	1.0%	5.3%
Total operating income	53,710			
Adjustments to Ratios				
<i>In recent years the Federal Government has made advance payments prior to 30th June from future year allocations of financial assistance grants, as explained in Note 1. These Adjusted Ratios correct for the resulting distortion in key ratios for each year and provide a more accurate basis for comparison.</i>				
Adjusted Net Financial Liabilities Ratio				
Net financial liabilities	22,836	42%	49%	39%
Total operating income	54,445			
3. Asset Renewal Funding Ratio				
Asset renewals	10,070	98%	114%	85%
Infrastructure and Asset Management Plan required expenditure	10,292			

Asset renewals expenditure is defined as capital expenditure on the renewal and replacement of existing assets, and excludes new capital expenditure on the acquisition of additional assets.

Notes to and forming part of the Financial Statements for the year ended 30 June 2023

Note 16. Uniform presentation of finances

\$ '000	2023	2022
<p>The following is a high level summary of both operating and capital investment activities of the Council prepared on a simplified Uniform Presentation Framework basis.</p> <p>All Councils in South Australia have agreed to summarise annual budgets and long-term financial plans on the same basis.</p> <p>The arrangements ensure that all Councils provide a common 'core' of financial information, which enables meaningful comparisons of each Council's finances.</p>		
<u>Income</u>		
Rates	44,401	41,504
Statutory charges	1,428	1,430
User charges	901	884
Grants, subsidies and contributions - capital	292	1,263
Grants, subsidies and contributions - operating	6,090	6,404
Investment income	37	59
Reimbursements	306	197
Other income	821	583
Net gain - equity accounted council businesses	169	133
Total Income	54,445	52,457
<u>Expenses</u>		
Employee costs	20,693	19,608
Materials, contracts and other expenses	21,273	21,515
Depreciation, amortisation and impairment	10,479	9,820
Finance costs	551	306
Net loss - equity accounted council businesses	19	66
Total Expenses	53,015	51,315
Operating surplus / (deficit)	1,430	1,142
Adjusted Operating surplus / (deficit)	1,430	1,142
<u>Net outlays on existing assets</u>		
Capital expenditure on renewal and replacement of existing assets	(10,070)	(12,337)
Add back depreciation, amortisation and impairment	10,479	9,820
Add back proceeds from sale of replaced assets	427	756
	836	(1,761)
<u>Net outlays on new and upgraded assets</u>		
Capital expenditure on new and upgraded assets (including investment property and real estate developments)	(5,200)	(6,102)
Add back amounts received specifically for new and upgraded assets	538	2,552
Add back proceeds from sale of surplus assets (including investment property, real estate developments and non-current assets held for resale)	778	9
	(3,884)	(3,541)
Annual net impact to financing activities (surplus/(deficit))	(1,618)	(4,160)

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 17. Leases

(i) Council as a lessee

Set out below are the carrying amounts of right-of-use assets recognised within Infrastructure, Property, Plant and Equipment and the movements during the period:

(a) Right of use assets

\$ '000	ICT Equipment Leases	Property Leases	Total
2023			
Opening balance	325	240	565
Transfer from leased assets (former finance leases)	–	–	–
Additions to right-of-use assets	–	–	–
Adjustments to right-of-use assets due to re-measurement of lease liability	–	(4)	(4)
Depreciation charge	(211)	(155)	(366)
Other	–	–	–
Balance at 30 June	114	81	195
2022			
Opening balance	595	145	740
Transfer from leased assets (former finance leases)	–	–	–
Additions to right-of-use assets	–	235	235
Adjustments to right-of-use assets due to re-measurement of lease liability	–	(8)	(8)
Depreciation charge	(270)	(132)	(402)
Other	–	–	–
Balance at 30 June	325	240	565

(b) Lease liabilities

Set out below are the carrying amounts of lease liabilities (included under interest-bearing loans and borrowings) and the movements during the period:

\$ '000	2023	2022
Balance at 1 July	575	748
Additions	(4)	227
Accretion of interest	10	16
Payments	(384)	(416)
Balance at 30 June	197	575
Classified as:		
Current	160	375
Non-current	37	200

The maturity analysis of lease liabilities is included in Note 13.

Council had total cash outflows for leases of \$384k.

Notes to and forming part of the Financial Statements for the year ended 30 June 2023

Note 17. Leases (continued)

\$ '000	2023	2022
The following are the amounts recognised in profit or loss:		
Depreciation expense of right-of-use assets	366	402
Interest expense on lease liabilities	10	16
Expense relating to short term leases	236	127
Total amount recognised in profit or loss	612	545

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 18. Superannuation

The Council makes employer superannuation contributions in respect of its employees to Hostplus (formerly Local Government Superannuation Scheme and Statewide Super). There are two types of membership, each of which is funded differently. Permanent and contract employees of the South Australian Local Government sector with Salarylink benefits prior to 24 November 2009 have the option to contribute to the Accumulation section and/or Salarylink. All other employees (including casuals) have all contributions allocated to the Accumulation section.

Accumulation only members

Accumulation only members receive both employer and employee contributions on a progressive basis. Employer contributions are based on a fixed percentage of ordinary time earnings in accordance with superannuation guarantee legislation (10.5% in 2022-23, 10.00% in 2021-22). No further liability accrues to the Council as the superannuation benefits accruing to employees are represented by their share of the net assets of the Fund.

Salarylink (Defined Benefit Fund) members

Salarylink is a defined benefit scheme where the benefit payable is based on a formula determined by the member's contribution rate, number of years and level of contribution and final average salary. Council makes employer contributions to Salarylink as determined by the Fund's Trustee based on advice from the appointed Actuary. The rate is currently 6.3% (6.3% in 2021-22) of "superannuation" salary.

In addition, Council makes a separate contribution of 3% of ordinary time earnings for Salarylink members to their Accumulation account. Employees also make member contributions to the Salarylink section of the Fund. As such, assets accumulate in the Salarylink section of the Fund to meet the member's benefits, as defined in the Trust Deed, as they accrue.

The Salarylink section is a multi-employer sponsored plan. As the Salarylink section's assets and liabilities are pooled and are not allocated by each employer, and employees may transfer to another employer within the local government sector and retain membership of the Fund, the Actuary is unable to allocate benefit liabilities, assets and costs between employers. As provided by AASB 119.34(a), Council does not use defined benefit accounting for these contributions.

The most recent actuarial investigation was conducted by the Fund's actuary, Louise Campbell, FIAA, of Willis Towers Watson as at 30 June 2020. The Trustee has determined that the current funding arrangements are adequate for the expected Salarylink liabilities. However, future financial and economic circumstances may require changes to Council's contribution rates at some future time.

Contributions to other superannuation schemes

Council also makes contributions to other superannuation schemes selected by employees under the "choice of fund" legislation. All such schemes are of the accumulation type, where the superannuation benefits accruing to the employee are represented by their share of the net assets of the scheme, and no further liability attaches to the Council.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 19. Interests in other entities

All joint ventures and associates are required to prepare Annual Financial Statements that comply with the SA Local Government Model Financial Statements.

\$ '000	Council's Share of Net Income		Council's Share of Net Assets	
	2023	2022	2023	2022
Council's share of net income				
Joint ventures	150	67	2,631	2,416
Associates	–	–	–	–
Total Council's share of net income	150	67	2,631	2,416

((a)i) Joint ventures, associates and joint operations

(a) Carrying amounts

\$ '000	Principal Activity	2023	2022
Adelaide Hills Regional Waste Management Authority	Waste Management	1,392	1,241
Eastern Waste Management Authority	Waste Management	148	121
Gawler River Floodplain Management Authority	Floodplain Management	1,091	1,054
Total carrying amounts - joint ventures and associates		2,631	2,416

Adelaide Hills Regional Waste Management Authority

Adelaide Hills Regional Waste Management Authority is a regional subsidiary pursuant to S43 of the *Local Government Act 1999*. Council has an interest in the assets and liabilities of the Adelaide Hills Regional Waste Management Authority. The other member Councils are Alexandrina, Mt. Barker and Murray Bridge.

Eastern Waste Management Authority

Eastern Waste Management Authority is a regional subsidiary pursuant to S43 of the *Local Government Act 1999*. Council has an interest in the assets and liabilities of the Eastern Waste Management Authority. The other member Councils are Burnside, Campbelltown, Mitcham, Norwood, Payneham & St. Peters, Prospect, Unley and Walkerville.

Gawler River Floodplain Management Authority

Gawler River Floodplain Management Authority is a regional subsidiary pursuant to S43 of the *Local Government Act 1999*. Council has an interest in the assets and liabilities of the Gawler River Floodplain Management Authority. The other member Councils are Adelaide Plains, Barossa, Gawler, Light Regional and Playford.

(b) Relevant interests

	Interest in Operating Result		Ownership Share of Equity		Proportion of Voting Power	
	2023	2022	2023	2022	2023	2022
Adelaide Hills Regional Waste Management Authority	35.34%	34.63%	36.90%	37.10%	20.00%	25.00%
Eastern Waste Management Authority	12.50%	14.29%	12.50%	14.29%	11.11%	14.29%
Gawler River Floodplain Management Authority	5.14%	4.87%	5.14%	4.54%	15.38%	16.67%

Notes to and forming part of the Financial Statements
for the year ended 30 June 2023

Note 19. Interests in other entities (continued)

(c) Movement in investment in joint venture or associate

\$ '000	Eastern Waste Management Authority		Gawler River Floodplain Management Authority		Adelaide Hills Regional Waste Management Authority	
	2023	2022	2023	2022	2023	2022
Opening Balance	121	241	1,054	993	1,242	1,108
Share in Operating Result	23	(54)	(20)	(12)	145	133
Share in Other						
Comprehensive Income	18	1	(1)	–	6	–
Adjustments to Equity	(14)	(67)	58	73	(1)	1
Council's equity share in the joint venture or associate	148	121	1,091	1,054	1,392	1,242

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 20. Contingencies and assets/liabilities not recognised in the balance sheet

The following assets and liabilities do not qualify for recognition in the Statement of Financial Position, but knowledge is considered relevant to the users of the financial report in making and evaluating decisions about the allocation of scarce resources.

1. Land under roads

As reported in the Financial Statements, Council is of the opinion that it is not possible to attribute a value sufficiently reliably for these assets to qualify for recognition, and accordingly land under roads has not been recognised in the reports.

Land acquired for road purposes during the year is initially recognised at cost, but transferred to fair value at reporting date, effectively writing off the expenditure.

2. Potential insurance losses

Council is a multi-purpose organisation providing a large range of building, parks infrastructure, playgrounds and other facilities accessible to the public. At any time, it is likely that claims will have been made against Council that remain unsettled.

Council insures against all known insurable risks using a range of insurance policies, each of which is subject to deductible "insurance excesses", the amount of which varies according to the class of insurance.

Council has recognised the potential losses arising from claims known at reporting date based on average historical net cost (including insurance excess) of similar types of claims. Other potential claims not reported to Council may have existed at reporting date.

3. Legal expenses

The Adelaide Hills Council Assessment Panel and the Assessment Manager are the relevant authorities for planning consent under the *Planning, Development and Infrastructure Act 2016* and building surveyors working for the Council have delegation to determine building consent.

The Adelaide Hills Council Building Fire Safety Committee is the relevant authority to issue building fire safety notices and the administration staff have delegations to issue enforcement notices.

Pursuant to legislation, applicants and land owners have a right of appeal to the Environment Resource and Development Court (ERD Court) against decisions, building fire safety notices or, enforcement notices from relevant authorities.

At 30 June 2023, there was finalisation of a Supreme Court appeal supported by the Elected Council against the 2022 decision of the ERD Court to grant planning and land division consent to a Crafers land division. The Supreme Court required Council to pay the costs of the applicant as part of the determination. All costs have been recognised.

There was one (1) assessment matter and also nine (9) active enforcement matters in the ERD Court at 30 June 2023, with Council seeking to have costs reimbursed from the offending party where the unlawful development is proven through the appeal process.

Notes to and forming part of the Financial Statements for the year ended 30 June 2023

Note 21. Events after the balance sheet date

Events that occur after the reporting date of 30 June 2023, up to and including the date when the financial statements are "authorised for issue" have been taken into account in preparing these statements.

Council has adopted the date of receipt of the Auditors' Report as the appropriate "authorised for issue" date relating to these General Purpose Financial Statements.

Council is unaware of any "non adjusting events" that merit disclosure.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 22. Related party transactions

Key management personnel

Transactions with key management personnel

The Key Management Personnel of the Council include the Mayor, Councillors, CEO and certain prescribed officers under section 112 of the Local Government Act 1999. In all, 25 persons were paid the following total compensation.

\$ '000	2023	2022
The compensation paid to key management personnel comprises:		
Short-term employee benefits	1,759	1,744
Long-term benefits	128	132
Total	1,887	1,876

Amounts paid as direct reimbursement of expenses incurred on behalf of Council have not been included above.

Receipts from key management personnel comprise:

Other than amounts paid as ratepayers or residents (e.g. rates), Council received the following amounts in total:

Planning and building application Fees	-	6
Total	-	6

Elected Members are members of the management committees of the following organisations:

- Activating Bridgewater Inc
- Adelaide Hills (War Memorial) Swimming Centre Inc
- Adelaide Hills Climate Action Group
- Adelaide Hills Reconciliation Working Group
- Adelaide Hills Regional Waste Management Authority (AHRWMA)
- AHC Biodiversity Advisory Group
- AHC Sustainability Advisory Group
- Aldgate Primary School Governing Council
- Australian Labour Party (SA) - Heysen sub-branch & Mayo Federal Electoral Council
- Birdwood CFS
- Eastern Waste Management Authority (East Waste)
- Gawler River Floodplain Management Authority
- Gumeracha & Districts Town Hall
- Gumeracha Sub Branch RSL
- Heathfield High School Governing Council
- Hills Climate Collection
- Lenswood & Forest Range Community Association Inc
- Lobethal Centennial Hall Committee
- Piccadilly CFS
- Piccadilly Valley Community Recreation Centre
- Southern & Hills Local Government Association (SHLGA)
- The Hut Community Centre Inc.
- Torrens Valley Celebration Committee
- Woodside Hall Committee
- Woodside Recreation Grounds Committee Inc.

Council made payments totalling \$5,898,710 to the above organisations for the period ending 30 June 2023.

Notes to and forming part of the Financial Statements for the year ended 30 June 2023

Note 22. Related party transactions (continued)

The most material payments were made to:

- Eastern Waste Management Authority (\$3.923m) for the collection and disposal of waste and recycling materials.
- Adelaide Hills Regional Waste Management Authority (\$1.607m) for the collection and disposal of waste and associated services.
- The Hut Community Centre (\$178k) for the provision of Community Home Support Programs, operating funding, volunteers and event expenditure.

Employees are members of the following Boards/Management Committees

- Adelaide Hills Tourism
- Adelaide Hills Regional Waste Management Authority (AHRWMA)
- East Waste Management Authority
- Gawler River Floodplain Management Authority (GRFMA)
- Southern & Hills Local Government Association (SHLGA)

Council made additional payments totalling \$169,142 to the above organisations for the period ending 30 June 2023.

All Elected Members and employees manage their conflict of interest obligations regarding related parties in accordance with the applicable provisions of the *Local Government Act 1999*.

Notes to and forming part of the Financial Statements

for the year ended 30 June 2023

Note 23. Equity - retained earnings and revaluation reserves adjustments

Nature of prior-period error

During the year, Council identified that:

Capital Work in Progress included assets of \$960,012 that related to land that Council disposed of in the financial year ended 30 June 2019. The land had been derecognised at the date of disposal, but the associated capital work in progress were carried forward until 30 June 2022 financial year.

Capital Work in Progress and Asset Revaluation Reserve related to partial renewal assets were overstated by \$1,208,492 in the 30 June 2022 financial year.

Both errors were corrected in the current year as prior period adjustments, with comparative information restated accordingly.

Changes to the opening Statement of Financial Position at 1 July 2021**Statement of Financial Position**

\$ '000	Original Balance 1 July, 2021	Impact Increase/ (decrease)	Restated Balance 1 July, 2021
Infrastructure, Property, Plant & Equipment	433,592	(960)	432,632
Total assets	439,819	(960)	438,859
Accumulated Surplus	142,182	(960)	141,222
Total equity	415,647	(960)	414,687

Adjustments to the comparative figures for the year ended 30 June 2022**Statement of Financial Position**

\$ '000	Original Balance 30 June, 2022	Impact Increase/ (decrease)	Restated Balance 30 June, 2022
Adjustment for Infrastructure Property Plant & Equipment	454,149	(2,168)	451,981
Total assets	454,149	(2,168)	451,981
Accumulated Surplus	147,964	(960)	147,004
Asset Revaluation Reserves	275,831	(1,208)	274,623
Total equity	423,894	(2,168)	421,726

Independent Auditor's Report - Financial Statements:

Independent Auditor's Report - Internal Controls

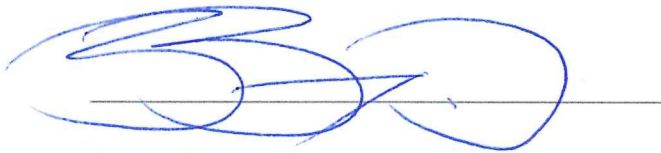
Adelaide Hills Council

General Purpose Financial Statements for the year ended 30 June 2023

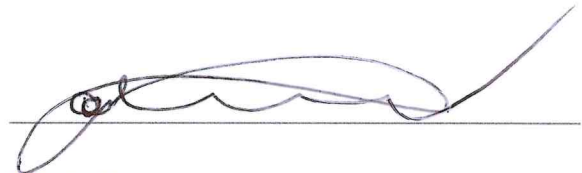
Certification of Auditor Independence

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of Adelaide Hills Council for the year ended 30 June 2023, the Council's Auditor, BDO has maintained its independence in accordance with the requirements of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) *Local Government (Financial Management) Regulations 2011*.



Gregory Georgopoulos
Chief Executive Officer



Malcolm Herrmann
Presiding Member Audit Committee

Date: 17/10/23

CERTIFICATION OF AUDITOR INDEPENDENCE

I confirm that, for the audit of the financial statements of the Adelaide Hills Council for the year ended 30 June 2023, I have maintained my independence in accordance with the requirements of APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code), Part 4A, published by the Accounting Professional and Ethical Standards Board, in accordance with the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) *Local Government (Financial Management) Regulations 2011*.



Linh Dao
Director

BDO Audit Pty Ltd

Adelaide, 12 October 2023

Appendix 2

*Annual Completion Report and Auditor Independence
Statement*



ADELAIDE HILLS COUNCIL

Annual completion report

YEAR ENDED 30 JUNE 2023

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Dear Audit Committee Members

We are pleased to present this report to the Audit Committee of Adelaide Hills Council (the 'Council') in relation to the 30 June 2023 annual audit.

As at the date of this report, the audit is still in progress and subject to the satisfactory resolution of the matters outlined in the Executive Summary, we expect to issue an unmodified audit report.

We have set out in this document the significant matters arising from our audit. This summary covers those matters we believe to be material in the context of our work.

We look forward to the Audit Committee meeting on 16 October 2023 where we will have the opportunity to discuss this report.

Should you require clarification on any matter in this report before this date, please do not hesitate to contact me on +61 8 7324 6147.

We would like to take this opportunity to extend our appreciation to management for their assistance and cooperation throughout the course of our audit.

Yours faithfully



Linh Dao
Engagement Partner

Adelaide, 12 October 2023





EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to communicate significant matters arising from our audit to the Audit Committee. This report has been discussed with management.

SCOPE

Our audit was conducted in accordance with Australian Auditing Standards and the *Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011* for the year ended 30 June 2023.

STATUS OF THE AUDIT

Our audit of the financial report is substantially complete. We expect to issue an unmodified audit report, subject to satisfactory completion of the following:

- ▶ Satisfactory finalisation of outstanding audit procedures on Infrastructure, Property, Plant and Equipment for both financial statement and internal control audit opinions
- ▶ Completion of engagement quality review
- ▶ Review of subsequent events post 30 June 2023
- ▶ Receipt of written management representation on various matters; and
- ▶ Receipt of formally adopted financial statements and agreement of these to the draft financial statements provided to us to date.

A draft of the proposed audit report is included at [Appendix 1](#).

SUMMARY OF MISSTATEMENTS

We have identified misstatements during our audit. The list of corrected and uncorrected misstatements is included in the respective [section](#) of this report.

AREAS OF AUDIT FOCUS

In performing our audit, we have identified those matters that, in the auditor's judgement, were of the most significance in the audit of the financial report. Our audit procedures also focused on areas that were considered to represent significant and elevated risks of material misstatement. These areas of focus are outlined below:

- ▶ Revaluation of infrastructure, property, plant and equipment
- ▶ Accounting treatment of Capital Work In Progress (WIP)
- ▶ Management override of internal controls
- ▶ Cut-off of grant funding and accuracy of any amounts deferred at 30 June 2023

Refer to the relevant section for details on the significant risk areas and other areas focused on during the audit.



AREAS OF AUDIT FOCUS

In assessing the risks of material misstatement at the planning phase, we used a spectrum of risk based on the likelihood of a misstatement occurring and the magnitude of the misstatement in the context of our materiality. Our audit procedures focused on areas that were considered to represent risks of material misstatement.

We set out the areas that were considered key areas of focus along with an outline of the work performed and a summary of findings.

Revaluation of infrastructure, property, plant and equipment

Description	Audit work performed	Summary of findings
Council's infrastructure, property, plant and equipment is carried at valuation. There is a risk that these balances are misstated as a result of the application and inappropriate valuation methodologies, or incorrect underlying assumptions.	We evaluated the competence, capability and objectivity of the independent valuers, if any, obtained an understanding of their work and evaluated its appropriateness.	<p>Council undertook valuations of infrastructure assets and land & buildings this year using a combination of external experts as well as indexation. This resulted in a net increase of \$47.6mil credited to the asset revaluation reserve.</p> <p>It is noted that Council commenced a building audit and revaluation using an external expert for 2023 financial reporting purposes. However there has been a delay in validating the information provided by the expert and management is still working through this at the date of this report. Consequently, the building assets have been indexed for 30 June 2023 financial year and the external expert's values will be adopted for the financial year ending 30 June 2024 when the validation of their information has been completed. We will continue to monitor the process, undertake the necessary audit procedure and report accordingly.</p> <p>We also noted that the revaluation reserves as disclosed do not fully aligned with classes of assets as presented at Note 7. AASB 116 requires that if an item of property, plant and equipment is revalued, the entire classes of property, plant and equipment to which that asset belongs shall be revalued, and that any revaluation decrement or increment shall be offset against one another within that class but shall not be offset in respect of assets in different classes. Though we were satisfied that Council is in compliance with the measurement requirements of the standards regarding revaluation, we recommend Council revisits the disclosures of Note 7 and 9(a) in future reporting period to ensure consistency between asset and revaluation reserve categorisation.</p>

AREAS OF AUDIT FOCUS *CONTINUED*

Accounting treatment of Capital Work In Progress (WIP)

Description	Audit work performed	Summary of findings
<p>There is a risk that the accounting treatment of items captured within Capital WIP may not be in accordance with Australian Accounting Standards.</p>	<p>We obtained the Capital WIP schedule and reviewed in detail a sample of projects outstanding at the end of the year to ensure they are likely to generate assets. We also reviewed a sample of assets transferred out of the Capital WIP to check that the categorisation and value allocated to the relevant fixed asset class is appropriate.</p>	<p>A restatement of \$2.17mil was made to the Capital WIP at 30 June 2022 comprising:</p> <ol style="list-style-type: none"> \$960k relating to assets that were disposed of during the 2019 financial year that were incorrectly carried forward. This was corrected by restating the Capital WIP and the accumulated surplus at 30 June 2022; and \$1.2mil relating to partial renewal assets that were overstated in the general ledger during FY2022 through Asset Revaluation Reserve (ARR). This was corrected by restating the Capital WIP and ARR at 30 June 2022. <p>We have reviewed the restatements made to the financial statements and were satisfied that such presentation is in accordance with the applicable Accounting Standards.</p>



AREAS OF AUDIT FOCUS *CONTINUED*

Management override of internal controls

Description	Audit work performed	Summary of findings
<p>Australian Auditing Standards require that we presume there is a risk that management has the ability to manipulate accounting records and override control that otherwise appear to be operating effectively.</p>	<p>Our response included a review of key internal controls at the Council to mitigate the risk of management override.</p> <p>We tested the appropriateness of journal entries and other adjustments made in the preparation of the financial report. We also reviewed accounting estimates for bias, and evaluated the business rationale (or lack of) of any significant transactions that are outside of the normal course of business or that otherwise appear to be unusual.</p>	<p>We did not identify any evidence of misstatement due to management override of internal controls.</p>

AREAS OF AUDIT FOCUS *CONTINUED*

Cut-off of grant funding and accuracy of any amounts deferred at 30 June 2023

Description	Audit work performed	Summary of findings
<p>There is a risk of error in the calculation of grant income recognised and deferred at the end of the year by reference to grant agreements and Australian Accounting Standards.</p>	<p>We obtained the schedule of grant income recognised and deferred at year-end. We selected a sample of grants and obtained the agreements to review in detail and tested that they had been recognised in accordance with AASB 15 <i>Revenue from Contracts with Customers</i> and AASB 1058 <i>Income of Not-for-Profit Entities</i>.</p>	<p>AASB 1058 requires an entity to recognise grant in profit or loss when (or to the extent that) the entity satisfies its performance obligation under the grant agreement if:</p> <ul style="list-style-type: none"> • The grant is a transfer to enable an entity to acquire or construct a recognisable non-financial asset to be controlled by the entity (i.e. capital grant); or • The grant creates enforceable rights and obligations, and includes sufficiently specific performance obligations. <p>Such performance obligations are satisfied either over time or at a point in time.</p> <p>From our sample testing, we noted that during financial year ended 30 June 2022, Council has received \$781k funding relating to LRIC Phase 3 work programs, some of which are capital grants and some are of an operating nature. No progress had been made on these programs by 30 June 2022, however the full amount received had been recognised as income for financial year ended 30 June 2022, which was not in accordance with the requirements of AASB 1058. As overall impact of this cut-off error was not material to the financial statements, it was not corrected and the misstatement relating to the year ended 30 June 2023 has been included in the ‘Summary of Uncorrected Misstatements’ section of this report.</p> <p>We also noted one instance where a grant agreement could not be located for the relevant funding period, though we have been able to obtain alternative sufficient appropriate audit evidence.</p> <p>We recommend management continue to revise their approach around grant income recognition, including record keeping to ensure compliance with accounting standards and providing useful information to relevant stakeholders.</p>



SUMMARY OF MISSTATEMENTS

UNCORRECTED MISSTATEMENTS

We detail below the uncorrected misstatement which we have identified during the audit, and that was determined by management to be immaterial, both individually and in aggregate to the financial report taken as a whole.

Misstatements have not been included if they are considered to be clearly trivial which we have set at \$47,500. Matters which are clearly trivial are regarded as clearly inconsequential when taken individually or in aggregate.

We will seek representation from management to acknowledge that:

- ▶ Uncorrected misstatement has been brought to their attention by us; and
- ▶ They have considered the effect of any uncorrected misstatements, aggregated during and pertaining to the latest period, on the financial report and consider the misstatements are immaterial individually and in aggregate to the financial report taken as a whole.

Description	Assets	(Liabilities)	Reserves	(Profit)/Loss
Adjustment to recognise grant income as Council satisfies its performance obligations under LRCI programs	\$247,497	(\$238,353)	\$249,677	(\$258,821)
Net effect of uncorrected misstatements	\$247,497	(\$238,353)	\$249,677	(\$258,821)



SUMMARY OF MISSTATEMENTS *CONTINUED*

CORRECTED MISSTATEMENTS

We identified the following misstatements during the course of our audit which have been corrected:

Description	Assets	(Liabilities)	Reserves	(Profit)/Loss
To recognise the disposal of land as part of the sale of the Bridgewater Retirement Village	(\$900,000)	-	-	\$900,000
To correct overstated depreciation expense recognised for partial renewal assets during the period	-	-	\$438,928	(\$438,928)
Net effect of corrected misstatements	(\$900,000)	-	\$438,928	\$461,072

INTERNAL CONTROL

CURRENT YEAR

In accordance with ASA 265 *Communicating Deficiencies in Internal Control to Those Charged with Governance and Management*, we are required to communicate in writing, significant deficiencies in internal control identified during our audit to those charged with governance on a timely basis.

The standard defines a deficiency in internal control as:

1. A control is designed, implemented or operated in such a way that it is unable to prevent, or detect and correct, misstatements in the financial report on a timely basis; or
2. A control necessary to prevent, or detect and correct, misstatements in the financial report on a timely basis is missing.

Significant deficiency in internal control means a deficiency or combination of deficiencies in internal control that, in the auditor's professional judgement, is of sufficient importance to merit the attention of the Audit Committee.

We have reported below one significant deficiency that in our professional judgment is of sufficient importance to merit the attention of the Audit Committee.

Though we noted three other deficiencies as part of our work for the internal control audit (refer below), we have assessed that these do not have a material impact on the overall internal control audit and we intend to provide an unqualified audit report in relation to the compliance with Section 125 of the *Local Government Act 1999*.

CURRENT PERIOD - SIGNIFICANT DEFICIENCIES

Significant deficiency in internal control	Potential effects	Recommendation	Management comments
1 The year-end process and consequently the audit this year has been significantly impacted by the prolonged IPPE closing process. This was due to the loss of 2 key employees who were responsible for this around year-end and lack of consistencies of supporting schedules provided by the Assets Team.	The delay could adversely affect the efficiency and effective of the annual financial reporting process.	We recommend that a succession plan is put in place for critical areas of business and that the Assets team works closely with the Finance team to agree and define what is required for the annual reporting process.	The loss of experience within the team has generated new challenges that will be addressed over the coming year. Recruitment is ongoing within the Finance team which will ensure that cross training can occur to decrease operational risks. This will also occur between the Asset team and Finance team to enhance understanding, coordinate work and improve internal controls.

INTERNAL CONTROL CONTINUED



CURRENT PERIOD - OTHER DEFICIENCIES

Risk Category/ Business Cycle	Risk assessment	Issues identified	Potential effects	Recommendation	Management comments
1 Expenses - Payroll	Moderate	It was noted from our testing that two Council staff members in the payroll team have access and editing rights to the Creditor Masterfile which is beyond the person's role and responsibility.	Inappropriate logical access may create opportunity for potential override of internal controls that otherwise were operating effectively.	It is recommended that management consider implementing role-based access request as part of the onboarding process and regular review of user access be conducted for relevant GL modules, not just at the IT application level. If due to practical reasons, access rights to the Creditor Masterfile cannot be changed, additional scrutiny is recommended when senior members of the finance team review the changes made to the Masterfile, and check if any changes were made by the said personnel.	User access permissions have now been amended for the users identified to have inappropriate access to the 'All Associated Creditor Procession Functions' configuration which allowed for access to the Creditors Masterfile. A new payroll configuration, 'Payroll Processing' has been created, with only payroll team having access to this configuration. Responsible Officer: Team Leader, Financial Accounting Due Date: Completed
2 Assets - Debtors	Moderate	It was noted from our testing that one Council staff members who works in the Accounts Receivable team can issue and subsequently reconcile receipt of the same invoices.	Lack of segregation of duties might result in fraud or errors remaining undetected.	It is recommended that Council implement segregation of duties (preventative control) or implement specific detective control to ensure that errors, if they occur, are detected and corrected in a timely manner, and to reduce the possibility of fraud.	Agree and consider the risk is low. The Finance team has only a small number of staff, so segregation of duties is difficult. The following are currently already in place: <ul style="list-style-type: none"> No cash is received by the Accounts Receivable officer directly. Debtors continue to be reported to Audit Committee twice yearly and a report provided detailing action taken to recover overdue balances is tabled. Credits are approved by Team Leader Financial Accounting before being applied.

INTERNAL CONTROL CONTINUED



Risk Category/ Business Cycle	Risk assessment	Issues identified	Potential effects	Recommendation	Management comments
					<ul style="list-style-type: none"> Bad debt write-offs for more than \$5,000 will be submitted to the Audit Committee prior to consideration by the Council. <p>Responsibility: Team Leader, Financial Accounting Due Date: Review of additional preventative controls - on going</p>
3 Revenue - Grants	Moderate	It is noted from our testing, that though Council maintains a grant register it does not contain sufficient detail or information to facilitate an efficient review of budget vs funding agreement as well as compliance with the relevant funding conditions.	Lack of a suitably detailed grant register might result in non-compliance issues not identified or actual vs budget variances on a timely manner.	It is recommended that council upgrade the current grant register to help facilitate the ongoing management of grants for both compliance and financial measures.	<p>Council has upgraded the original grant register seen at the interim visit to a new template provided by BDO which was subsequently populated by the Accounts Receivable Officer for the 22-23FY closing balances.</p> <p>An assessment as to whether the grant has milestones attached will also be undertaken to ensure that we are not recognising any grants incorrectly as income. For materially large grants we will consider the funds to be deferred income until it can be accurately established that milestones do/do not exist. Appropriate documentation will be sourced from the relevant grant holder and filed appropriately for EOY purposes.</p> <p>Outstanding documentation will be reviewed quarterly, and follow-up action will be undertaken.</p> <p>Responsibility: Team Leader, Financial Accounting Due Date: Completed</p>



OTHER REPORTING REQUIREMENTS

INDEPENDENCE AND ETHICS

In conducting our audit, we are required to comply with the independence requirements of the *Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011* and Part 4A of APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)*.

We have obtained independence declarations from all staff engaged in the audit.

We also have policies and procedures in place to identify any threats to our independence, and to appropriately deal with and if relevant mitigate those risks.

We have not become aware of any issue that would cause any member of the engagement team, BDO or any BDO network firm to contravene any ethical requirement or any regulatory requirement that applies to the audit engagement.

BDO has not provided any other services during the audit to Adelaide Hills Council.

The *Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011* requires the lead auditor to make a declaration to the directors regarding independence. We are in a position to make this declaration, a draft of which has been included at [Appendix 2](#).

NON-COMPLIANCE WITH LAWS AND REGULATIONS

We have made enquiries in relation to any non-compliance with laws and regulations during the course of our audit. We have not identified any instances of non-compliance with laws and regulations as a result of our enquiries.

FRAUD

Management have confirmed that there were no matters of fraud identified for the period under audit, or subsequently. It should be noted that our audit is not designed to detect fraud however should instances of fraud come to our attention we will report them to you.

We have not identified any instances of fraud during the course of our audit.



APPENDIX 1 PROPOSED AUDIT REPORT

INDEPENDENT AUDITOR'S REPORT TO THE PRINCIPAL MEMBER OF ADELAIDE HILLS COUNCIL

Report on the Audit of the Financial Report

Opinion

We have audited the financial report of Adelaide Hills Council (the Council), which comprises the statement of financial position as at 30 June 2023, the statement of comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, and notes to the financial report, including a summary of significant accounting policies and the certification of financial statements.

In our opinion the accompanying financial report presents fairly, in all material respects, the financial position of the Council as at 30 June 2023, and its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards, the *Local Government Act 1999*, and the *Local Government (Financial Management) Regulations 2011*.

Basis for opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the Financial Report* section of our report.

We are independent of the Council in accordance with the *Local Government Act 1999* and the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We confirm that the independence declaration required by the *Local Government Act 1999*, which has been given to the Council, would be in the same terms if given to the Council as at the time of this auditor's report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other information

Those charged with governance are responsible for the other information. The other information obtained at the date of this auditor's report are the general purpose financial reports of Adelaide Hills Council's joint ventures including Adelaide Hills Regional Waste Management Authority, Eastern Waste Management Authority and Gawler River Floodplain Management Authority.

Our opinion on the financial report does not cover the other information and accordingly we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial report, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or our knowledge obtained in the audit, or otherwise appears to be materially misstated.



APPENDIX 1 PROPOSED AUDIT REPORT CONTINUED

If, based on the work we have performed on the other information obtained prior to the date of this auditor's report, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Other matter

The financial report of Adelaide Hills Council, for the year ended 30 June 2022 was audited by another auditor who expressed an unmodified opinion on that report on 12 October 2022.

Responsibilities of management and those charged with governance for the Financial Report

Management is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards, the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* and for such internal control as management determines is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, management is responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Council or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Council's financial reporting process.

Auditor's responsibilities for the audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website (<http://www.auasb.gov.au/Home.aspx>) at: http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf

This description forms part of our auditor's report.

BDO Audit Pty Ltd

Linh Dao
Director

Adelaide, XX Month 2023



APPENDIX 1 PROPOSED AUDIT REPORT CONTINUED

INDEPENDENT ASSURANCE REPORT ON THE INTERNAL CONTROLS OF ADELAIDE HILLS COUNCIL

Opinion

We have undertaken a reasonable assurance engagement on the design and the operating effectiveness of controls established by Adelaide Hills Council ('Council') in relation to financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities, throughout the period 1 July 2022 to 30 June 2023 relevant to ensuring such transactions have been conducted properly and in accordance with law.

In our opinion, in all material respects:

- (a) The controls established by Council in relation to financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities were suitably designed to ensure such transactions have been conducted properly and in accordance with law; and
- (b) The controls operated effectively as designed throughout the period from 1 July 2022 to 30 June 2023.

Basis for opinion

We conducted our engagement in accordance with Standard on Assurance Engagements ASAE 3150 *Assurance Engagements on Controls* issued by the Auditing and Assurance Standards Board.

We believe that the evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

The Council's responsibilities for the internal controls

The Council is responsible for:

- a) The receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities;
- b) Identifying the control objectives
- c) Identifying the risks that threaten achievement of the control objectives
- d) Designing controls to mitigate those risks, so that those risks will not prevent achievement of the identified control objectives; and
- e) Operating effectively the controls as designed throughout the period.

Our independence and quality control

We have complied with the independence and other relevant ethical requirements relating to assurance engagements, and apply Auditing Standard ASQC 1 *Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, and Other Assurance Engagements* in undertaking this assurance engagement.

Assurance practitioner's responsibilities

Our responsibility is to express an opinion, in all material respects, on the suitability of the design to achieve the control objectives and the operating effectiveness of controls established by Council in relation to financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities.



APPENDIX 1 PROPOSED AUDIT REPORT *CONTINUED*

ASAE 3150 requires that we plan and perform our procedures to obtain reasonable assurance about whether, in all material respects, the controls are suitably designed to achieve the control objectives and the controls operated effectively throughout the period.

An assurance engagement to report on the design and operating effectiveness of controls involves performing procedures to obtain evidence about the suitability of the design of controls to achieve the control objectives and the operating effectiveness of controls throughout the period. The procedures selected depend on our judgement, including the assessment of the risks that the controls are not suitably designed or the controls did not operate effectively. Our procedures included testing the operating effectiveness of those controls that we consider necessary to achieve the control objectives identified. An assurance engagement of this type also includes evaluating the suitability of the control objectives.

Limitations of controls

Because of the inherent limitations of an assurance engagement, together with any internal control structure it is possible that, even if the controls are suitably designed and operating effectively, the control objectives may not be achieved and so fraud, error, or non-compliance with laws and regulations may occur and not be detected.

An assurance engagement on operating effectiveness of controls is not designed to detect all instances of controls operating ineffectively as it is not performed continuously throughout the period and the tests performed are on a sample basis. Any projection of the outcome of the evaluation of controls to future periods is subject to the risk that the controls may become inadequate because of changes in conditions, or that the degree of compliance with them may deteriorate.

BDO Audit Pty Ltd

Linh Dao
Director

Adelaide, XX Month 2023



APPENDIX 2 AUDITOR INDEPENDENCE DECLARATION

We set out below our draft Auditor independence declaration.

CERTIFICATION OF AUDITOR INDEPENDENCE

I confirm that, for the audit of the financial statements of the Adelaide Hills Council for the year ended 30 June 2023, I have maintained my independence in accordance with the requirements of APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code), Part 4A, published by the Accounting Professional and Ethical Standards Board, in accordance with the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) *Local Government (Financial Management) Regulations 2011*.

Linh Dao
Director

BDO Audit Pty Ltd

Adelaide, XX Month 2023



APPENDIX 3 CLIMATE RISKS AND FINANCIAL REPORTING

CLIMATE RELATED FINANCIAL DISCLOSURES

In December 2022, in anticipation of the release of forthcoming sustainability standards, the Australian Government opened its first round of consultation on '[Climate-related financial disclosures](#)'. The process closed in February 2023, when the Government received nearly 200 responses.

In June 2023, the [ISSB issued its first two sustainability standards](#):

- ▶ IFRS S1 General Requirements for Disclosure of Sustainability-related Financial Information, and
- ▶ IFRS S2 Climate-related Disclosures.

According to the ISSB, these standards become effective from 1 January 2024, subject to endorsement in each respective jurisdiction.

The day after the ISSB standards' release, the Australian Government announced its second round of consultation on implementing climate-related financial disclosures in Australia.

WHICH ENTITIES WILL BE IMPACTED?

One of the key changes is a revised approach to the order of entities being introduced to mandatory climate-related reporting. While the previous consultation paper suggested focusing on large listed and large financial service providers, the new approach includes listed and non-listed organisations. The focus is still on the size of the organisation - starting with the 'big end of town' - and organisations that meet the reporting requirements of the [National Greenhouse and Energy Reporting \(NGER\) Scheme](#).

The introduction of mandatory reporting will still phase in (now across four years) to allow the market to upskill and prepare.

To find out when the climate-related reporting requirements may impact you, and what category you fall into, refer to BDO's IFRS & Corporate Reporting team's [ESG and Sustainability insights](#) and the proposed roadmap as set out by [Treasury](#).

WHAT HAPPENS NEXT?

Organisations of all sizes - whether listed or private - should take note of the group they fall into to anticipate what the mandatory reporting implications might be, both now and with consideration of any future growth plans.

Regardless of status, entities should also assess and reflect on the organisations in their supply chain. With Scope 3 emissions - as required to be measured and reported under IFRS S2 - a reflection of the emissions from an organisation's supply chain, organisations of all sizes are likely to be impacted by the introduction of mandatory reporting. As group one entities begin to measure and report emissions, Scope 3 could become a key component of emission reduction strategies. By having accurate, reportable data and a decarbonisation strategy, organisations of all sizes can positively impact their supply chain before mandatory reporting even knocks on their door.

To understand more about what this means for your business, please contact our [National Sustainability Team](#).



APPENDIX 4 ESG AND YOUR BUSINESS

WHAT IS ESG?

ESG is the acronym for Environmental, Social and Governance. It is a holistic concept about an organisation's ability to create and sustain long-term value in a rapidly changing world, and managing the risks and opportunities associated with these changes.

ESG metrics are not part of mandatory [financial reporting](#) required by Australian Accounting Standards or International Financial Reporting Standards, but organisations across the world are increasingly making disclosures in their annual report or in a standalone sustainability report.

ESG is used as a framework to assess how an organisation manages risks and opportunities that changing market and non-market conditions create. ESG also puts a heavy emphasis on risk management, because monitoring and mitigating risks across all three dimensions is an important priority for any company that is serious about ESG. The three categories of ESG factors are as follow:

- ▶ **Environmental** factors address an organisation's environmental impact and environmental stewardship. It is focused on improving the environmental performance of an organisation.
- ▶ **Social** factors refer to how an organisation manages relationships with, and creates value for, stakeholders. The social dimension is focused on an organisation's impact on its employees, customers and the community.
- ▶ **Governance** factors refers to an organisation's leadership and management philosophy, practices, policies, internal controls, and shareholder rights. The governance dimension is focused on an organisation's leadership and structure.

WHY IS ESG IMPORTANT FOR YOUR BUSINESS?

Investors across the globe are increasingly demanding organisations to outline their ESG framework and approach in order to assess the organisation's long-term sustainability. ESG has a potential significant impact on the following fundamental business issues relevant to the long-term success of the organisation:

- ▶ **Corporate reputation** - ESG can enhance a company's license to operate making it easier to accomplish business objectives and respond to crisis scenarios with key stakeholder groups.
- ▶ **Risk reduction** - ESG can assist with the identification of immediate and long-term risks depending on the industry and business model.
- ▶ **Opportunity management** - Shifting market and non-market conditions can expose unmet needs for new products and/or services, potential customer bases, and potential strategic relationships for addressing ESG issues.
- ▶ **Culture & intrinsic value** - ESG maturity is an indicator of a company's commitment to building a high performing, purpose-driven workforce and inclusive culture.

A robust ESG strategy can help attract the right talent and investors. To achieve a shift in sustainability we need to stop viewing ESG as a 'nice to have', it should be part of business strategy and risk management which can have a direct and positive impact on financial performance.

If you would like to speak with us about implementing an ESG framework in your organisation or providing assurance on your framework, please contact your audit engagement partner initially.



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We have prepared this report solely for the use of Adelaide Hills Council. As you know, this report forms part of a continuing dialogue between the company and us and, therefore, it is not intended to include every matter, whether large or small, that has come to our attention. For this reason we believe that it would be inappropriate for this report to be made available to third parties and, if such a third party were to obtain a copy of this report without prior consent, we would not accept any responsibility for any reliance they may place on it.

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Appendix 3

2022-23 Actual to Budget Comparison

Adelaide Hills Council

2022/23 Actual to Budget Comparison

Statement of Comprehensive Income

for the year ended 30 June 2023

	Actual	Budget	Variance	Variance	Comment on material items
	\$000's	\$000's	\$000's	%	
Income					
Rates	44,401	44,384	17	0%	
Statutory charges	1,428	1,378	50	4%	
User charges	901	903	-2	0%	
Grants, subsidies and contributions - capital	292	1141	-849	-74%	Grant income was deferred reflecting progress on underlying project
Grants, subsidies and contributions - operating	6,090	5,112	978	19%	Timing of grants (\$278k) Local Roads Community Grants (\$235k)
Investment income	37	22	15	68%	
Reimbursements	306	236	70	30%	
Other income	821	236	585	248%	Settlement of a legal matter \$500k
Net gain - equity accounted council businesses	169	100	69	69%	
Total income	54,445	53,512	933	2%	
Expenses					
Employee costs	20,693	20,846	-153	-1%	
Materials, contracts and other expenses	21,273	20,656	617	3%	Transfer of expenses from Capital to Operating (\$410k), Increase in Remediation provision (\$500k), Lower Operating expenses (-\$395k)
Depreciation, amortisation and impairment	10,479	10,446	33	0%	
Finance costs	551	594	-43	-7%	
Net loss - equity accounted council businesses	19	0	19	0%	
Total Expense	53,015	52,542	473	1%	
Operating surplus / (deficit)	1,430	970	460	47%	
Other comprehensive income					
Physical resources received free of charge	551	0	551	0%	
Asset disposal and fair value adjustments	-1,300	764	-2,064	-270%	Higher than expected asset disposals
Amounts received specifically for new or upgraded assets	2,283	5,621	-3,338	-59%	Capital grants were deferred into the following financial year
Net surplus / (deficit)	2,964	7,355	-4,391	-60%	
Other comprehensive income					
Changes in revaluation surplus - I,PP&E	47,645	5,300	42,345	799%	Revaluation of assets was materially larger than expected, driven by increased unit rates.
Share of other comprehensive income - equity accounted council businesses	23	0	23	0%	
Other Equity Adjustments - Equity Accounted Council Businesses	43	0	43	0%	
Total other comprehensive income	47,711	5,300	42,411	800%	
Total comprehensive income	50,675	12,655	38,020	300%	

Adelaide Hills Council

2022/23 Actual to Budget Comparison

Statement of Financial Position for the year ended 30 June 2023

	Actual	Budget	Variance	Variance	Comment on material items
	\$000's	\$000's	\$000's	%	
ASSETS					
Current assets					
Cash and cash equivalent assets	489	515	-26	-5%	
Trade and other receivables	3,573	3025	548	18%	
Inventories	17	32	-15	-47%	
Total current assets	4,079	3,572	507	14%	
Non-current assets					
Equity accounted investments in council businesses	2,631	2,516	115	5%	
Infrastructure, property, plant and equipment	492,588	458,747	33,841	7%	Move between current and non-current borrowings due to fixed term loan
Total non-current assets	495,219	461,263	33,956	7%	
TOTAL ASSETS	499,298	464,835	34,463	7%	
LIABILITIES					
Current liabilities					
Trade and other payables	6,107	6,215	-108	-2%	
Borrowings	1,721	9,283	-7,562	-81%	Move between current and non-current borrowings due to fixed term loan
Provisions	5,257	3,669	1,588	43%	Increase in remediation provision (\$500k)
Total current liabilities	13,085	19,167	-6,082	-32%	
Non-current liabilities					
Borrowings	13,230	7,368	5,862	80%	Move between current and non-current borrowings due to fixed term loan
Provisions	583	1,751	-1,168	-67%	
TOTAL LIABILITIES	26,898	28,286	-1,388	-5%	
Net assets	472,400	436,549	35,851	8%	
EQUITY					
Accumulated surplus	150,021	155,319	-5,298	-3%	
Asset revaluation reserves	322,268	281,131	41,137	15%	
Other reserves	111	99	12	12%	
Total council equity	472,400	436,549	35,851	8%	
Total equity	472,400	436,549	35,851	8%	

Appendix 4

Management Representation letter



63 Mount Barker Road
Stirling SA 5152
Phone: 08 8408 0400
mail@ahc.sa.gov.au
www.ahc.sa.gov.au

Ms Linh Dao
BDO Audit Pty Ltd
Level 7, BDO Centre
420 King William Street
ADELAIDE SA 5000

20 October 2023

Dear Linh

AUDIT FOR YEAR ENDED 30 JUNE 2023 OF ADELAIDE HILLS COUNCIL

This representation letter is provided in connection with your audit of the financial report of Adelaide Hills Council for the year ended 30 June 2023, for the purpose of expressing an opinion as to whether the financial report presents fairly in accordance with the Australian Accounting Standards, the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*.

We confirm that to the best of our knowledge and belief, having made such enquiries as we considered necessary for the purposes of appropriately informing ourselves:

▪ **Financial report**

1. We have fulfilled our responsibilities, as set out in your engagement letter dated 6 April 2023, for the preparation for the financial report in accordance with Australian Accounting Standards, the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*; in particular that the financial report presents fairly in accordance therewith.
2. We have established and maintained adequate internal controls to facilitate the preparation of a reliable financial report and adequate records have been maintained. Any and all deficiencies in internal control of which we are aware have been communicated to you.
3. We confirm that the selection and application of accounting policies remains appropriate, and that there have been no changes to the accounting policies applied in the previous annual financial statements or the methods used in applying them other than the accounting for library books as we have disclosed to you.
4. We have no plans or intentions that may materially affect the carrying values, or classification, of assets and liabilities.
5. The entity has satisfactory title to all assets, and there are no liens or encumbrances on such assets that have not been disclosed, nor has any asset been pledged as collateral.
6. All significant judgments related to accounting estimates have taken into account all relevant information of which management is aware and the selection or application of the methods, assumptions and data used by management in making the accounting estimates are consistent and appropriate.
7. The assumptions used in determining accounting estimates and related disclosures appropriately reflect management's intent and ability to carry out specific courses of action on behalf of the entity.
8. Disclosures related to accounting estimates, including disclosures describing estimation uncertainty, are complete and reasonable within the context of the applicable financial reporting framework.
9. The appropriate specialised skills or expertise has been applied in making the accounting estimates as applicable.

10. We acknowledge the existence of, and have disclosed to you all information in relation to restatements made to correct any material misstatements in the prior period financial report that affects the comparative information.
11. We acknowledge that valuations of Infrastructure, Property, Plant & Equipment have been appropriately undertaken so as to ensure that the carrying amounts do not differ materially from that which would be determined using fair value at the end of the reporting. Individual classes of Infrastructure, Property, Plant & Equipment are assigned to the appropriate level in the AASB 13 fair value hierarchy.

▪ **Books, records and documentation**

12. We have provided you with:
 - Access to all information of which we are aware that is relevant to the preparation of the financial report such as records, documentation and other matters;
 - All minutes of meetings held by Council and relevant Committees since the end of the previous reporting period have been given to you for your inspection;
 - Additional information that you have requested from us for the purpose of the audit;
 - Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
13. All transactions have been recorded in the accounting records and are reflected in the financial report.

▪ **Uncorrected misstatements**

14. We acknowledge that you have brought to our attention uncorrected misstatement detected during the course of your audit (Schedule attached). We have considered the effect of any uncorrected misstatements on the financial statements. We consider the effect of the uncorrected misstatements to be immaterial, individually and in aggregate, to the financial report taken as a whole.

▪ **Related parties**

15. We have disclosed to you the identity of the entity's related parties and all the related party relationships and transactions.
16. Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with Australian Accounting Standards in the financial report.

▪ **Fraud**

17. We acknowledge our responsibility for the design, implementation and maintenance of accounting and internal control systems that are designed to prevent and detect fraud.
18. We have disclosed to you the results of our assessment of the risk that the financial report may be materially misstated as a result of fraud.
19. We have disclosed to you all information in relation to fraud or suspected fraud that we are aware of and that affects the entity and involves:
 - Management;
 - Employees who have significant roles in internal control; or
 - Others where fraud could have a material impact on the financial report.
20. We have disclosed to you all information in relation to allegations of fraud, or suspected fraud, affecting the entity's financial report communicated by employees, former employees, analysts, regulators or others.

▪ **Litigation and claims**

21. We have disclosed to you all known actual or possible litigation and claims whose effects should be considered in the financial report; and accounted for and disclosed in accordance with Australian Accounting Standards.

▪ **Compliance with laws and regulations**

22. We have disclosed to you all known actual or possible non-compliance with laws and regulations whose effects should be considered when preparing the financial report.
23. There have been no instances of non-compliance of laws and regulations involving management or employees who have a significant role in internal control.
There have been no communications from regulatory agencies concerning non-compliance with, or deficiencies in, financial reporting practices that could have a material effect on the financial report.

▪ **Subsequent events**

24. All events occurring subsequent to the date of the financial report and for which adjustment or disclosure are required, including but not limited to accounting estimates have been adjusted or disclosed.

▪ **Other information**

25. We have informed you of all the documents that we expect to issue which may comprise other information accompanying the financial report.
26. The financial report and any other information obtained by you prior to the date of the auditor's report are consistent with one another, and the other information does not contain any material misstatements.

▪ **Electronic presentation of Financial Report**

27. We are responsible for the electronic presentation of the financial report.
28. We will ensure that the electronic version of the audited financial report and the auditor's report on the web site will be identical to the final signed hard copy version.
29. We will clearly differentiate between audited and unaudited information in the construction of the entity's web site as we understand the risk of potential misrepresentation.
30. We have assessed the controls over the security and integrity of data on the web site and that adequate procedures are in place to ensure the integrity of the information published.
31. We will not present the auditor's report on the full financial statements with extracts only of the full financial statements.

Yours faithfully



Liz Packer
Team Leader Finance



Terry Crackett
Director Corporate Services

**SCHEDULE 1 – UNCORRECTED MISSTATEMENT
ADELAIDE HILLS COUNCIL
FOR THE YEAR ENDED 30 JUNE 2023**

Description	Assets	(Liabilities)	Reserves	(Profit)/Loss
Adjustment to recognise grant income as Council satisfies its performance obligations under LRCI programs	\$247,497	(\$238,353)	\$249,677	(\$258,821)
Opening balance adjustment: Disposal of assets recorded in the current year	-	-	\$476,983	(\$476,983)
Net effect of uncorrected misstatements	\$247,497	(\$238,353)	\$726,660	(\$735,804)

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 October 2023
AGENDA BUSINESS ITEM**

Item: 12.2

Responsible Officer: Natalie Armstrong
Director Development & Regulatory Services
Development & Regulatory Services

Subject: Development Services Service Review

For: Decision

SUMMARY

Council resolved to implement a *Service Review Framework* (the Framework) as part of the *Annual Business Plan 2021-22 (Appendix 1)*. 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 – Planning and Development Services was presented at the 25 October 2022 Council Meeting (*Appendix 2*), subsequent to which the consultant (BeeSquared Consultants) was appointed and work commenced in early February 2023.

At the Audit Committee of 19 June 2023, the findings and recommendations of the Service Review as detailed in the *Service Review 22-23 – Development Services (Appendix 3)* were presented.

The purpose of this report is to present the Management Review and Action Plan (*Appendix 4*) that has been prepared for the Audit Committee to review in their capacity of providing advice to the Council on the adequacy and effectiveness of the systems and processes regarding financial management and reporting, internal control and risk management, internal audit and governance.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
2. To receive and note the Service Review 2022-23 – Development Services, as contained in *Appendix 3*.
3. To receive and note the Management Review and Action Plan in response to the Service Review 2022-23 – Development Services, as contained in *Appendix 4*.
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 resolved to implement a *Service Review Framework* (the Framework) as part of the *Annual Business Plan 2021-22*. The Framework (**Appendix 1**) 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

Following the appointment of a new Director Development and Regulatory Services in August 2022, a workshop was held on 13 September 2022 to discuss a proposal to bring forward the service review for Development Services to Year 2, and this was subsequently resolved by Council on 25 October 2022.

12.5 Service Review Brief – Development Services

Moved Cr Linda Green
S/- Cr Ian Bailey

278/22

Council resolves:

1. That the report be received and noted.
2. To adopt the draft *Service Review Brief – Development Services* as contained in *Appendix 1*.
3. That the Chief Executive Officer be authorised to make minor changes to the draft *Service Review Brief – Development Services* arising from the Council's consideration of the matter.
4. That the Chief Executive Officer be authorised to make amendments to the scope of the *Service Review Brief – Development Services* in response to the proposals received in the "request for quote" (RFQ) if required to meet budget.

Carried Unanimously

Following the Request for Quote procurement process being undertaken in November 2022, the consultant (BeeSquared) was appointed, with work commencing in early February 2023.

The objective of the service review of the Development Services 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 savings opportunities
- Service delivery effectiveness and performance assessment

Review and analysis was undertaken between February & May 2023, with the findings and recommendations captured in the *Service Review 2022-23 – Development Services Report (Appendix 3)*. This was presented to Audit Committee on 19 June 2023.

The Director Development and Regulatory Services, in conjunction with other key staff, has undertaken a review of the final report and has prepared a Management Response and Action Plan for consideration by both the Audit Committee and Council (**Appendix 4**).

The Service Review outcome report was presented to the Audit Committee on Monday 19 June 2023.

The Service Review, Management Response and Action Plan was presented to the Audit Committee on Monday 16 October 2023.

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 enact 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 Corporate Planning & Performance Coordinator coordinated the procurement, conduct and reporting of the Service Review. The cost of the Consultant to conduct the Service Review was \$35,000.

The service review has highlighted a need to review resource allocations in the short to medium term, particularly in relation to the Building Team and Development Compliance roles.

It is proposed to make the following changes to the resourcing structure as a result of the service review:

- Adjust the position description for the Senior Statutory Planner role to include responsibilities to assist with Development Compliance. The intention is to convert one of the current Statutory Planner roles to an additional Senior Statutory Planner role to make up the resource shortfall in Development Compliance highlighted in the Service Review. This increase will be managed within existing budget and will not result in an increase of FTE.

- Convert the contract Statutory Planner role that expires at the end of 2023 from a contract position to a permanent position. This is not an increase to FTE and is budgeted.
- Discontinue with the Cadet Planner role. This was only a 12 month contract position funded by other part time arrangements that have now ceased.
- Create a new permanent position in Building Assessment & Compliance to manage the introduction of the requirement to issue Certificate of Occupancy Certificates for all residential dwellings. This will be an increase of 1 FTE that will assist with both the shortfall of resource identified in the Service Review and the obligation to issue Certificate of Occupancy Certificates. This will be included in the LTFP and budget for 24/25FY and will be covered on a contract basis until budget is approved and filled on a permanent basis.

The Service Review highlights a need for “*resource and process management upskilling for Manager and Team Leaders*” and a need to “*validate and align team outcomes, purpose and agree balance of community legislative and applicant outcomes*”. It is proposed to seek external consultant assistance to undertake this process with the Team. Quotes for this action will be obtained and managed through a budget review process.

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

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

➤ **Sustainability Implications**

Review and implementation of the agreed Service Review Report recommendations will facilitate improvements to the effectiveness and efficiency of the Development Services activities, including improvements in assessment consistency and the customer experience.

➤ **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.

The Development Services Service Review was considered at the Audit Committee on 19 June 2023.

The Management Response and Action Plan was considered by the Audit Committee on 16 October 2023.

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. At the workshop on 13 September 2022 it was discussed that it was the preference of staff to bring the Development Services Service Review forward to Year 2. The draft findings and recommendations of the Development

Services Service Review were presented at a workshop on 5 June 2023.

Advisory Groups: Not applicable

External Agencies: Not applicable

Community: Not applicable

➤ **Additional Analysis**

Analysis of Report

The finalisation of the draft occurred in late May 2023 with staff feedback subsequently occurring. A detailed review has been undertaken by the Director Development & Regulatory Services in conjunction with the Manager Development Services, Team Leader Planning Services, Team Leader Building Services and Team Leader Development Services Administration. The Management Response and Action Plan has been drafted in response to that review.

In accordance with clause 6.8 of the Service Review Framework (**Appendix 1**), Recommendations from the Service Review that are adopted in the proposed Action Plan will be monitored in Council's Audit Action Register and will be reported on a biannual basis to Audit Committee and Council (nominally March and August).

3. OPTIONS

The Council has the following options:

- I. To receive and note this report (Recommended).
- II. To receive and note the *Management Response and Action Plan* for the *Service Review 2022-23 – Development Services* at **Appendix 4** (Recommended).
- III. To note that the implementation status of the agreed actions will be reported to Audit Committee and Council on a biannual basis, nominally March and August (Recommended).


4. APPENDICES

- (1) Service Review Framework
- (2) Service Review Brief – Planning and Development Services
- (3) Service Review 2022-23 – Development Services
- (4) Management Response and Action Plan

Appendix 1

Service Review Framework

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	Service Review Framework
--	---------------------------------

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:	26 October 2021
Effective From:	26 October 2021
Minute Reference for Adoption:	Res 225/21, 26 October 2021
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.

Appendix 2

Service Review Brief – Planning and Development Services

SERVICE REVIEW PROJECT BRIEF – Adelaide Hills Council

Function	Planning & Development	Directorate	Development & Regulatory Services
Services	<ul style="list-style-type: none"> Development Services Compliance and Inspection Services (subject to RFQ outcome) 		
Key Stakeholders	Director Development & Regulatory Services Manager Planning & Development Development & Regulatory Services Corporate Planning & Performance Coordinator		
Approval			

Objectives	<p>The objective of this Service Review is to facilitate efficiency, effectiveness, and appropriateness in service provision through the analysis of factors such as:</p> <ul style="list-style-type: none"> 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
Scope	<p>The scope of the review will be on the following services:</p> <p>Development Assessment</p> <ul style="list-style-type: none"> Planning Building <p>Subject to RFQ outcomes, Compliance/Inspections may be included</p>
Timeframes	<ol style="list-style-type: none"> RFQ Close Date: 30 November 2022 Contract Award by 16 December 2022 (indicative subject to no change of scope or budget required) Commencement of consultancy: January-April 2023 <p>Consultant to produce a potential timeline for completion of review by 30 June 2023.</p>
Resourcing & Budget	<p>Council has allocated a budget of \$26,000 to conduct the Service Review. The scope may need to be reviewed based on quotes received from the market.</p> <p>The service review will be coordinated by the Corporate Planning and Performance Coordinator, Kira-marie Laverty, and will include various members of staff and management across the Planning & Development.</p>
Approach	<p>Utilising the methodology from the <i>ACELG Service Delivery Review: A How to Manual for Local Government</i> – by the Australian Centre of Excellence for Local Government OR other similar methodology as agreed.</p>
Deliverables	<p>At the conclusion of a Review, the consultant will be required to <u>prepare and present</u> a report to Council and the Audit Committee setting out, but not limited to, the following:</p> <ul style="list-style-type: none"> Description of Service(s) (range, level, volumes, inputs, outputs, etc.) Analysis of existing customer/stakeholder feedback and data Analysis of targeted customer feedback and data (internal and external)

SERVICE REVIEW PROJECT BRIEF – Adelaide Hills Council

	<ul style="list-style-type: none">• Analysis and assessment of Service(s) appropriateness, effectiveness and efficiency (including where available, benchmarking data from other comparable organisations)• Process maps of Service(s)• Recommendations:<ul style="list-style-type: none">○ Refinements to current Service provision quality, effectiveness and efficiency○ Proposals (as applicable) to change service range, level, delivery modes, etc.○ Proposed Implementation plan actions, including any known recommended responsible officers/areas and suggested timeframes
Communication	<p>Communication by the consultant shall occur through the Corporate Planning and Performance Coordinator, Kira-marie Laverty, ph. (08) 8408 0568, email klaverty@ahc.sa.gov.au.</p> <p>Council’s Corporate Planning and Performance Coordinator will be responsible for liaising with the Consultant to ensure the consultancy is on target and to provide any reasonable assistance.</p>

Appendix 3

Service Review 2022-23 – Development Services

Development Services

Review



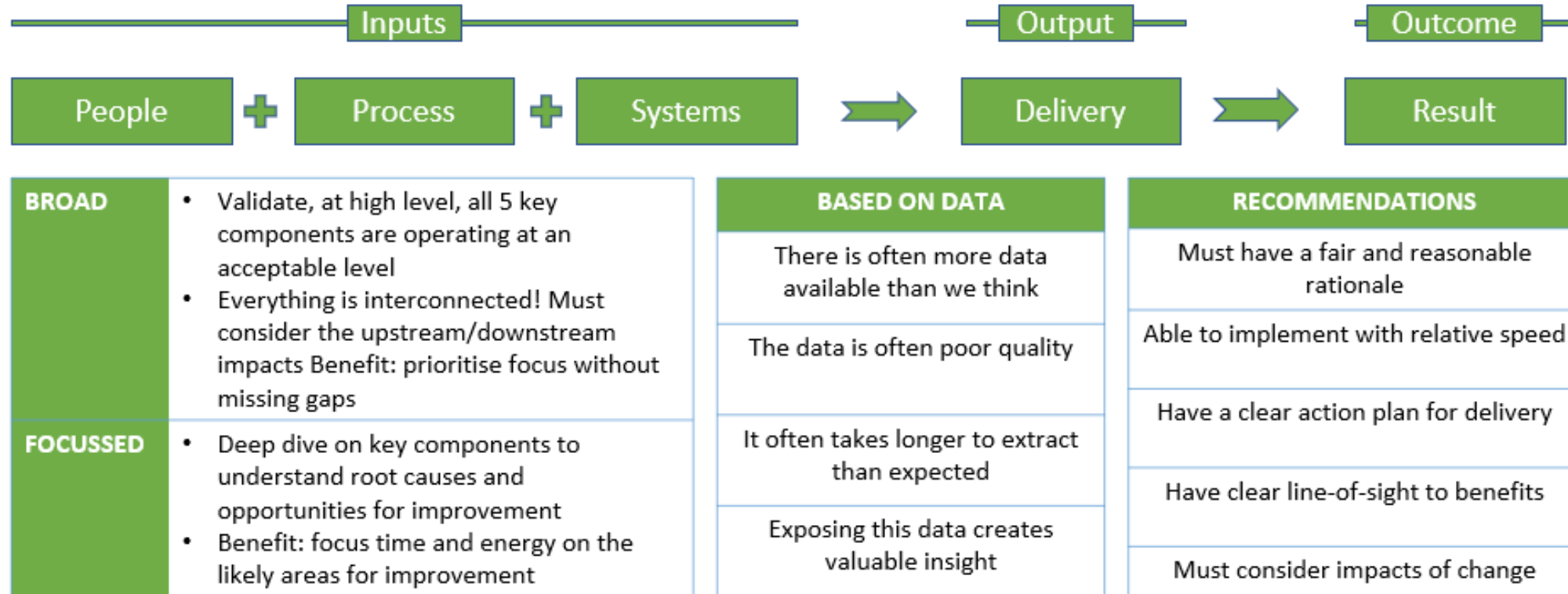
Purpose

Purpose

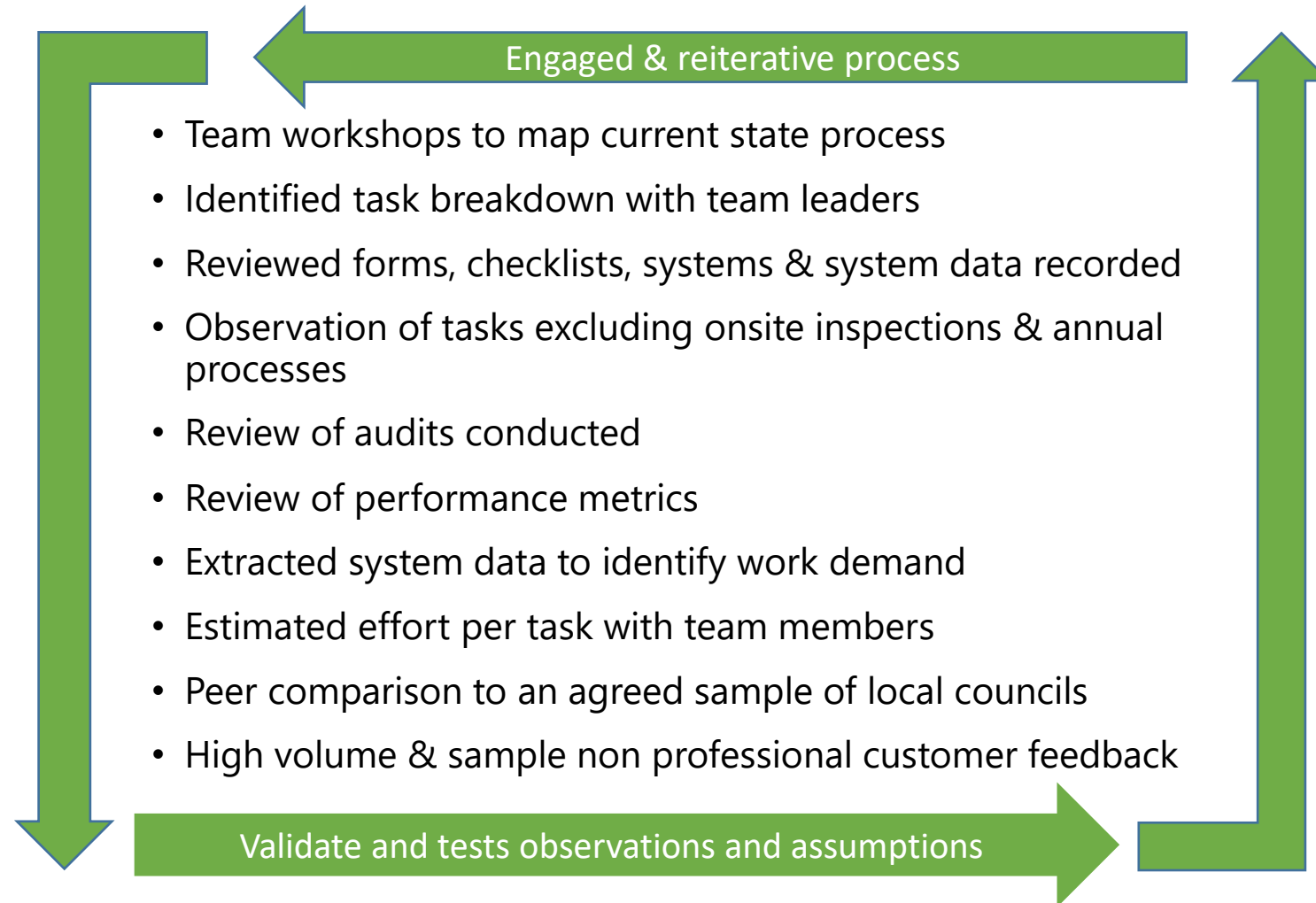
The objective of this Service Review is to facilitate efficiency, effectiveness, and appropriateness in service provision through the analysis of factors such as:

- 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

Approach

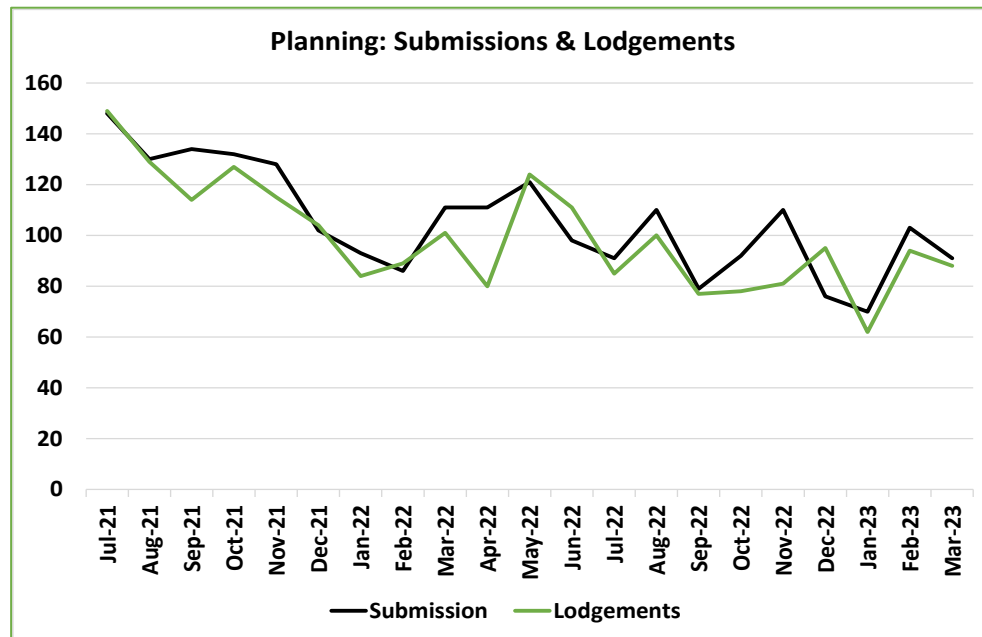


Process



Summary Analysis

Key Environmental Changes

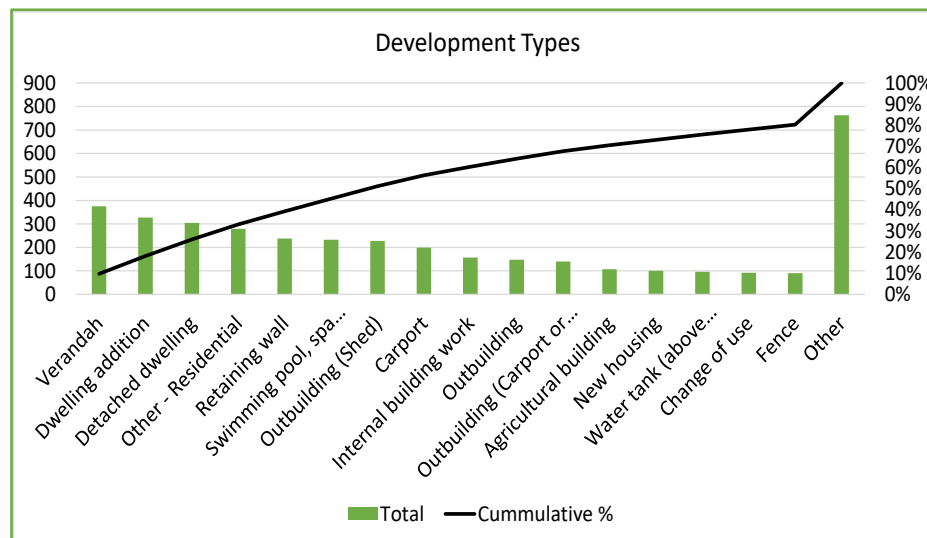
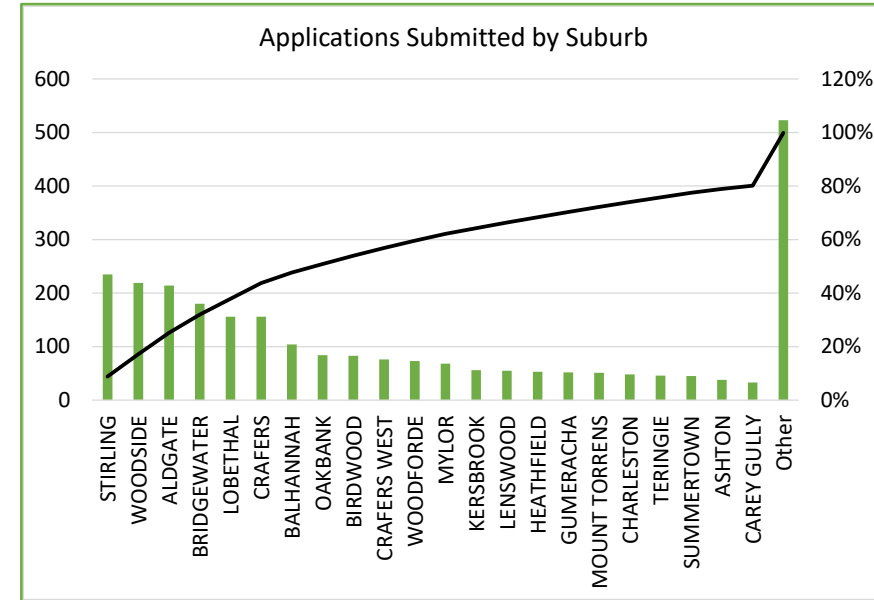
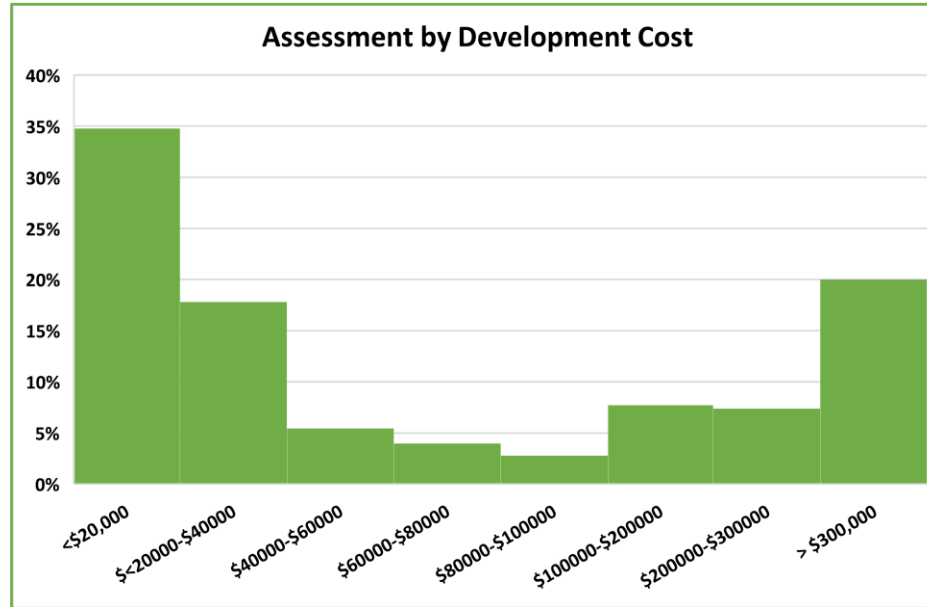


- New Planning Code and system implemented in March 2021
- Changes to process and the new way of working, impacts efficiency as staff and customers learn and adapt to a new process and technology
- Government incentives and bushfires contributed to historical increased & prioritised volumes
- Increase in volume and assessment complexity requires a consistent approach in how the work system is managed, the way work is prioritised, performed and process adapted to meet the specific needs of localised customers.
- Volume of Development Applications submissions is showing a downward trajectory since July 2021

Key Observations

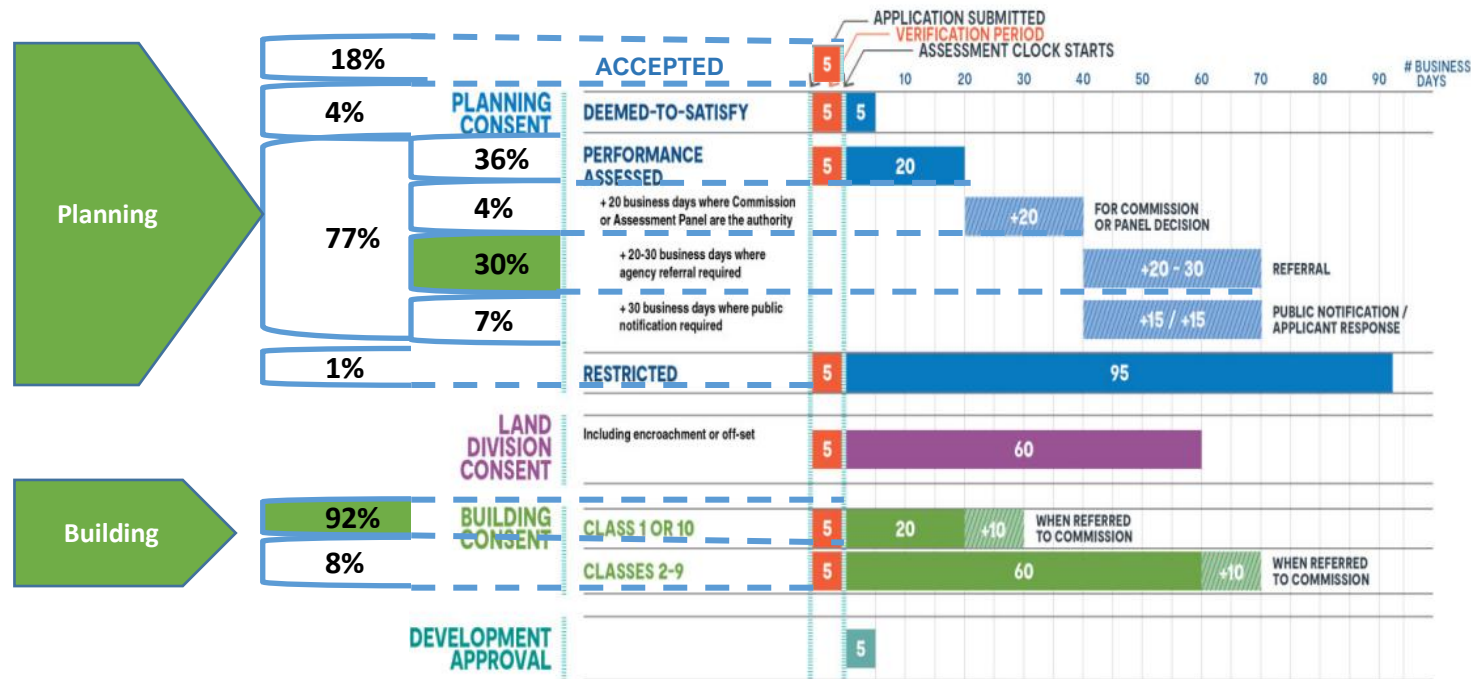
People	Primary team focus on legislative measures and there is a need to balance the end-to-end customer time frame
	Opportunity to utilise active process and resource management in current governance meetings with staff
Process	Internal referral time frames and priority not agreed for all internal referral types
	Opportunity to define and systemise planning reactive compliance process to measure efficiency and effectiveness of activities
	Variation in the planning assessment approach impacting consistency time to decision and customer process expectations
	Opportunity to clarify and align task prioritisation to enable greater consistency when task are in and out of service
	Significant number of overlays requiring referrals to external agencies
	Calls via customer service go to duty planner voicemail. Typically, this will increase workload via call backs and not an ideal customer experience
	Proactive Compliance review to ensure notifications for pools inspections received
	No central register to flag all council building requiring Essential Safety Provisions
System	Preliminary assessment not recorded in system to enable planner to refer historical discussions when undertaking assessment
	All planning compliance activities not recorded in workflow to measure effectiveness and makes it challenging to back fill during leave
	Plan SA underlying data not leveraged to understand the end-to-end customer process experience
	Opportunity to create control reports for compliance activities, to ensure timely and aligned rectification or enforcement activities
	Laptops and phone devices not ideal for all inspections
Operating Model	Focused Planning Compliance role while creates efficiencies with a dedicated focus creates, is a key person risk prioritisation of work agreed during periods of relief. Compliance Role reporting directly to manager can result in having to address more escalated compliance matters.

Development Types & Location



- <\$100K development value account for 65%
- Most frequent building types 10a,(45%) which are typically sheds, carports, garages and verandas
- While assumed lower value applications are less complex in nature, the overlays and required referrals need to be undertaken
- Largest clusters are located around Stirling & surrounding suburbs accounting for 35% of applications and Woodside & surrounding suburbs 22%.
- This highlights the consideration co-location of duty planner to able to support in person queries.

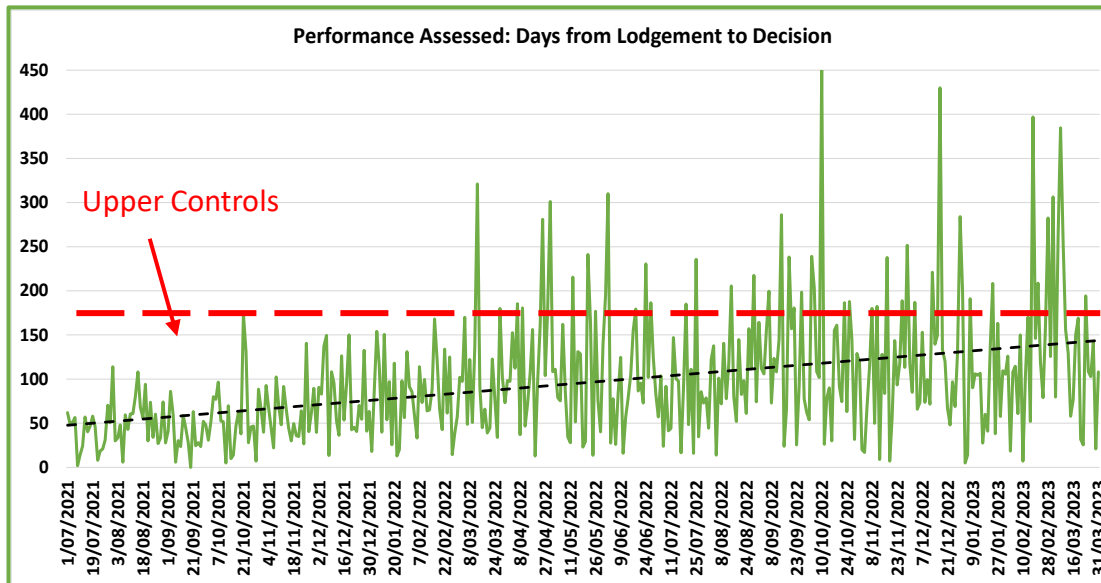
Assessment Pathways



- Most common planning assessment pathway is performance assessed at 77%
- 30% require an additional 30 days to assessment time frame via external referral
- 4% adding up to 50 days for planning consent assuming linear process
- Majority of building assessments are non-commercial
- Opportunity to educate residents/ home builder applicants to set expectations based on the assessment pathway and the required steps

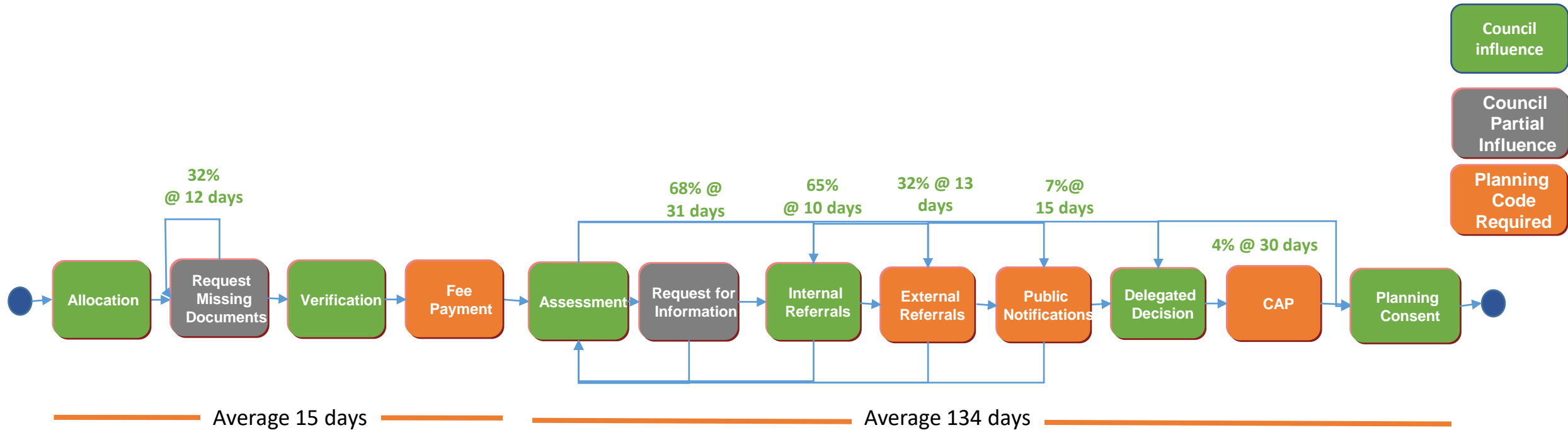
Process Analysis

Consents	Pathway	Required Days (Excluding Pauses)	Average Days (Exclude pauses)	% Time Frames Met
Planning	Deemed To Satisfy	5	3	84%
	Performance Assessed - No Public Notification No Referral	20	15	82%
	Performance Assessed - No Public Notification With Referral Required	50	33	
	Performance Assessed - Public Notification No Referral	70	46	
	Performance Assessed - Public Notification With Referral Required	60-70	51	
Planning & Land Division	Performance Assessed - No Public Notification No Referral	60	36	87%
	Performance Assessed - Public Notification Required	70	22	
Building	Class 1 & 10	20	14	88%
	Class 2 to 9	60		



- On ave. assessment legislative time frames being met
- 85% application times frames met with minimal variation on assessment pathway.
- All assessment categories highlight increasing variation in end-to-end customer time.
- Applicants experience can be significantly less or greater than average and required time frame
- Highlights opportunity for alignment on prioritisation of tasks, clarity of internal referral and alignment of RFI details follow up
- Use of controls report to assist in enabling an aligned approach

Planning Assessment Process



- Significant time through the planning process delay is caused by hand-offs
- If application went through every hand-offs process, can equate up to additional **104 days** in addition the assessment time
- Mixture of the hand-offs are legislated and influenced by Council
- Validation and consistency in applicant information request and proactive clarification to support non professional applicants will assist in timeliness of decisions.

Customer Feedback

Value Criteria	Ranking	Performance VS Expectations			VS Other Councils		
		Better	Meet	Worse	Better	Same	Worse
Consistency: time, decisions & information requested	1	0%	40%	60%	0%	40%	60%
Facilitating an Outcome	2	0%	80%	20%	20%	60%	20%
Time	3	0%	80%	20%	0%	60%	40%
Communication	4	20%	40%	40%	20%	80%	0%
Clear Expectations	5	0%	60%	40%	0%	60%	40%
Relationship	6	0%	60%	20%	20%	40%	40%
Transparency of Status	7	0%	100%	0%	0%	100%	0%
Rationale of Decisions	8	0%	80%	20%	0%	80%	20%

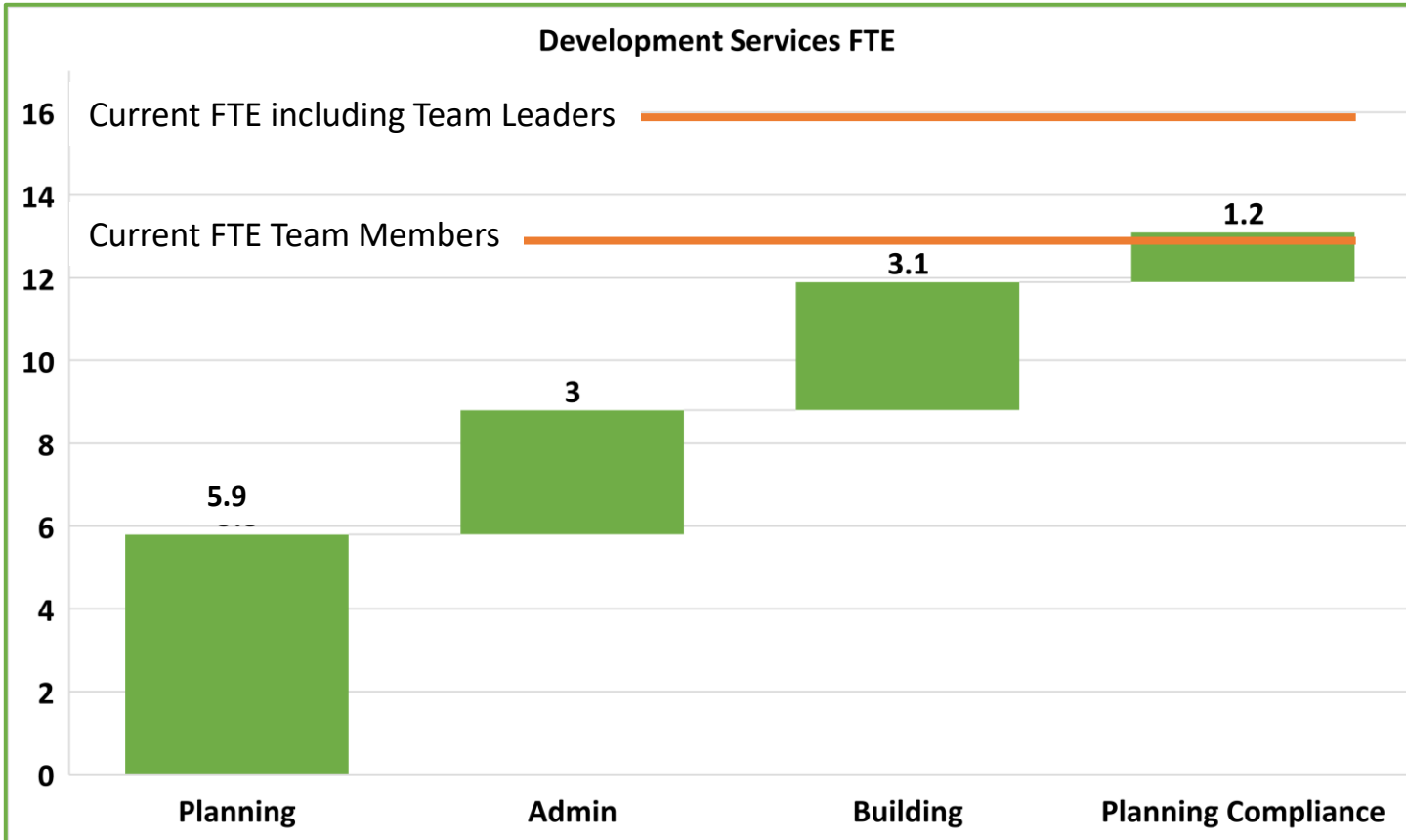
Value Criteria

- Consistency was ranked the most important and not meeting expectation and against other councils.
- Other factors were on par with other councils, with exception of relationships
- Less complex applications valued timeliness and communication more, versus more complicated applications valued facilitating outcomes and consistency

Key Feedback

- Application not held up in verification and timely in comparison to other councils
- Native Vegetation under the new code has complicated the process, but Council can't control this
- Hard to set expectation with their clients with a lack of consistency between planners
- Opportunity for more open discussion and other councils, we often meet regularly to discuss current and future applications.
- Customer service were unable to answer queries on the status of an application and required transfer often going to voicemail and multiple calls.
- Once contacted the support was extremely helpful and informative. Clarity was provided on what was required, next steps and expected time frame, as portal is not always clear.

Effort Summary

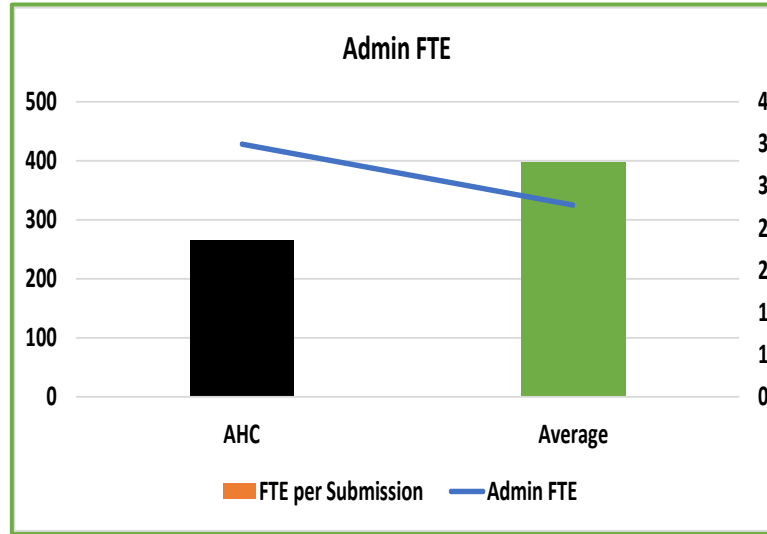
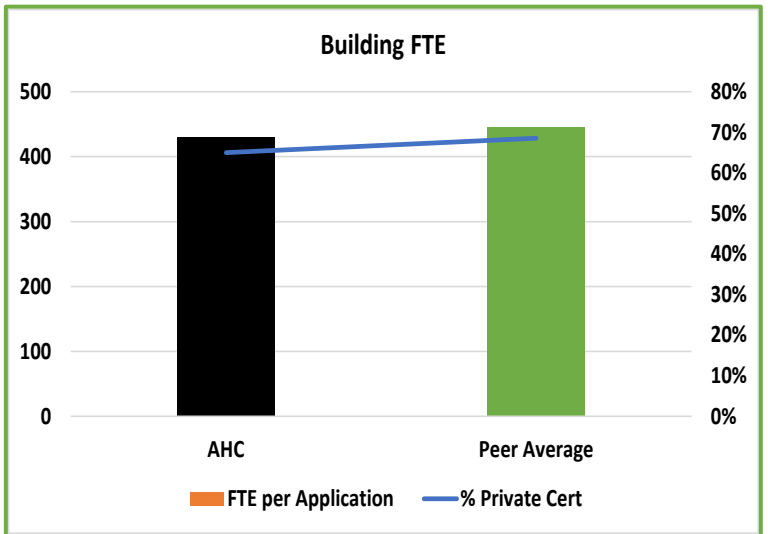
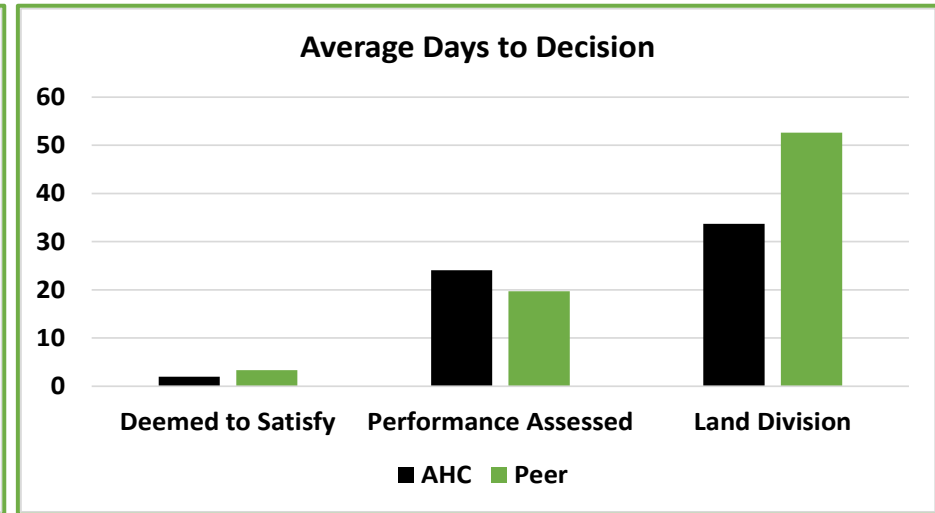
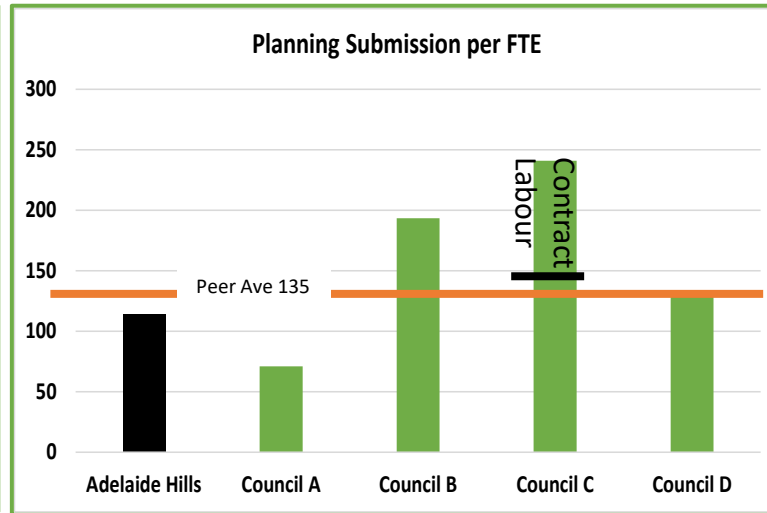
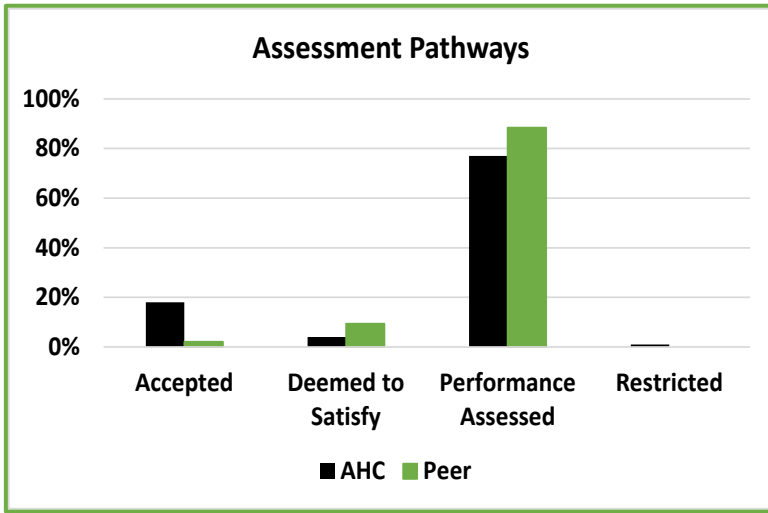


Team	Task FTE	Team FTE
Planning Assessment	5.9	7
Building Assessment & Compliance	3.1	2.8
Planning Compliance	1.2	1
Admin Support	3	2
EA Development & Reg Services		0.2
Total Excluding Leaders	13.2	13
Team Leaders		3
Total		16

- Overall Current FTE is within 0.2 FTE of required effort, with overs and under by team
- Reduction Planning effort required is reflective of reduced FY 23 submissions and lodgments
- Smaller teams require team leader effort and Director EA which is effective. However, an upper limit required, enabling capacity for effective management.
- Planning Compliance is supported by Planning

*Call effort was estimated for to each task as unable to be provided system data. Recommend validation with call data upon receipt of data

Peer Comparison



- Similar Planning application pathways, AHC has slightly higher Accepted with less Deemed to Satisfy & Performance Assessed
- Peer Ave. planning applications per FTE is 135 vs AHC 114.
- AHC Assessment Time Frame faster for DTS & Land Division. Performance Assessed taking 4 days longer than peers.
- AHC Building FTE per app. is 431 vs Peer 445, however the Private Certs are 4% greater for peers reducing their assessment effort
- Admin highlights more FTE per Submissions than peers, however **can not be** used as a comparisons as tasks significantly varied. Planning Compliance data received was not sufficient for comparison

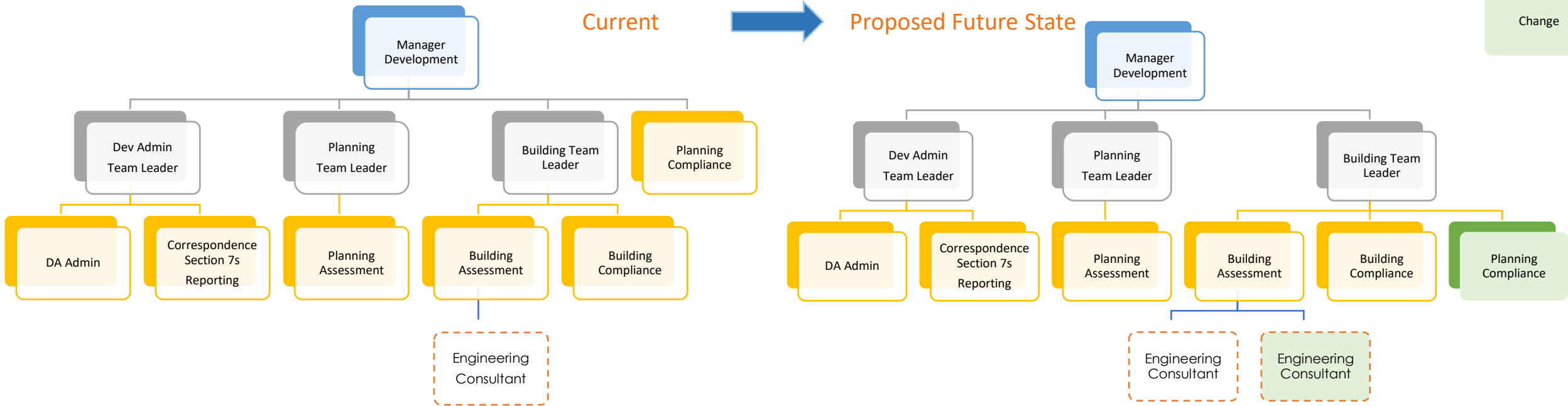
Operating Model

Current



Proposed Future State

Change



- **Building Engineer Supplier :**
 - At contract renewal, look to engagement panel/ multiple building engineering suppliers to mitigate key person risk
- **Planning Compliance:**
 - Consider transition Planning Compliance reporting line from Manager to team leader to enable :
 - Manager focus on work system via leverage portal data and active embed operational and process management
 - Support timely reactive inspections with opportunity to minimise travel with other inspector role
 - Leverage and aligned inspections approaches and process management
 - Typically Planning Compliance roles of peer Council reported to the Building Team Leader when team leaders existed.
 - Transition to the Building team is an ideal end state transition, due to current capacity and an interim realignment to Planning or alternative Regulator Services team would provide greater capacity to support

Recommendations

People	Validation and alignment on Team outcomes and purpose, guide process to balance community, legislative and applicant outcomes
	Resource & process management upskilling for Team Leaders and Manager , supported by balanced metrics, governance
Process	Duty planner to answer incoming phone calls
	Trial Developments Services option to customer service IVR to redirect calls.
	Agree internal referral times for all areas to assist planner in setting expectations
	Operational Data based Governance framework to actively monitor and regularly discuss process performance metrics and process alignment
	Creation of ESP register to enable control check that all Form 3s are completed
	Agree Council approach to building inspection with incoming need for Council issuance of Certificate of Occupancy
System	Review and update Planning compliance workflow to enable recorded activities to better measure effectiveness and experience
	Control reports with escalation points for customer queue and compliance, e.g. Notifications/forms note received, open inspection compliance unresolved and customer queries
	Leverage planning portal data to create and actively measure of end-to-end customer times in combination with legislative measures
	Record preliminary advice as application in development apps or alternative for reference for future Assessment
Operating Model	Relationship meeting with high volume applicants , to identify market trends, seek feedback and work to collaborative solutions
	Add additional Building engineering Consultant to reduce sole operator key person risk
	Consideration Planning Compliance to transition reporting line from Manager to Team Leader
	Consider Planning and Building overflow suppliers at points of attrition and Jan 24 Certificate of Occupancy change

Implementation Road Map

	Phase 1	Phase 2	Phase 3	Phase 4
PEOPLE	Validation & alignment on Team outcomes	Manager & TL resource & process management upskilling	Determine Building inspection approach and FTE impact of Jan 24 CoO requirements	
PROCESS	Duty Planner to answer inbound calls	Validate and align of RFI request & follow ups	Trail Dev Service Option on Council IVR	Adopted an aligned Building Compliance Enforcement approach
	Agree all Internal Referral Time Frames	Metrics focused Weekly Governance Meetings	Monitor End to end assessment times	ESP Register
SYSTEM	Record preliminary advice as application in Dev app	Review Plan SA e-mail default & inbox auto filing solution	Upper Control Compliance reports & escalation points	Update Planning Compliance process
OPERATING MODEL	Establish High Volume applicants Relationship Meetings	Add additional Building engineering supplier	Consider overflow supplier at point of Attrition & for Jan 24 CoO impacts	Planning Compliance to report to Team Leader

Project plan and an assessment is required to determine if the skills and capacity exist to implement, along with other organisation priorities to be agreed to determine exact timing.

Appendix 4

Management Response and Action Plan

Development Services Service Review 2022/2023

Management
Response and
Draft Action Plan

August 2023

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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 – Development Services was presented at the 25 October 2022 Council Meeting, and the consultant (BeeSquared Consultants) was subsequently appointed with investigative work commenced in February 2023.

The Final Report and associated recommendations have now been provided to Council staff, workshopped with Council and presented to the Audit Committee. The Director Development and Regulatory Services, 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 better 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 Development Services Service Review are listed below, along with a proposed priority for addressing the findings:

	Recommendation	H	M	L
People				
1	Validation and alignment on Team outcomes and purpose, guide process to balance community, legislative and applicant outcomes		X	
2	Resource and process management upskilling for Team Leaders and Manager, supported by balanced metrics, governance		X	
Process				
3	Duty Planner to answer incoming calls	X		
4	Trial Development Services option to customer service IVR to redirect calls			X
5	Agree internal referral times for all areas to assist planner in setting expectations	X		
6	Operational Data based Governance framework to actively monitor and regularly discuss process performance metrics and process alignment		X	
7	Creation of ESP Register to enable control check that all Form 3s are completed	X		
8	Agree Council approach to building inspection with incoming need for Council issuance of Certificate of Occupancy	X		
System				
9	Review and update planning compliance workflow to enable recorded activities to better measure effectiveness and experience		X	
10	Control reports with escalation points for customer queue and compliance, e.g. notifications/forms note received, open inspection compliance unresolved and customer queries		X	
11	Leverage planning portal data to create and actively measure of end to end customer times in combination with legislative measures		X	
12	Record preliminary advice as application in development apps or alternative for reference for future assessment	X		
Operating Model				
13	Relationship meeting with high volume applicants, to identify market trends, seek feedback and work to collaborative solutions		X	
14	Add additional building engineering consultant to reduce sole operator key person risk		X	
15	Consideration Planning compliance to transition reporting line from Manager to Team Leader			X
16	Consider Planning and Building overflow suppliers at points of attrition and Jan 24 Certificate of Occupancy change	X		
Total				

2. Management Response to Recommendations

Recommendation 1		M
Title	People	
Description	Validation and alignment on Team outcomes and purpose, guide process to balance community, legislative and applicant outcomes	

Management Response	Action
<p>Customer Experience - develop and enhance consistency of assessment and decision making</p> <p>Feedback received during the service review indicates that there needs to be focus on consistency in assessment process/timeframes, application of legislation and feedback/contact, all of which affect the customer experience.</p> <p>Agreed that this should be an area of focus for the team to discuss and agree upon internal process to create a level of consistency for the customer.</p>	<ul style="list-style-type: none"> • Team to meet and discuss and agree upon internal process and timeframes to create consistency in assessment and decision approach • External consultant to assist the Team to navigate this aspect to ensure clear agreement on these aspects

Recommendation 2		M
Title	People	
Description	Resource & process management upskilling for Team Leaders and Manager, supported by balanced metrics, governance	

Management Response	Action
<p>Indicates that Manager and Team Leaders need to be more focused on strategy, people management and outcomes rather than being so heavily involved in the assessment & compliance process.</p> <p>The data available through the Planning Portal can be used to guide performance, planning and management when considering allocations, leave and replacement of resourcing</p>	<ul style="list-style-type: none"> • Leadership and people management training to assist to effectively mentor and manage team members and workflows • Process mapping review to implement efficiencies

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Recommendation 3		H
Title	Process	
Description	Duty planner to answer incoming phone calls	

Management Response	Action
<p>Calls to the Duty Planner currently go to landline that is answered by the Duty Planner if available. If calls come in whilst the Duty Planner is on the phone or is unavailable, the calls go to voicemail.</p> <p>If the Duty Planner is working remotely, the calls go to voicemail.</p> <p>Current IT business system does not provide a solution at this time however with the changeover to utilisation of Teams Calling will enable group calling capacity.</p>	<ul style="list-style-type: none"> • Duty Planner to be office based and to answer calls where practical (implemented) • Set up of new shared calling system through Teams Calling to be rolled out later in 2023.

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Recommendation 4		L
Title	Process	
Description	Trial Developments Services option to customer service IVR to redirect calls	

Management Response	Action
<p>Investigate having all calls for planning matters diverted through to Development Admin rather than being answered by the call centre (i.e. like the diversion for EastWaste etc)</p> <p>Consideration needs to be given to resource impacts on the call centre staff and Development Support staff.</p> <p>Query whether this would result in a better customer experience</p>	<ul style="list-style-type: none"> • Investigate options and understand impact of introduction of IVR to both customer service staff and Development Support staff • Low priority • Getting data from the current call centre system to better understand number of calls and therefore resource impacts

DRAFT

Recommendation 5		H
Title	Process	
Description	Agree internal referral times for all areas to assist planner in setting expectations	

Management Response	Action
Timeframes for Council assessment are legislated so internal timeframes need to be agreed with internal Council referral sections.	<ul style="list-style-type: none"> Extrapolate data to understand the quantum of referrals to each other business unit and timeframes needed to be met Business case for additional resource if determined necessary (likely only for Arborist referrals)

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Recommendation 6		M
Title	Process	
Description	Operational Data based Governance framework to actively monitor and regularly discuss process performance metrics and process alignment	

Management Response	Action
Plan SA data to be used for better understanding workload, complexity and performance of assessment. Need to have greater interaction between team leaders and staff to understand trends and provide support and feedback	<ul style="list-style-type: none"> • Leadership and people management training for Manager and team leaders • Regular feedback including data and detail (implemented) • Trends to be discussed at regular team meetings (implemented) • One on one meetings if required (implemented)

Recommendation 7		H
Title	Process	
Description	Creation of ESP register to enable control check that all Form 3s are completed	

Management Response	Action
<p>Not currently available through Plan SA portal.</p> <p>High risk buildings that need to be captured and monitored for compliance.</p> <p>Considered an appropriate step</p>	<ul style="list-style-type: none"> Set up of the ESP register has occurred and will be continually updated and monitored for compliance

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Recommendation 8		H
Title	Process	
Description	Agree Council approach to building inspection with incoming need for Council issuance of Certificate of Occupancy	

Management Response	Action
<p>Impending resource issue with introduction of Council requirement to undertake COO inspections from 1.1.2024.</p> <p>Council currently undertakes (and charges for) 1 inspection during building, generally at framing stage. Repeat inspections required if deficiencies are found.</p> <p>New obligation to undertake a final COO inspection but without any additional financial subsidy to do that.</p> <p>Not uncommon to find deficiencies at framing stage, more problematic to identify and rectify if not picked up at framing stage.</p>	<ul style="list-style-type: none"> • Analysis has been undertaken on 3 options to cater for this change with a preferred option being the middle position to manage risk and resource appropriately • Business case has been developed and will be progressed subject to budget being allocated in the LTFP & 24/25 FY budget. • Additional responsibilities from 1.1.2024 will be managed using a contract resource until budget confirmed

Recommendation 9		M
Title	System	
Description	Review and update Planning compliance workflow to enable recorded activities to better measure effectiveness and experience	

Management Response	Action
<p>No technical linkages between compliance activities and assessment which creates a gap in shared knowledge.</p> <p>Capture of this information in a central repository enables access for all Development Services staff when undertaking assessment or in periods of leave</p>	<ul style="list-style-type: none"> • Process has been developed to capture compliance activities relevant to particular properties • Team Leader to check compliance actions when reviewing applications for allocation

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Recommendation 10		M
Title	System	
Description	Control reports with escalation points for customer queue and compliance, e.g. Notifications/forms note received, open inspection compliance unresolved and customer queries	

Management Response	Action
<p>Control measures to ensure that unresolved matters are escalated if appropriate timeframes are exceeded.</p> <p>Planning Portal provides some oversight to this for applications.</p> <p>Other options to monitor and escalate need to be explored.</p>	<ul style="list-style-type: none"> • Regular monitoring of Planning Portal data to identify applications that may require escalation. • Investigate options for processes that could be put in place to capture other outstanding matters for escalation.

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Recommendation 11		M
Title	System	
Description	Leverage planning portal data to create and actively measure of end-to-end customer times in combination with legislative measures	

Management Response	Action
Data is available through the Plan SA portal and should be utilised to monitor end to end assessment timeframes and highlight areas of inconsistency or improvement	<ul style="list-style-type: none"> • Development Support to be trained to pull data into reports for provision to Manager and Team Leaders. • Monthly monitoring

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Recommendation 12		H
Title	System	
Description	Record preliminary advice as application in development apps or alternative for reference for future Assessment	

Management Response	Action
<p>Council offers a preliminary advice service for developments of a significant or complex nature to assist the Applicant with identification of concern and likely assessment requirements prior to submission of an application.</p> <p>Information of these meetings is manually recorded and not electronically linked to a property or file.</p> <p>Information provided by the Duty Planner is captured in Records Hub so is available to planners should a development application be lodged subsequent to the advice.</p>	<ul style="list-style-type: none"> • Develop procedure for file notes from prelim advice meetings to be linked to property file ahead of lodgement of an application (implemented) • Develop procedure for holding of prelim advice meetings including who to attend, recording of information and cross check by Team Leader/Manager at assessment stage. • Development Support has drafted a template to record pre-app advice which is being stored electronically – will be linked at file allocation stage.

Recommendation 13		M
Title	Operating Model	
Description	Relationship meeting with high volume applicants, to identify market trends, seek feedback and work to collaborative solutions	

Management Response	Action
Council generally doesn't have a lot of high volume planning applicants but there is a small group of high volume builders and planning consultants that would benefit from regular communication to understand any upcoming applications, issues and explore feedback to better improve our service	<ul style="list-style-type: none"> • Create action list of high volume customers (implemented) • Develop framework to engage with high volume customers including frequency of contact and information to be shared & discussed.

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Recommendation 14		M
Title	Operating Model	
Description	Add additional Building engineering Consultant to reduce sole operator key person risk	

Management Response	Action
<p>Council currently uses a sole consultant for building engineering advice which carries a risk of unavailability.</p> <p>Adding another consultant to the approved list enables flexibility to choose consultant based on availability and expertise</p>	<ul style="list-style-type: none"> • Explore if any options on Vendor Panel that can be utilised on a consultant basis that would eliminate the need for a procurement process if under \$10k spend • Undertake process to appoint additional engineering consultant to approved contractor list

DRAFT

Recommendation 15		L
Title	Operating Model	
Description	Consideration Planning Compliance to transition reporting line from Manager to Team Leader	

Management Response	Action
<p>Planning compliance role currently reports to Manager Development Services.</p> <p>This diverts attention of the Manager to compliance matters which creates some inefficiency.</p> <p>Having the Compliance Officer report to a Team Leader in the first instance will provide greater support to the Compliance Officer and opportunities to cover during periods of leave or absence.</p>	<ul style="list-style-type: none"> • Undertake consultation in relation to best structure to support Compliance Officer and change reporting structure • Review Senior Planner role to provide additional support to Compliance Officer (implemented)

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Recommendation 16		H
Title	Operating Model	
Description	Consider Planning and Building overflow suppliers at points of attrition and Jan 24 Certificate of Occupancy change	

Management Response	Action
<p>Current FTE resources enable the planning team to meet legislative timeframes including during periods of leave of staff.</p> <p>Other Councils run a structure that doesn't enable the cover of leave without appointing an external consultant to undertake assessment during the leave period. Some Councils do not have capacity to cover leave for more than 1 week without engaging a consultant.</p> <p>Consultants are a more costly option for leave coverage.</p> <p>Ensuring that consideration is given to replacing a team member at the time of attrition is a sound business decision.</p> <p>Based on current workload, the building team do not have capacity to undertake COO inspections as well as framing inspections. From a risk perspective, the desired outcome is for both of these inspections to be undertaken for dwellings.</p> <p>Current resources assessed during the service review include some short term contract roles which will need consideration to be longer term contract or permanent roles to maintain current workloads.</p>	<ul style="list-style-type: none"> • Monitor planning & building workload and consider if roles are required to be replaced at point of attrition, this includes cost benefit of using consultants vs staff. • Analysis has been undertaken on 3 options to cater for the Certificate of Occupancy change with a preferred option being the middle position to manage risk and resource appropriately • Business case has been developed and will be progressed subject to budget being allocated in the LTFP & 24/25 FY budget. Additional responsibilities from 1.1.2024 will be managed using a contract resource until budget confirmed

3. Draft Action Plan

Action	23-24	24-25	25-26
Validation and alignment on Team outcomes and purpose, guide process to balance community, legislative and applicant outcomes	X		
Resource & process management upskilling for Team Leaders and Manager , supported by balanced metrics, governance	X		
Duty planner to answer incoming phone calls	X		
Trial Developments Services option to customer service IVR to redirect calls		X	
Agree internal referral times for all areas to assist planner in setting expectations	X		
Operational Data based Governance framework to actively monitor and regularly discuss process performance metrics and process alignment	X		
Creation of ESP register to enable control check that all Form 3s are completed	X		
Agree Council approach to building inspection with incoming need for Council issuance of Certificate of Occupancy	X		
Review and update Planning compliance workflow to enable recorded activities to better measure effectiveness and experience	X		
Control reports with escalation points for customer queue and compliance, e.g. Notifications/forms note received, open inspection compliance unresolved and customer queries	X		
Leverage planning portal data to create and actively measure of end-to-end customer times in combination with legislative measures	X		
Record preliminary advice as application in development apps or alternative for reference for future Assessment	X		
Relationship meeting with high volume applicants , to identify market trends, seek feedback and work to collaborative solutions	X		
Add additional Building engineering Consultant to reduce sole operator key person risk	X		
Consideration Planning Compliance to transition reporting line from Manager to Team Leader		X	
Consider Planning and Building overflow suppliers at points of attrition and Jan 24 Certificate of Occupancy change	X		
Total	14	2	

It is envisaged that several of the recommendations can be addressed in some form within existing resources and is a matter of reprioritising staff time to achieve them.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 October 2023
AGENDA BUSINESS ITEM**

Item: 12.3

Responsible Officer: Jody Atkins
Governance and Risk Officer
Corporate Services

Subject: CEO Performance Review Panel Terms of Reference Review

For: Decision

SUMMARY

The CEO Performance Review Panel (CEO PRP) Terms of Reference (ToR) was last reviewed in September 2017. Since then there has been a change to the *Local Government Act 1999* in regard to CEO Performance Reviews and as such it is recommended that they now be reviewed.

As the CEO PRP is established by the Council, the Council must endorse the ToR, however the CEO PRP has had the opportunity to review and provide feedback to Council which has been reflected in the revised document.

Council now have the opportunity to consider the new ToR for adoption.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. That with an effective date of 24 October 2023, to revoke the 1 September 2017 Adelaide Hills Council CEO Performance Review Panel Terms of Reference and to adopt the revised Adelaide Hills Council CEO Performance Review Panel Terms of Reference in Appendix 1.
 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature, or other minor changes to the Council Terms of Reference during the period of their life.
-

1. BACKGROUND

As part of the roll out of the Local Government Reform changes, Council needs to incorporate new provisions in relation to Section 41 Committee for CEO Performance Review Panel. These have been captured in the revised ToR (attached at **Appendix 1**).

Within the new section 102A of the *Local Government Act 1999*, it imposes a requirement upon a council to obtain and consider the advice of a qualified independent person in relation to the CEO performance review process. It is also now a legislative requirement that the CEO performance reviews occurs at least once in each year.

102A—Chief executive officer—performance review

- (1) A council must review the performance of its chief executive officer—
 - (a) at least once in each year that the chief executive officer holds office as chief executive officer; and
 - (b) if relevant, before reappointment of the chief executive officer.
- (2) The council must obtain and consider the advice of a qualified independent person on a review under subsection (1).
- (3) In this section—

qualified independent person means a person who is—

 - (a) not a member or employee of the council; and
 - (b) determined by the council to have appropriate qualifications or experience in human resource management.

The ToR has undergone both an internal and CEO PRP review and is presented to Council in track changes for consideration.

2. ANALYSIS

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

Strategic Plan 2020-24 – A brighter future

Goal Organisation

Objective O1 We have the right people with the right knowledge and skills in the right jobs and they are supported and developed.

Priority O1.4 Continue to support all staff through training, mentoring, coaching and development to enable the achievement of organisational and community goals.

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.

Legal Implications

The CEO PRP is a Section 41 Committee of Council under the *Local Government Act 1999*.

The Council must establish a Terms of Reference for the Panel to be governed by.

➤ Risk Management Implications

The establishment of the comprehensive, prudent and legislatively-compliant CEO PRP ToR will assist in mitigating the risk of:

Deficient CEO PRP practices which may lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.

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

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

➤ Financial and Resource Implications

The financial implications associated with the CEO PRP relate to people and culture and secretariat services, catering, allowances and sitting fees. The costs have been incorporated in the adopted budget.

➤ Customer Service and Community/Cultural Implications

There is a high expectation that Council has appropriate governance and accountability mechanisms in place in relation to meeting these requirements, and that the public have a reasonable opportunity to engage and observe with these meetings.

➤ 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>	Discussions with the CEO Performance Review Panel
<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

Nil

3. OPTIONS

Council has the following options:

- I. Approve the revised CEO PRP ToR (Recommended)
- II. Continue with currently approved CEO PRP ToR (Not Recommended)

4. APPENDICES

- (1) Revised CEO Performance Review Panel Terms of Reference

Appendix 1

Revised 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. The Panel has no power or authority to make delegated decisions on Council's behalf, nor does it have any financial delegations – the Panel is an advisory Panel.~~

2. ROLE

- 2.1 In accordance with section 102A of the *Local Government Act 1999*, Council must review the performance of the Chief Executive Officer at least once per year by utilising an external qualified Human Resource consultant.
- 2.2 In accordance with section 102A(2) Council must obtain and consider the advice of a qualified independent person on a review, the qualified independent person must not be a member or employee of the Council and determined by the Council to have appropriate qualifications or experience in human resource management.
- 2.2 The Council is responsible for the selection, remuneration and management of the Chief Executive Officer (CEO). The ~~overal~~overall role of the Panel is to facilitate and manage and report to Council on the review process in accordance with section 102A of the Act and 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 [in accordance with Section 99A of the Local Government Act 1999 and Remuneration Tribunal](#); ~~and-~~

3.1.6 [Making any recommendations to Council on any review of the CEO Employment Agreement.](#)

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 ~~programm~~[program](#) 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 [who is not an employee or the qualified independent person as engaged pursuant to section 102A of the Act.](#)

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 Mayor is ineligible to be appointed as Presiding Member.~~

- 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 A quorum for the Panel shall constitute half the membership, ignoring any fraction from the division, plus one (1).~~
- ~~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 for the purposes of coordination and preparation of reports, agendas and minutes and as a point of contact for all Panel Members and external consultants. ~~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.

[13.3 The minutes shall be confirmed at the next ordinary meeting of the Panel.](#)

<u>Date Adopted</u>	<u>Revision No</u>	<u>Reason for Amendment</u>

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 October 2023
AGENDA BUSINESS ITEM**

Item: 13.1

Responsible Officer: Kira-marie Laverty
Corporate Planning & Performance Coordinator
Corporate Services

Subject: Quarterly Council Performance Report – Q1 2023-24

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 were 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 2023-24*. These were aligned to the new *Strategic Plan 2020-24 – A brighter future* adopted in April 2020.

The Quarterly Council Performance Report for Q1 (**Appendix 1**) covers the period 1 July 2023 to 30 September 2023, and shows the performance against the corporate performance indicators as well as discussing key highlights aligned with the Strategic plan.

The purpose of this report is to provide information on Council's performance against the *Annual Business Plan 2022-23* targets and aspirations.

RECOMMENDATION

Council resolves that the Quarterly Council Performance Report – Q1 2022-23 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 2023-24*.

The Quarterly Council Performance Report for Q1 (**Appendix 1**) was presented at the 16 October 2023 Audit Committee meeting.

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 O5.3	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

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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 2022-23*.

As part of the development of the budget outlined in the *Annual Business Plan 2023-24*, a series of Savings Strategies were developed to help address emerging cost pressures and to improve Council's Operating Surplus over the period of the Long Term Financial Plan. The adopted strategies were both administrative and service related. A section is included within the Quarterly Report to monitor the progress of these strategies.

➤ **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: The Quarterly Council Performance Report for Q1 (**Appendix 1**) was presented at the 16 October 2023 Audit Committee meeting.

Council Workshops: Not applicable

Advisory Groups: Not applicable

External Agencies: Not applicable

Community: Not applicable

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. APPENDICES

- (1) *Quarterly Council Performance Report – Q1 2023-24*

Appendix 1

Quarterly Council Performance Report – Q1 2023-24

Quarterly Council Performance Report

Quarter 1 – 1 July to 30 September 2023






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1. Executive Summary

Strategic Goal	Performance Indicators	Annual Business Plan Strategic Initiatives
 Built Environment	 2 of 3 Targets met or exceeded	 In Progress (24) Completed (1) Not Started (3) Behind Schedule (2)
 Community Wellbeing	 1 of 2 Targets met or exceeded	 In Progress (9)
 Economy	 3 of 3 Targets met or exceeded	 In Progress (2)
 Natural Environment	 2 of 3 Targets met, N/A or exceeded	 In Progress (6)
 Organisation	 5 of 6 Targets met, N/A or exceeded	 In Progress (4) Not Started (2)

Customer Service Standards

	10	Targets met or exceeded
	4	N/A or No Incidents reported
	3	Target not met

Capital Performance

\$1.2m	of infrastructure delivered
\$5.2m	of works ordered

The primary focus of this quarter has been on completing projects that were in progress as of 30 June 2023, as well as commencing planning, scoping and design works for projects due for completion by end FY 2023-24

Highlights

- The 12-month food organics and garden organics (FOGO) trial commenced with kitchen caddies and welcome packs delivered to participating residents.
- Country Cabinet briefing undertaken by the Acting Mayor and CEO that provided a significant opportunity to present key issues and priorities for Adelaide Hills Council. Follow up on initiatives now being progressed.
- New guidelines have been produced to assist staff where it is disclosed to them that someone is experiencing (or at risk of experiencing) domestic, family or sexual violence (DFSV). This has already been used to refer 2 people to appropriate services.
- Conducted the bi-annual Business Survey which received 106 responses from businesses across the region.
- Briefing Sessions by CEO and Directors held with all staff to provide an opportunity for updates on items of significance and the chance for feedback.
- Transitional structure developed for implementation in early October following the recent resignation of the Director Infrastructure and Operations and the Executive Manager Governance and Performance.

Risk and Challenges

- Some negative press regarding the food organics trial may result in higher levels of opt-out than desired. This is being addressed through one on one communication and trouble-shooting with anyone raising concerns.
- Excellent Spring vegetation growth conditions and a forecast of higher fire risk this summer means a greater emphasis on bushfire mitigation will be required this year.

2. Adelaide Hills Council Major Projects

Kerbside bin system collection frequency change and rural FOGO trial

Council is undertaking a 12-month food organics and garden organics (FOGO) trial in collaboration with our Waste Management Partner.

Over 600 households and a small number of businesses in parts of Woodside and Lenswood will trial the new kerbside bin collection systems. This includes a new FOGO bin for rural households and a change in the collection frequency of organics bins and landfill bins, which aims to improve the food waste diversion from landfill.

Latest News

Implementation of the FOGO trial has commenced. Residents have been informed and kitchen caddies and welcome packs delivered.



FABRIK Development

The FABRIK Development Project involves upgrading and enhancing the former Onkaparinga Woollen Mills site at Lobethal to create an arts and heritage hub in the central Adelaide Hills.

Latest News

Summary of works this quarter includes:

- Construction and sheeting of internal walls in buildings 14 and 20.
- Re-sheeting of ceilings in buildings 14 and 20. First fix electrical works of buildings 14 and 20.
- Replacement of sawtooth window panes in upper level building 20.
- Joinery installation of buildings 14 and 20.
- Excavation of old concrete and soils to enable new external stormwater works for building 14 and Pavilion.
- First fix installation of air conditioning system.
- Exposed sections of external walls on building 21.
- External painting of buildings 14 and 21.

The scheduled completion of works has a risk of running over, pending Heritage SA requirements of the exposed stone wall and manufacturing and delivery of distribution board cabinets.



Electric vehicles and charging stations

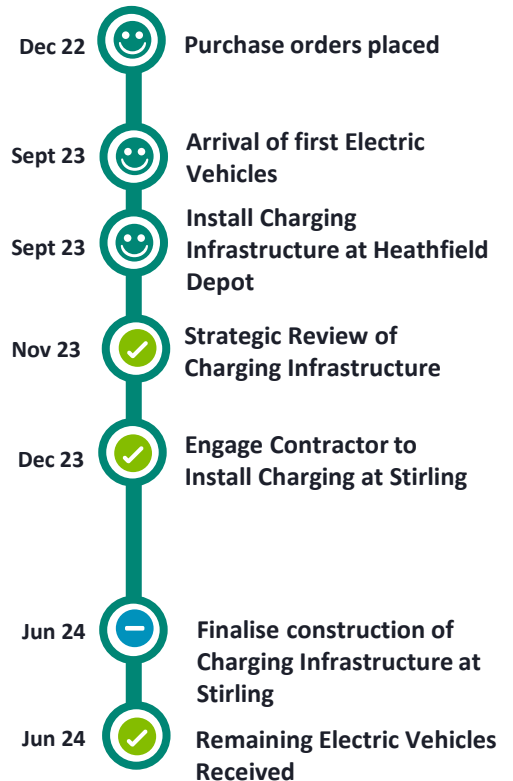
Funding has been provided to enable the purchase of approximately 12 electric vehicles during 2023-24 as well as installation of the supporting charging infrastructure.

Latest News

Major milestones completed during the quarter with the arrival of the first electric vehicle and the completion of the charging station at Heathfield Depot.

Work has also progressed in relation to the design of the charging stations at Stirling.

The strategic review of the charging infrastructure has not as yet been completed in line with original timeframes, however this is currently being progressed.



Implement activities from “Our Watch Toolkit for Local Government”

In July 2023, Council adopted an implementation plan based on the “Ourwatch Toolkit for Local Government”.

The aim of the toolkit is to prevent violence against women and their children through a range of strategies including those with an organisational focus. This is followed by work with the community to raise awareness and to undertake population based prevention activities.

Latest News

A new internal Working Group (WG) has been established to lead workplace and community activities focused on preventing violence against women and their children (as per the Our Watch's Toolkit Implementation Plan, adopted by Council in July 2023). The new WG comprises 9 staff from across 7 departments, and will be Co-Chaired by Council's Community & Social Planning Officer and Senior People & Culture Advisor.

Community statement to be released to coincide with White Ribbon Day on November 25 2023.



Towards Community Led Emergency Resilience Program (TCLERP)

Following on from the Community Resilience and Readiness pilot, the program has evolved to focus on community led emergency preparedness. The name of the program also changed to be Toward Community Led Emergency Resilience Program (TCLERP).

The program has several areas of focus including:

- Community Engagement
- Psychological and emotional emergency preparedness community education
- Recovery ready halls project – emergency preparedness for select community facilities
- Vegetation management project – ensuring practices are based on best fire science and within shared land owners existing capacity

Latest News

Adelaide Hills Community Action Bushfire Network (AHCABN) have completed a workshop to develop a plan for when or if the network is required to "activate" after a bushfire or other natural disaster.

We have been updating the Readiness, Resilience and Recovery webpages on council's website, to include information about upcoming community preparedness information sessions and workshops, including local RediCommunities workshops and Building Coping Skills in Children workshops.

Community halls that have been successful recipients of the Recovery Ready Halls funding opportunity have been notified.

A draft Bushfire Mitigation Landscape Strategy has been developed and was introduced to Elected Members at a Council workshop.

RediCommunities workshop series concluded in Uraidla, Summertown, Houghton, Inglewood and Paracombe. We are now supporting actions identified by participating communities through the workshop process.

A new Recovery Operations Manual has been endorsed in preparedness for potential recovery processes requiring council involvement this bushfire season. A consultant has also been selected to commence work on a Workforce Emergency Management Manual.



3. Performance by Strategic Goal

A functional Built Environment

Highlights

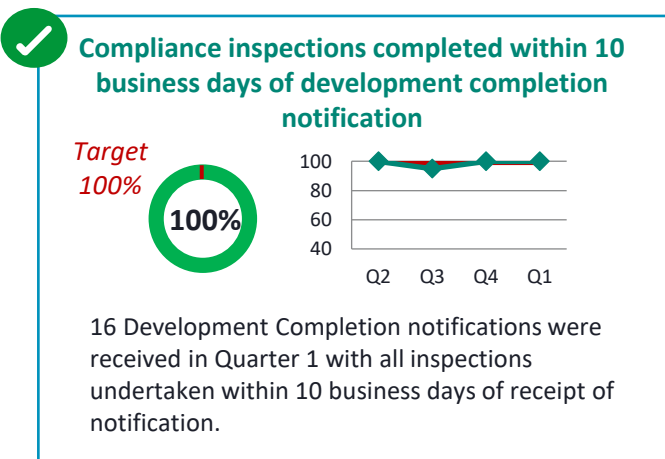
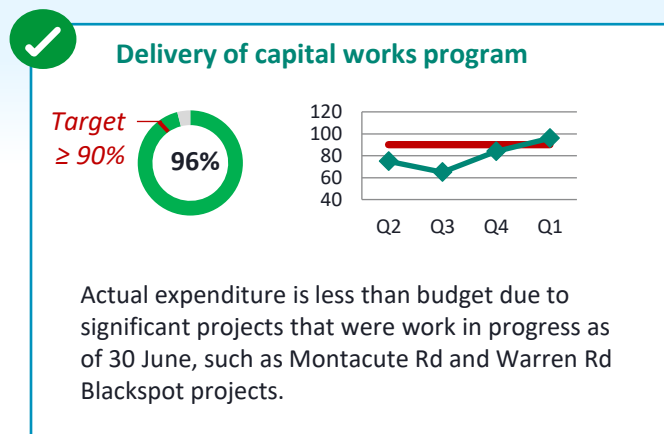
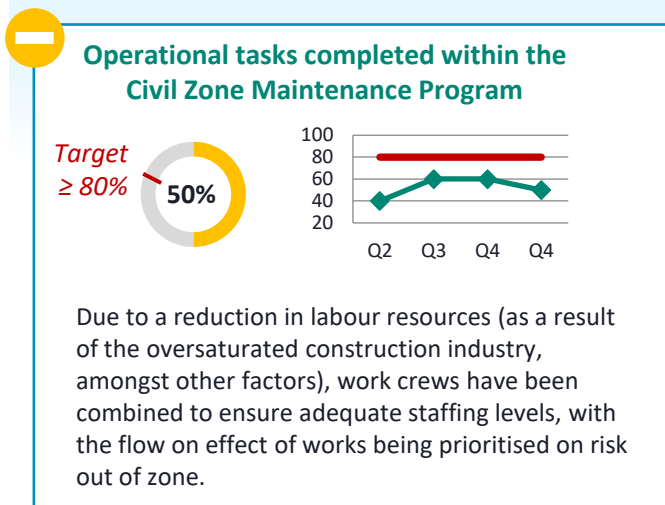
- ✓ **Disability Discrimination Act (DDA) Upgrades Minor - Access upgrades region wide for compliance**
 - The Prioritisation Matrix has been updated and used to select DDA Upgrade projects to be undertaken across the district over 2023-24. The first project scheduled for completion will improve access at The Summit Community Centre.
- ✓ **Cemeteries Upgrades**
 - Kersbrook Natural Burial ground nearing completion.
 - Two new styles of memorial benches have been installed at Cudlee Creek and Stirling Gardens. One still to be installed in Houghton.
- ✓ **Local Heritage (Privately Owned) Planning and Design Code Amendment**
 - Desktop review commenced, with a focus on building a contemporary heritage list database and defining the proposed heritage areas, based on the 2004 Anna Pope Torrens Valley and Onkaparinga Valley Heritage Surveys.
- ✓ **Policy Planning**
 - Analysis of demographic, housing, employment and infrastructure needs and capacity across the district has been used for Council Workshops and Council's Submission for the Greater Adelaide Region Plan discussion paper.
 - The Adelaide Hills Subzone Code Amendment now has workable pathways available and there is general support to pursue changes to protect character and amenity within the Subzone based on feedback received as part of preliminary community engagement.
- ✓ **Planning & Development**
 - 307 new planning and building consent applications were lodged and 308 applications determined.
 - Four Council Assessment Panel (CAP) meetings held CAP considered 7 developments in total. One of these decisions against a refusal has been appealed by the applicant to the Environment Resource and Development Court.
- ✓ **Installation of further Electric Vehicle charging stations**
 - A services survey has been undertaken of the Stirling carpark identified for the installation of the next roll out of EV charging stations.
 - A technical specification being developed by a specialist consultant is in progress.
- ✓ **Review the Corporate Carbon Management Plan**
 - Workshop undertaken to determine the scope of the new Carbon Management Plan
- ✓ **Carbon Management Plan - Energy upgrades, Battery & Efficiency Actions**
 - Report completed on the feasibility of further solar PV panels and battery storage on key Council facilities.
- ✓ **Place making and community planning**
 - Formation of an internal stakeholder group to work on options to facilitate community connection activities with the Woodforde community.
- ✓ **Parking and By-Laws**
 - AHC has invested in technology to help the Rangers enforce parking rules, with particular focus on the safety of the staff working alone and in isolation - this technology has proved to be very successful and will be installed in all Ranger vehicles. AHC has issued 265 parking related expiations, mainly around building sites, schools and private parking areas
- ✓ **Sustainability**
 - Council has achieved the key goal of 100% renewable energy use for Council facilities and streetlighting as identified within the Corporate Carbon Management Plan by purchasing only renewable electricity.
- ✓ **Community Wastewater Management System (CWMS)**
 - Council completed an external condition audit of the active CWMS asset inventory and completed an asset revaluation.

Risks & Challenges

- ✔ **Next Step planning for Adelaide Hills War Memorial Swimming Centre, Woodside**
 - A detailed feasibility study has been completed. A plan is currently being developed for presentation to Council on next steps which is scheduled for late October.
- ✔ **New Dog and Cat Facility**
 - Limited information provided from Dog & Cat Management Board and LGA regarding a sector wide solution to this issue
- ✘ **Houghton Recreation Grounds facility contribution**
 - The Houghton Hub Committee have recently applied for grant funding from the Office for Recreation Sport & Racing to progress their project. Awaiting this outcome has led to delays in the project.
 - Staff are aware that the project still has a significant funding shortfall, and are working with them to understand issues and provide support where applicable.

Legend: ✔ = On Track ⊖ = Not Started ➔ = Deferred ✘ = Behind Schedule 😊 = Completed ✔ = Not a Strategic initiative

Performance Indicators



Legend: ✔ = Target Met ⊖ = Target not met \geq Greater than or equal to

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
B1003	New Bus Shelter Installation Program	✓
B1004	New and upgraded footpaths	✓
B1007	Recreation Trails & Cycling Routes Framework Implementation	✓
B1008	Amy Gillett Bikeway contribution (Stage 4)	✓
B1009	DDA Upgrades Minor access upgrades region wide (compliance)	✓
B2008	Local Heritage (Privately Owned) Planning and Design Code Amendment	✓
B2009	Place making and community planning	✓
B3002	Implement irrigation systems (renewal / upgrades)	😊
B3003	Investigate and Implement central irrigation control system (region wide)	✓
B3004	Prepare turf and irrigation design/management plans for key bore water use areas	✓
B3005	Carbon Management Plan - Energy upgrades, Battery & Efficiency Actions	✓
B3011	Carbon Offsets Policy	—
B3014	Review the Corporate Carbon Management Plan	✓
B4006	Asset management - Confirm Web and Connect Licences and Field Devices	✓
B4009	Building Upgrades - minor	✓
B4010	Cemeteries Upgrades	✓
B4011	CWMS 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	✓
B4042	Operational worksite review including forward planning	✓
B4043	Hamilton Hill - Dunfield Estate & Crest Maintenance	✓
B4044	Feasibility Studies for future projects	—
B4045	Stormwater projects	✓
B4050	Merchants Hill retaining wall	✓
B4051	Croft Road resealing	✓
B4052	Renew the fuel monitoring and delivery system	—
B4053	Next Step planning for Adelaide Hills War Memorial Swimming Centre, Woodside	✓
B4054	Houghton Recreation Grounds facility contribution	✗

Highlights

- ✔ **Climate Change Adaption Plan Projects-All hazards emergency management**
 - A review of Council's Emergency Management Plan has commenced
 - The draft Emergency Management Policy has been completed for presentation to Council for endorsement
 - The Recovery Operations Manual has been finalised.
- ✔ **Play Space Framework Implementation**
 - Community consultation that will help to inform this years play space upgrades, has been completed. Resulting data analysis is still in progress
- ✔ **Youth Development**
 - The Youth Leadership group have developed and distributed a total of 300 Year 12 Support Packs to high schools in the district. The packs contain a study guide and items to relax in between study tasks.
- ✔ **Public Health**
 - 97 food premises inspections were undertaken, including 2 due to complaints and 27 follow inspections.
 - 56 new wastewater applications were submitted of which 41 have been approved. 126 inspections in relation to wastewater application were also undertaken.
 - 30 other health related complaints were actioned
- ✔ **Volunteering**
 - We currently have a total of 159 registered volunteers across 6 Council programs, with 5 new volunteers onboarded.
 - The Annual Volunteer Engagement Survey was completed with 63 responses, a full analysis is being prepared.
 - Several volunteers have completed mandatory training including bus lifter training and first aid training.
- ✔ **Actions from adoption of Aboriginal Place naming Action plan**
 - Completed Kurna language naming and signage for the Lewis Yarlupurka O'Brien Reserve at Hamilton Hill
- ✔ **Community Development (management and social planning)**
 - A new protocol has been established to assist all staff and customers respond to homelessness and rough sleeping in the AHC area. This has already been used by staff to refer 2 cases of rough sleeping to the Resolve outreach team.
 - New guidelines have been produced to assist staff respond to customers (and colleagues / family members) who disclose that they, or someone they know, is experiencing (or at risk of experiencing) domestic, family or sexual violence (DFSV). This has already been used to refer 2 people to appropriate services.
 - A new page on AHC's website has been published with information and links to local services that can provide crisis, housing, food, clothing and other support.
 - An Accessible Events Training session was provided to staff and community groups who organise community events to improve to improve accessibility and inclusion at community events and in venues.
- ✔ **Positive Ageing (Home and Social Support)**
 - 1,500 hours of support in and around the home, over 4,000 hours of social support group activities in the community and over 375 transport trips were provided.
 - With the improving weather, clients have shown an increased interest in participating in special programs and social opportunities.
- ✔ **Community Centres**
 - Term 4 programs have been released to entice early bookings and opportunity for additional promotion during October School Holiday programs.

Risks and Challenges

✔ Tour Down Under

- Council was able to significantly reduce the hosting fee but cost pressure from increases in traffic management, waste auditing and provision of toilets continue to place budget pressure on the event. This may mean we need to access budget from other event lines to offset this.

✔ Actions from adoption of Aboriginal Place naming Action plan

- With regard to exploring interpretive signage for townships advise from Karna Warra Karpanthi suggests that this information and connection is unclear. Given this advise we will not proceed but continue to explore further opportunities for place naming.

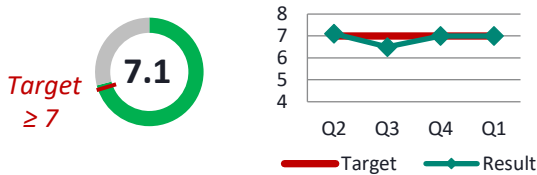
Legend: ✔ = On Track ⚪ = Not Started ➡ = Deferred ✖ = Behind Schedule 😊 = Completed ✓ = Not a Strategic initiative

Performance Indicators



Positive ageing wellbeing score

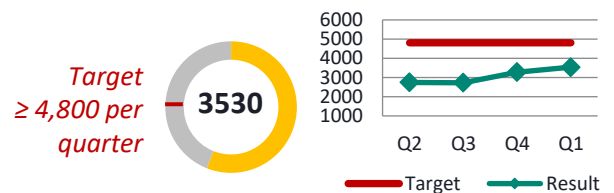
Average level of self-determined wellbeing of program participants reviewed in the quarter.



The wellbeing score has risen slightly for the first quarter of the 23-24 year. The positive comments listed in the wellbeing report (which these statistics are gathered from) refer to people experiencing strong social connections & personally improved personal (mental) health. Where individuals had slightly lower scores, was reflected in physical pain/limitations and also social isolation.



Number of volunteer hours contributed to AHC programs each year



Volunteer hours have increased since last quarter but have not yet bounced back to normal numbers - this follows the national and international trend.

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
C4006	Play Space Framework Implementation	✓
C4012	Climate Change Adaption Plan Projects-All hazards emergency management	✓
C4021	Community & recreation facilities framework implementation	✓
C4022	Towards Community Led Resilience Program	✓
C4024	Implement activities from "Our Watch Toolkit for Local Government"	✓
C5003	Actions from adoption of Aboriginal Place naming Action plan	✓
C6001	Fabrik Activation Capital	✓
C6003	Capital Divestment - Capital Cost	✓
C6006	Tour Down Under 2024	✓

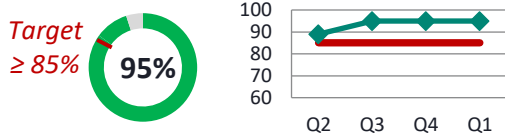
Highlights

- ✓ **Review and upgrade Council signage and branding**
 - Quotes obtained to progress updates at Woodside, Gumeracha and The Summit Community centre.

- ✓ **Economic Development**
 - Conducted the bi-annual Business Survey which received 106 responses from businesses across the region.
 - Facilitated two Adelaide Hills Business Support network meetings to ensure business services to the region are coordinated and optimized
 - Held a First Nations Business Event on 2 August which 30 people attended.

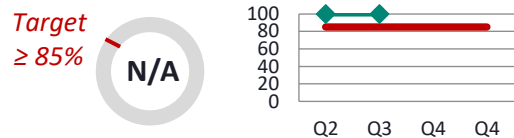
Performance Indicators

✓ Percentage of planning consents completed within statutory timeframes



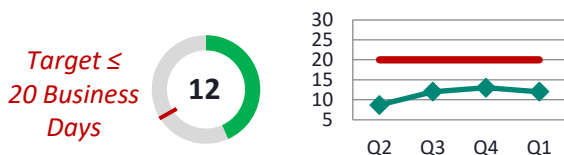
In Quarter 1 Council issued 204 Planning Consents with an average assessment time of 18 business days

— Percentage of new development application decisions upheld in Council/CAPs favour under appeal



One new Appeal against a CAP decision was lodged in Quarter 1 and there is one on-going appeal against an Assessment Manager decision yet to be determined by the Environment Resource and Development Court.

✓ Average number of days for building consents



In Quarter 1 Council issued 102 Building Consents with an average assessment time of 12.45 business days. Overall 94.12% of Building Consents were issued within statutory timeframes in Quarter 1.

Legend: ✓ = Target Met or N/A — = Target not met — = N/A – cant be assessed \geq Greater than or equal \leq Less than or equal

Progress on Strategic Initiatives from the Annual Business Plan

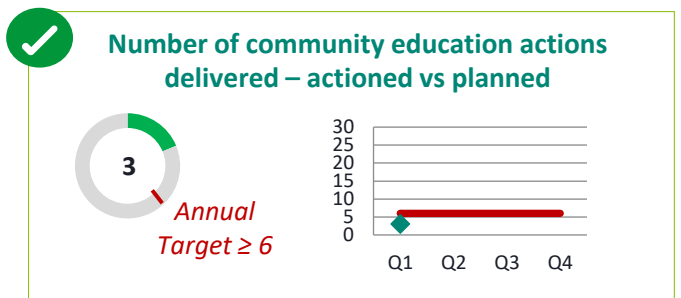
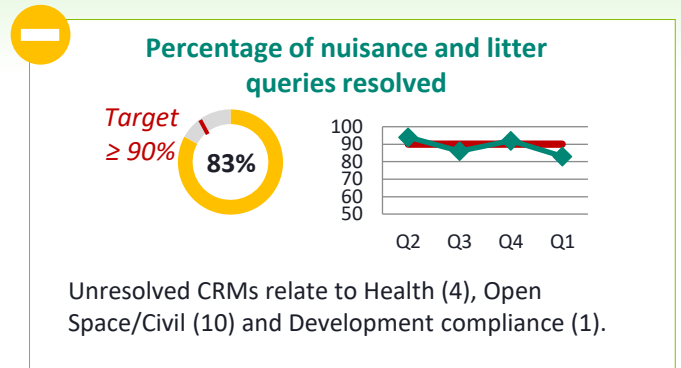
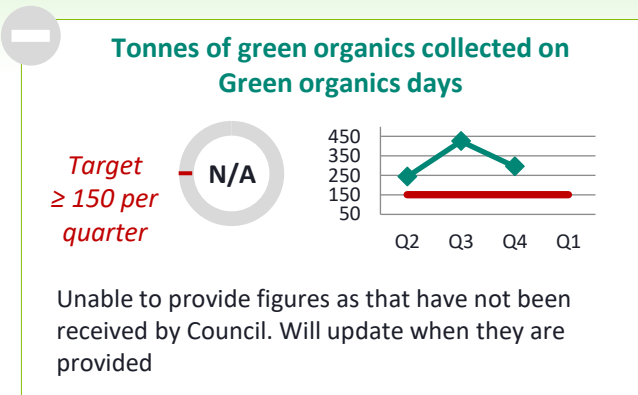
Project ID	Strategic Initiatives	Status
E2001	Review and upgrade Council corporate signage and branding	✓
E4001	Additional Tree safety work required to support the Tour Down under	✓

Highlights

- ✔ **Post prescribed burn weed management**
 - 10 prescribed burn sites completed with weed control undertaken by contractors.
- ✔ **Biodiversity**
 - Coordinated Spring works with relevant contractors to undertake Watsonia, Freesia, Ixia, Ornithogalum and other weedy bulb control across Council reserves and road reserves.
 - Worked with the new Landscapes Hills & Fleurieu Stewardship Officers to develop the collaborative Roadside Weed Control Work Plan.
 - Revegetation events undertaken with Aldgate Primary School, Gumeracha Primary School and Birdwood Primary School to encourage environmental stewardship
 - Yabby net swap program resulted in 80 wildlife friendly 'lift nets' swapped for the newly banned Opera House net designs.
 - Gave away 15 Butterfly Kits, consisting of 15 native pollinator-friendly plants with a copy of Council "Native Habitat Landscaping & Gardening" booklet to promote biodiversity in landscaping.
- ✔ **Fire Prevention**
 - Preparations for bushfire season have commenced with reminder letters sent to all properties that have received a 105F notice in the past 5 years.
- ✔ **Animal Management**
 - The initial renewal/registration period for all pets/animals has finished with SMS reminders sent to all un-renewed animals prior to the due date.
 - Current registrations include 7770 dogs and 1294 cats registered. There are currently 389 un-renewed cats and 1562 un-renewed dogs. Rangers will continue to follow up and enforce the dog and cat management act.

Legend: ✔ = On Track ⊖ = Not Started ▶ = Deferred ✘ = Behind Schedule 😊 = Completed ✔ = Not a Strategic initiative

Performance Indicators



Legend: ✔ = Target Met or N/A ⊖ = Target not met ⊖ = N/A – cant be assessed \geq Greater than or equal \leq Less than or equal

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
N1007	Develop a strategy for the management of Council trees across the district	✓
N2008	Develop informative and attractive signage in Council reserves/playgrounds	✓
N2010	Post prescribed burn weed management	✓
N2011	New Dog and Cat facility	✓
N3001	Local Climate Adaptations for landscape conservation	✓
N3002	Resilient community facilities and open space including water fountains	✓
N4002	Kerbside bin system collection frequency change and rural FOGO trial	✓



Highlights

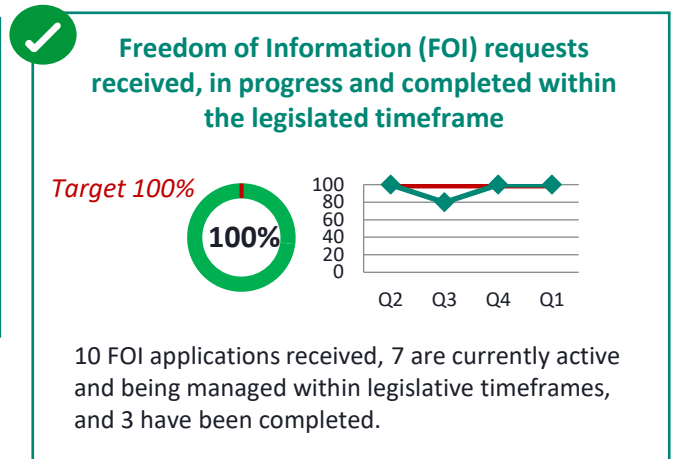
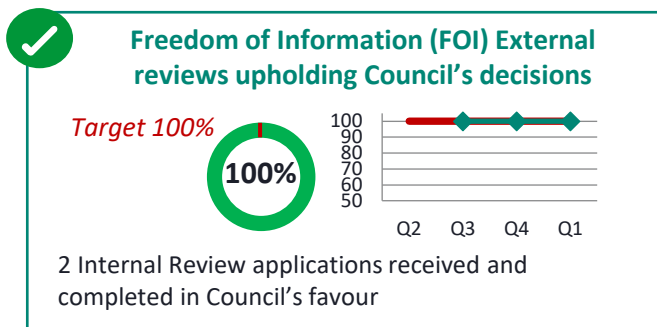
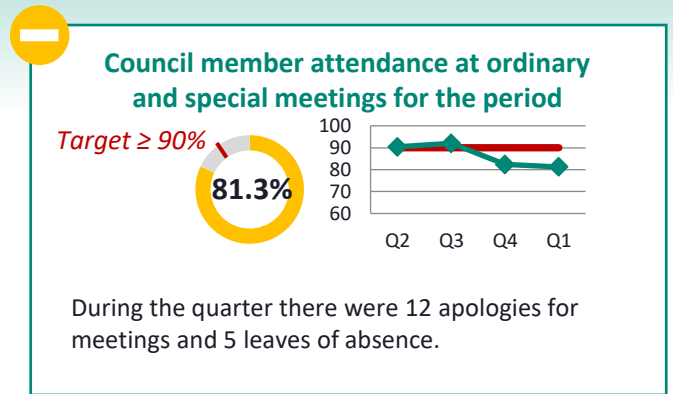
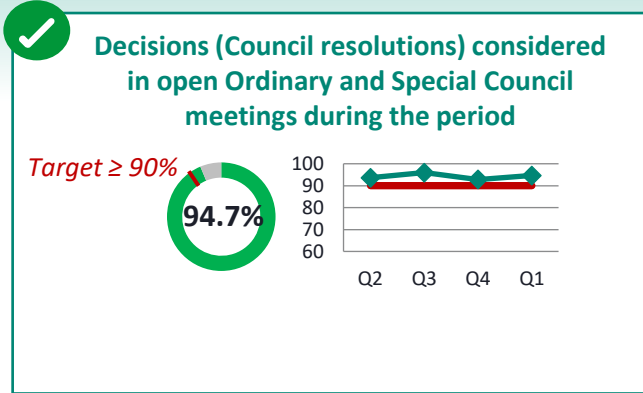
- ✔ **Customer Relationship Management (CRM) system upgrade**
 - Project governance established including creation of the Project Control Group and Project Team.
 - 'Discovery sessions' held with a variety of vendors to understand CRM capability to inform procurement requirements.
 - 'User Requirements' Workshops facilitated across the business to understand ways to improve the customer experience, streamline processes and provide more services online.
- ✔ **Governance & Performance**
 - Workshops commenced as part of the planning for the review of Council's Strategic Plan
- ✔ **Communications, Engagement & Events**
 - Updates made to the Council website to improve home page accessibility and ability to sign up for multiple e-newsletters.
 - Distributed AHC Media Releases on Supporting events on 26 January, Country Cabinet, ROAR Talent Tour, Emergency Resilience Project winning the State Award, and the Fogo Trial.
 - Together the Animal Management Plan consultation and Community Survey received over 1,335 responses from our community.

Risks and Challenges

- ✔ **Customer Relationship Management (CRM) system upgrade**
 - Costs to export a desirable level of CRM data to a new system is not known and may be considerable.



Performance Indicators



Legend: = Target Met or N/A = Target not met = N/A – cant be assessed \geq Greater than or equal \leq Less than or equal

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
O1005	GPS for operational vehicles	
O3002	Diversified income study	
O4005	Representation review	
O5005	Resource to manage building & swimming pool compliance inspections	
O5006	Strategic Plan Development	
O5007	Customer Relationship Management (CRM) system upgrade	

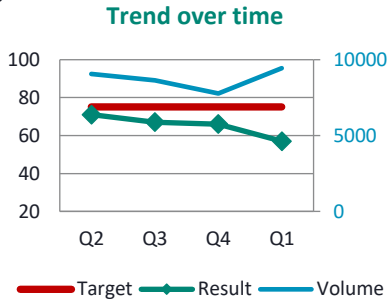
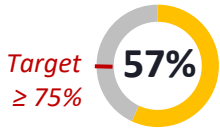
4. Customer service standards

5.1 General Customer Standards

Answering Incoming Phone Calls

Volume of calls = 9,433

Contact centre calls answered within 30 sec

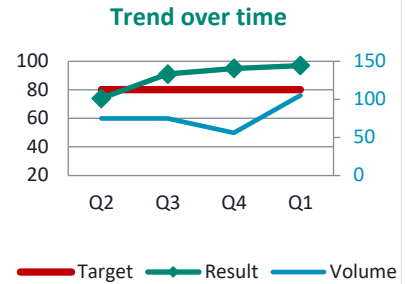


2000 more calls received than the previous quarter due to response to a notification of late fees being applied to dog registrations. Call handling times have also increased due to staff prioritising resolution of queries at first point of call. 76% of calls answered within 120 seconds.

Updating Customer Details

Volume of updates = 105

Details updated within 5 days

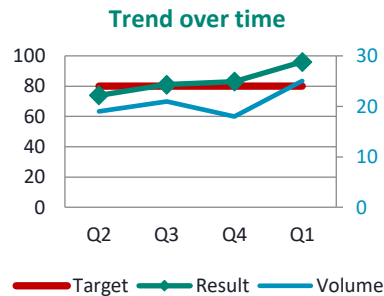


5.2 Service Specific Standards – Time Based Indicators

New Event Applications

Volume of applications = 25

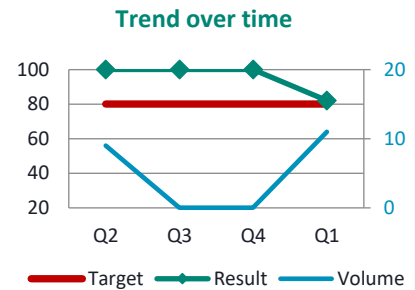
Acknowledgement of receipt within 5 days



Illegal Burning Complaints

Volume of complaints = 11

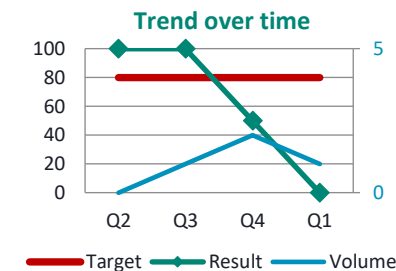
Investigated within 24 hours



Health Complaints

Volume of complaints = 1

Investigated within 24 hours

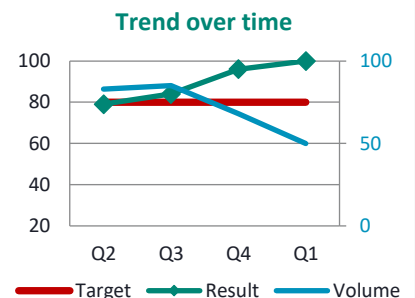


Restaurant only open from 5pm so date of resolution was pushed out

Illegally Dumped Rubbish

Volume of reports = 50

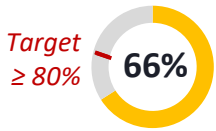
Rubbish removed within 3 days



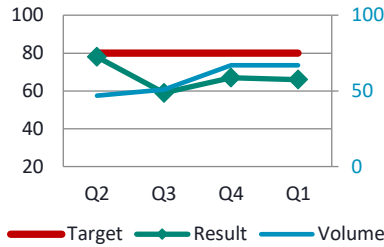
Library Services

Volume of requests = 67

Response to requests to purchase materials within 10 days



Trend over time



Result for responses made within the service standard not available as the process for purchase requests has changed.

Dog Attacks

Volume of attack reports = 11

Response within 24 hours



Trend over time



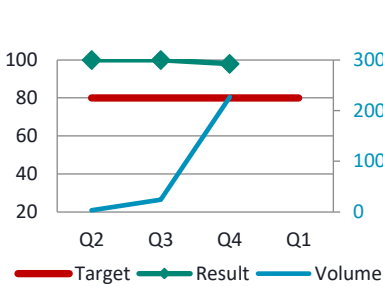
Wasps

Volume of reports = 0

Investigate and action within 7 days



Trend over time



Council no longer deals with wasps on private property

Development Applications

Volume of applications = 9

Approval of fast track planning applications within 5 business days



Trend over time



This is an adjusted measure for 2023-24 based on deemed to satisfy development applications only to better align with the PDI Act categories and timeframes.

Missed Bins

Volume of requests = 0

Missed bins collected within 2 days



Trend over time



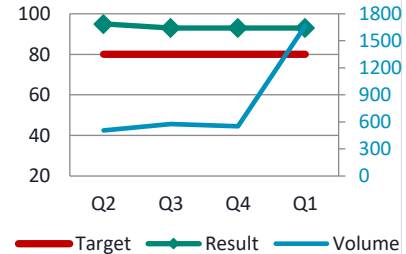
Request for Bin Repair or Replacement

Volume of requests = 1665

Requests actioned within 7 days



Trend over time



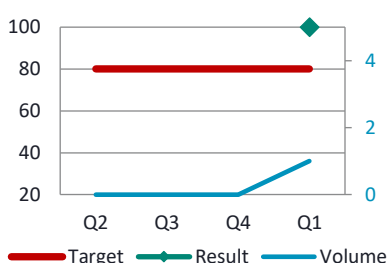
Footpath Repairs - Hazardous

Volume of repairs = 1

Responded and made safe within 24 hours



Trend over time



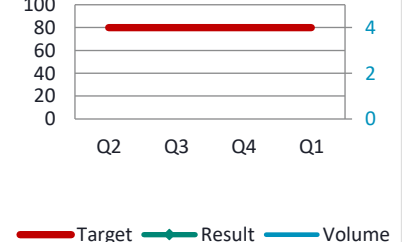
Road Repairs - Hazardous

Volume of repairs = 0

Responded and made safe within 24 hours



Trend over time



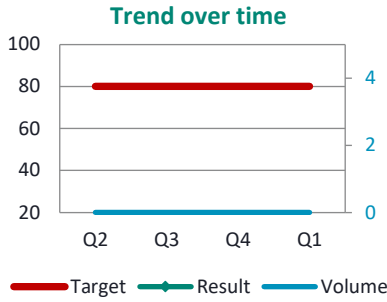
Case was deemed low risk within 24 hours, case was Resolved within 48 hours

Stormwater Repairs - Hazardous

Volume of reports = 0

Responded and made safe within 24 hours

Target $\geq 80\%$
No Incidents

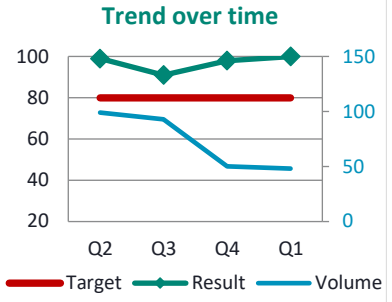


Trees - Hazardous

Volume of reports = 48

Responded and made safe within 24 hours

Target $\geq 80\%$
100%



5.3 Service Specific Standards – Other Indicators

\geq Greater than or equal to

Development Applications

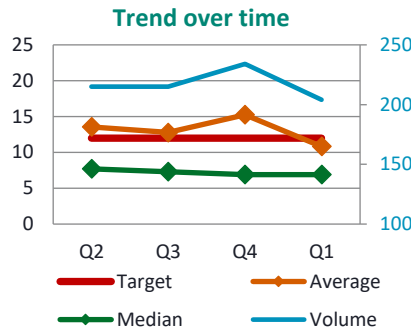
Volume of planning consents = 204

Average consent time from date of receipt

Target Less than 12 week



Median Consent Time 7 weeks

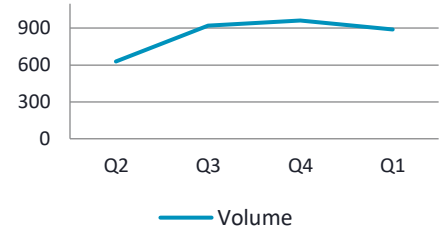


Results are using applications in the state-wide portal

Low Risk Infrastructure Requests – Number of New Requests

Volume of new requests = 963

Trend over time



Low Risk Infrastructure Requests – Average Time to Resolve

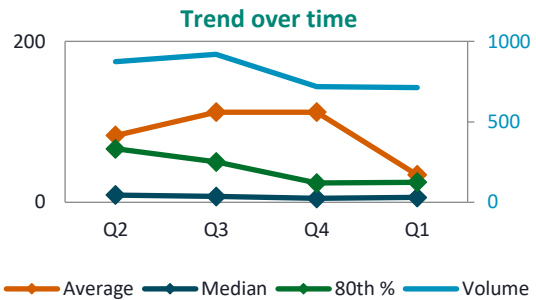
Volume of Requests = 714

Resolution time of requests

Average = 34 days

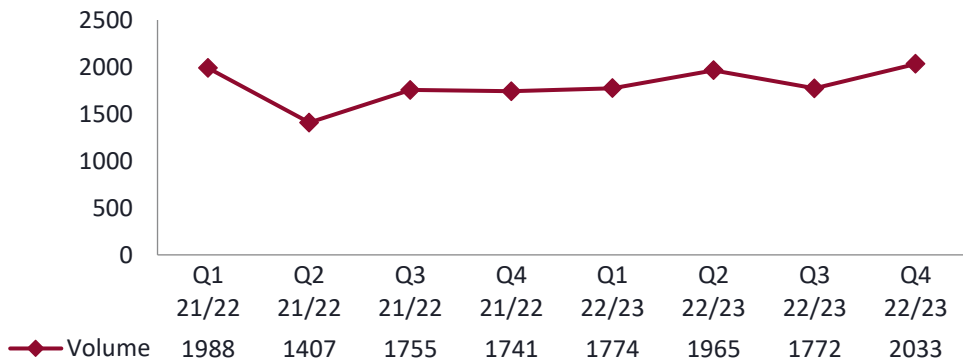
Median = 5.9 days

80th Percentile = 24.88 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 1 of 2023-24 FY represents the commencement of the 2023-24 Capital Works Program, with approximately \$1.2M of infrastructure delivered during this period, and another \$5.2M of works ordered.

The primary focus of this quarter has been on completing projects that were in progress as of 30 June 2023, as well as commencing planning, scoping and design works for projects due for completion by end FY 2023-24, as well as commencing early programmed works.

Highlights

- Council’s road shoulder renewal and upgrade program commenced, for commencement of the sealed roads renewal program in Q2.
- The Montacute Rd Blackspot project, that was in progress as of 30 June 2023, was completed, significantly upgrading road safety.
- Recycled material boardwalks were ordered, and fabrication commenced, for installation at Woorabina Bushland Reserve.

What’s Next

- Significant orders have been placed for Council’s asphalt works (heavy patch, road reseal), with these works to commence in Q2.
- Works will commence on Council’s new, upgraded and renewed footpath program.
- Works to renew and upgrade playgrounds at Mylor and Protea Park will be publicly tendered.

Financial Performance by Asset Category (preliminary numbers)

Asset Category	YTD Actuals \$'000	YTD Budget \$'000	Annual Revised Budget \$'000	% Spent to Annual Budget \$'000s
Bridges	-	-	345	0.0%
Buildings	190	-	8,045	2.4%
Cemeteries	3	-	133	2.1%
CWMS	-	-	315	0.0%
Footpaths	3	-	965	0.3%
Guardrails	-	-	-	>100%
Kerbing	-	-	67	0.0%
Local Roads & Community Infrastructure Program (LRCIP) – phase 1	-	-	129	0.0%
Roads	601	-	8,377	7.2%
Sport & Recreation	69	-	2,306	3.0%
Stormwater	4	-	860	0.5%
Other - Retaining Walls, Street Furniture & Traffic Management	20	-	495	3.9%
Fleet	723	-	3,467	20.3%
ICT	23	-	1,455	1.6%
Plant & Equipment	12	-	60	20.3%
Project Management Costs	-	-	1,511	0.0%
	1,647		28,538	5.8%

6. Savings Strategies

Achieved \$753k

Target
\$1,072k

Administrative Savings Strategies	Status	Planned	Achieved
Remove media monitoring	Alternate strategy in progress	\$14,250	\$0
Media monitoring service extended for 6 months while assessing the impacts on requirements for Council to be adequately informed and media copyright compliance.			
Stop taking cash payments	Requires Attention	\$9,500	\$1,500
Legal advice sought and received regarding the legality of ceasing cash payments for goods and services and the potential implications of doing so. Working through implications including alternative payment and banking options.			
Remove community arts project money from budget	Completed	\$5,300	\$5,300
The budget item for community arts was no longer required and has been removed			
Maintenance fees – contractors / materials	On Track	\$5,000	\$5,000
Currently reviewing use of in-house staff for cemetery maintenance. Budget adjusted to accommodate.			
Remove automatic CPI increase on contract and materials	Completed	\$400,000	\$400,000
This has been fully implemented in the adopted budget and will be monitored through the year			
Appliance replacement - all facilities	On Track	\$10,000	\$10,000
Annual budget for appliance replacement reduced from \$30k to \$20k and will be monitored through the year			
Cleaning contract - reduce frequency	On Track	\$33,000	\$0
Investigating options to reduce cleaning budget by at least 10% upon expiry of current contract in November.			
Reduce no of multifunction devices	On Track	\$12,000	\$0
Scoping commenced to reduce the number of devices from 18 down to 8.			
Reduce public access computers	On Track	\$10,000	\$0
Scoping commenced on renewal program to reduce number of computers and move to a ticketed/booking system for use of remaining computers.			
Remove mobile data from laptops and tablets	Completed	\$20,000	\$20,000
Mobile data services have been cancelled and staff advised of alternative Wi-Fi solutions if internet required outside of the office.			
Reduce People & Culture budget allocation for legal fees	Completed	\$15,000	\$15,000
Budget allocation was reduced and will be monitored throughout the year			
Salary Savings	On Track	\$200,000	\$27,000
People management strategies related to Vacancies, Overtime and Leave Reduction will realise salary savings by end of financial year			
Conduct workshops with clubs using internal resources	Completed	\$5,000	\$5,000
Public Notification signage install and removal using internal resources	On Track	\$20,000	TBC
Cease cadet engineer program	Completed	\$12,000	\$12,000
Arboculture Consultancy	On Track	\$5,000	\$5,000
Reduce consultancy budget and monitor through the year			
Data management of utilities and scope 3 components	On Track	\$16,000	TBC
	TOTAL	\$792,050	\$505,800

Savings Strategies *cont....*

Service and Revenue Changes	Status	Planned	Achieved
Tour Down Under - Limit commitment	On Track	\$30,000	\$30,000
Council was able to significantly reduce the hosting fee but cost pressure from increases in traffic management, waste auditing and provision of toilets continue to place budget pressure on the event			
Remove funding to attract a major event to the hills	On Track	\$20,000	\$20,000
This item has been removed from the current budget and the administration continue to assess how we support and conduct events in AHC for Council's future consideration			
Amend customer service operating hours from 8:30am to 9am	On Track	\$12,500	\$12,500
Reduce/remove Adelaide Hills Tourism Funding	Completed	\$7,500	\$7500
New three-year funding agreement was approved and signed June 2023 with funding capped at the 2022-23 level			
Reduce community grants	Completed	\$10,000	\$10,000
Reduction in grant budget from \$50k to \$40k to reflect the average spend over past 5 years of \$41k.			
Cease additional digital content offering	Completed	\$20,000	\$20,000
No longer purchasing AHC specific digital library content as there is a large content range in SA library network			
Digital online streaming/learning resources for language learning and online streaming	Completed	\$8,000	\$8,000
Library CD collections - cease new purchases	Completed	\$4,000	\$4,000
Printing and photocopying fee increase	Completed	\$8,000	TBC
Fees and charges adjusted and came into effect on 1 July 2023. Increased revenue to be assessed mid way through the year in comparison with previous year.			
Reduce internal audit program from 4 to 3 audits annually	Completed	\$15,000	\$15,000
Cease membership of Murray Darling Basin Association	Completed	\$6,700	\$6,700
Increase non resident cemetery fees	On Track	\$25,000	\$28,795
Increase outdoor dining permit fees	On Track	\$7,000	TBC
Increase copyright application fee	On Track	\$2,000	\$125
Analysis of cost recovery of service undertaken and an adjustments to the Fees and Charges completed increasing the hourly rate. Copyright application are now being cost recovered which should result in an increase of income.			
Reduce community and recreation facilities grants	On Track	\$20,000	\$20,000
Budget for 2023/24 was reduced pending full impact of the new framework implementation has been determined			
Implement charge for food premises inspection for new businesses	On Track	\$5,000	TBC
Standardise fee application for food premises inspection	On Track	\$5,000	TBC
Cease bird monitoring on reserves following burning	Completed	\$5,000	\$5,000
Cease vermin baiting in Stirling, Aldgate and Bridgewater	Completed	\$10,000	\$10,000
Heathfield Resource Recovery Centre – Explore options for savings or cost recovery	On Track	\$10,000	\$0
Waste education - not proceed with high intensity program	Completed	\$50,000	\$50,000
Maintain waste education at current levels rather than increase the program as there has not been marked changes in diversion rates in recent years.			
	TOTAL	\$280,700	\$247,620

7. Financial Performance

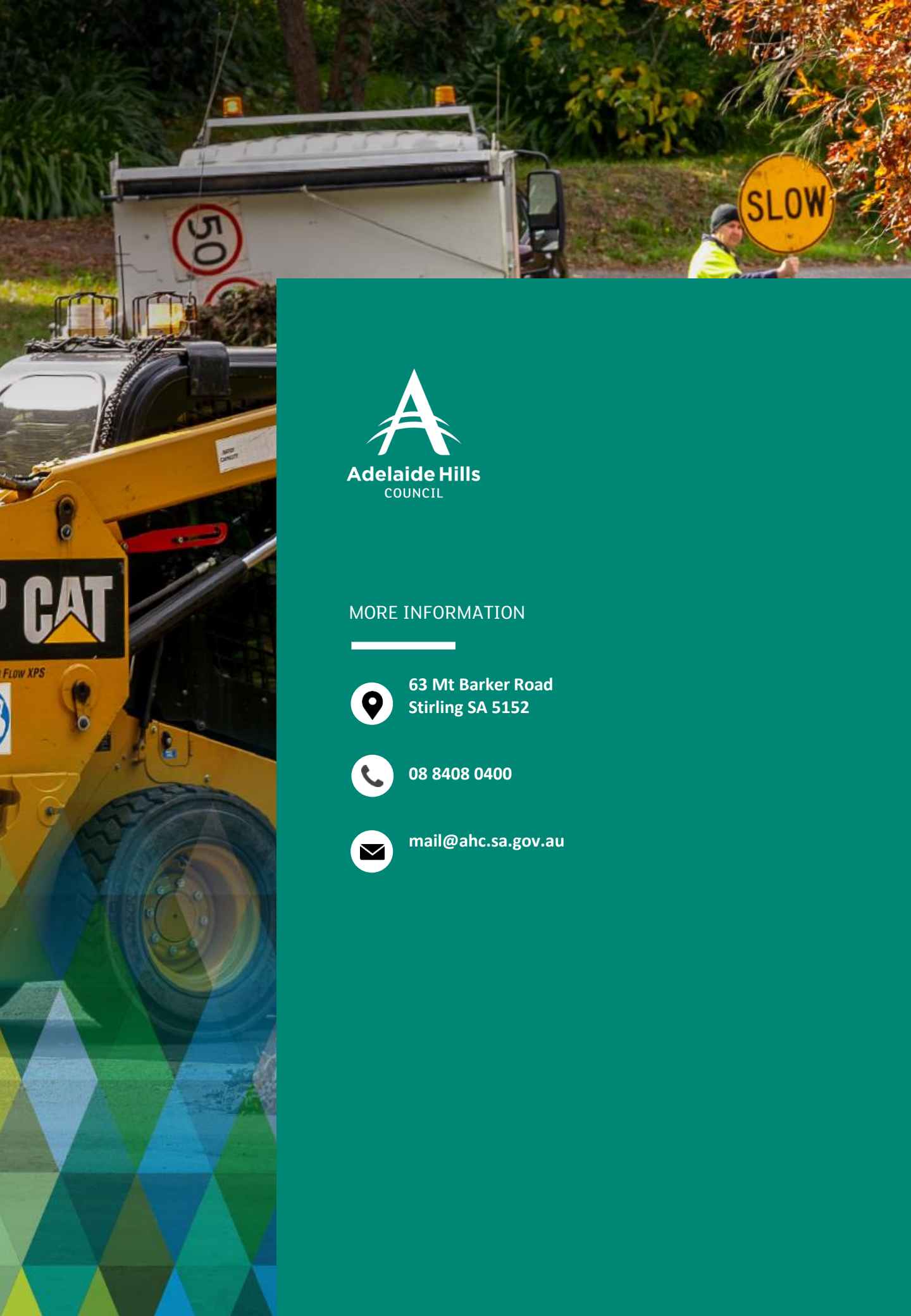
Overall Funding Statement as at 30 September 2023

Note: These figures are preliminary only. The fully reconciled figures will be presented to Council as part of the Budget Review report.

	YTD Actual	YTD Budget	YTD Variance	Annual Revised Budget
	\$'000	\$'000	\$'000	\$'000
Rates	48,185	48,162	23	48,342
Statutory income	643	723	(80)	1,544
User charges	306	267	40	926
Grants, subsidies and contributions	1,311	1,180	131	5,086
Income - Other	180	99	82	710
Total Operating Income	50,625	50,430	195	56,608
Total Employment costs	6,440	6,363	(77)	23,298
Materials, contracts and other expenses	4,958	5,024	66	20,974
Depreciation and amortisation	-	-	-	11,106
Finance costs	90	110	20	582
Total Operating Expenditure	11,487	11,496	8	55,960
Operating Surplus / (Deficit) before Capital	39,138	38,934	205	648
Capital Expenditure	1,647	-	(1,647)	28,538
Capital Income	2,607	-	2,607	2,919
Net expenditure - Capital projects	(960)	-	960	25,619
Net Lending / (Borrowing) Result for Year	40,099	38,934	1,165	(13,866)

Adelaide Hills Council Operating Summary By Directorate as at September 2023

	YTD Actuals	YTD Budget	YTD Var	Annual Adopted Budget
	\$'000s	\$'000s	fav / (unfav) \$'000s	\$'000s
Income				
CEO	-	-	-	37
Community Capacity	1,009	961	47	2,438
Corporate Services	46,721	46,585	136	48,525
Development & Regulatory Services	633	707	(74)	1,644
Infrastructure & Operations	2,263	2,176	87	3,965
Income Total	50,625	50,430	195	56,608
Expenditure				
CEO	612	632	20	2,546
Community Capacity	2,310	2,279	(31)	9,274
Corporate Services	3,029	3,167	137	11,154
Development & Regulatory Services	1,080	1,127	47	4,332
Infrastructure & Operations	4,456	4,292	(164)	28,654
Expenditure Total	11,487	11,496	8	55,960
Operating Surplus / (Deficit)	39,138	38,934	205	648



Adelaide Hills
COUNCIL

MORE INFORMATION



63 Mt Barker Road
Stirling SA 5152



08 8408 0400



mail@ahc.sa.gov.au

Item 14 Correspondence for Information



Government
of South Australia

Department for
Energy and Mining

Mr Terry Crackett
Acting Chief Executive Officer
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244
Via email: mail@ahc.sa.gov.au

Dear Mr Crackett

Thank you for your recent letter regarding the proposed expansion of the Hanson Construction Materials Ltd (Hanson) White Rock Quarry. I apologise for the delay in providing a response.

In response to the questions raised in the 11 July 2023 ordinary Council meeting, I advise that there is no authority under the *Mining Act 1971* for the Minister for Energy and Mining to overrule a decision made by the Director of Mines to approve a Mine Operations Plan (MOP).

Regarding council and community land, the Department for Energy and Mining is assessing the MOP on the basis that the extension of activities Hanson are seeking approval for relate to an area of quarry development situated on land owned by Hanson.

For further information, please refer to the White Rock Quarry page on the Department's [website](#). Alternatively, if you would like to arrange a meeting to discuss this matter further, please contact Paul Thompson, Acting Manager Mining Assessments on 8429 2467 or Paul.Thompson2@sa.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'PDI', with a horizontal line extending to the right.

Paul De Ionno
A/EXECUTIVE DIRECTOR, MINERAL RESOURCES DIVISION

26 September 2023



OmbudsmanSA

**2022-
2023**
ANNUAL REPORT

What does Ombudsman SA do?

Ombudsman SA investigates complaints about South Australian government and local government agencies under the *Ombudsman Act 1972* as well as complaints about breaches of the service standards under the *Return to Work Act 2014*. Ombudsman SA also conducts Freedom of Information reviews and receives reports and complaints about misconduct and maladministration in public administration.

The Ombudsman is a relevant authority for receiving information about state and local government activities confidentially from informants under the *Public Interest Disclosure Act 2018*.

If you're not sure whether Ombudsman SA can help you, we are happy to discuss your matter further. If your matter is not in our jurisdiction, we will be happy to point you to another agency who may be able to assist.

Visit our website for further information about our services or to register a complaint directly online: www.ombudsman.sa.gov.au

Level 8
95 Grenfell Street
Adelaide SA 5000

Telephone: 08 8226 8699
Toll free (outside metro area): 1800 182 150
9.00am - 4.30pm, Monday to Friday

www.ombudsman.sa.gov.au



Ombudsman SA acknowledges Aboriginal people as the first Australians. We pay our respects to them and their cultures, and to their Elders past, present and future.

Cultural diversity | Respect | Inclusiveness

OFFICIAL

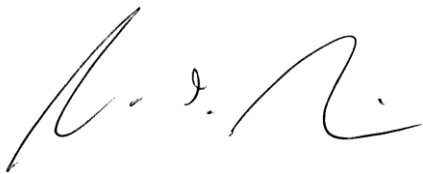


Hon Terry Stephens MLC
President
Legislative Council
Parliament House
ADELAIDE SA 5000

Hon Dan Cregan MP
Speaker
House of Assembly
Parliament House
ADELAIDE SA 5000

Hon Kyam Maher MLC
Attorney-General
GPO Box 464
ADELAIDE SA 5001

It is my duty and privilege to submit the South Australian Ombudsman's Annual Report for 2022-23 to the Parliament, as required by section 29(1) of the *Ombudsman Act 1972*.



Wayne Lines
SA OMBUDSMAN

27 September 2023

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Introduction

Introduction

The last few years have presented my Office with a number of challenges. Firstly, there was a sudden surge of complaints related to the COVID-19 pandemic restrictions. At the same time we received a record number of Freedom of Information external review requests. Then, in late 2021, Parliament enacted changes to my jurisdiction with very little warning, resulting in new responsibilities and a dramatic increase in complaints and reports about misconduct and maladministration in public administration. We had to play 'catch up' with our data system, case flow processes and recruiting additional staff in a short period of time. The previous reporting year saw the Office complete a record number of complaints and Freedom of Information external reviews as well as take in a record number of misconduct and maladministration complaints and reports.

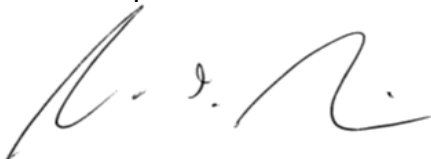
This year, the volume of work has settled to a degree. Although the amount of work coming in is still higher than in pre-COVID-19 times, we have been able to accommodate it and have been able to reduce the backlog of cases that built up over the last two years. I am pleased to be able to report that as at 30 June 2023, we have only two files that have been open for more than 12 months and all of our current Freedom of Information external reviews are less than 4 months old. In terms of a backlog, that is the best position my Office has been in since my appointment in December 2014.

With the amendments to the Ombudsman Act in October 2021, my Office was given a new function: *to conduct or facilitate the conduct of educational programs or the publication or distribution of educational materials designed to prevent or minimise misconduct and maladministration in public administration.* While grappling with the influx of complaints that occurred soon after the amendments, we have steadily worked towards developing an educational program in line with this new function. This has primarily been in the form of conducting information sessions with various agencies and interested organisations. However, the resourcing for this function is limited and it will take more time to establish a fully developed program that includes formats such as webinars, animated videos and online materials.

I extend my thanks and appreciation to my hardworking staff who always uphold the highest standards of integrity and professionalism and produce outstanding work.

Having announced that I will retire on 31 December 2023, this is my last annual report. I can say whole heartedly that it has been an absolute honour to have served as the State's Ombudsman for the last nine years. I am enormously grateful to the parliament for entrusting me with this important Office.

It is my privilege to submit this report of the work of my Office in 2022-23 to the South Australian parliament.



Wayne Lines
SA Ombudsman

Year highlights





Complaints and investigations

Ombudsman Act Jurisdiction

Under the *Ombudsman Act 1972* (the Ombudsman Act), I receive, assess and investigate or otherwise deal with:

- complaints about public administration (i.e. 'administrative acts' by relevant agencies)
- complaints and reports about misconduct by public officers
- complaints and reports about maladministration by public officers and public authorities.

I must investigate matters within my jurisdiction which are referred to me by Parliament.

I can also conduct investigations on my own initiative.

Relevant agencies and public authorities include state government departments and authorities, universities and local government councils.

Limits on my complaint-handling include:

- a complainant must be directly affected by a relevant administrative act
- generally, a complaint must be made within 12 months of the complainant becoming aware of the matter (although I have discretion)
- generally, I do not investigate where the complainant has a statutory right of review, or legal remedy (although I have discretion)
- there needs to be a relevant administrative act (i.e. as opposed to a general policy, for example).

Those limits do not apply to reports by public officers about misconduct and maladministration.

In deciding whether to investigate a matter, I consider the public interest and the improvement of public administration. I have regard to the following factors:

- does the alleged administrative error amount to a serious failure to meet expected standards of public administration?
- is the complaint about matters of serious concern and benefit to the public rather than simply an individual's interest?
- is there evidence of ongoing systemic failure in public administration?
- are the circumstances of the complaint likely to arise again?
- is the complaint about an error of process?
- is the complaint about failures of ethical and transparent management?
- does the complaint relate to matters of public safety and security, the economic well-being of South Australia, the protection of public well-being, the protection of human rights or the rights and freedoms of citizens?
- has the complainant suffered significant personal loss or is the complainant in vulnerable circumstances?
- would investigation of the complaint be likely to lead to meaningful outcomes for the complainant and/or to improvement of public administration?
- has another review body considered the matter or is another body more appropriate for reviewing the matter?
- what is the likelihood of collecting sufficient evidence to support a finding of administrative error?
- would investigation of the complaint involve effort and resources that are proportionate to the seriousness of the matter?

Section 25(2) of the Ombudsman Act gives me broad power to make recommendations to an agency or public authority once an investigation is completed. I may recommend, for example, that:

- action is taken to rectify or mitigate the effects of an error
- a practice is varied
- legislation is amended
- disciplinary action is taken in relation to misconduct.

Ombudsman Act complaints received and completed

This year my Office received 4,401 complaints, a decrease from the 5,062 complaints received in the previous financial year. This difference can be attributed to the significant reduction in COVID-19 related complaints I received, from 864 complaints received in 2021-22 to 44 in 2022-23. Despite this, my Office continues to see an upward trend in complaints, receiving more complaints in 2022-23 than it did in 2020-21.

My Office completed 4,513 matters this year. A decrease from the 4,948 matters completed last year, it nonetheless represents more matters closed than were received in the 2022-23 year, and reflects the work my Office has done to address its backlog of matters.

I issued 21 formal investigation reports during the year. In accordance with section 26 of the Ombudsman Act, I have published the report or a summary statement online when I have formed the opinion that it is in the public interest to do so. The published decisions can be found on the Ombudsman SA website at:

<https://www.ombudsman.sa.gov.au/publications/investigation-reports>

As discussed further below, a number of matters were also resolved through early resolution, with the cooperation of the parties.

The past year saw a decrease in matters received about government departments (2,674 compared with 3,450 in 2021-22), which correlates with the decrease in COVID-19-related complaints. I have, however, seen a notable increase in matters about local government (1,023 up from 921). I discuss local government matters further below. There has also been a small increase (704 up from 691) in matters about other public authorities.

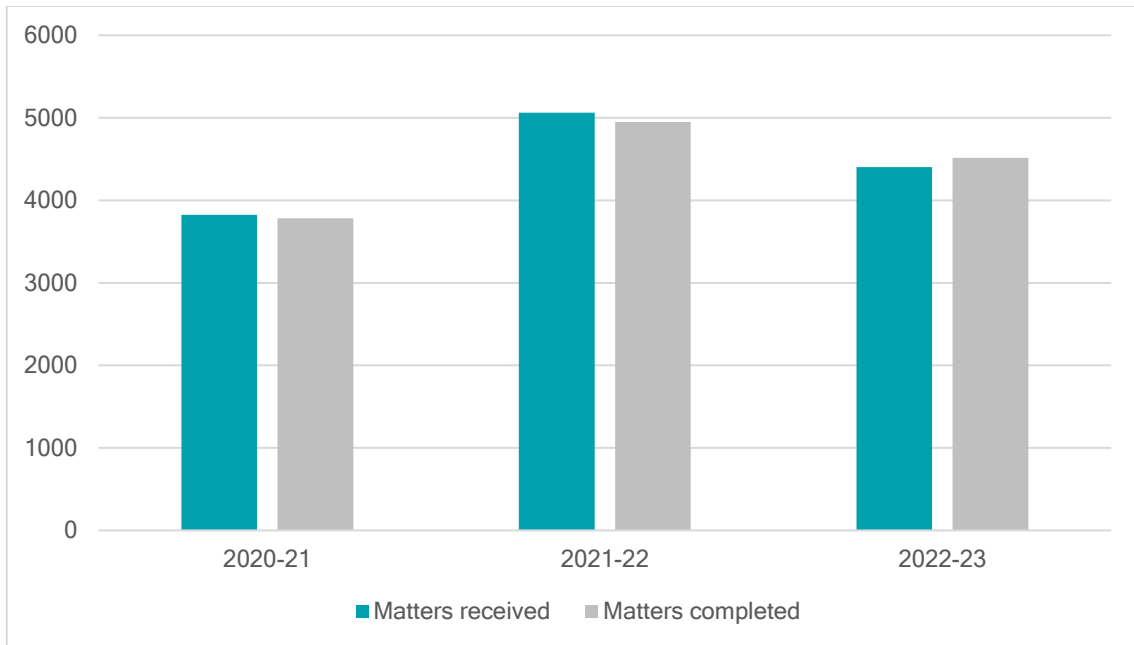
Matters received and completed in 2022-23

	Received	Completed
Government Departments	2,674	2,737
Local Government	1,023	1,039
Other Authorities	704	737
Total	4,401	4,513

Breakdown of matters received and completed by year

OMBUDSMAN ACT JURISDICTION	2020-21				2021-22				2022-23			
	Government Departments	Local Government	Other Authorities	Total	Government Departments	Local Government	Other Authorities	Total	Government Departments	Local Government	Other Authorities	Total
Matters received	2,351	892	582	3,825	3,450	921	691	5,062	2,674	1,023	704	4,401
Matters completed	2,341	851	588	3,780	3,406	893	649	4,948	2,737	1,039	737	4,513
Audits completed	1	0	1	2	1	0	0	1	1	0	0	1

Matters received and completed by year



Complaints from prisoners

While complaints from prisoners continue to constitute a significant proportion of complaints made to my Office, they have decreased significantly this reporting year (571 compared to 721 in 2021-22). The Department for Correctional Services has continued to demonstrate a capacity to respond effectively to complaints so that it has not been necessary for my Office to commence an investigation of any complaints from prisoners this year. For the most part, whenever I have had concerns about potential systemic issues, I have raised these with the department and received satisfactory responses.

Complaints received by prison in 2022-23

Prison	Total
Adelaide Pre-Release Centre	5
Adelaide Remand Centre	82
Adelaide Women's Prison	70
Cadell Training Centre	14
James Nash House	1
Mobilong Prison	46
Mount Gambier Prison	95
Port Augusta Prison	52
Port Lincoln Prison	16
Yatala Labour Prison	190
Total	571

Complaints and reports about local government

My Office received 1,023 matters concerning local government this year, an increase on last year. While many matters related to the provision of services by councils, a substantial number (127) involved allegations of misconduct and maladministration.

Changes during the year to the *Local Government Act 1999* have amended my jurisdiction and the obligations upon elected members. I now have jurisdiction to consider matters involving a contravention of, or a failure to comply with, an integrity provision in the Local Government Act by a member of a council. This has replaced the former Code of Conduct for Council Members and incorporates integrity provisions for elected members directly into the Local Government Act (integrity provisions are also to be found in regulation 7 of the *Local Government (General) Regulations 2013*). The amendments changed the description of some conflicts of interests for elected members, with the creation of a category of general conflicts of interest replacing the previous actual and perceived conflicts of interest.

The outcomes enumerated at section 263B of the Local Government Act, available to me on the conclusion of an investigation, have also changed: I can now make recommendations requiring a member to take certain action, such as issuing a public apology, in addition to recommendations requiring action of a council, including to suspend the member from any office under the Act for up to 3 months.

I note, too, that avenues for addressing behavioural issues and breaches of health and safety duties have also been incorporated into the Local Government Act, and that complaints alleging misbehaviour, repeated misbehaviour, or serious misbehaviour by a member of a council can now be referred to the Behavioural Standards Panel. While my Office continues to receive complaints and reports about the behaviour and health and safety duties of elected members, with time and further education I anticipate that the appropriate pathways for dealing with these will be clearer to complainants and reporters.

Local government matters constituted the majority of the investigation reports I published this year. Many of these concerned issues of misconduct or maladministration, as well as issues arising from my jurisdiction under the Local Government Act. Following are some examples of local government matters dealt with by my Office:

Maladministration and administrative error by a council

I commenced an own initiative investigation into whether actions taken by a council in response to an investigation of its Chief Executive Officer (CEO) amounted to maladministration and/or were otherwise in error. Following allegations about the CEO's conduct, the council engaged a legal firm to investigate the CEO's behaviour. I investigated the council's response to the allegations with a particular focus on the council's response to the investigation, the subsequent decision to offer the CEO an ongoing pay increase, and the process the council followed for the reappointment of the CEO to their position.

I concluded that the council's decision to offer the CEO an ongoing pay increase constituted maladministration under the Ombudsman Act. I determined that the council's decision, the reason for which was unclear but that seemed to be in part because the CEO had undertaken additional duties, had resulted in a substantial mismanagement of public resources. My reasons for this included that the CEO had not continued to perform the additional duties for which the pay increase was, apparently, initially awarded, and the public did not gain any particular benefit from the expenditure continuing. I also concluded that the council's actions in response to the law firm's investigation of the CEO's conduct, and the process followed by the council for the reappointment of the CEO position, amounted to errors under the Ombudsman Act. My recommendations included a requirement that the council members and new CEO undertake training regarding misconduct and maladministration.

Investigation of employee recognition practices at a council

This matter was an own initiative investigation of a local council's employee recognition practices, which included a biennial employee recognition function, employee service awards, staff incentive scheme, and retirement gifts. I concluded that the council had committed maladministration by holding employee recognition events and giving gifts to its employees, as the amount spent was excessive, inappropriate, and did not benefit the public. I made recommendations that the council cease the employee recognition practices and review its Human Resource Management Manual to remove or vary reference to its employee recognition practices. Mindful that my investigations and assessments can serve an educative function beyond the parties that are directly affected, a redacted version of the final report in this matter was sent to all councils, for their consideration and instruction.

Early resolution of a matter involving an elected member's alleged conflict of interest

It was alleged that an elected member had failed to declare and manage a material conflict of interest in a matter involving behaviour by a fellow councillor that affected them personally. Having formed a preliminary view that the elected member may have had a general, rather than material, conflict of interest, I proposed an early resolution of the matter by way of the member giving an unqualified public apology. Initially, the elected member was resistant to our assessment and my proposed resolution, but chose to give a public apology following further engagement by my Office in writing and over the phone. Matters such as this illustrate how an early resolution approach may produce a meaningful result in the alternative to an investigation, both in educating individual elected members serving to remind elected members generally of their obligations under the Act.

Early resolution

During the year, my Office dealt with 1,434 approaches relating to matters outside of my jurisdiction and responded to 716 general enquiries. These are usually dealt with on the same day or shortly afterwards.

About 99% of all complaints received are resolved during the assessment stage. The majority (79%) are completed within 14 days. The average period of completion at assessment is 19 days.

165 complaints were resolved with the co-operation of the agency. The following case studies provide examples of the significant outcomes achieved through early resolution of complaints by obtaining the agencies' co-operation.

Early resolution case studies

District Council of Renmark Paringa

Delay addressing complaint about neighbouring development resulting in flooding on property

Complaint

The complainant contacted my Office because they were having issues with a neighbouring development that was causing flooding on their property. The complainant had reported this to the council on multiple occasions and had been unable to get a response beyond acknowledgements and being referred to the developer.

Outcome

After being contacted by my Office the council agreed to contact the complainant and explain the action that had been taken and the options going forward to resolve the problem.

Department for Correctional Services

Unreasonable delay in responding to complaint

Complaint

A prisoner contacted my Office complaining that the department was unable to locate their wallet, which contained identity documents that they required. The prisoner had been advised to send a family member to a police station to enquire about locating the wallet but advised my Office that their family members did not speak English with sufficient proficiency to do this.

Outcome

My Office made enquiries with the department. The department initially advised that there was no record of the prisoner being admitted with a wallet so it must be in the possession of South Australian Police (SAPOL). My Office then made enquiries with SAPOL. SAPOL was also unable to locate the wallet or any record of it. Following further enquiries from my Office and investigation by SAPOL it was determined that the property was provided to the employees of the company responsible for escorting the prisoner to court so it would most likely be in the custody of the Courts Administration Authority. My Office contacted the Courts Administration Authority who advised that they do not retain property. My Office contacted the department again and, ultimately the wallet was located inside one of the prisoner's shoes in the property storage at the prison. The prisoner was advised that the wallet had been located and it was registered on the prisoner's property record.

Public Trustee

Failure to provide leased accommodation for a client

Complaint

The complainant contacted my Office as they owned a property which they rented to a tenant whose finances were administered by the Public Trustee. The complainant had sold the property and the tenant had to vacate the property the following week but was still waiting on the Public Trustee to enter into a new lease agreement for the tenant at a new property. The Public Trustee had not assigned the tenant a case officer and had not returned the tenant's phone calls and they were at imminent risk of homelessness.

Outcome

In response to urgent enquiries my Office made with the Public Trustee, the agency took immediate steps to ensure that the tenant did not become homeless, including:

- acknowledging that there were calls received requesting a return call which did not occur and apologised for this
- taking immediate action to secure the new tenancy
- contacting the tenant
- assigning a senior employee to oversee the finalisation of the lease and to determine if the tenant needed further assistance with moving house.

South Australian Housing Authority

Unreasonable delay providing access to deceased brother's property

Complaint

The complainant contacted my Office as they wanted to collect the property of their sibling, who had passed away several weeks earlier, but were unable to gain access to the property.

Outcome

Following communication from my Office, the agency contacted the complainant and explained the reasons for the delay in providing access to the property, which were that the relationship needed to be confirmed and the property needed to be cleaned to make it safe. The agency advised the complainant when they would be given access to the property.

South Australian Housing Authority

Failure to respond to enquiries on behalf of client

Complaint

A financial counsellor contacted my Office on behalf of their client, who had incurred a debt with the agency after being forced to flee a property due to domestic violence and was placed in safe secure accommodation. The counsellor requested a debt waiver for the client and had not received any response from the agency, despite making several requests for an outcome.

Outcome

After contact from my Office, the agency acknowledged that the complainant's emails had not reached the correct area within the agency and had not been addressed. The agency promptly reviewed the financial hardship request and waived the remaining debt on the grounds of financial hardship.

Own Initiative investigations and enquiries

This year I concluded six investigations using my own initiative powers in section 13(2) of the Ombudsman Act.

Own initiative investigations were conducted because I considered that there was a public interest in investigation, where potentially systemic issues had been identified. Those investigations included:

- investigation of a council's failure to have a formal contract for the construction of a public building, as well as its procurement of work for numerous projects. I concluded that the council's actions amounted to maladministration because:
 - there was no accurate monetary estimate of the building of the public building
 - there was no adequate contract for the construction
 - the council paid invoices as they were received without assessing their reasonableness
 - the council paid the full amount of the quoted price prior to the contractor undertaking any work, and
 - there was no report to the elected members of the council authorising the significant overrun of expenditure from the initial costing.

I recommended that the council's new Chief Executive Officer report the results of their investigation and reconciliation of costs to the council at a public meeting, and that my final report be provided to a public meeting of the council.

- investigation of the Department for Child Protection's assessment and response to notifications about children at risk of harm, and in particular its practice of referring notifications to other State authorities. My investigation concerned the department's inadequate response to an increased risk to the welfare of two sibling groups and, on some occasions, the department's failure to intervene despite requests from State authorities that it do so. My investigation revealed that the department appeared to refer notifications about at-risk children to a State authority without forming a reasonable belief that the State authority was the more appropriate agency to address the risk to the child. I concluded that the department failed to ensure that the protection of children and young people from harm was its paramount consideration.

I made five recommendations, including that when a State authority forms the view that risk to a child or young person is too high and cannot be sufficiently mitigated, and the matter is appropriately escalated by the State authority, the Department for Child Protection must open an investigation file and conduct a safety assessment for the relevant child or young person.

In addition, my Office made own initiative enquiries, without going to investigation, on:

- the management of rehabilitation programs by the Department for Correctional Services. In particular, whether the department could be incurring additional expenditure as a result of accommodating prisoners who would otherwise have been eligible for release on parole, but for being unable to access rehabilitation programs which are provided by the department. I found that significant resourcing appeared to have been invested into delivering rehabilitation services, and that the department was taking reasonable steps to ensure that the planning and resourcing of rehabilitation programs is sufficient. I therefore did not consider there to be grounds for investigation.

OFFICIAL

- the complaint handling and external appeal processes utilised by the University of South Australia. Through an early resolution process, the University adopted a new Student Appeals Committee Procedure, and I did not consider there to be grounds for investigation.
- the actions and response taken by the Department for Education regarding the chronic absenteeism of four children. I was concerned that the department may have taken inadequate action to follow up on the children's absences and support their attendance. The department agreed to undertake an internal audit of the processes involved in escalating instances of chronic absenteeism and proposing steps to address any identified shortcomings. The department informed me that some efforts had already been made to address the issue, including cross-departmental collaboration with the Department for Child Protection. Therefore, I did not consider there to be grounds for investigation.
- the Department for Child Protection's failure to provide adequate information to a parent or caregiver when a child is removed. I was especially concerned that the parents or caregivers of a child who had been removed were not being provided with sufficient information regarding the removal of the child or the legal processes involved in the removal. The department advised me that it would review the process for providing information about the removal of a child to the parent or caregiver. The department subsequently updated its communication to ensure that parents and caregivers were provided with clear guidance on the removal process and the availability of legal support. Therefore, I did not consider there to be grounds for investigation.

Misconduct and Maladministration

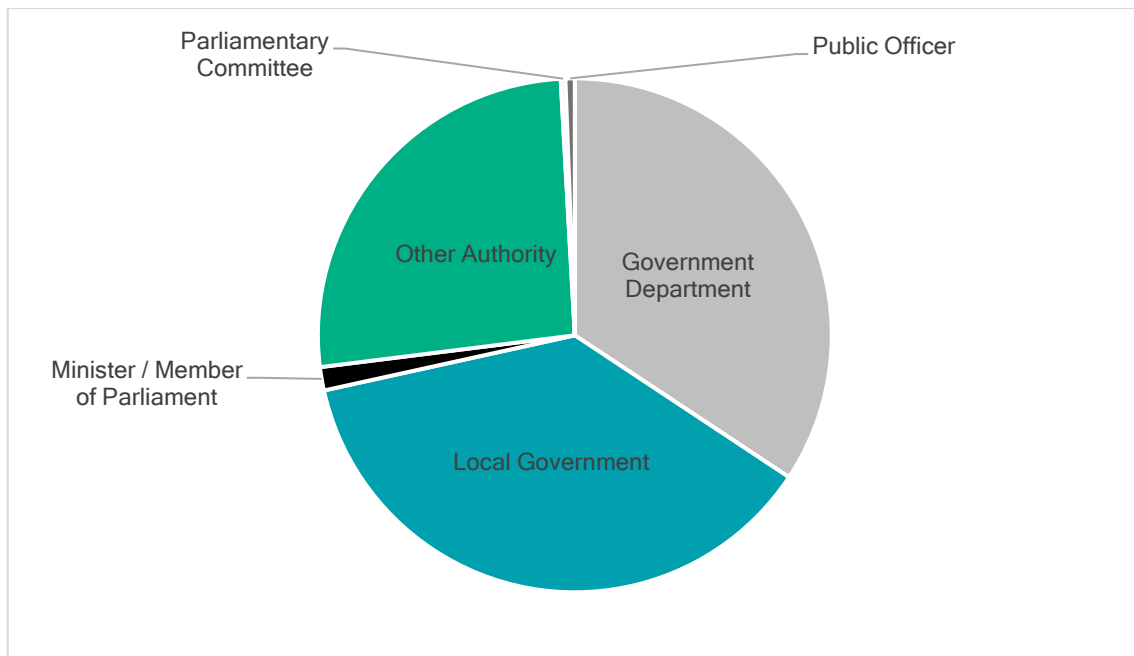
Complaints and reports¹ about misconduct² and maladministration are made directly to my Office by members of the public, public officers and public authorities.

I also receive referrals raising issues of misconduct and maladministration from both the Office for Public Integrity (OPI) and the Independent Commission Against Corruption (ICAC).

This financial year I received complaints, reports and referrals of 341 issues of misconduct and maladministration. My Office closed 399 issues of misconduct and maladministration.

Respondent agency type for misconduct and maladministration issues received in 2022-23

Respondent Agency Type	Total
Government Department	117
Local Government	127
Minister / Member of Parliament	5
Other Authority	89
Parliamentary Committee	1
Public Officer	2
Total	341



¹ A 'complaint' refers to a complaint made by a member of the public, whereas a 'report' refers to a report made by a public officer or public authority pursuant to my Directions and Guidelines.

² I have jurisdiction to investigate breaches of the integrity provisions of the *Local Government Act 1993* by council members. My view is that the integrity provisions constitute a relevant code for the purposes of the definition of 'misconduct' and on that basis, these statistics include alleged misconduct by council members.

Complaints and reports to Ombudsman SA

In the reporting period, complaints and reports about misconduct and maladministration raised directly with my Office significantly increased from 128 in the previous reporting period to 216. This is unsurprising given that, unlike the previous reporting period which encompassed changes to the Ombudsman Act in October 2021, I had direct jurisdiction over misconduct and maladministration for the entirety of the current reporting period.

My Office assesses complaints and reports about misconduct and maladministration to determine whether I should investigate them, refer them to another agency for investigation or take no action. In the event that a complaint or report about misconduct or maladministration raises a reasonable suspicion of corruption, I will report it to the OPI.

There have been two completed investigations arising from misconduct and maladministration issues raised with my Office in the reporting period.

10 issues were referred to other agencies for those agencies to deal with. My Office has monitored the agency's handling of those referred issues.

Misconduct and maladministration issues received directly by Ombudsman SA or otherwise identified by Ombudsman SA and issues closed during 2022-23

	Issues Received	Issues Closed
Complaints/Reports to Ombudsman SA	213	244
Own Initiative	3	1
Total	216	245

Referrals from the ICAC and OPI

The statistics below record each discrete issue of misconduct or maladministration dealt with by my Office, noting that a single referral from the OPI or the ICAC could contain a number of individual issues that are dealt with by my Office.

The ICAC made four referrals to my Office in the reporting period. While my Office completed four investigations on referrals from the ICAC, all of those had been referred prior to the reporting period.

The OPI made 98 referrals in the reporting period. In response to those 98 referrals, my Office identified 121 issues. 140 issues received by way of referral from the OPI were closed in the year. Of those closed issues, six issues that had been referred prior to the reporting period were finalised by way of investigation.

Seven issues were referred to other agencies for those agencies to deal with. My Office has monitored the agency's handling of those referred issues.

One issue was reported back to the OPI as raising a reasonable suspicion of corruption after initial enquiries were made.

Misconduct and maladministration issues referred and closed during 2022-23

Referred by	Issues Referred	Issues Closed
ICAC	4	14
OPI	121	140
Total	125	154

Return to Work Act Jurisdiction

As of 1 July 2015, the *Workers Rehabilitation and Compensation Act 1986* was repealed and my jurisdiction under Schedule 5 of the *Return to Work Act 2014 (RTW Act)* to investigate complaints about breaches of the Service Standards commenced. The Service Standards apply to both Return to Work SA (RTWSA) and the Crown and Private self-insured employers including providers of services engaged by self-insured employers.

Only a worker or an employer may lodge a complaint with my Office if they believe that the Service Standards have been breached. Where an investigation by my Office identifies that a breach of the Service Standards has occurred, I may require the respondent to provide a written or oral apology, furnish a written explanation or other remedies as outlined in clause 7 of Schedule 5 of the RTW Act. The powers of the Ombudsman under the Ombudsman Act apply to self-insured employers as if they are agencies to which the Ombudsman Act applies.

In addition, under section 180(8) of the RTW Act, the Ombudsman can consider a request to conduct an external review of the decision by RTWSA or self-insured employer in relation to a worker’s request to access material relevant to their claim. At the conclusion of the review, the Ombudsman may confirm, vary or modify the decision under review.

There was a significant increase of 77% in the number of complaints received this year compared to the previous year in relation to the operation of the Return to Work Act although the number itself is not high. There is no reason I can identify for this increase. My Office continues to monitor the complaint data to discern any trends or systemic issues and will provide feedback to RTWSA if it becomes apparent that there are issues that require addressing.

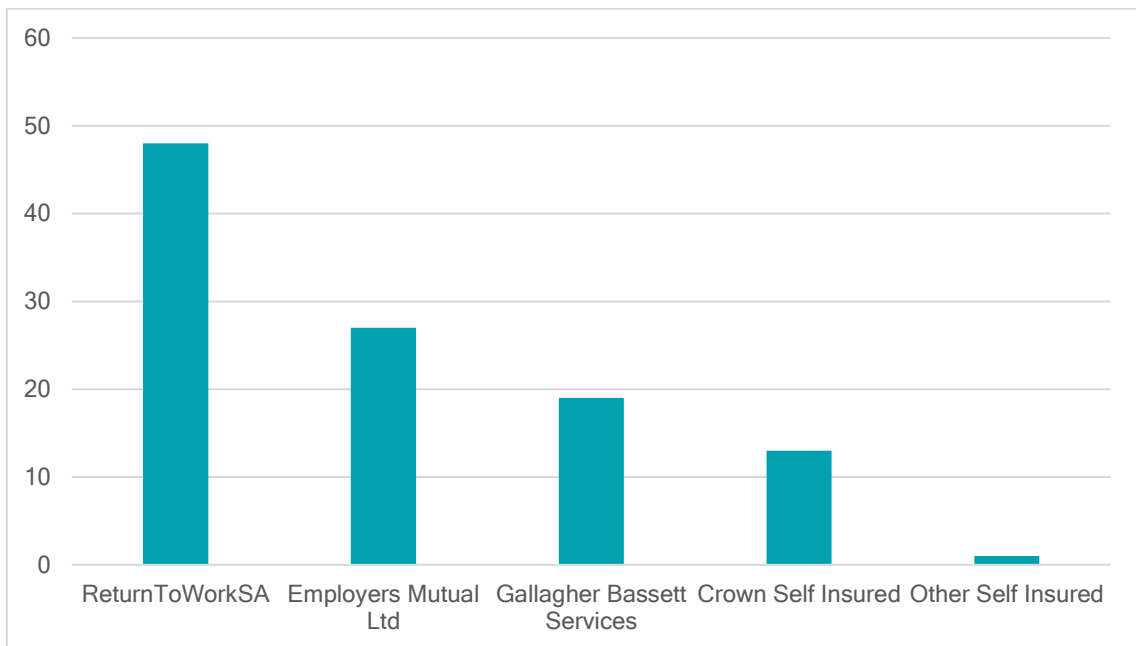
Breakdown of matters received and completed by year

RTW ACT JURISDICTION	2020-21				2021-22				2022-23			
	Claims Agent	Self-Insurer	ReturnToWorkSA	Total	Claims Agent	Self-Insurer	ReturnToWorkSA	Total	Claims Agent	Self-Insurer	ReturnToWorkSA	Total
Matters received	44	14	13	71	21	5	35	61	46	14	48	108
Matters completed	43	15	11	69	23	3	36	62	46	14	48	108

Matters received and completed by year



Complaints received during 2022-23



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Issues of complaints

Issue	Total	%
Access to claims file	2	1.79%
Other	21	18.75%
Service Standards Sch 5 s4(a)	4	3.57%
Service Standards Sch 5 s4(b)	2	1.79%
Service Standards Sch 5 s4(d)	2	1.79%
Service Standards Sch 5 s4(e)	39	34.82%
Service Standards Sch 5 s4(f)	40	35.71%
Service Standards Sch 5 s4(i)	1	0.89%
Service Standards Sch 5 s4(j)	1	0.89%
Total	112	100.00%

Complaint outcomes

Outcome	Total	%
Advice given	2	1.85%
Alternate remedy available with another body	1	0.93%
Breach of service standards not substantiated	1	0.93%
Complainant cannot be contacted	2	1.85%
Declined - Other Good Reason	44	40.74%
Out of Jurisdiction	2	1.85%
Referred back to Compensating Authority	48	44.44%
Resolved with Compensating Authority's co-operation	1	0.93%
s180 Review Decision varied	1	0.93%
Withdrawn by Complainant	6	5.56%
Total	108	100.00%

Informal resolution case studies (RTW)

Return to Work SA

Breach of service standards - failure to properly assess complaint

Complaint

The complainant had a RTW claim with a self-insured employer. The complainant had concerns about a medical examination they had attended, as they were not advised what injuries the practitioner had been requested to review and what information the medical provider had been given. They were also not provided a copy of the commissioning letter to the medical practitioner. When the complainant was eventually provided a copy of the commissioning letter, they identified that it contained errors. The self-insured employer had responded to the complainant's issues inadequately and failed to provide sufficient reasons for its decisions. The complainant had then lodged a complaint with RTWSA about the self-insured employer. Again, the complainant was not satisfied with RTWSA's handling of the complaint, including the process and the lack of outcome.

Specifically, the complaint alleged that:

1. the self-insured employer either failed to acknowledge errors or only partially acknowledged an error, and it was unclear whether RTWSA agreed there was an error
2. the RTWSA decision did not contain any reasoning from RTWSA, but merely repeated the submissions from the self-insured employer
3. neither the self-insured employer nor RTWSA addressed a key element of the complaint, which was about the self-insured employer's refusal to provide a doctor's commissioning letter prior to the appointment.

Outcome

My Office sought informal resolution of the matter. RTWSA, in response to my enquiries, acknowledged there were deficiencies in its complaint handling practice in relation to the complaint, and agreed to implement systemic improvements in order to improve its practice. RTWSA also advised the self-insured employer that it had erred by refusing to provide the commissioning letter.

Review of decision to refuse access to claim file case study (RTW)

Return to Work SA

Section 180 decision to withhold information.

I conducted one review of a decision by RTWSA to withhold information in response to a request for copies of documentary material from the applicant's claim files. The review was conducted pursuant to section 180(8) of the RTW Act rather than the Freedom of Information Act (FOI Act). The agency made a decision to not provide certain material to the applicant on the basis that the material was protected by legal professional privilege. In contrast to a review under the FOI Act which can involve consideration of numerous issues, including potential consideration of up to 19 different exemption clauses, my jurisdiction in a review under the RTW Act is confined to whether the agency was entitled to withhold information on one of three grounds, including legal professional privilege. In the course of the review, the agency conceded that some further information could be disclosed, but maintained that access to a substantial amount of information should be refused. I ultimately varied the agency's decision. While affirming that a substantial amount of material was protected by legal professional privilege, I determined that some further information could be disclosed as conceded by the agency.

Recommendations

Once an investigation has been completed, the Ombudsman may make such recommendations as they think fit, pursuant to section 25(2) of the Ombudsman Act.

Before 7 October 2021, the Ombudsman could only make recommendations if they were satisfied that an error (as defined in section 25(1) of the Ombudsman Act) had occurred. As section 25(1) has now been removed from the Ombudsman Act, a finding of error is no longer required for the Ombudsman to make recommendations under section 25(2). This has broadened the Ombudsman's power to make recommendations.

The Ombudsman is required to provide a copy of any report or recommendation made under section 25(2) of the Ombudsman Act to the responsible Minister and, according to section 25(4), the principal officer of the agency in relation to which the recommendation is made must, upon the Ombudsman's request, report on what steps have been taken to give effect to the recommendation or give reasons why there has been inaction.

If the Ombudsman is not satisfied with the action taken to give effect to the recommendations, the Ombudsman may, pursuant to sections 25(5) and (6), report this, firstly, to the Premier and then to the Houses of Parliament.

Under section 27(2), the Ombudsman must advise the complainant if the Ombudsman is of the opinion that reasonable steps have not been taken to implement the recommendation within a reasonable time.

In this reporting year, I issued 21 investigation reports and made a total of 36 recommendations. At the time of writing, 13 of those recommendations have been implemented, with the remaining 23 in progress. It should be noted that 15 of the recommendations made in this reporting year were made in June 2023.

Many of my recommendations aim to help agencies strengthen their own internal governance, policies, and procedures, so that they can more appropriately engage with their clients, customers, and community.

Case studies

Campbelltown City Council

Unreasonable release of personal information

Complaint

In October 2022, my Office received two separate complaints from objectors to a road closing process. The complainants alleged that the Campbelltown City Council had included their full name and address, as well as the addresses of other objectors, in a public agenda available on the council's website.

Outcome

On investigation, I determined that the council had released the information as alleged, and in doing so, the council had acted in error. The inclusion of this information in a public agenda was neither supported by the council's privacy policy or the Australian Privacy

Principles, and appeared to arise from the council misconstruing its obligations within its consultation process.

Following my recommendations for improvement, the council apologised to the individuals who had their information released and made a public apology acknowledging the error. The council also undertook a community engagement review which subsequently led to it amending its Privacy Policy and Public Consultation Policy to better reflect its obligations when conducting a community consultation, and mitigate the risk of the error reoccurring.

While agencies often commence work on implementing my recommendations in a timely manner, implementation may not be finalised until after the year the recommendation was made. This can be due to any number of factors, including, among others, the size and complexity of the reform undertaken to implement the recommendation and can be seen in implementation of my recommendations over this reporting year. This reporting year saw the implementation of 45 recommendations that I had made in previous reporting years.

Department for Education

Failure to communicate with family about changes to self-regulation spaces for a student with autism

Complaint

This investigation arose out of a complaint lodged by two members of the public, who are parents of a student attending a public high school within the Department of Education.

In 2019, the student commenced year 8 at the school. The student has Autism Spectrum Disorder and Sensory Processing Disorder, and as part of their learning plan, could access two linked self-regulation spaces. At the end of term 3, the school informed parents and students that they would be closing one of the self-regulation spaces, and changing the purpose for which the second space could be used. A new exit-card system was introduced for the student. In 2020, the second self-regulation space was closed without prior notice. The complainants repeatedly queried whether the student's exit-card system remained in place, with no response for four to five weeks. The removal of the self-regulation spaces and the lack of clarity around an exit-card system led to a number of incidents, and the student's mental health deteriorated to the point where by March 2020, the student refused to attend school. Throughout this time, the complainants made the school aware of the student's struggles, and made numerous requests for a copy of the learning plan to ascertain what supports were supposed to be in place, however a copy of the learning plan was not provided.

Outcome

I found that the school had not communicated appropriately with the student's parents regarding changes to the self-regulation spaces, or in regard to the student's learning plan. In doing so, the school, and by extension, the department, had acted in error.

Several international human rights instruments, ratified by Australia, establish the fundamental rights of children and young people to inclusive education, and impose various responsibilities on government departments that provide education services. These responsibilities have fed into national and state legislation, as well as the standards and policies of the department. In its failure to properly communicate and manage the self-regulation spaces, I found that the school had not met those standards and policies, or given effect to those rights.

I made a number of recommendations, which were implemented by the school and the department:

- the department apologised to the student's parents for the school's failure to communicate and outlined draft plans for discussion with the student's parents, to be put in place if the student were to return to the school
- the school created a strategy for the school to communicate with all students with disabilities and their parents and caregivers, and implemented training to ensure their staff are aware of their obligations under the strategy
- a copy of the student's 2019 learning plan was provided to the parents.

Voluntary actions

I also aim to resolve complaints early where appropriate and monitor voluntary actions agreed to by agencies through that process. A matter may be amenable to formal early resolution where:

- the administrative act is clearly identifiable without the need for investigation
- on the face of the information provided by the complainant there appears to be error
- the agency has clearly acknowledged and accepted responsibility for the error
- the matter is not so serious or systemic that it would be in the public interest to investigate and issue a report in the matter
- there is no indication of corruption
- there is also no indication of misconduct or maladministration as defined within the *Ombudsman Act 1972*
- intervention is likely to support ongoing improvements in administrative practice being achieved in collaboration with the agency concerned.

This reporting year has seen a significant increase in the volume of complaints resolved through voluntary action, when compared to previous years. Throughout the reporting year, my Office resolved 47 complaints through a formal early resolution process, and agencies agreed to implement 65 actions.

Most of these were dealt with by referral to the agency for investigation. Often these will be referred where a complaint identifies behaviour that may be, on its face, misconduct under the *Public Sector Act 2009*, but does not meet the threshold for misconduct within the *Ombudsman Act 1972*.

Some related to councillors failing to declare conflicts of interest when participating in the deliberations of their council. A resolution might require that the councillor bring the conflict of interest to the attention of the council and apologise to the council. A complaint regarding a conflict of interest matter might be resolved in this manner where it is not of sufficient gravity or concern to warrant further action by my Office.

Also, some complaints were dealt with by the agency agreeing to reform their policies, procedures, or practices.

The following case studies provide examples of reforms initiated through my early resolution process.

Case studies

Department for Child Protection

Own initiative enquiries into the communication with parents and caregivers when a child is removed under section 41 of the *Children and Young People (Safety) Act 2017*

In December 2022, my Office made enquiries with the Department for Child Protection. Using my own initiative powers, I asked the department about what information it included in a written notice provided to parents and caregivers, where a child or young person was to be removed from their care under section 41 of the *Child and Young People (Safety) Act 2017*.

I observed that while the notice repeated the relevant legislation, it did not explain a parent's or caregiver's rights, the fact that they may wish to seek legal advice or where to obtain it, or that the department may be applying for a court order and has five days to do so.

While I understand that this type of information will have been provided by child protection officers verbally, I questioned whether this information would be retained by the parent or caregiver, in what would likely be a highly emotional moment.

Following this feedback, the department included new information in the written notice. The notice now also provides information about the court process, contact arrangements and placement of a child following a removal. It also includes contact details for legal services and urges parties to engage a lawyer as soon as possible to provide representation at any initial Youth Court hearing.

Attorney-General's Department

Unreasonable response to a work health and safety complaint

In February 2023, my Office was contacted by two individuals who said they had not received any information about how a complaint they had made to SafeWork SA had been dealt with, and that SafeWork SA had only advised them that their file had been closed.

My Office made enquiries with SafeWork SA and determined that the reason SafeWork SA had not provided an outcome was due to a lack of clarity in policies and templates relating to less serious matters. (SafeWork handled more serious matters using different, more robust processes).

Following discussion with my Office, SafeWork SA wrote to the complainants, acknowledging the error, apologising, and explaining the actions it was doing to improve its processes. SafeWork SA also updated its processes to include a requirement to provide information about the outcome and rights of review.

Audits

Ombudsman Act

No audits were conducted under the Ombudsman Act in this reporting year.

Forensic procedures audit

Each year I am required to audit compliance with the *Criminal Law (Forensic Procedures) Act 2007 (CL(FP) Act)*. Responsibility for preparing the audit report has been delegated to the Deputy Ombudsman. On 26 September 2022 the audit report was submitted to the Attorney-General for the period 1 July 2021 to 30 June 2022.

The audit indicated that most statutory requirements were fully complied with. Where this was not the case, compliance against the relevant provisions was more common than not. The audit identified the following legislative requirements in respect of which further improvement might be achieved (in terms of actual compliance or recording compliance):

- clarifying the distinction between a ‘relevant person’ for the purposes of consenting to a volunteers and victims procedure carried out on a protected person and an ‘appropriate representative’ to witness that procedure
- ensuring that the legislative hierarchy for selecting an appropriate representative is applied
- amending references to gender to ensure consistency with current usage and the legislation
- ensuring that copies of applications for suspect procedure orders are provided to the suspect and that orders are appropriately recorded and provided to the suspect
- ensuring that introductions on audio-visual recordings are properly conducted and captured
- providing guidance to hospitals on humane treatment in conducting forensic procedures
- exploring options to ensure that as far as reasonably practicable, forensic procedures are carried out by a person of the same sex, and that the preference of the person subject to the procedure is recorded (this includes all section 21(3)³ forensic procedures, including those not related to sexual assault)
- ensuring that access to forensic procedures is restricted to those persons reasonably necessary or required by statute.

The CL(FP) Act does not provide the Ombudsman with specific power to make recommendations, but the following suggestions were made with a view to achieving improvements to practice or to the recording of procedures:

³ Section 21(3) of the *Criminal Law (Forensic Procedures) Act 2007* provides:

If reasonably practicable, a forensic procedure that involves exposure of, or contact with, the genital or anal area, the buttocks or the breast region of a female person or a transgender or intersex person who identifies as female, must not be carried out by a person of a different sex (other than at the request of the person on whom the forensic procedures is to be carried out).

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1. That the Commissioner of Police consider amending the form PD425 to clarify that a relevant person for the purpose of authorising a forensic procedure on a volunteer or victim who is a protected person, and an appropriate representative for witnessing a forensic procedure carried out on a volunteer or victim who is a protected person, have different definitions. The forms should clearly indicate that an appropriate representative must be chosen in accordance with the hierarchy of section 25(3), and evidence of consideration is to be recorded where a relative or friend is not available.
2. That the Commissioner of Police consider amending the PD425 form to include:
 - a question, or question similar to, 'In the case of an intrusive procedure (where section 21(3) applies), is it reasonably practicable to have [a] person conducting the procedure of the same gender as client?' with a Yes or No tick box
 - a question, or question similar to, 'If no, does client consent to FME with a person conducting the procedure NOT of the same gender?' with a Yes or No tick box.
3. That the Commissioner of Police consider amending the form PD184A, used for recording volunteers and victims procedures, to remove the term 'Transsexual' under the criteria of Sex, and replace it with the term 'Intersex'.
4. That the Commissioner of Police consider amending the relevant forms to include a prompt to ask the suspect the following question:
 - 'Do you have a relative or friend that you wish to have present?'The form should have a checkbox to record 'Yes' or 'No', and space to record reasons if the suspect requests a relative or friend, and a relative or friend is unavailable.
5. That the Commissioner of Police remind relevant police officers that a copy of the PD430 must be given to the suspect and that fact recorded on the form at the time of completing the application.
6. That the Commissioner of Police remind relevant police officers of the importance of completing the entirety of the PD431, including that a copy of the record must be given to the suspect at the time when the order is made.
7. That the Commissioner of Police remind relevant police officers of the requirements of the General Order 'Forensic procedures', namely, that once the audio-visual recording has commenced, they should:
 - introduce themselves
 - invite all other persons present to introduce themselves
 - seek an acknowledgement from the suspect that no persons other than those identified are present in the room.
8. That the Commissioner of Police consider making training material for contracted nurses available to SA Health to distribute as appropriate.

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9. That the Commissioner of Police:
 - remind relevant police officers that alternative provider options must be explored to ensure compliance with section 21(3) of the CL(FP) Act, and
 - the suspect's preference as to the sex of the person carrying out the procedure should be recorded on the PD431.
10. That the Commissioner of Police consider amending the aide memoire to include a prompt for senior police officers to advise that the suspect may, at their own expense, organise for a medical practitioner of their choice to witness the procedure and provide space to record the suspect's response.
11. That the Commissioner of Police remind relevant police officers of the importance of restricting access to forensic procedures to those persons who are necessary for the carrying out of the procedure and/or to satisfy any relevant statutory requirements.

The Commissioner of Police has advised my Office that all recommendations have been implemented.

The report can be viewed at: <https://www.ombudsman.sa.gov.au/publication-documents/audit-reports/2022/Audit-of-compliance-with-the-CLFP-Act-2007-September-2022.pdf>



Freedom of Information Act jurisdiction

Freedom of Information Act Jurisdiction

The *Freedom of Information Act 1991 (FOI Act)* gives every member of the public a right of access to documents held by state government-related agencies, Ministers, statutory authorities, councils, public hospitals and universities, subject to certain exceptions. Examples of documents that may be exempt include:

- documents that would lead to an unreasonable disclosure of another person's personal affairs
- documents that contain trade secrets or information of commercial value
- documents affecting law enforcement and public safety
- documents of exempt agencies as declared by the *Freedom of Information (Exempt Agency) Regulations 2008*.

Parties who are dissatisfied with determinations made by agencies may apply to my Office for an external review of the decision concerning access to documents. I can confirm, vary or reverse the agency's determination. In some cases, my Office may facilitate a settlement between parties.

The FOI Act also gives any person a right to have records which concern their personal affairs amended, if those records are incomplete, incorrect, out of date or misleading. I am also able to review agency decisions in relation to the amendment of records.

Parties to a FOI matter may have my determination reviewed by the South Australian Civil and Administrative Tribunal (prior to 8 December 2016 the appeal right lay to the District Court).

External reviews

This year my Office received slightly fewer external review applications in comparison with the 2021-22 reporting year. In 2022-23, 322 review applications were received, which is a 15% decrease from the previous year where 378 applications were received.

The majority of external review applications received this year related to determinations by SA Police (18%), the Department for Correctional Services (12%), and the recently established Office of Hydrogen Power (7%). Consistent with previous years, the primary reason for seeking review concerned deemed access refusals (27%), where agencies had failed to determine the applications within the required statutory timeframe.

Members of Parliament continue to make frequent use of this Office's external review function, accounting for 37% (119 of 322) of applications received.

My team of legal officers managed to finalised 287 external review requests, with 178 matters (62%) finalised by way of formal determination. Of those formal determinations, 40% of agency determinations were confirmed, 14% were reversed, and 46% were varied. Of the remaining matters finalised, 38% were resolved by way of withdrawal following intervention from my Office or by settlement between the parties. My legal officers continue to develop their skills in facilitating negotiation between parties to resolve matters with expedience.

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Pleasingly, the average time taken to complete external reviews continues to decrease. In 2022-23, the average number of days taken to finalise an external review has dropped to 57 days, compared with 86 days in 2021-22, and 153 days in 2020-21.

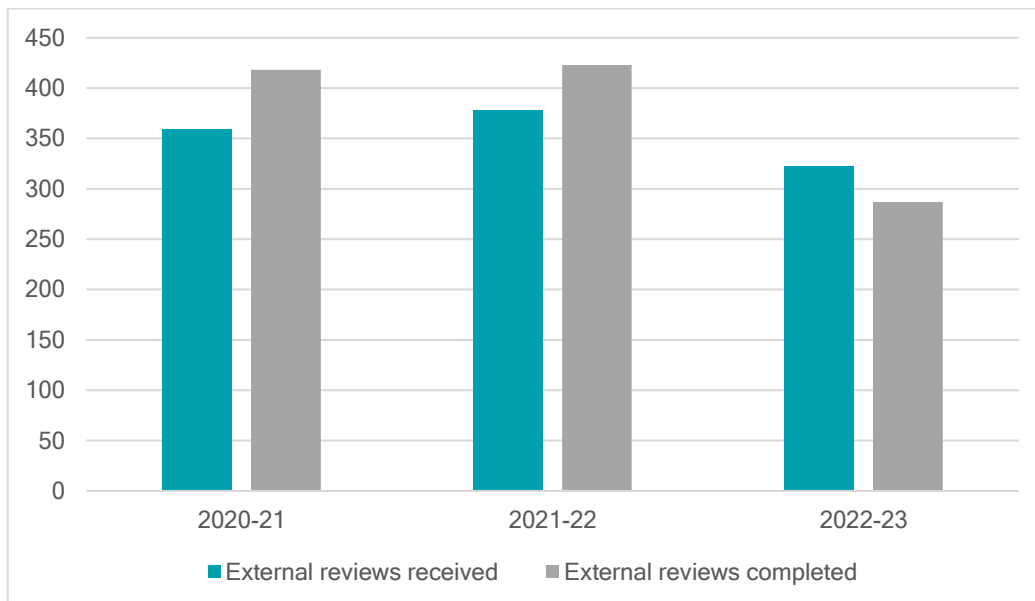
The efficiencies of my Office in completing external reviews have been recognised at a national level during the Commonwealth Parliament’s Senate Standing Committee on Legal and Constitutional Affairs inquiry into ‘The Operation of the Commonwealth Freedom of Information (FOI) laws’. Submissions have been provided to the Committee highlighting the expedience of this Office’s external review process, and the efficiency of my Office in providing consistent and timely determinations.⁴

I exercised my power under section 39(4) of the FOI Act to publish nine of my formal, external review determinations on the Ombudsman SA website. These may be accessed at: <https://www.ombudsman.sa.gov.au/publications/foi-determinations>.

Breakdown of external reviews received and completed by year

FOI JURISDICTION	2020-21					2021-22					2022-23				
	Government Departments	Local Government	Other Authorities	Minister	Total	Government Departments	Local Government	Other Authorities	Minister	Total	Government Departments	Local Government	Other Authorities	Minister	Total
External reviews received	189	33	113	24	359	277	25	69	7	378	202	28	48	44	322
External reviews completed	208	34	126	50	418	293	35	85	10	423	179	22	47	39	287

External reviews received and completed by year



⁴See: [https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal and Constitutional Affairs/CommonwealthFOI2023/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/CommonwealthFOI2023/Submissions)

External reviews completed within time periods for the last three financial years

	<30 days	<120 days	<180 days	<270 days	<365 days	>365 days	Total
2020-21	63	161	66	61	28	39	418
2021-22	75	271	67	8	1	1	423
2022-23	91	190	3	2	1	0	287

Complaints about FOI matters

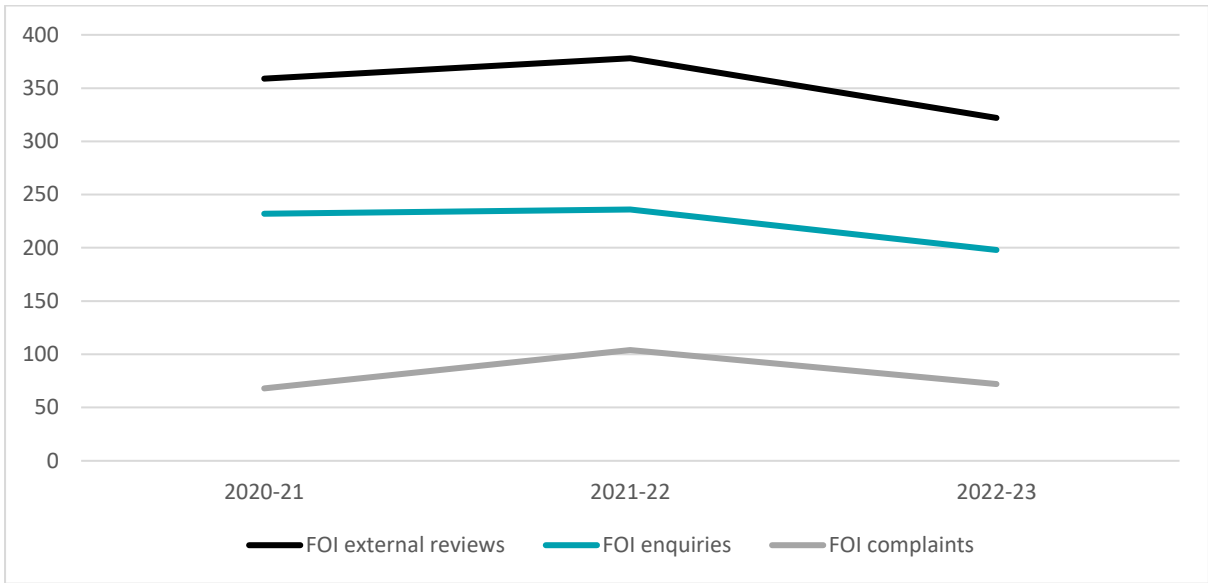
This year there was a decrease in requests to my Office for FOI advice, with 198 requests for advice received compared with 236 requests during 2021-22. My Office also received a 30% decrease in FOI complaints, with a 48% decrease in complaints relating to FOI practices and procedures. My Office has commenced monitoring agency compliance with my external review determinations, which appears to be driving an improvement in agency compliance contributing to fewer complaints regarding FOI practices and procedures. I am pleased to note that my Office has received 75% fewer complaints this year from applicants regarding failure to give effect to an external review determination compared with the 2021-22 financial year.

My team of legal officers reduced the timeframe for dealing with these complaints from 55 days in 2021-22 to 34 days in this year. This amounts to a 38% increase in timeliness for finalising complaints during 2022-23.

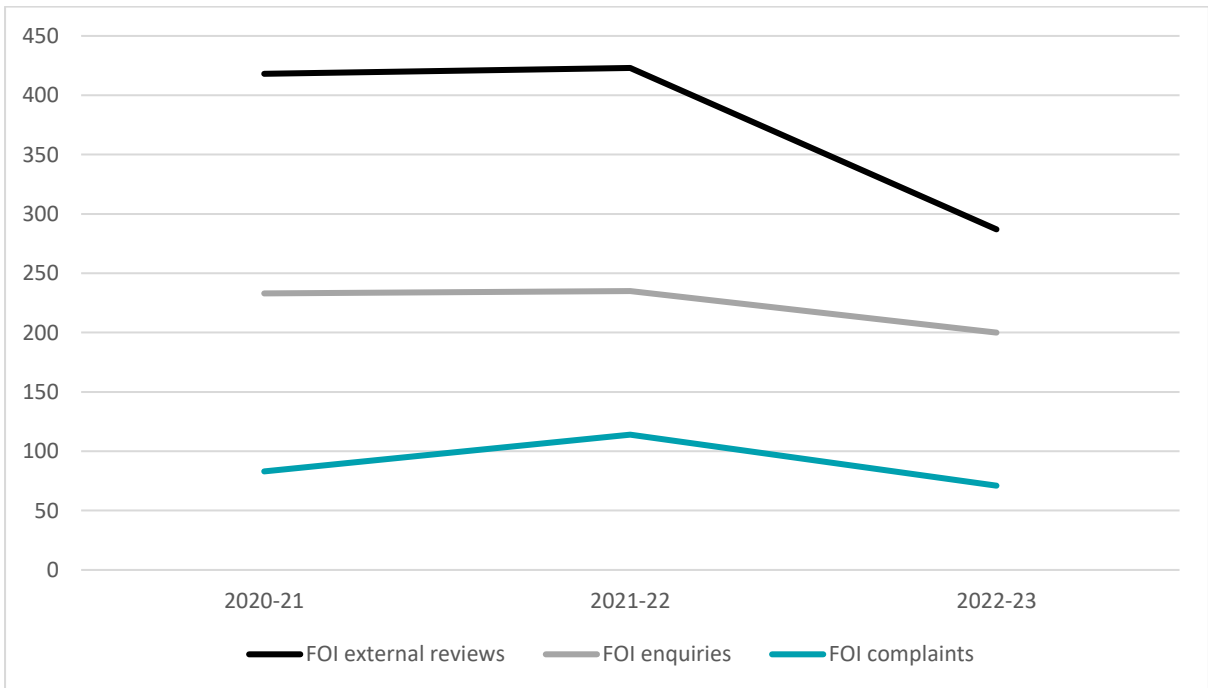
FOI matters received and closed by year

Matter type	2020-21		2021-22		2022-23	
	Received	Closed	Received	Closed	Received	Closed
FOI external reviews	359	418	378	423	322	287
FOI enquiries	232	233	236	235	198	200
FOI complaints	68	83	104	114	72	71
Summary of FOI complaints						
FOI practices and procedures	47	62	82	87	43	42
Sufficiency of search	21	21	22	27	29	29

Received external reviews, complaints and enquiries about FOI matters



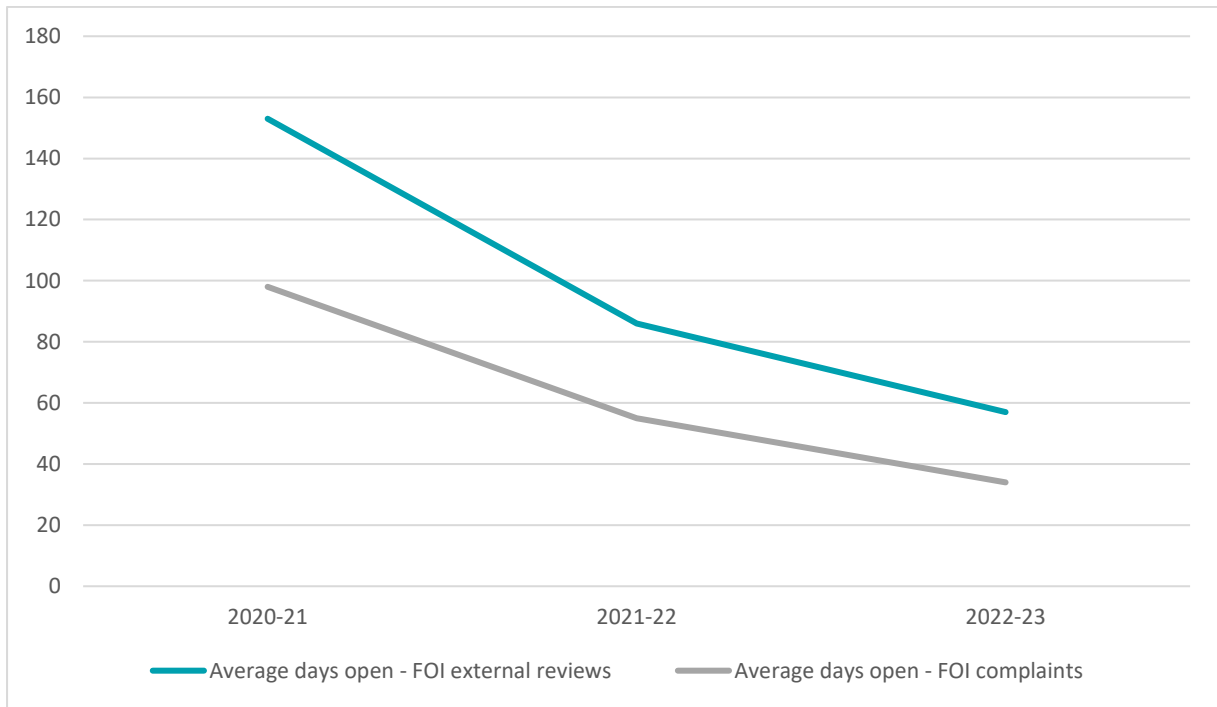
Completed external reviews, complaints and enquiries about FOI matters



Average days open for external reviews and complaints

	2020-21	2021-22	2022-23
Average days open - FOI external reviews	153 days	86 days	57 days
Average days open - FOI complaints	98 days	55 days	34 days

Average days open for external reviews and complaints by year





Other activities

Submissions

I provided a written submission to the review of the *Children and Young People (Safety) Act 2017* in November 2022. My submission recommended:

- changes to the language of priorities and principles articulated in Chapter 2 of the Act
- improvements to section 12 of the Act regarding the application of the Aboriginal and Torres Strait Islander Child Placement Principle
- changes to section 33 so that further guidance is provided in relation to how referrals to other authorities are managed by the department so as to ensure that children and young people are protected from harm
- an amendment to section 164 of the Act to authorise the disclosure of information where necessary to prevent a serious risk to the health and safety of a person.

In May 2023, the Attorney-General invited me to make a submission on the *Members of Parliament (Register of Interests) Regulations 2008* which are due to expire on 1 September 2023. In June 2023, I provided a brief submission highlighting the need for 'material conflict of interest' to be defined and for further guidance to be provided as to the level of detail of an interest required for the Register.

Conferences

In August 2022, I hosted a meeting of Parliamentary Ombudsmen from all Australian and New Zealand jurisdictions. Over two days we discussed developments and challenges in each of our jurisdictions and benefitted from a presentation by Associate Professor Dr Laura Grenfell reviewing the role of oversight bodies during the Covid pandemic state of emergency. A second meeting of Australian and New Zealand Ombudsmen was held in Hobart, Tasmania, in March 2023.

In October 2022, I travelled to Wellington, New Zealand, to represent South Australia at the New Zealand Ombudsman 60th Anniversary address and dinner. This coincided with the conference of the Asia Pacific Ombudsman Region where I delivered a presentation on the inter-relationship between the Ombudsman role and anti-corruption bodies.

In the reporting period, I attended two conferences of the Association of Information Access Commissioners. I am a member of this group by virtue of my role as an external reviewer of Freedom of Information determinations under the *Freedom of Information Act 1991*. The first meeting was in Wellington, New Zealand, in December 2022 and the second was in Sydney, New South Wales, in June 2023. These meetings have been useful in comparing the issues we each face as oversight bodies in this field and the performance of our respective statutory regimes governing access to government held information.

Response to COVID-19 pandemic

In this reporting year, the Office received five enquiries on COVID-19 related issues and 44 complaints about government actions in regard to COVID-19 restrictions and related issues. This was a significant decrease in complaints from the last period.

The majority of complaints concerned the Department for Health and Wellbeing, with issues varied but including mandatory vaccination requirements for nursing homes, complaints about past hotel quarantine requirements and billing for hotel quarantine.

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Other complaints relating to COVID-19 mainly concerned the Department for Correctional Services, although my Office only received a comparatively small number of complaints about the Department, with seven received in the period. The majority were about the placement of COVID-positive prisoners, as well as a small number of other varied issues, but I did not identify any systemic issues warranting further enquiries using my own initiative powers.

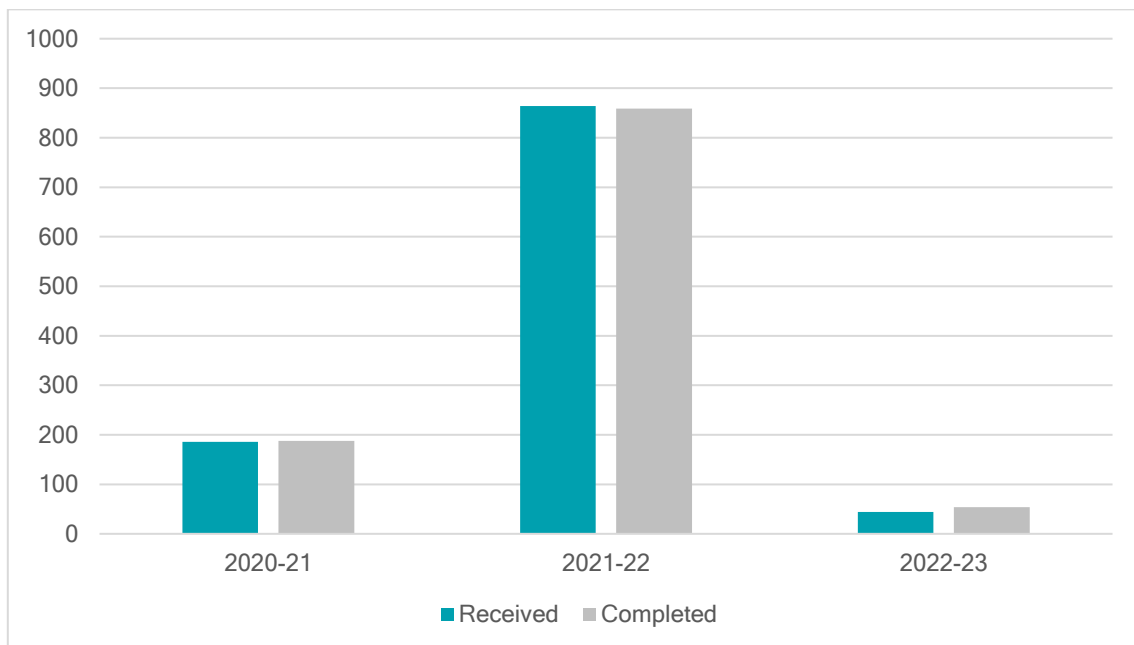
My Office also received a very small number of complaints about other agencies, including SA Ambulance, the Department for Education and the University of South Australia.

My Office only deemed it necessary to contact the agency in relation to one complaint, and it was determined not to be in the public interest to take any action in response to the rest of the complaints. On receiving a response on the one matter I made enquiries about, I was satisfied that there was no error by the agency. I have not needed to escalate any complaints to formal investigation.

COVID-19 related complaints and referrals received and completed by year

	2020-21	2021-22	2022-23
Received	186	864	44
Completed	188	859	54

COVID-19 related complaints received and completed by year



Overview of the Department for Health and Wellbeing's response to COVID-19 using my 'own initiative' powers

In October 2022, given the easing of COVID-19 restrictions, I provided the newly appointed Chief Executive of the Department for Health and Wellbeing an overview of my Office's experiences of the department's handling of the COVID-19 pandemic response. I also provided a copy to the Police Commissioner, the Attorney-General's Department, the Department of the Premier and Cabinet, the Covid 19 Direction Accountability and Oversight Committee and the Crime and Public Integrity Policy Committee.

The purpose of reviewing and providing information about the work of my Office, and the complaints made by members of the public about the department's response to the pandemic, was to provide useful learnings for any future health emergency that may face South Australia.

I commenced by acknowledging the highly effective public health response to the pandemic in South Australia, as well as the dedication and effort of the staff of the department, and particularly those on the front-line.

I advised the Department that by 30 June 2021, my Office had received more than 200 complaints about government actions in response to COVID-19 since the commencement of the pandemic, and that the majority of these complaints concerned the Department for Health and Wellbeing, with issues mostly related to requests for quarantine exemptions and mandatory vaccination exemptions, as well as cross border travel. I further advised that other complaints mainly concerned the South Australian Police (**SAPOL**) and cross border travel applications, but that my Office only received a very small number of complaints about other agencies.

I set out the issues that my Office received complaints about, with the majority being about:

- refusals and delays in granting exemptions for unvaccinated people
- hotel quarantine requirements
- mandatory requirements (mask and vaccine)
- communication, and
- technology issues.

In response to COVID-19 related complaints made to my Office about the department I was generally of the view that many of the complaints were not matters that were appropriate for my Office to be dealing with, given that they were decisions which were reasonably open to the department to make based on an assessment of risk to public health.

My review explained that many people who complained to my Office about COVID-19 related issues had resorted to contacting my Office due to a lack of any other means to have their issues explained or responded to by the department. These people were often frustrated about not being able to seek timely and accurate information or responses from the department by either telephone or email.

By considering the complaints made to my Office relating to different agencies within my jurisdiction, I was able to provide an independent view of the issues that arose for members of the public when dealing with these agencies during the pandemic. However, whilst my jurisdiction to take complaints about South Australian agencies is broad, it also has limitations.

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My Office has oversight of the administrative actions of the department; however, health related decisions are dealt with by the Health and Community Complaints Commissioner.

Similarly, my Office has oversight of the administrative actions of the South Australian Police; however, the Office for Public Integrity has oversight of the conduct of individual police officers. This meant that no one body in South Australia had oversight of the government's handling of the pandemic.

I understand that it was necessary for the management of the pandemic in South Australia to be multi-agency, given the scale of the pandemic and the significant public health risks. However, the existing oversight system in South Australia is not designed to align with a multi-agency response, and so it created some challenges for my Office.

It was, at times, difficult to determine which agency was responsible for a given decision raised by a complaint, or whether in fact multiple agencies may have had input to the decision. It was also difficult at times to establish whether my Office was the appropriate oversight body to deal with a complaint. No doubt, this was more confusing for complainants.

My review also identified that my Office had received numerous complaints from people when they were unable to use the technology required to deal with the department during the pandemic. The reasons for contacting my Office about technology issues varied but included, for example, complaints that:

- the technology was not working as it should
- it was not possible to log in from overseas
- identity documentation that they did not have were required to access the applications
- they lacked the necessary skills to use the technology, or
- they did not have access to the required technology.

My review considered the legal framework used to manage the pandemic. In South Australia, the primary tool used to 'legislate' the pandemic response was not legislation made by the people's duly elected Parliament, but largely by 'Directions' issued by the Commissioner of Police, being the State Co-ordinator under the *Emergency Management Act 2004 (SA)*. The declaring of a state of emergency from 22 March 2020 until 24 May 2022, empowered the State Co-ordinator to issue Directions detailing COVID-19 restrictions and controls.

I understand that these Directions were necessary in that they allowed for rapid and flexible action to meet rapidly changing circumstances. However, the Directions also allowed for Executive action which imposed significant intrusions on individual rights to be taken without ordinary Parliamentary consideration and oversight.

People who contacted my Office reported that the frequent changes to the Directions left them feeling overwhelmed, confused and uncertain about what they could and could not do on any given day. Further adding to the uncertainty was that the Directions were numerous, were frequently modified, highly legalistic and, at times, extremely confusing and difficult to understand.

My legal officers reported difficulties in interpreting the Directions, as well as reconciling decisions made by the department with the relevant Direction in place at the time. On occasions, decisions made by the department seemed at odds with the Direction in place. It became apparent to my Office early in the pandemic that staff of the department did not always understand the complexities of the Directions and were not always basing decisions on them. In other circumstances I would have considered it in the public interest to conduct

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an investigation into the lack of compliance with the Directions. However, given the risk to public health and the rapidly changing circumstances at the time I decided not to.

Lastly, my review considered people's access to information during the pandemic. COVID-19 brought unprecedented challenges for our society and required public authorities to make significant decisions that affected public health, civil liberties and people's prosperity. In these circumstances, and when transparency was curtailed due to the Executive action being so urgent that it had to take place in the absence of the usual means of democratic transparency, such as parliamentary or public debate, transparency about how such decisions are made is vital.

I recognised that during a global pandemic resources will understandably be focused on protecting public health, however, the importance of the right to access information remains. Making government-held information available to the public is essential to building trust in the community. Greater transparency in the government's crisis response would result in greater public confidence in government decisions. Transparency and access to decisions, reasons and relevant material, would help to bring the public on board with decisions made in the interest of protecting public health.

I advised that, should we face similar circumstances in the future, I would encourage the planning in advance of processes for proactively releasing non-personal information surrounding decisions, including:

- a requirement to publish within seven days a statement of reasons for a decision to make Directions, including any relevant Chief Health Officer's advice
- entrenching proactive disclosure of non-personal information into department practices
- adopting a transparent approach to services delivery, decision-making and disclosure of information
- establishing proactive disclosure mechanisms
- identifying, on a continual basis, categories of information, including data, suitable for proactive disclosure.

In looking back on the challenging and unprecedented years of the COVID-19 pandemic, I noted that there was nothing that I saw to fault the genuine dedication and commitment of those who worked tirelessly to manage and mitigate the pandemic. I hope that in the work that my Office did it contributed positively to these efforts and that my suggestions provided valuable lessons for the future.

In summary, the suggestions I made based on my insights from complaints to my Office for any future health emergency that may face South Australia were as follows:

- be proactive about keeping oversight bodies informed
- provide oversight bodies with clear points of contact where they can receive rapid responses to complaints or queries
- establish complaint handling and review mechanisms in the department
- consider whether establishing a first-stage multi-agency complaint mechanism is necessary
- ensure there is a central source of accurate and up to date information, both for members of the public and for oversight bodies
- ensure that the public can have their questions answered (this could include staff of any telephone information line being able to seek relevant information or escalate matters for resolution)
- ensure that any published information about application processing times is realistic

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- ensure the public is provided clear information as to different oversight bodies and their roles
- provide a dedicated service to address any technology issues faced by the public in using the required applications
- consider alternative access to required application processes for people unable to use the technology
- ensure that any emergency orders or directions are clear, comprehensible, and not overly legalistic
- embed requirements for reasons to be given for any decisions affecting people's rights
- establish and embed processes for proactively disclosing non-personal information surrounding decisions
- establish a mechanism to expeditiously release personal information to people without them having to go through the Freedom of Information process.

Public Interest Disclosure Act disclosures

I am a 'relevant authority' for the purposes of receiving disclosures under the *Public Interest Disclosure Act 2018* where the information relates to an agency to which the Ombudsman Act applies. I am required to take action and to notify the informant and the Office for Public Integrity of action taken, and the outcome.

PID Disclosures received during 2022-23

	Disclosures
Government Departments	24
Local Government	66
Councils	49
Elected Members	17
Other Public Officers and Authorities	25
Total	115

Prison visits

During the reporting period, members of my staff and I visited:

- Mobilong Prison
- Port Lincoln Prison
- Cadell Training Centre

The visits were informative and helpful in increasing our understanding of prison operations. The visits consisted of a tour of the facilities as well as a variety of opportunities to speak directly with prisoners and prison staff. All three prisons appeared to be well maintained with some high quality facilities and programs directed towards rehabilitation.

The primary opportunity to engage with prisoners has been through prisoner-led consultative committees. Concerns raised at each of these committees broadly related to:

- how prisoner property is managed
- conduct of some prison staff, including the use of searches and the use of force
- how prisoners communicate with my Office
- processes around personal and professional visits, following the removal of arrangements relating to managing COVID-19.

The visits also provided an opportunity for my staff and I to discuss the functions of my Office with prisoners and staff, such as when and how to make a complaint, and what happens when a complaint is made.

My Office will continue to visit prisons during the next reporting year.

Stakeholder engagement and education

The Ombudsman Act provides my Office with two broad and interconnected functions in relation to stakeholder engagement and education:

- to assist agencies to identify and deal with inappropriate or improper administrative acts, and
- to conduct or facilitate the conduct of educational programs or the publication or distribution of educational materials designed to prevent or minimise misconduct and maladministration in public administration.

Throughout the reporting year, we have steadily worked towards implementing an educational and engagement program and materials in line with these functions, based on the following principles:

- *creating awareness* of the characteristics of ethical and appropriate administrative action and decision making, including for example, how to prevent or minimise misconduct and maladministration
- *building capacity* for improved governance and public administration
- *identifying opportunities for systemic improvement*, most often through the exercise of the investigative function of my Office
- *collaboration and engagement*, in particular, communication, consultation and collaboration with public sector agencies, local government, and community organisations.

Within this framework, my staff and I have conducted information sessions with various agencies and interested organisations.

Local Government

Throughout the year, my Office spoke with local government organisations, associations, and councils on a number of occasions. The issues discussed centred on integrity in local government. For example:

- I spoke at the Local Government Elections Breakfast on the topic of Local Government Elections and the Code of Conduct, in readiness for the Local Government Elections held in November 2022
- I spoke at the Eyre Peninsula Local Government Regional CEO's forum on preventing or minimising misconduct and maladministration in a local government context
- the Deputy Ombudsman and I spoke to the City of Onkaparinga on the application of the new behaviour and integrity provisions introduced in the amendments to the Local Government Act that commenced in November 2022.

South Australian Public Sector

The reporting year also brought a number of opportunities to specifically engage with agencies within the South Australian public sector, outside of dealing with complaints, reports or applications for review. For example, during the year, members of my staff and I:

- spoke with the Office for Public Integrity on my approach to maladministration
- presented to the Office of the Guardian for Children and Young People regarding the functions of the Ombudsman and referring matters to my Office. Under section 12B(4) of the Ombudsman Act, the Guardian may make a complaint to my Office, notwithstanding they are not directly affected by the act to which the complaint relates
- spoke to the Crown Solicitor's Office on how my Office has dealt with change as an integrity agency.

I was also pleased to speak on the role of my Office at the launch of the Public Sector Integrity Framework led by the Commissioner for Public Sector Employment.

Other organisations

My Office engaged with other organisations and associations in the community throughout the reporting year. For example, members of my staff and I:

- presented to the Australian Institute of Administrative Law regarding the Ministerial Code of Conduct and perceived conflicts of interest
- spoke about the Ombudsman's Child Protection jurisdiction at a Legal Professional Development day organised by Connecting Foster and Kinship Carers SA, the independent, peak representative body for foster and kinship carers across South Australia
- spoke at the National Public Sector Governance Forum on developments in the Ombudsman's functions, including investigation of misconduct and maladministration
- presented a guest lecture at the University of Adelaide Law School regarding the application of established human rights principles in exercise of the Ombudsman's functions
- presented to the Aboriginal Legal Rights Movement on the Ombudsman's functions and jurisdiction.

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About Ombudsman SA

What we do

The Ombudsman is empowered to:

- investigate the administrative acts of state government agencies, local government councils and statutory authorities; and also misconduct and maladministration in public administration
- conduct audits of the administrative practices and procedures of state government agencies, local government councils and statutory authorities
- conduct Freedom of Information reviews about release of information
- receive information about state and local government activities confidentially from informants under the *Public Interest Disclosure Act 2018*
- investigate complaints about breaches of service standards under the *Return to Work Act 2014*.

The aim of Ombudsman SA is to safeguard fairness and integrity in public administration for the benefit of South Australians.

Visit our website for further information about our services or to register a complaint directly online: www.ombudsman.sa.gov.au.

The investigation process

Any party who is directly affected by an administrative act of a government department, council or statutory authority under our jurisdiction can make a complaint.

Investigations may be initiated by Ombudsman SA in response to a complaint received by telephone, in person, in writing or through the website from any person (or an appropriate person acting on another's behalf); a complaint referred to the Ombudsman by a Member of Parliament or a committee of Parliament; or on the Ombudsman's own initiative. We may also undertake audits of the administrative practices and procedures of an agency.

If the Ombudsman decides to investigate a complaint, we advise the agency and the complainant accordingly. As part of this process, we identify the issues raised by the complainant along with any other issues that we consider relevant. The Ombudsman can choose to undertake enquiries or a formal investigation. If the Ombudsman decides not to investigate, the complainant is advised of this, along with the reasons for the decision.

Investigations are conducted in private and we can only disclose information or make a statement about an investigation in accordance with specified provisions of the Ombudsman Act.

At the conclusion of an investigation, the Ombudsman may recommend a remedy to the agency's principal officer, or recommend that practices and procedures are amended and improved to prevent a recurrence of the problem.

The Ombudsman should not in any report, make adverse comments about any person or agency unless they have been provided with an opportunity to respond. The Ombudsman may make a recommendation to Parliament that certain legislation be reviewed.

We will often publish our reports and determinations on our website at www.ombudsman.sa.gov.au.

Our jurisdiction

Certain agencies and matters are outside Ombudsman SA's jurisdiction. We do not have the power to investigate actions and decisions of:

- private persons, businesses or companies
- Commonwealth or interstate government agencies
- government Ministers (unless misconduct or maladministration) and Cabinet
- courts and judges
- legal advisers to the Crown.

The Ombudsman can decide whether to commence or continue an investigation. Some of the factors that may influence this decision include whether the matter is more than 12 months old; whether the complainant has a legal remedy or right of review or appeal and whether it is reasonable to expect the complainant to resort to that remedy; or whether a complaint appears to be frivolous, trivial, vexatious, or not made in good faith. In some cases an investigation may not be warranted, such as where an agency is still investigating the complaint or a complaint has not yet been made to the agency, or where another agency is more appropriate to deal with the complaint.

Referral to other jurisdictions

Ombudsman SA also has an important referral role. Even though we may be unable to be of direct assistance to people who approach the office about matters that are not within our jurisdiction, we are often able to refer them to another appropriate source of assistance.

Service principles

If the complaint is within the Ombudsman's jurisdiction, we will, in normal circumstances:

- provide an accessible and timely service, with equal regard for all people with respect for their background and circumstances
- provide impartial and relevant advice and clear information about what we can and cannot do
- provide timely, impartial and fair investigation of complaints
- ensure confidentiality
- keep people informed throughout the investigation of a complaint
- provide concise and accurate information about any decisions or recommendations made and provide reasons wherever possible.

Complaints about Ombudsman SA

In accordance with Premier and Cabinet Circular 013, I report that my Office responded to 33 complaints made about my Office in the 2022-23 financial year. I provide a de-identified summary below.

Number	Title	Matter Outcome
2022/03085	Complaint about OSA decision	OSA Decisions\No Internal Review
2022/03183	Complaint about OSA decision	OSA Decisions\No Internal Review
2022/03487	Complaint about OSA decision	OSA Decisions\No Internal Review
2022/03663	Complaint about OSA decision	OSA Decisions\No Internal Review
2022/04753	Complaint about OSA decision	OSA Decisions\No Internal Review
2022/05428	Complaint about OSA service	OSA Services\Not substantiated
2022/05473	Complaint about OSA decision	OSA Decisions\No Internal Review
2022/05501	Complaint about OSA decision	OSA Decisions\No Internal Review
2022/05601	Complaint about OSA service	OSA Services\Not substantiated
2022/05752	Complaint about OSA decision	OSA Decisions\No Internal Review
2022/06258	Complaint about OSA decision	OSA Decisions\No Internal Review
2022/06321	Complaint about OSA decision	OSA Decisions\No Internal Review
2022/06531	Complaint about OSA service	OSA Services\Not substantiated
2022/06586	Complaint about OSA decision	OSA Decisions\No Internal Review
2022/06600	Complaint about OSA decision	OSA Decisions\No Internal Review
2022/06957	Complaint about OSA service	OSA Services\Not substantiated
2022/07135	Complaint about OSA decision	OSA Decisions\No Internal Review
2023/00074	Complaint about OSA service	OSA Services\Not substantiated
2023/00325	Complaint about OSA service	OSA Services\Not substantiated
2023/00363	Complaint about OSA service	OSA Services\Not substantiated
2023/00364	Complaint about OSA service	OSA Services\Not substantiated
2023/00441	Complaint about OSA service	OSA Services\Not substantiated
2023/00669	Complaint about OSA service	OSA Services\Not substantiated
2023/00675	Complaint about OSA decision	OSA Decisions\No Internal Review
2023/01037	Complaint about OSA service	OSA Services\Not substantiated
2023/01280	Complaint about OSA decision	OSA Decisions\No Internal Review
2023/01389	Complaint about OSA decision	OSA Decisions\No Internal Review
2023/01500	Complaint about OSA decision	OSA Decisions\No Internal Review
2023/01571	Complaint about OSA service	OSA Services\Not substantiated
2023/01623	Complaint about OSA service	OSA Services\Not substantiated
2023/01726	Complaint about OSA decision	OSA Decisions\No Internal Review
2023/02427	Complaint about OSA decision	OSA Decisions\No Internal Review
2023/02939	Complaint about OSA decision	OSA Decisions\Internal Review\Outcome confirmed

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There has been a slight rise in complaints about my Office from 25 in the previous reporting period to 33 in the current reporting period.

None of the 13 complaints about **service** were substantiated.

In one matter, however, while the reviewer did not consider that the complaint about my Office's services was substantiated, they had concerns about unresolved safety and other issues identified by the complainant in relation to the agency. In light of that, extensive enquiries were made with the agency. Once the reviewer was satisfied that the agency had appropriately responded to those issues, the file was closed.

Of 20 requests for internal review of my **decisions**, only one internal review was conducted, which confirmed the original decision not to investigate, and 19 requests were declined.

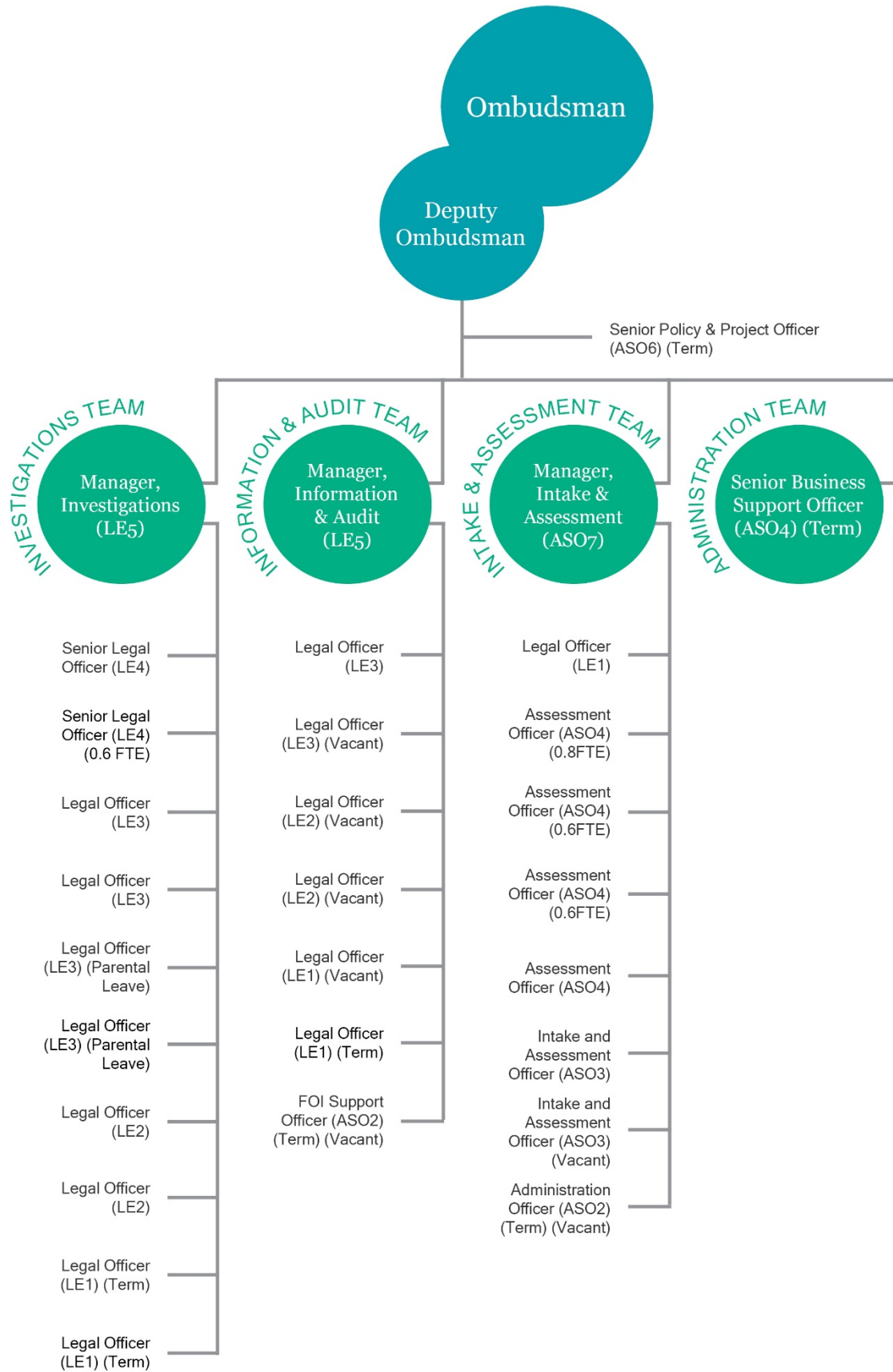
Only two of those declined requests for internal review related to an investigation, one of which was historical.

The remaining 17 requests related to decisions not to investigate. I have a broad discretion whether to investigate any particular complaint or report. It is only in exceptional circumstances that my Office would conduct an internal review in relation to a decision not to investigate.

That said, in some cases, while the reviewer declined the request for internal review, further enquiries with agencies were made. For example:

- the reviewer sought an explanation from an agency as to why an outcome had not been provided to a complainant, and confirmation that the outcome would be provided
- the reviewer sought a clearer explanation from an agency as to how a historical incident was reviewed, and communicated that to the complainant.

Organisational chart



As at 30 June 2023

Financial statement

Expenditure	2020-21	2021-22	2022-23
Annual report	0	0	0
Computer expenses	68,792	70,848	67,475
Equipment maintenance	0	0	0
Equipment purchases	293	5,155	2,280
* Fringe Benefits Tax	12,540	12,541	7,351
* Motor vehicles	15,494	15,120	14,793
Postage	3,518	1,481	1,725
Printing and stationery	1,968	876	1,447
Publications and subscriptions	1,897	2,259	327
Research Project	0	14,000	7,000
Staff development	14,627	6,329	10,331
Sundries	26,382	13,229	135,012
Telephone charges	7,436	5,376	4,981
Travel/taxi charges	257	3,575	11,338
Website development	47,949	0	0
Sub-total	201,152	150,789	264,060
*Accommodation and energy	214,873	213,616	212,780
Consultant/Contract staff/Prof costs	2,600	1,167	494
Sub-total	217,473	214,783	213,274
* Salaries	2,690,676	3,100,807	3,067,748
Sub-total	2,690,676	3,100,807	3,067,748
** Income	(354,000)	(361,000)	(368,000)
Sub-total	(354,000)	(361,000)	(368,000)
* Figures include expenses incurred by the Ombudsman position (funded by Special Acts)			
** Includes recovery of expenditure from ReturnToWorkSA			
Net expenditure	2,755,301	3,105,379	3,177,082

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Summary data

Ombudsman Act Jurisdiction

Government departments

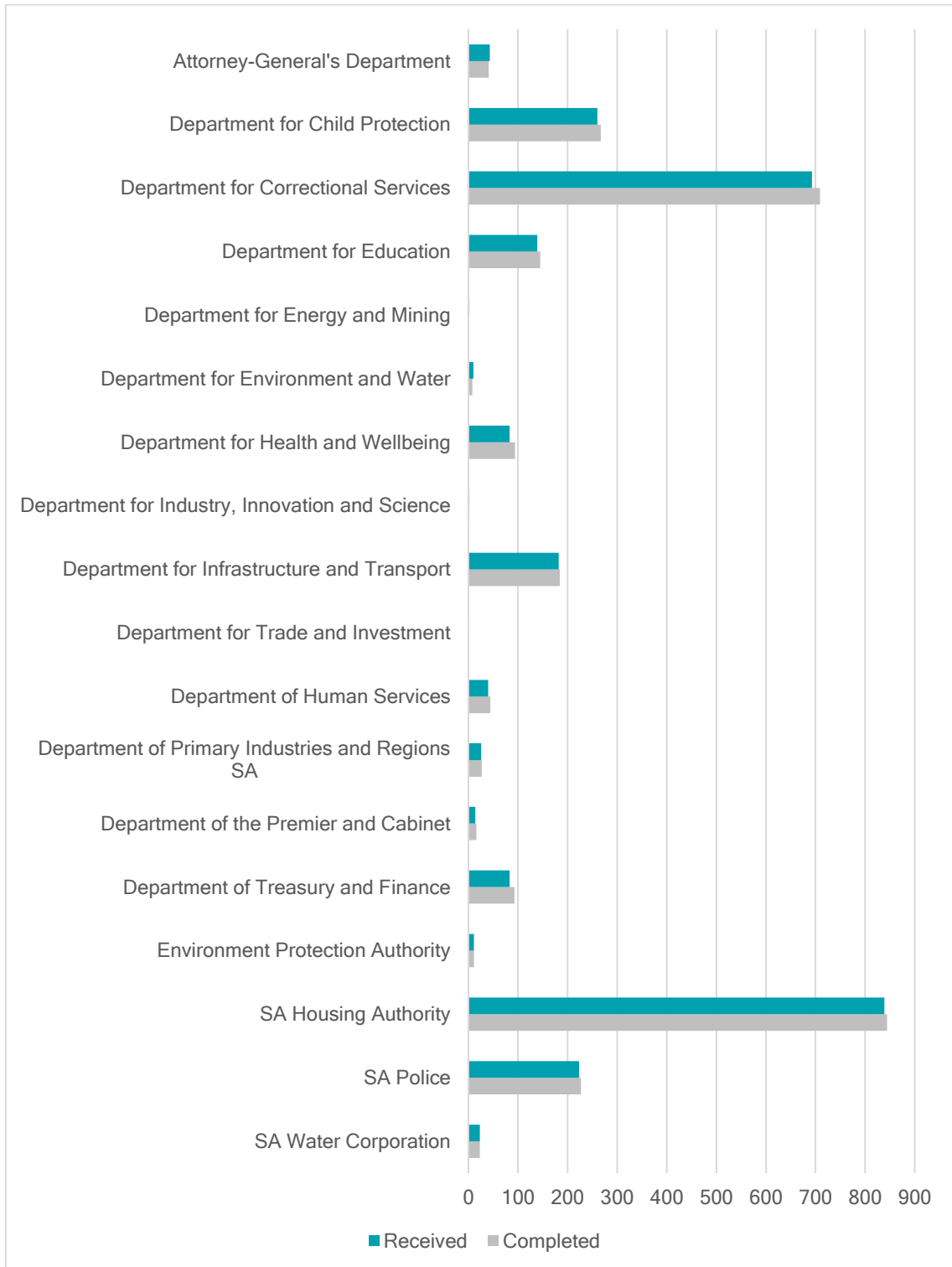
Summary tables

1 July 2022 - 30 June 2023

Complaints received and completed

Department	Received	%	Completed	%
Attorney-General's Department	43	1.61%	41	1.50%
Department for Child Protection	260	9.72%	267	9.76%
Department for Correctional Services	693	25.92%	709	25.90%
Department for Education	139	5.20%	145	5.30%
Department for Energy and Mining	2	0.07%	1	0.04%
Department for Environment and Water	10	0.37%	8	0.29%
Department for Health and Wellbeing	83	3.10%	94	3.43%
Department for Industry, Innovation and Science	2	0.07%	2	0.07%
Department for Infrastructure and Transport	182	6.81%	184	6.72%
Department for Trade and Investment	1	0.04%	1	0.04%
Department of Human Services	40	1.50%	44	1.61%
Department of Primary Industries and Regions SA	26	0.97%	27	0.99%
Department of the Premier and Cabinet	14	0.52%	16	0.58%
Department of Treasury and Finance	83	3.10%	93	3.40%
Environment Protection Authority	11	0.41%	11	0.40%
SA Housing Authority	839	31.38%	844	30.84%
SA Police	223	8.34%	227	8.29%
SA Water Corporation	23	0.86%	23	0.84%
Total	2,674	100.00%	2,737	100.00%

Government departments complaints received and completed



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Complaint outcomes

Outcome	Total	%
Complainant Cannot be Contacted	22	0.80%
Declined s12H\Other Good Reason (s12H (1)(c))	2427	88.67%
Declined s12H\Previously Dealt With (s12H (1)(c))	19	0.69%
Declined s12H\Referred to Other Agency (s12H(1)(b))	12	0.44%
Declined s12H\Resolved with Agency Co-operation (s12H)	128	4.68%
Discontinued (s13(2a))	1	0.04%
Investigation Outcome\Partly substantiated	2	0.07%
Investigation Outcome\Substantiated	3	0.11%
Out of Jurisdiction\12B\Complainant not directly affected	4	0.15%
Out of Jurisdiction\13(3)\Statutory or legal remedy	15	0.55%
Out of Jurisdiction\No administrative act	3	0.11%
Out of Jurisdiction\SAPOL officer conduct	48	1.75%
Out of Time (s12C)	3	0.11%
Own initiative - discontinued	11	0.40%
Withdrawn by Complainant	39	1.42%
Total	2,737	100.00%

Local government

Summary tables

1 July 2022 - 30 June 2023

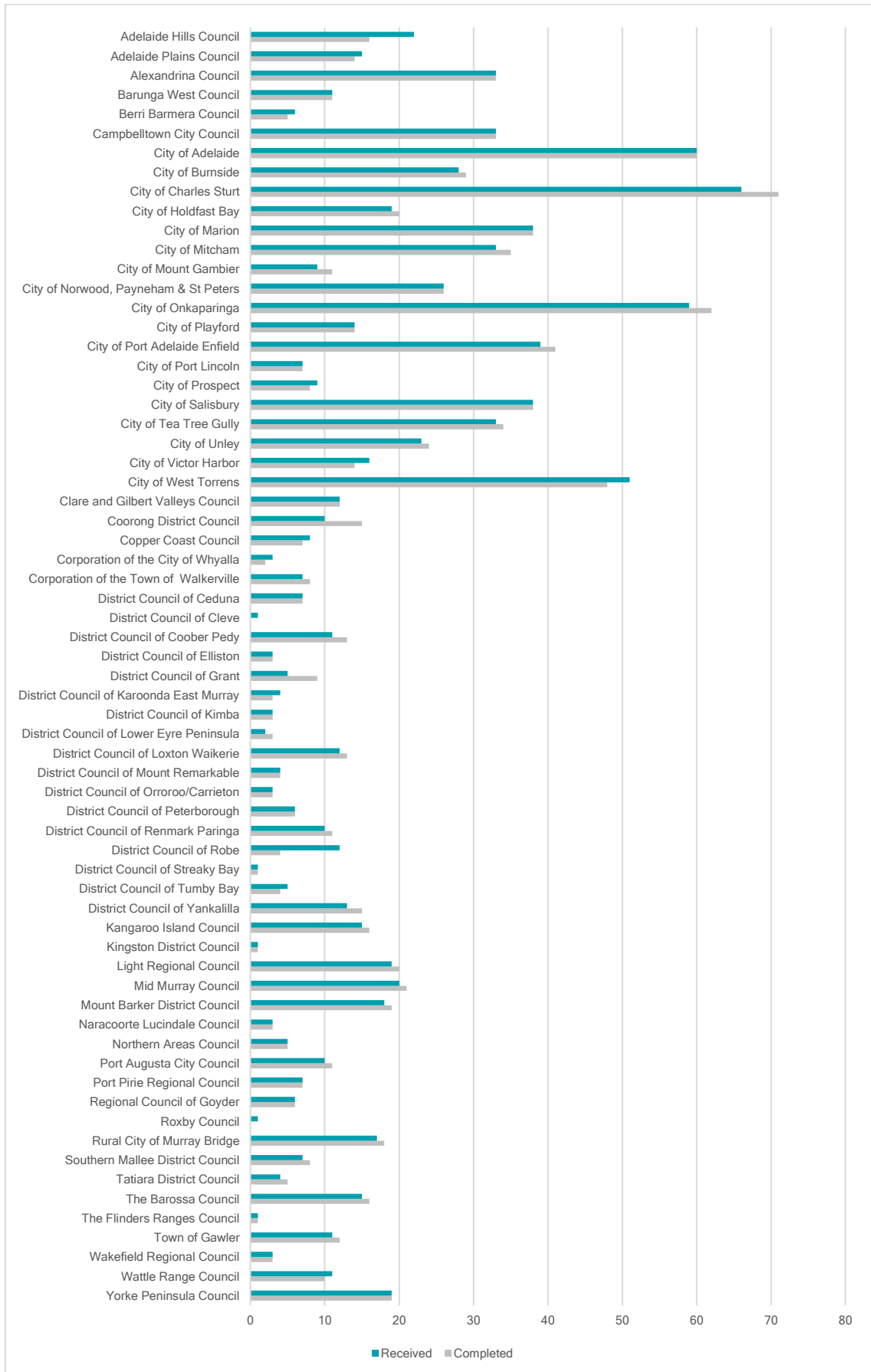
Complaints received and completed

Council	Received	%	Completed	%	Population 30 June 2022	Received / 10,000 pop	Completed / 10,000 pop
Adelaide Hills Council	22	2.15%	16	1.54%	41,448	5.31	3.86
Adelaide Plains Council	15	1.47%	14	1.35%	10,461	14.34	13.38
Alexandrina Council	33	3.23%	33	3.18%	29,780	11.08	11.08
Barunga West Council	11	1.08%	11	1.06%	2,676	41.11	41.11
Berri Barmera Council	6	0.59%	5	0.48%	10,713	5.60	4.67
Campbelltown City Council	33	3.23%	33	3.18%	56,013	5.89	5.89
City of Adelaide	60	5.87%	60	5.77%	26,120	22.97	22.97
City of Burnside	28	2.74%	29	2.79%	46,692	6.00	6.21
City of Charles Sturt	66	6.45%	71	6.83%	124,906	5.28	5.68
City of Holdfast Bay	19	1.86%	20	1.92%	38,061	4.99	5.25
City of Marion	38	3.71%	38	3.66%	96,658	3.93	3.93
City of Mitcham	33	3.23%	35	3.37%	68,403	4.82	5.12
City of Mount Gambier	9	0.88%	11	1.06%	27,771	3.24	3.96
City of Norwood, Payneham & St Peters	26	2.54%	26	2.50%	38,001	6.84	6.84
City of Onkaparinga	59	5.77%	62	5.97%	178,546	3.30	3.47
City of Playford	14	1.37%	14	1.35%	103,420	1.35	1.35
City of Port Adelaide Enfield	39	3.81%	41	3.95%	135,844	2.87	3.02
City of Port Lincoln	7	0.68%	7	0.67%	14,947	4.68	4.68
City of Prospect	9	0.88%	8	0.77%	22,741	3.96	3.52
City of Salisbury	38	3.71%	38	3.66%	148,003	2.57	2.57
City of Tea Tree Gully	33	3.23%	34	3.27%	102,666	3.21	3.31
City of Unley	23	2.25%	24	2.31%	39,085	5.88	6.14
City of Victor Harbor	16	1.56%	14	1.35%	16,720	9.57	8.37
City of West Torrens	51	4.99%	48	4.62%	63,105	8.08	7.61
Clare and Gilbert Valleys Council	12	1.17%	12	1.15%	9,393	12.78	12.78
Coorong District Council	10	0.98%	15	1.44%	5,569	17.96	26.93
Copper Coast Council	8	0.78%	7	0.67%	15,652	5.11	4.47
Corporation of the City of Whyalla	3	0.29%	2	0.19%	21,894	1.37	0.91
Corporation of the Town of Walkerville	7	0.68%	8	0.77%	8,179	8.56	9.78
District Council of Ceduna	7	0.68%	7	0.67%	3,650	19.18	19.18
District Council of Cleve	1	0.10%	0	0.00%	1,765	5.67	0.00
District Council of Coober Pedy	11	1.08%	13	1.25%	1,576	69.80	82.49
District Council of Elliston	3	0.29%	3	0.29%	1,037	28.93	28.93
District Council of Grant	5	0.49%	9	0.87%	8,925	5.60	10.08

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Council	Received	%	Completed	%	Population 30 June 2022	Received / 10,000 pop	Completed / 10,000 pop
District Council of Karoonda East Murray	4	0.39%	3	0.29%	1,028	38.91	29.18
District Council of Kimba	3	0.29%	3	0.29%	1,057	28.38	28.38
District Council of Lower Eyre Peninsula	2	0.20%	3	0.29%	6,100	3.28	4.92
District Council of Loxton Waikerie	12	1.17%	13	1.25%	11,928	10.06	10.90
District Council of Mount Remarkable	4	0.39%	4	0.38%	2,915	13.72	13.72
District Council of Orroroo/Carrieton	3	0.29%	3	0.29%	890	33.71	33.71
District Council of Peterborough	6	0.59%	6	0.58%	1,670	35.93	35.93
District Council of Renmark Paringa	10	0.98%	11	1.06%	10,044	9.96	10.95
District Council of Robe	12	1.17%	4	0.38%	1,583	75.81	25.27
District Council of Streaky Bay	1	0.10%	1	0.10%	2,254	4.44	4.44
District Council of Tumby Bay	5	0.49%	4	0.38%	2,889	17.31	13.85
District Council of Yankalilla	13	1.27%	15	1.44%	5,998	21.67	25.01
Kangaroo Island Council	15	1.47%	16	1.54%	5,084	29.50	31.47
Kingston District Council	1	0.10%	1	0.10%	2,389	4.19	4.19
Light Regional Council	19	1.86%	20	1.92%	16,332	11.63	12.25
Mid Murray Council	20	1.96%	21	2.02%	9,415	21.24	22.30
Mount Barker District Council	18	1.76%	19	1.83%	41,059	4.38	4.63
Naracoorte Lucindale Council	3	0.29%	3	0.29%	8,928	3.36	3.36
Northern Areas Council	5	0.49%	5	0.48%	4,671	10.70	10.70
Port Augusta City Council	10	0.98%	11	1.06%	14,456	6.92	7.61
Port Pirie Regional Council	7	0.68%	7	0.67%	17,648	3.97	3.97
Regional Council of Goyder	6	0.59%	6	0.58%	4,134	14.51	14.51
Roxby Council	1	0.10%	0	0.00%	4,105	2.44	0.00
Rural City of Murray Bridge	17	1.66%	18	1.73%	22,554	7.54	7.98
Southern Mallee District Council	7	0.68%	8	0.77%	2,013	34.77	39.74
Tatiara District Council	4	0.39%	5	0.48%	7,040	5.68	7.10
The Barossa Council	15	1.47%	16	1.54%	25,878	5.80	6.18
The Flinders Ranges Council	1	0.10%	1	0.10%	1,682	5.95	5.95
Town of Gawler	11	1.08%	12	1.15%	26,123	4.21	4.59
Wakefield Regional Council	3	0.29%	3	0.29%	6,958	4.31	4.31
Wattle Range Council	11	1.08%	10	0.96%	12,163	9.04	8.22
Yorke Peninsula Council	19	1.86%	19	1.83%	11,922	15.94	15.94
Total	1,023	100.00%	1,039	100.00%	1,813,330	5.64	5.73

Local government complaints received and completed



OFFICIAL

Complaint outcomes

Outcome	Total	%
Complainant Cannot be Contacted	5	0.48%
Declined s12H\Other Good Reason (s12H (1)(c))	950	91.43%
Declined s12H\Previously Dealt With (s12H (1)(c))	7	0.67%
Declined s12H\Referred to Other Agency (s12H(1)(b))	6	0.58%
Declined s12H\Resolved with Agency Co-operation (s12H)	20	1.92%
Investigation Outcome\Not substantiated	5	0.48%
Investigation Outcome\Partly substantiated	1	0.10%
Investigation Outcome\Substantiated	11	1.06%
Out of Jurisdiction\13(3)\Statutory or legal remedy	14	1.35%
Out of Jurisdiction\No administrative act	1	0.10%
Out of Time (s12C)	3	0.29%
Own initiative - discontinued	4	0.38%
Withdrawn by Complainant	12	1.15%
Total	1,039	100.00%

Other authorities

Summary tables

1 July 2022 - 30 June 2023

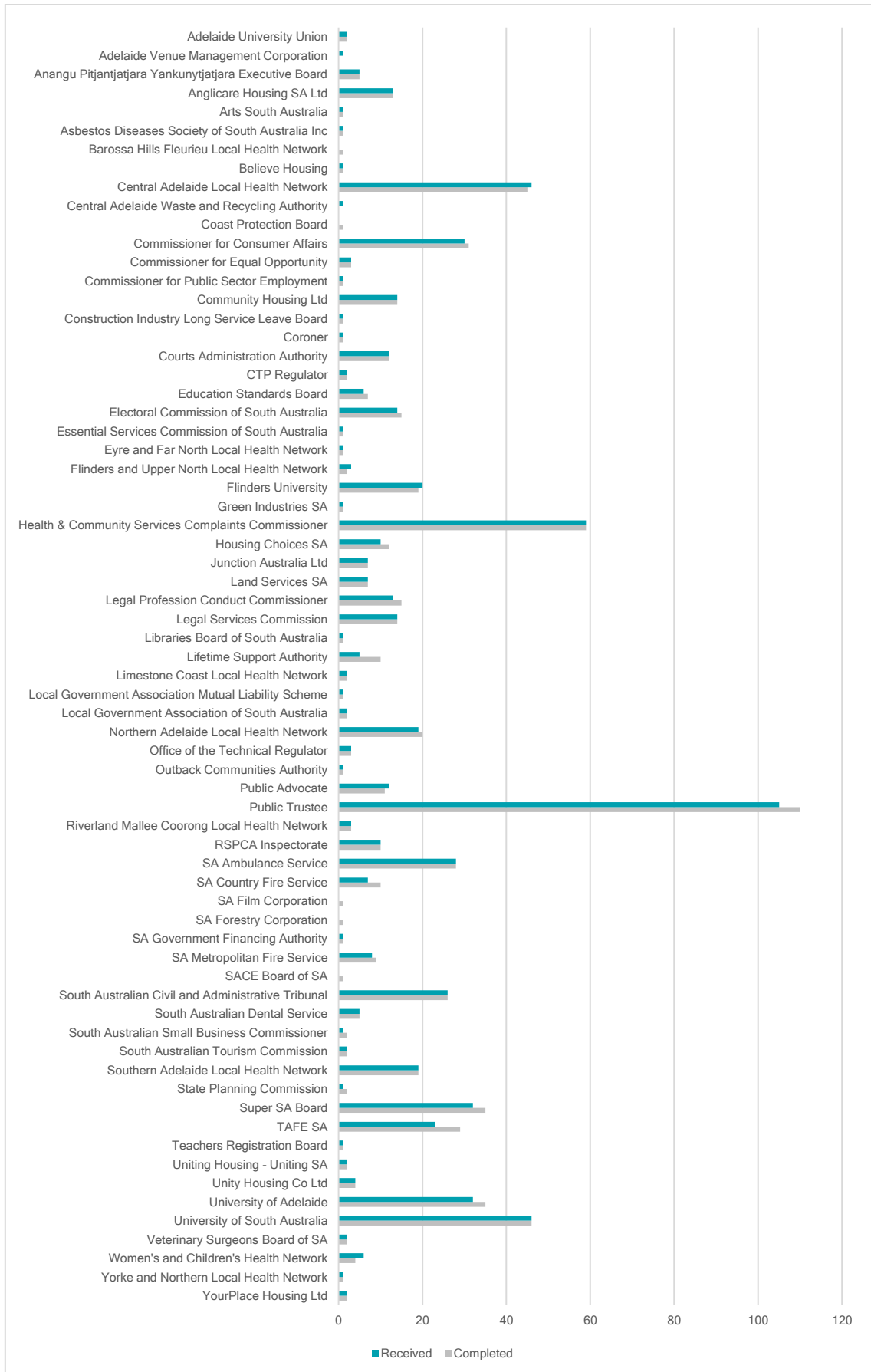
Complaints received and completed

Agency	Received	%	Completed	%
Adelaide University Union	2	0.28%	2	0.27%
Adelaide Venue Management Corporation	1	0.14%	0	0.00%
Anangu Pitjantjatjara Yankunytjatjara Executive Board	5	0.71%	5	0.68%
Anglicare Housing SA Ltd	13	1.85%	13	1.76%
Arts South Australia	1	0.14%	1	0.14%
Asbestos Diseases Society of South Australia Inc	1	0.14%	1	0.14%
Barossa Hills Fleurieu Local Health Network	0	0.00%	1	0.14%
Believe Housing	1	0.14%	1	0.14%
Central Adelaide Local Health Network	46	6.53%	45	6.11%
Central Adelaide Waste and Recycling Authority	1	0.14%	0	0.00%
Coast Protection Board	0	0.00%	1	0.14%
Commissioner for Consumer Affairs	30	4.26%	31	4.21%
Commissioner for Equal Opportunity	3	0.43%	3	0.41%
Commissioner for Public Sector Employment	1	0.14%	1	0.14%
Community Housing Ltd	14	1.99%	14	1.90%
Construction Industry Long Service Leave Board	1	0.14%	1	0.14%
Coroner	1	0.14%	1	0.14%
Courts Administration Authority	12	1.70%	12	1.63%
CTP Regulator	2	0.28%	2	0.27%
Education Standards Board	6	0.85%	7	0.95%
Electoral Commission of South Australia	14	1.99%	15	2.04%
Essential Services Commission of South Australia	1	0.14%	1	0.14%
Eyre and Far North Local Health Network	1	0.14%	1	0.14%
Flinders and Upper North Local Health Network	3	0.43%	2	0.27%
Flinders University	20	2.84%	19	2.58%
Green Industries SA	1	0.14%	1	0.14%
Health & Community Services Complaints Commissioner	59	8.38%	59	8.01%
Housing Choices SA	10	1.42%	12	1.63%
Junction Australia Ltd	7	0.99%	7	0.95%
Land Services SA	7	0.99%	7	0.95%
Legal Profession Conduct Commissioner	13	1.85%	15	2.04%
Legal Services Commission	14	1.99%	14	1.90%
Libraries Board of South Australia	1	0.14%	1	0.14%
Lifetime Support Authority	5	0.71%	10	1.36%
Limestone Coast Local Health Network	2	0.28%	2	0.27%
Local Government Association Mutual Liability Scheme	1	0.14%	1	0.14%

OFFICIAL

Agency	Received	%	Completed	%
Local Government Association of South Australia	2	0.28%	2	0.27%
Northern Adelaide Local Health Network	19	2.70%	20	2.71%
Office of the Technical Regulator	3	0.43%	3	0.41%
Outback Communities Authority	1	0.14%	1	0.14%
Public Advocate	12	1.70%	11	1.49%
Public Trustee	105	14.91%	110	14.93%
Riverland Mallee Coorong Local Health Network	3	0.43%	3	0.41%
RSPCA Inspectorate	10	1.42%	10	1.36%
SA Ambulance Service	28	3.98%	28	3.80%
SA Country Fire Service	7	0.99%	10	1.36%
SA Film Corporation	0	0.00%	1	0.14%
SA Forestry Corporation	0	0.00%	1	0.14%
SA Government Financing Authority	1	0.14%	1	0.14%
SA Metropolitan Fire Service	8	1.14%	9	1.22%
SACE Board of SA	0	0.00%	1	0.14%
South Australian Civil and Administrative Tribunal	26	3.69%	26	3.53%
South Australian Dental Service	5	0.71%	5	0.68%
South Australian Small Business Commissioner	1	0.14%	2	0.27%
South Australian Tourism Commission	2	0.28%	2	0.27%
Southern Adelaide Local Health Network	19	2.70%	19	2.58%
State Planning Commission	1	0.14%	2	0.27%
Super SA Board	32	4.55%	35	4.75%
TAFE SA	23	3.27%	29	3.93%
Teachers Registration Board	1	0.14%	1	0.14%
Uniting Housing - Uniting SA	2	0.28%	2	0.27%
Unity Housing Co Ltd	4	0.57%	4	0.54%
University of Adelaide	32	4.55%	35	4.75%
University of South Australia	46	6.53%	46	6.24%
Veterinary Surgeons Board of SA	2	0.28%	2	0.27%
Women's and Children's Health Network	6	0.85%	4	0.54%
Yorke and Northern Local Health Network	1	0.14%	1	0.14%
YourPlace Housing Ltd	2	0.28%	2	0.27%
Total	704	100.00%	737	100.00%

Other Authorities complaints received and completed



OFFICIAL

Complaint outcomes

Outcome	Total	%
Complainant Cannot be Contacted	6	0.81%
Declined s12H\Other Good Reason (s12H (1)(c))	651	88.33%
Declined s12H\Previously Dealt With (s12H (1)(c))	7	0.95%
Declined s12H\Referred to Other Agency (s12H(1)(b))	9	1.22%
Declined s12H\Resolved with Agency Co-operation (s12H)	17	2.31%
Investigation Outcome\Substantiated	6	0.81%
Out of Jurisdiction\13(3)\Statutory or legal remedy	7	0.95%
Out of Jurisdiction\No administrative act	2	0.27%
Out of Time (s12C)	17	2.31%
Own initiative - discontinued	2	0.27%
Referral Withdrawn by OPI	1	0.14%
Report to OPI	1	0.14%
Withdrawn by Complainant	11	1.49%
Total	737	100.00%

FOI Act Jurisdiction

Summary tables

1 July 2022 - 30 June 2023

Outcomes of external reviews conducted by the Ombudsman in 2022-23

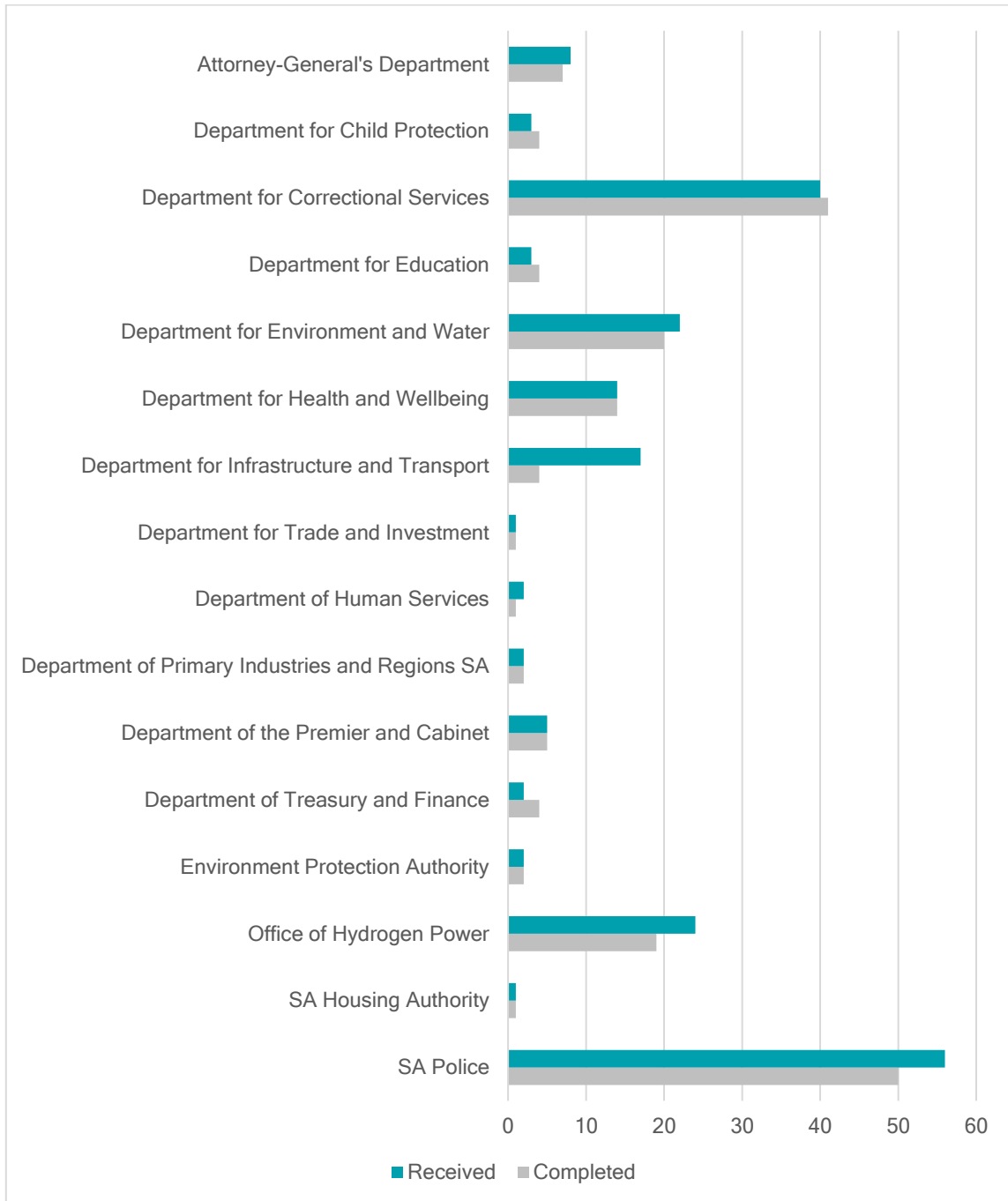
Matter Outcome	Total	%
FOI\Application for Review Withdrawn by Applicant	11	3.83%
FOI\Application for review withdrawn following OSA intervention	40	13.94%
FOI\Application Settled During Review (s39(5))	2	0.70%
FOI\Determination Confirmed (s39(11))	72	25.09%
FOI\Determination Reversed (s39(11))	23	8.01%
FOI\Determination Varied (s39(11))	81	28.22%
FOI\No Documents in Scope	2	0.70%
FOI\Outside of Jurisdiction	54	18.82%
FOI\Fees and Charges\Waive	2	0.70%
Total	287	100.00%

Government departments

External reviews received and completed

Department	Received	%	Completed	%
Attorney-General's Department	8	3.96%	7	3.91%
Department for Child Protection	3	1.49%	4	2.23%
Department for Correctional Services	40	19.80%	41	22.91%
Department for Education	3	1.49%	4	2.23%
Department for Environment and Water	22	10.89%	20	11.17%
Department for Health and Wellbeing	14	6.93%	14	7.82%
Department for Infrastructure and Transport	17	8.42%	4	2.23%
Department for Trade and Investment	1	0.50%	1	0.56%
Department of Human Services	2	0.99%	1	0.56%
Department of Primary Industries and Regions SA	2	0.99%	2	1.12%
Department of the Premier and Cabinet	5	2.48%	5	2.79%
Department of Treasury and Finance	2	0.99%	4	2.23%
Environment Protection Authority	2	0.99%	2	1.12%
Office of Hydrogen Power	24	11.88%	19	10.61%
SA Housing Authority	1	0.50%	1	0.56%
SA Police	56	27.72%	50	27.93%
Total	202	100.00%	179	100.00%

Government departments external reviews received and completed

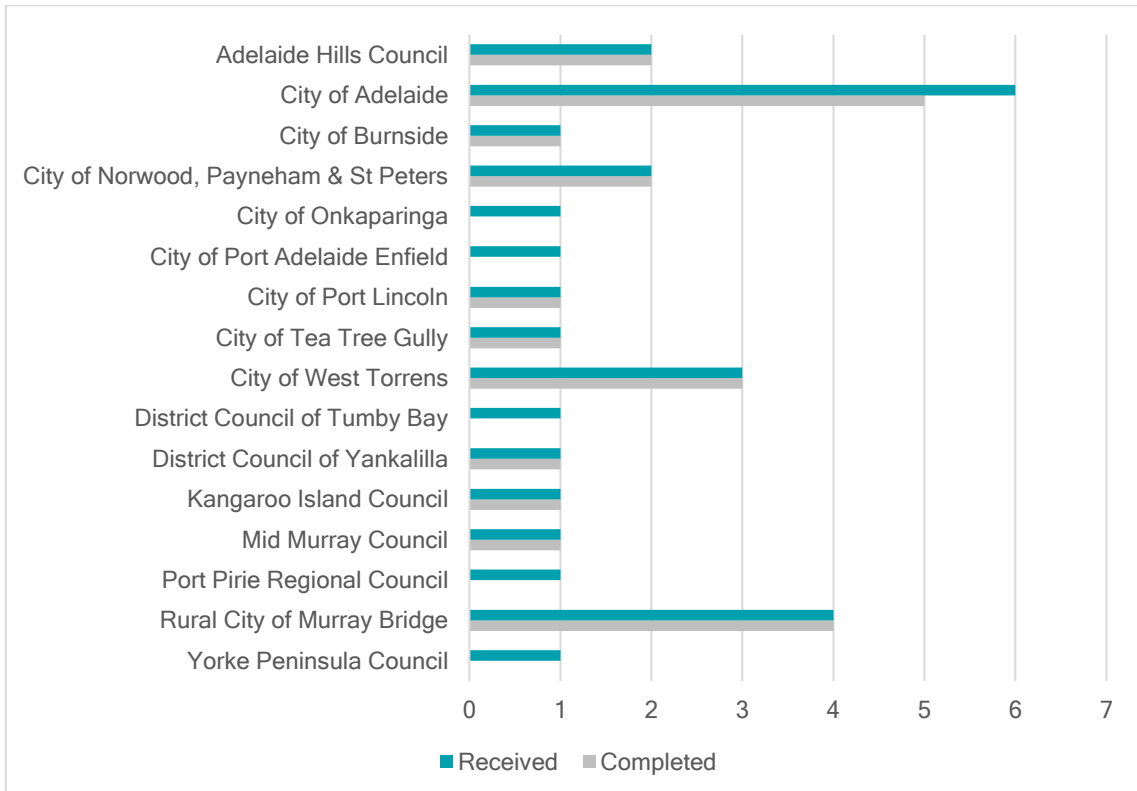


Local government

External reviews received and completed

Local Council	Received	%	Completed	%
Adelaide Hills Council	2	7.14%	2	9.09%
City of Adelaide	6	21.43%	5	22.73%
City of Burnside	1	3.57%	1	4.55%
City of Norwood, Payneham & St Peters	2	7.14%	2	9.09%
City of Onkaparinga	1	3.57%	0	0.00%
City of Port Adelaide Enfield	1	3.57%	0	0.00%
City of Port Lincoln	1	3.57%	1	4.55%
City of Tea Tree Gully	1	3.57%	1	4.55%
City of West Torrens	3	10.71%	3	13.64%
District Council of Tumby Bay	1	3.57%	0	0.00%
District Council of Yankalilla	1	3.57%	1	4.55%
Kangaroo Island Council	1	3.57%	1	4.55%
Mid Murray Council	1	3.57%	1	4.55%
Port Pirie Regional Council	1	3.57%	0	0.00%
Rural City of Murray Bridge	4	14.29%	4	18.18%
Yorke Peninsula Council	1	3.57%	0	0.00%
Total	28	100.00%	22	100.00%

Local government external reviews received and completed

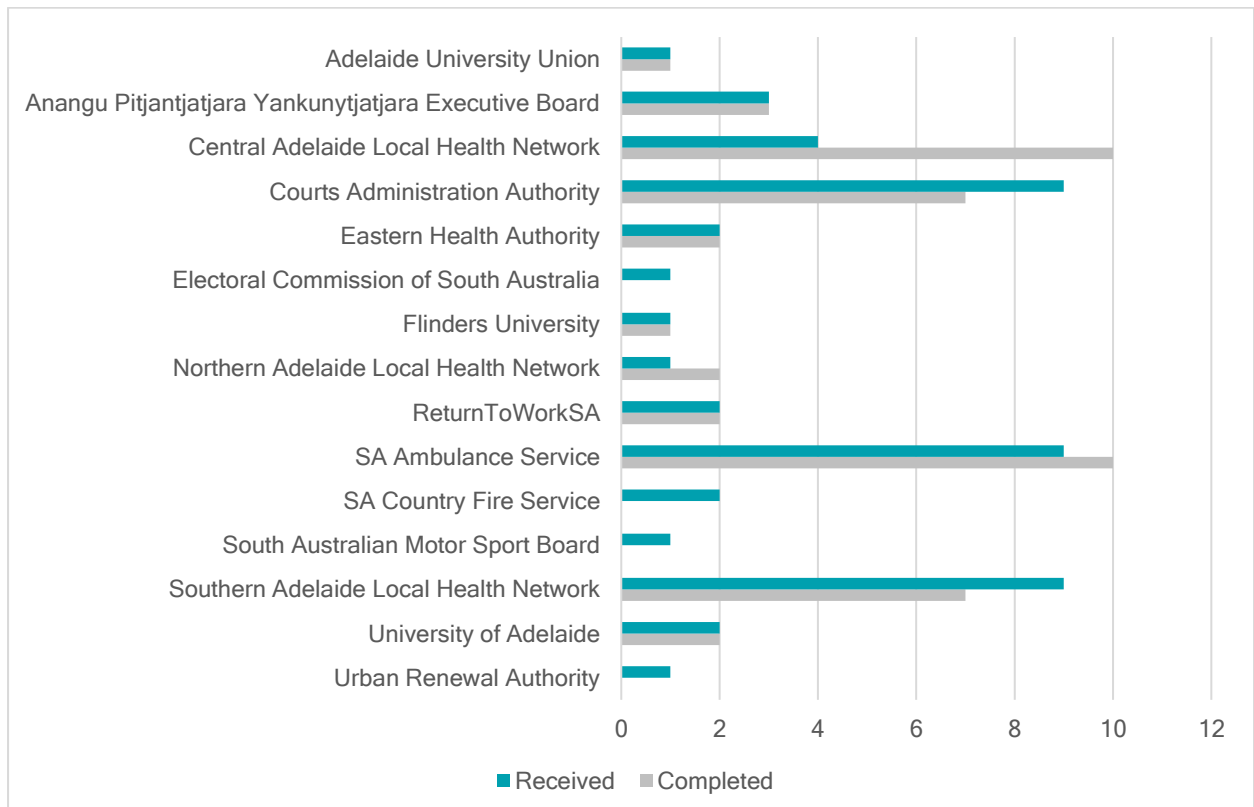


Other authorities

External reviews received and completed

Authority	Received	%	Completed	%
Adelaide University Union	1	2.08%	1	2.13%
Anangu Pitjantjatjara Yankunytjatjara Executive Board	3	6.25%	3	6.38%
Central Adelaide Local Health Network	4	8.33%	10	21.28%
Courts Administration Authority	9	18.75%	7	14.89%
Eastern Health Authority	2	4.17%	2	4.26%
Electoral Commission of South Australia	1	2.08%	0	0.00%
Flinders University	1	2.08%	1	2.13%
Northern Adelaide Local Health Network	1	2.08%	2	4.26%
ReturnToWorkSA	2	4.17%	2	4.26%
SA Ambulance Service	9	18.75%	10	21.28%
SA Country Fire Service	2	4.17%	0	0.00%
South Australian Motor Sport Board	1	2.08%	0	0.00%
Southern Adelaide Local Health Network	9	18.75%	7	14.89%
University of Adelaide	2	4.17%	2	4.26%
Urban Renewal Authority	1	2.08%	0	0.00%
Total	48	100.00%	47	100.00%

Other authorities external reviews received and completed

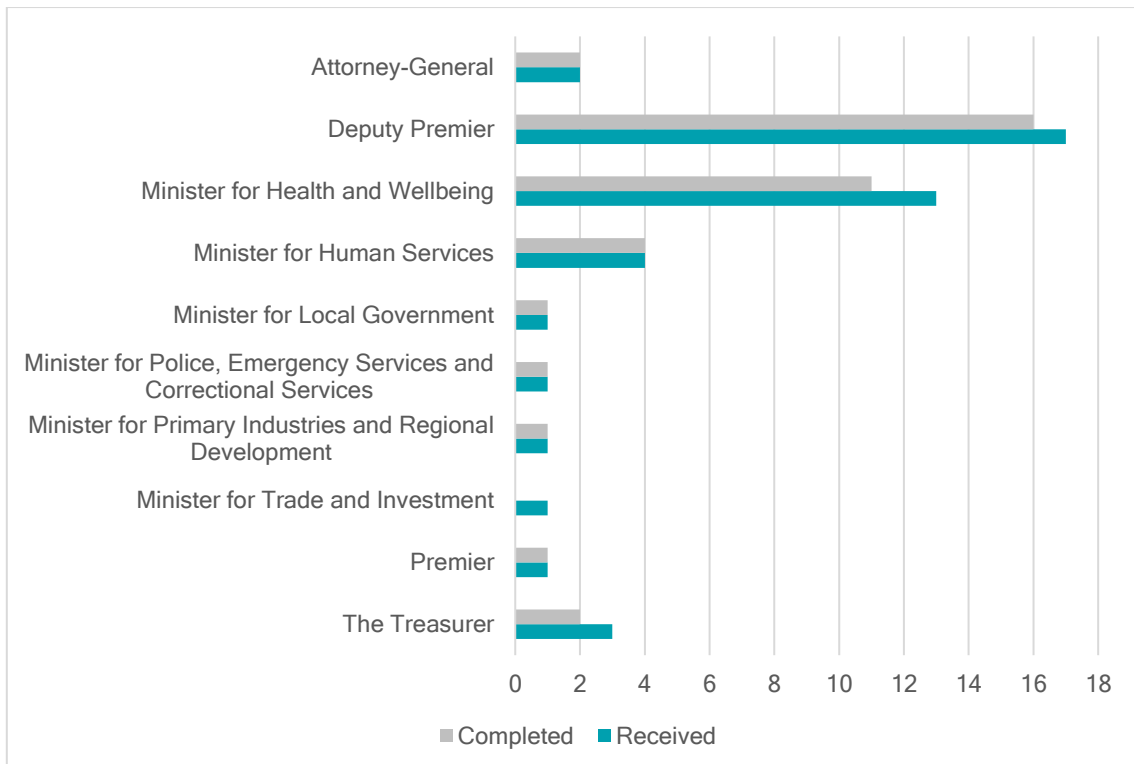


Ministers

External reviews received and completed

Minister	Received	%	Completed	%
Attorney-General	2	4.55%	2	5.13%
Deputy Premier	17	38.64%	16	41.03%
Minister for Health and Wellbeing	13	29.55%	11	28.21%
Minister for Human Services	4	9.09%	4	10.26%
Minister for Local Government	1	2.27%	1	2.56%
Minister for Police, Emergency Services and Correctional Services	1	2.27%	1	2.56%
Minister for Primary Industries and Regional Development	1	2.27%	1	2.56%
Minister for Trade and Investment	1	2.27%	0	0.00%
Premier	1	2.27%	1	2.56%
The Treasurer	3	6.82%	2	5.13%
Total	44	100.00%	39	100.00%

Ministerial external reviews received and completed



Appendices

Appendix A

Description of outcomes

The following table describes outcomes arising from the Ombudsman's jurisdiction, with the exception of the Ombudsman's Return to Work and Freedom of Information jurisdictions.

OUTCOME	DESCRIPTION
ADVICE GIVEN	<p>This outcome is used to record a response to a general enquiry, such as giving:</p> <ul style="list-style-type: none"> - advice that does not relate to a specific approach or complaint - information or advice to the public about Ombudsman SA (e.g. address details, a request for a copy of an annual report, pamphlets or reporting guidelines) - FOI advice on a general query. <p>This outcome cannot be used unless the type of matter is a general enquiry. For approaches or complaints, more specific outcomes must be used.</p>
COMPLAINANT CANNOT BE CONTACTED	<p>This outcome is used after all reasonable attempts have been made to contact the complainant by telephone, email, or letter. It can be used at any stage of an assessment or investigation.</p>
DECLINED S12H OTHER GOOD REASON s12H(1)(c)	<p>This outcome is used where the Ombudsman has determined it is not in the public interest to investigate the matter, or there is some other reason (not otherwise provided for in the outcomes) in the discretion of the Ombudsman not to investigate.</p> <p>This outcome is also used where a person who has approached the Office is advised to first raise their complaint with the subject agency, seeking resolution with that agency, before submitting a complaint to the Ombudsman for assessment.</p>
PREVIOUSLY DEALT WITH s12H(1)(b)	<p>This outcome is used where a matter is assessed as having been already dealt with by an 'inquiry agency' - the Ombudsman, ICAC or Judicial Conduct Commissioner.</p>
REFERRED TO OTHER AGENCY s12H(1)(b)	<p>This outcome is used where a matter is formally assessed as not raising an issue that should be investigated under the Ombudsman Act but rather is considered to raise some other issue that should be formally referred to a law enforcement agency, another inquiry agency, a public authority or a public officer.</p> <p>It can be distinguished from the outcome 'Other good reason' in that this outcome follows a formal assessment of a complaint received.</p>
RESOLVED WITH AGENCY COOPERATION s12H	<p>This outcome is used where the matter was resolved following the agency engaging in voluntary actions following communication with the Ombudsman and these actions appropriately address issues in the view of the Ombudsman.</p>
TRIVIAL / VEXATIOUS / FRIVOLOUS s12H(1)(c)	<p>This outcome is used where the matter is assessed as raising a matter that is considered trivial or frivolous, or the making of the complaint is determined to be vexatious.</p>

Note: This outcome is rarely used.

OFFICIAL

INVESTIGATION OUTCOME NOT SUBSTANTIATED PARTIALLY SUBSTANTIATED SUBSTANTIATED	This outcome is used where the Ombudsman has completed an investigation and has formed a view as to the substantiation of the matter subject to investigation.
OSA DECISIONS INTERNAL REVIEW OUTCOME CONFIRMED OUTCOME VARIED NO INTERNAL REVIEW	This outcome is used where an internal review has been completed in relation to an Ombudsman SA decision and the original decision has been confirmed, varied, or substituted as relevant.
OSA SERVICES NOT SUBSTANTIATED PARTLY SUBSTANTIATED SUBSTANTIATED	This outcome is used where there was a request for an internal review, but the Ombudsman or Deputy Ombudsman (as relevant) did not consent to commencing a review. This outcome is used where a complaint about the service provided by Ombudsman SA has been considered and records whether the complaint has been substantiated.
OUT OF JURISDICTION	
12B - COMPLAINANT NOT DIRECTLY AFFECTED	This outcome is used where the complainant is not directly affected by the subject administrative act and thus the act is outside the jurisdiction of the Ombudsman. Note: <ul style="list-style-type: none"> - This outcome does not apply to a complaint relating to alleged misconduct or maladministration, which may be made by any person - The Commissioner for Children and Young People, the Commissioner for Aboriginal Children and Young People and the Guardian for Children and Young People may make a complaint under the Ombudsman Act despite the fact they are not directly affected by the act to which the complaint relates.
13(3) - STATUTORY OR LEGAL REMEDY	This outcome is only used when: <ul style="list-style-type: none"> - the agency being complained about is within jurisdiction but - the complainant has a right of appeal, reference, or review with another body unless the Ombudsman is of the opinion that it is not reasonable, in the circumstances of the case, to expect that the complainant should resort or should have resorted to that appeal, reference, review or remedy (section 13(3)). Reasons for the outcome and details of the other agency must be recorded.
AGENCY NOT WITHIN JURISDICTION	This outcome is used where the agency complained about is outside the jurisdiction of the Ombudsman, for example, as it relates to a Commonwealth agency.
JUDICIAL OFFICER CONDUCT	This outcome is used where the act complained about relates to the conduct of judicial officers outside of the exercise of judicial authority.
NO ADMINISTRATIVE ACT	This outcome is used where the complaint does not relate to an administrative act as defined in section 3 of the Ombudsman Act and is not otherwise misconduct or maladministration.
SAPOL OFFICER CONDUCT	This outcome is used where the act complained about relates to the conduct of South Australia Police Officers.
12C - OUT OF TIME	This outcome is used where a complaint has been made after 12 months from the day the complainant first had notice of the matters alleged in the complaint and the Ombudsman is not of the opinion that, in all the circumstances of the case, it is proper to entertain the complaint.
OWN INITIATIVE - DISCONTINUED	This outcome is used where the Ombudsman commenced and then discontinued an own initiative investigation. Comments providing reasons for the discontinuation should be provided on the file.

OFFICIAL

REFERRAL WITHDRAWN
BY OPI

This outcome is used where the OPI withdraws a referral it has made to the Ombudsman pursuant to section 18F of the *Independent Commission Against Corruption Act 2012*.

WITHDRAWN BY
COMPLAINANT

This outcome means that the complaint has been withdrawn by the complainant.

Note that although a complaint has been withdrawn by a complainant, the Ombudsman may decide to commence a separate, own initiative investigation.

Appendix B

Description of outcomes: RTW Act Jurisdiction

OUTCOME	DESCRIPTION
RTW - ADVICE GIVEN	<p>This outcome must only be used when:</p> <ul style="list-style-type: none"> giving advice that does not relate to a specific approach or complaint information has been received and only needs to be noted. <p>*Note - more specific outcomes are preferable. Only use when no other outcome is suitable.</p>
RTW - OUT OF JURISDICTION	<p>This outcome is used where the complaint relates to a worker's compensation matter that relates to:</p> <ul style="list-style-type: none"> an agency that is not in jurisdiction an interstate jurisdiction where the worker is located in South Australia, however the claim has been made under the Commonwealth worker's compensation Act i.e. Comcare or a judicial body i.e. SAET
RTW - COMPLAINANT CANNOT BE CONTACTED	<p>This outcome is used after all reasonable attempts have been made to contact the complainant by telephone, email or letter. It can be used at any stage of an assessment or investigation.</p> <p>All attempts to contact the complainant must be clearly recorded.</p>
RTW - REFERRED BACK TO COMPENSATING AUTHORITY	<p>This outcome is used usually during the assessment phase, but may be used in the investigation phase.</p> <p>It is used when it is proper for the complainant to complain to, or seek a review of their complaint from the claims agent/RTW SA/self-insured employer - unless the Ombudsman is of the opinion that it is not reasonable, in the circumstances of the case, to expect that the complainant should resort or should have raised the complaint with the Corporation or delegate.</p> <p>See s5(1)(a) of schedule 5, Return to Work Act.</p> <p>Reasons for the outcome must be recorded.</p>
RTW - ALTERNATE REMEDY AVAILABLE WITH ANOTHER BODY	<p>This outcome is only used where the complainant has right of appeal, reference or review with another body such as the SAET.</p>
RTW - RESOLVED WITH COMPENSATING AUTHORITY'S COOPERATION	<p>This outcome is usually used during the assessment phase of a complaint where Ombudsman SA has made contact with the agency, and the agency has taken action to remedy the complaint to the satisfaction of the complainant.</p> <p>Reasons for the outcome must be recorded.</p>
RTW - WITHDRAWN BY COMPLAINANT	<p>This outcome is used when the complainant expressly wishes to withdraw their complaint, even if Ombudsman SA has not contacted the respondent. It can be used at any stage of an assessment or investigation.</p> <p>It must be established and recorded that the complainant wishes to formally withdraw the complaint.</p> <p>It must not be used when Ombudsman SA cannot contact the complainant. See 'Cannot Contact Person' Outcome.</p> <p>Reasons for the outcome must be recorded.</p>

OFFICIAL

RTW - DECLINED - TRIVIAL / VEXATIOUS / FRIVOLOUS	This outcome is used for a complaint, where the Ombudsman decides not to investigate because the matter is assessed as trivial, frivolous, or vexatious (s12H(1)(c) Ombudsman Act).
RTW - DECLINED - OTHER GOOD REASON	This outcome is used for a complaint where the Ombudsman decides not to take action in respect of the complaint, because the Ombudsman has determined it would not be in the public interest to do so. (s12H(1)(c) Ombudsman Act).
RTW - DECLINED - PREVIOUSLY DEALT WITH	This outcome is used where the Ombudsman assesses that the matter has already been dealt with by the Ombudsman or another appropriate authority and declines to investigate on that basis. (s12H(1)(c) Ombudsman Act).
RTW - DECLINED - REFERRED TO OTHER AGENCY	This outcome is used where the Ombudsman has assessed that the issue constituting the complaint is more appropriately dealt with by another agency and declines to investigate on that basis. (s12H(1)(b) Ombudsman Act).
OUT OF TIME	This outcome is used where the applicant or complainant has made their application or complaint outside of the relevant statutory timeframe for doing so.
RTW - BREACH OF SERVICE STANDARDS	This outcome is only used when making a finding of a breach of the service standards after an investigation.
RTW - BREACH OF SERVICE STANDARDS NOT SUBSTANTIATED	This outcome is used <ul style="list-style-type: none"> • after an investigation and a report has been completed; and • when making a finding there has been no breach of the service standards.
RTW - OMBUDSMAN COMMENT WARRANTED	No breach of the service standards has been found, but an issue worthy of the Ombudsman's comment has been identified.
RTW - S180 REVIEW APPLICATION WITHDRAWN BY APPLICANT	This outcome means that during or at the conclusion of the external review, the applicant decided to withdraw the application. For example, the applicant may have decided to pursue other avenues of redress; or with the passage of time, the applicant no longer wished to pursue document access. This outcome does not include instances where the agency has revised its determination to give access to documents.
RTW - S180 REVIEW DECISION CONFIRMED	This outcome means that at the conclusion of the external review, the Ombudsman agreed (in whole) with the Corporation's decision (section 180(10)(b)).
RTW - 180 REVIEW DECISION VARIED	This outcome means that at the conclusion of the external review, the Ombudsman agreed in part and disagreed in part with the Corporation's decision (section 180(10)(b)).
RTW - S180 REVIEW DECISION REVERSED	This outcome means that at the conclusion of the external review, the Ombudsman disagreed (in whole) with the Corporation's decision (section 180(10)(b)).
RTW - S180 REVIEW NO JURISDICTION	The outcome is relevant when the applicant seeks the s180 review before they have sought or finalised internal review processes, and hence the Ombudsman is unable to undertake a review.
RTW - S180 REVIEW REVISED DURING REVIEW	This outcome is used when the agency releases the documents after the commencement of the review.

Appendix C

Description of outcomes: FOI Act Jurisdiction

OUTCOME	DESCRIPTION
FOI APPLICATION FOR REVIEW WITHDRAWN BY APPLICANT	<p>This outcome means that during or at the conclusion of the external review, the applicant withdrew their application. For example, the applicant may have decided to pursue other avenues of redress; or with the passage of time, the applicant no longer wished to pursue document access.</p> <p>This outcome does not include instances where the agency has revised its determination to give access to documents and also does not include circumstances in which the application was withdrawn following actions by Ombudsman SA.</p>
FOI APPLICATION WITHDRAWN FOLLOWING OSA INTERVENTION	<p>This outcome means that during the course of an external review, the applicant was satisfied with informal actions taken by the Ombudsman and the applicant indicated that they did not need to continue with the review. For example, the agency may have decided to disclose documents or information sought by an applicant after being notified of an external review, or the Ombudsman may have clarified an issue for the applicant and the applicant no longer considered an external review to be necessary.</p> <p>This outcome does not include instances where the applicant withdrew an application for external review for reasons other than the Ombudsman's involvement, or where a formal settlement occurred under section 39(5)(c).</p>
FOI APPLICATION SETTLED DURING REVIEW (SECTION 39(5))	<p>This outcome means the Ombudsman exercised settlement powers under section 39(5)(c). A determination is sent to the parties giving effect to the settlement.</p>
FOI DETERMINATION CONFIRMED (SECTION 39(11))	<p>This outcome means that at the conclusion of the external review, the Ombudsman agreed (in whole) with the agency's determination (section 39(11)). Note: the Ombudsman's reasons may differ from the agency (for example, a different exemption clause may apply).</p>
FOI DETERMINATION REVERSED (SECTION 39(11))	<p>This outcome means that at the conclusion of the external review, the Ombudsman disagreed (in whole) with the agency's determination.</p>
FOI DETERMINATION REVISED BY AGENCY (SECTION 19(2a))	<p>This outcome means that all documents were released by the agency or agency submits the documents can be released after the commencement of the external review.</p> <p>The outcome may occur, for example, in an external review dealing with an agency's 'double deemed refusal', where the agency has had a chance to consider the documents and decides that the documents should be released.</p>

OFFICIAL

FOI DETERMINATION VARIED (SECTION 39(11))	This outcome means that at the end of the external review, the Ombudsman agreed in part and disagreed in part with the agency's determination.
FOI EXTENSION OF TIME FOR APPLICATION FOR REVIEW (SECTION 39(4)) DISCRETION NOT VARIED	This outcome means that the Ombudsman did not exercise his discretion to accept an external review application out of time under section 39(4).
FOI NO DOCUMENTS IN SCOPE	This outcome means that during the course of an external review, it came to light that the agency did not hold documents within the scope of an initial application for access. No practical outcome would have been achieved by continuing the external review and the Ombudsman declined to confirm, vary, or reverse the agency's determination.
FOI APPLICATION DISMISSED BECAUSE OF LACK OF COOPERATION OF APPLICANT (section 39(8))	This outcome means the Ombudsman considers the Applicant has failed to comply with section 39(7).

Values

Honesty

Truthful, faithful, keeping promises, taking responsibility for our behaviour, admitting mistakes, sincere

Helpfulness

Empathetic, accessible, approachable, open to reason, encouraging, constructive, solution focussed, pleasant, embracing diversity, considerate, thinking the best of others

Professionalism

Striving for excellence, continuously improving, curious, courteous, respectful, ethical, undeterred by criticism, resilient, diligent, respectful of authority, efficient, self-reflective

Fairness

Impartial, objective, factual, evidence based, open-minded, consistent



OmbudsmanSA

Contacting Ombudsman SA

Our business hours are
9.00am - 5.00pm, Monday to Friday

Level 8
95 Grenfell Street
Adelaide SA 5000

Telephone 08 8226 8699
Facsimile 08 8226 8602
Toll free (outside metro area) 1800 182 150

www.ombudsman.sa.gov.au

In reply please quote our reference: ECM 795419

16 October 2023

Mr Greg Georgopoulos
Chief Executive Officer
Adelaide Hills Council
mail@ahc.sa.gov.au

Dear Greg

RE: Renew your LGA membership for 2023–24 to best support the sector and your community

I wanted to take a moment to write to you and thank you for your continued membership with the LGA.

The past 12 months have been a big year for local government.

We've welcomed new council members who are making great strides for their cities and towns, and we've faced several challenges that are impacting our state. Issues like the rising cost of living, health services, skills shortages, access to housing, and environmental challenges.

As a representative for all South Australian councils, the LGA is here to help our members navigate these challenges. We advocate for your opinions. We build networks. We train, do research, and give support where it's needed most. And it is your contribution that makes this possible.

Let me share with you just some of the work from the past year that has only been possible through the ongoing commitment of our members and collective sector voice.

Advocated for you in state and federal government forums

The LGA has been working hard to get your priorities and concerns heard by those in state and federal government.

It is through this advocacy—and our work with ALGA—that we have secured millions of dollars for our councils. This helps fund game-changing projects that make our neighbourhoods better.

In the past year, we've tackled a lot of issues and brought about some fantastic wins for the sector. In 2023 alone, we have:

- Made huge strides on the housing challenges in regional South Australia through the newly established Office for Regional Housing and Regional Key Worker Housing Scheme.
- Spearheaded legislation to extend election campaign disclosures for council members—helping your council avoid expensive supplementary elections to fill vacancies.
- Drove amendments to Private Parking Areas legislation so the decision to approve fees rests with the Planning Minister and not council CEOs.

- Gave advice to the City of Mount Gambier and the District Council of Grant on the proposed State Government amalgamation plebiscite during the 2022 Council Elections to reduce the load on these councils.
- Had PDI Regulations amended so Riverland and Murraylands councils could build flood levees and mounds without development approvals—making our regional communities safer.
- Secured an implementation review of the PDI Act to achieve better outcomes for councils and communities.
- Lodged policy submissions on legislative reviews and inquiries to stand up for the sector on issues like Disability Inclusion, Local Nuisance and Litter, Animal Welfare, Dog and Cat Management, Housing Availability, Renewable Energy, Urban Trees, Autism Strategy, In-Home Aged Care and Planning.
- Advocated to state government for increased funding for jetties and libraries as vital community assets.

Delivered more funds and savings for your council

Your money matters. The LGA has been a fierce advocate for more funding and more grants from state and federal government to help your council get value from your membership.

Here's a snapshot of some of the value LGA has been able to create for councils this year:

- Saved councils \$25.8 million through the LGA Workers Compensation Scheme and saved \$5.6 million through the LGA Mutual Liability Scheme. This is a cumulative \$309 million more in savings for councils compared to ReturnToWorkSA membership.
- Gave out over \$1.5 million in funding through the Local Government Research and Development Scheme. These projects fund resources and programs that improve how your council operates and are vital for achieving outcomes that support the entire sector.
- Saved councils \$2.7 million through LGA Procurement direct panel access and \$9.43 million through aggregated electricity contracts.
- Secured a further three years of Supplementary Local Roads to total \$60 million to improve local roads in South Australia.
- Brought in \$3.7 million to protect our coasts through a funding partnership between all three levels of government with the SA Climate Ready Coasts program.
- Administered \$180,000 of Early Childhood Innovation grant funding from the state government to councils to improve the lives of children in your community.
- Created significant savings and value through our ongoing Legal Connect partnership with Norman Waterhouse Lawyers.

Helped build your skills and ability to do meaningful work

In 2023 we focused on how to boost your council's skills through programs that make a real impact in your community.

This was not only through the work of councils, but also through the partnerships we are able to build across levels of government.

Here are the standout achievements that made it easier to do important work this year:

- Developed a new Behavioural Management Framework with revised LGA Training Standards to help your council members work together to achieve stronger results.
- Established a \$6 million SA Climate Ready Coasts program with the SA Coast Protection Board and Department for Environment and Water to make our coasts more prepared to face the impacts of climate change.
- Increased funding for School-Based Immunisation Programs from 2% to 6%.
- Hosted two project officers through partnerships with Wellbeing SA and Green Industries SA to support wellbeing in our communities and waste, recycling and resource recovery in our state.
- Created a Regional Health Workforce Toolkit to help your council attract and retain skilled health workers—a huge win for our regional communities.
- Built important skills across the local government sector—with 160 courses to 2,609 participants through LGA Training (in partnership with LG Professionals SA) and 101 courses in emergency management to 1,552 people.

Delivered key administrative support to keep your council connected and resourced

As a member of the LGA, you are directly connected to the heart of the sector. Through our work, you tap into a network of support that gives you resources to fulfill your role as CEO and deliver bigger results to your community. Here's how we're making it happen:

- Built a collective marketing campaign for the sector: 'Local Councils. Where Everything Comes Together' to share the important work your council does each day.
- Hosted 124 council websites on the LGA Squiz platform—reducing the time and money spent by councils on website maintenance and keeping our communities informed on the valuable services you deliver.
- Produced 87 resources on governance and reforms to save your staff time and to give them critical information and best-practice that keeps your council safe and compliant.
- Kept the sector updated with weekly emails on state and federal government policies, templates, consultations and pressing issues—as well as updates delivered directly to you and your mayor to keep you informed on what's important.
- Managed an extensive library of resources, templates and guides on the LGA website exclusively for council staff and elected members—drastically reducing the load on your council to create these from scratch.
- Logged over 12,200 issues from members of the public on the My Local Services App including graffiti, potholes, loose pets and parking issues.

How the LGA will help your council this year

The LGA is here to work with you through the challenges ahead and to give you advice and support where it's needed most.

We also are here to stand up for your voice and represent the sector, placing pressure on state and federal governments to deliver what matters to you. Some of the projects on the near horizon include:

- Regional liveability: support on issues like housing availability and medical workforce shortages.
- Environment: waste management, recycling and climate adaptation and mitigation projects and representation.
- Grant funding: administering major grant programs to deliver back into the sector.
- Advocacy and strengthened partnership: delivery of State-Local Government Economic Accord, research and submissions on issues affecting the sector, quarterly cabinet meetings and engagement with members of parliament.
- Infrastructure funding and grants: funding to deliver projects and maintain critical infrastructure.
- Financial Assistance Grants: continued advocacy to restore this to one percent of Commonwealth revenue.
- CWMS upgrades: projects and work to make these systems stronger.
- Building sector capability: sector training and development, and a focus on member resources to help bridge the skills gap and promote local government careers.

It is through a collective position that we can best support the sector and deliver savings, grants, and funding to help you do more for your communities.

Your membership for 2024 helps our sector achieve better results

Thank you again for your ongoing support of the LGA. Attached is your membership subscription and invoice for the 2023–24 financial year.

If you have any questions about your invoice or want more details about the value the LGA can give your council in 2024, please feel free to give me a call on 8224 2000.

I look forward to continuing to work together in the coming year.

Yours sincerely



Clinton Jury

Chief Executive Officer

Telephone: (08) 8224 2000

Email: clinton.jury@lga.sa.gov.au

Your membership at work

Our mission: Providing leadership, support, representation and advocacy on behalf of South Australian councils

As a representative for all South Australian councils, the LGA is here to help our members. Fundamentally, we support what matters to you.

We're proud to serve local councils, providing representation and leadership to a sector that's closest to South Australia's communities.

Advocating and influence

The LGA has been working hard to get your priorities and concerns heard by those in state and federal government.

As the state's peak body for local government, we provide a strong voice for our members directly to decision-makers.

- ✓ Newly established Office for Regional Housing and Regional Key Worker Housing Scheme.
- ✓ Advocated for urgent legislation to extend election campaign disclosure timing for council members.
- ✓ Defended no forced amalgamations during the 2022 Council Elections.
- ✓ Secured an implementation review of the PDI Act.
- ✓ Ran campaigns to raise awareness about funding for libraries and jetties.
- ✓ Policy submissions lodged on key issues.

As your peak body we also represented the sector, providing presentations to State Cabinet and being part of over 50 government and stakeholder committees.

LGA Board of Directors and CEO



Mayor Angela Evans



Mayor Caroline Phillips



Mayor Claire Boan



Mayor Jo-Anne Quigley



Mayor Leon Stephens



Mayor Michael Coxon



Mayor Moira Jenkins



President Dean Johnson



Mayor Gillian Aldridge OAM



Mayor Heather Holmes-Ross



CEO Clinton Jury



7/10 Membership Satisfaction Score

Funding vital projects

- ✓ \$6 million SA Climate Ready Coasts program.
- ✓ \$180,000 of Early Childhood Innovation grant funding.
- ✓ \$16m in funding for Special Local Roads Program.
- ✓ \$1.2 million in payments for Community Wastewater Management Scheme works.
- ✓ Increased funding for School-Based Immunisation Programs from 2% to 6%.



Support

Through the LGA's work, you have access to a network of support and resources to deliver bigger results for your community.

Some of our wins as a sector:

- ✓ 124 council websites supported on LGA Website Platform.
- ✓ 12,200 issues logged on the My Local Services App.
- ✓ 87 resources on governance and reforms developed.
- ✓ Weekly emails on state and federal government policies and issuing affecting councils.
- ✓ Suite of templates and guides exclusive for local government.
- ✓ 45 council visits by LGA President and CEO.
- ✓ Legal Connect partnership with Norman Waterhouse Lawyers.

Savings for your council

- ✓ The LGA have been a fierce advocate for more funding and more grants from state and federal governments to help your council get even more value from your membership.



BUILDING SKILLS IN LOCAL GOVERNMENT

In 2023 we focused on how to boost your council's skills through programs that make a real impact in your community.

- New Behavioural Management Framework with revised LGA Training Standards.
- Regional Health Workforce Toolkit to help your council attract and retain skilled health workers.
- 160 courses to 2,609 participants through LGA Training.
- 101 courses in emergency management to 1,552 people.
- Partnership with LG Professionals SA to strengthen training and development in the sector.
- Partnerships with Wellbeing SA, Green Industries SA and Department for Environment and Water to help councils work on environmental, recycling and wellbeing initiatives.

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
MINUTES OF MEETING
MONDAY 16 OCTOBER 2023
36 NAIRNE ROAD WOODSIDE**

In Attendance**Members:**

Cr Malcolm Herrmann	Presiding Member
Peter Brass	Independent Member
David Moffatt	Independent Member
Pamela Lee	Independent Member
Cr Melanie Selwood	Council Member

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Terry Crackett	Director Corporate Services
Natalie Armstrong	Director Development & Regulatory Services
Gary Lewis	Manager Finance Services
Kira-marie Laverty	Corporate Planning & Performance Coordinator
Jody Atkins	Governance & Risk Coordinator / Minute Secretary

Guests in Attendance:

Linh Dao, Audit and Insurance	BDO Australia
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1. 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 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.

2. APOLOGIES/LEAVE OF ABSENCE**2.1 Apology**

Nil

2.2 Leave of Absence

Nil

2.3 Absent

Nil

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
MINUTES OF MEETING
MONDAY 16 OCTOBER 2023
36 NAIRNE ROAD WOODSIDE**

3. MINUTES OF PREVIOUS MEETINGS

3.1 Audit Committee Meeting 21 August 2023

Moved Pamela Lee

S/- Peter Brass

AC37/23

That the minutes of the Audit Committee meeting held on 21 August 2023 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4. PRESIDING MEMBER'S OPENING REMARKS

The Presiding Member provided the Committee with an update on changes to the organisation's structure that had occurred following the recent resignations of Peter Bice, Lachlan Miller, and Pam Williams. The Chief Executive Officer also issued a Transitional Organisation Structure that provided additional details to the Committee and outlined the reasoning behind this structure.

A welcome to Gary Lewis, Finance Manager for attendance at his first meeting and Linh Dao from BDO.

5. DELEGATION OF AUTHORITY

In accordance with the Audit Committee Terms of Reference, the Committee has no delegated decision-making powers. There are no Recommendations arising to be submitted to Council for consideration.

6. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF AUDIT COMMITTEE

Nil

7. PRESENTATIONS, ACTION REPORT & WORKPLAN

7.1 Action Report and Work Plan Update

Moved Peter Brass

S/- Pamela Lee

AC38/23

- 1. That the Action Report and Workplan Update be received and noted.**
- 2. To note and approve the status of the Action Report October 2023 as contained in Appendix 1.**
- 3. To note and approve the Audit Committee Work Plan 2023 (Version: 1.3a) as contained in Appendix 2.**

Carried Unanimously

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
MINUTES OF MEETING
MONDAY 16 OCTOBER 2023
36 NAIRNE ROAD WOODSIDE**

8. OFFICER REPORTS – DECISION ITEMS

8.1 Development Services Service Review – Implementation Plan

Moved Pamela Lee

S/- David Moffatt

AC39/23

1. That the report be received and noted.
2. To receive and note the Management Review and Action Plan in response to the Service Review 2022-23 – Development Services, as contained in Appendix 4.
3. To note that that the implementation status of the agreed actions will be reported to Audit Committee and Council on a biannual basis, nominally March and August.

Carried Unanimously

8.2 2022/23 Annual Financial Statements and End of Year Report

The Audit Committee met with the Auditor, Linh Dao, BDO, without Council staff present, to discuss the External Auditor's report and any issues arising from the audit.

Moved Peter Brass

S/- Pamela Lee

AC40/23

1. That the 2022/23 Annual Financial Statements and End of Year Report be received and noted
2. That in accordance with Section 126(4)(a) of the Local Government (Financial Management) Regulations 1999, the Audit Committee advises Council that it has reviewed:
 - i. the General Purpose Financial Statements of the Council for the financial year ended 30 June 2023 as contained in Appendix 1, and
 - ii. the External Auditor BDO's Annual Completion Report as contained in Appendix 2, and is satisfied that the 2022-23 financial statements present fairly the state of affairs of the Council.
3. To recommend that the Adelaide Hills Council 2022-23 General Purpose Financial Statements, contained in Appendix 1, may be certified by the Chief Executive Officer and the Mayor.
4. To note the confirmation of BDO's Auditor Independence Statement provided at Appendix 2.
5. To recommend that the Certification of Auditor Independence statement contained in Appendix 3 may be certified by the Chief Executive Officer and the Presiding Member of the Audit Committee in accordance with the requirements of Regulation 22(3) of the Local Government (Financial Management) Regulations 2011.

Carried Unanimously

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
MINUTES OF MEETING
MONDAY 16 OCTOBER 2023
36 NAIRNE ROAD WOODSIDE**

8.3 Quarterly Council Performance Report – Q1 2023-24

Moved Cr Melanie Selwood
S/- Peter Brass

AC41/23

That the Quarterly Council Performance Report – Q4 2022-23 be received and noted.

Carried Unanimously

8.4 Internal Audit Quarterly Report – Q1 2023-24

Moved Pamela Lee
S/- David Moffatt

AC42/23

That the Internal Audit Quarterly Report be received and noted.

Carried Unanimously

9. MOTIONS ON NOTICE

9.1 Local Government Income Protection Fund

Moved Cr Malcolm Herrmann
S/- Cr Melanie Selwood

AC43/23

I move that the CEO investigates the operation of the Local Government Income Protection Fund (LGIPF) and provides a report to the February 2024 Audit Committee meeting. Among other topics which the CEO may identify, the report should address the following points between 2019/2020 and 2023/2024:

1. When did the LGIPF commence;
2. Was it part of an Enterprise Bargaining Agreement process at the time;
3. The premiums paid;
4. The number of claims lodged;
5. The number of claims approved;
6. The amount paid to employees under the provisions of the Plan;
7. The eligibility criteria;
8. The value for money of the Fund to both the council (as the employer) and employees;
9. Whether this form of benefit is common within the SA Public Service, the Local Government Sector, neighboring councils and/or the Group 2 councils;
10. Whether there are alternatives to the current arrangements;
11. If changes are to be considered, whether such changes could be incorporated into the next Enterprise Development Agreement.

Carried Unanimously

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
MINUTES OF MEETING
MONDAY 16 OCTOBER 2023
36 NAIRNE ROAD WOODSIDE**

10. QUESTIONS WITHOUT NOTICE

10.1 Stirling Arcade Fire

Peter Brass asked a question regarding the rate impact relating to the Stirling Village Fire.

11. CONFIDENTIAL ITEMS

Nil

12. NEXT MEETING

The next ordinary meeting of the Audit Committee will be held on Monday 20 November from 6.00pm at 63 Mt Barker Road, Stirling.

13. CLOSE MEETING

The meeting closed at 8.06pm.