



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: A/Mayor Nathan Daniell

Councillor Kirrilee Boyd
Councillor Adrian Cheater
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 12 March 2024
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 12 March 2024
6.30pm
63 Mt Barker Road Stirling

ORDER OF BUSINESS

1. COMMENCEMENT

2. OPENING STATEMENT

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

3. APOLOGIES/LEAVE OF ABSENCE

3.1. Apology
Apologies were received from

3.2. Leave of Absence

Mayor Jan-Claire Wisdom, 13 February 2024 to 14 May 2024, approved by Council on 13 February 2024

Cr Chris Grant, 17 February 2024 to 16 March 2024, approved by Council on 19 December 2023

3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 27 February 2024

That the minutes of the ordinary meeting held on Tuesday 27 February 2024 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

6. MAYOR'S OPENING REMARKS

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

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

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

- 8.1. Petitions
Nil
- 8.2. Deputations
Nil
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

Nil

10. ADJOURNED ITEM

Council Meetings and Information or Briefing Sessions – Time and Place of meetings
Adjourned item from 27 February 2024 meeting

11. QUESTIONS ON NOTICE

- 11.1. Legal costs under the Mayor seeking legal advice policy during the 2023/24 financial year – Cr Adrian Cheater
- 11.2. Government Levies on Waste Disposal - Cr Malcolm Herrmann
- 11.3. Naming rights sponsorship for local sports clubs – Cr Lucy Huxter

12. MOTIONS ON NOTICE

- 12.1. Support for Stirling main street businesses due to Stirling Village Mall (Woolworths) fire – Cr Leith Mudge
- 12.2. Attendance Records of Elected Members at Information or Briefing Sessions – Cr Pauline Gill
- 12.3. Creating more accessible and inclusive play spaces – Cr Pauline Gill
- 12.4. Business Plan including forward budget projections for FABRIK – Cr Kirsty Parkin
- 12.5. Which bin stickers on all green and yellow bins – Cr Kirsty Parkin
- 12.6. Our Watch Toolkit – Cr Louise Pascale
- 12.7. Reaffirmation of support to all Veterans – Cr Pauline Gill

13. ADMINISTRATION REPORTS – DECISION ITEMS

13.1. Revised Policy for Community Consultation – Management Built Heritage

1. *That the report be received and noted.*
2. *To approve the draft Management of Built Heritage Policy as contained in Appendix 1 for community consultation.*

13.2. Proposed Norton Summit Land Purchase

1. *That the report be received and noted.*
2. *In conjunction with The Synod of the Diocese of Adelaide of the Anglican Church of Australia (“the Church”), undertake a boundary realignment to alter the boundaries between the land located at 2 St John Road Norton Summit owned by Council and the land located at 8 St John Road Norton Summit owned by the Church, with the effect of Council purchasing from the Church an area of approximately 1369m² for the amount of \$94,000 exclusive of GST.*
3. *To allocate funding in 2024-25 budget for the purchase of the land in the amount of \$94,000 exclusive of GST (if applicable) plus Council’s proportion of purchase and land division costs estimated at \$15,000 plus GST, plus fencing costs estimated at \$5,000 plus GST.*
4. *To update the Council’s Community Land Register to reflect the additional area of land vesting in Council and to develop a Community Land Management Plan for the site.*
5. *To delegate to the CEO to all do things necessary, including sign all documents to give effect to this resolution.*
6. *To authorise the Mayor and CEO to apply the Council’s seal, if required, in the execution of any documents related to this resolution.*

14. ADMINISTRATION REPORTS – INFORMATION ITEMS

Nil

15. CORRESPONDENCE FOR NOTING

Nil

16. QUESTIONS WITHOUT NOTICE

17. MOTIONS WITHOUT NOTICE

18. REPORTS

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

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

18.3. CEO Report

19. REPORTS OF COMMITTEES

- 19.1. Council Assessment Panel – 6 March 2024
That the minutes of the CAP meeting held on Wednesday 6 March 2024 as supplied, be received and noted.

- 19.2. Audit Committee
Nil

- 19.3. CEO Performance Review Panel
CEO Performance Review Panel Minutes of Meeting – 8 February 2024 – refer 20.1 confidential items

- 19.4. Boundary Change Committee
Nil

20. CONFIDENTIAL ITEMS

- 20.1. CEO Performance Review Panel Minutes of Meeting – 8 February 2024
That the confidential minutes of the CEO PRP Committee meeting held on 8 February 2024 as supplied, be received and noted.

21. NEXT MEETING

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

22. CLOSE MEETING

Council Meeting & Workshops 2024

DATE	TYPE	LOCATION	MINUTE TAKER
MARCH 2024			
Mon 4 March	Workshop	Woodside	N/A
Tues 12 March	Council	Stirling	Rebekah Lyons
Wed 13 March	CAP	Stirling	Karen Savage
Tues 19 March	Professional Development	Stirling	N/A
Thursday 21 March	CEO PRP	Stirling	Kelley Jones Lawyers
Tues 26 March	Council	Stirling	Rebekah Lyons
APRIL 2024			
Tues 2 April (Easter Monday)	Workshop	Woodside	N/A
Wed 10 April	CAP	Stirling	Karen Savage
Tues 16 April	Professional Development	Stirling	N/A
Mon 15 April	Audit Committee	Stirling	Jody Atkins
Tues 23 April	Council	Stirling	Rebekah Lyons
MAY 2024			
Mon 6 May	Workshop	Woodside	N/A
Wed 8 May	CAP	Stirling	Karen Savage
Mon 20 May	Audit Committee	Stirling	Jody Atkins
Tues 21 May	Professional Development	Stirling	N/A
Thurs 23 May	CEO PRP	Stirling	Kelley Jones Lawyers
Tues 28 May	Council	Stirling	Rebekah Lyons
JUNE 2024			
Mon 3 June	Workshop	Woodside	N/A
Wed 12 June	CAP	Stirling	Karen Savage
Tues 18 June	Professional Development	Stirling	N/A
Tues 25 June	Council	Stirling	Rebekah Lyons
JULY 2024			
Mon 1 July	Workshop	Woodside	N/A
Wed 10 July	CAP	Stirling	Karen Savage
Tues 16 July	Professional Development	Stirling	N/A
Tues 23 July	Council	Stirling	Rebekah Lyons
AUGUST 2024			
Mon 5 August	Workshop	Woodside	N/A
Wed 14 August	CAP	Stirling	Karen Savage
Mon 19 August	Audit Committee	Stirling	Jody Atkins
Tues 20 August	Professional Development	Stirling	N/A
Thurs 22 August	CEO PRP	Stirling	Kelley Jones Lawyers
Tues 27 August	Council	Stirling	Rebekah Lyons
SEPTEMBER 2024			

DATE	TYPE	LOCATION	MINUTE TAKER
Mon 2 September	Workshop	Woodside	N/A
Wed 11 September	CAP	Stirling	Karen Savage
Tues 17 September	Professional Development	Stirling	N/A
Tues 24 September	Council	Stirling	Rebekah Lyons
OCTOBER 2024			
Tues 8 October (Public Holiday)	Workshop	Woodside	N/A
Wed 9 October	CAP	Stirling	Karen Savage
Tues 15 October	Professional Development	Stirling	N/A
Mon 14 Oct	Audit Committee	Stirling	Jody Atkins
Tues 22 October	Council	Stirling	Rebekah Lyons
NOVEMBER 2024			
Mon 4 November	Workshop	Woodside	N/A
Wed 13 November	CAP	Stirling	Karen Savage
Mon 18 November	Audit Committee	Stirling	Jody Atkins
Tues 19 November	Professional Development	Stirling	N/A
Thurs 21 November	CEO PRP	Stirling	Kelley Jones Lawyers
Tues 26 November	Council	Stirling	Rebekah Lyons
DECEMBER 2024			
Mon 2 December	Workshop	Woodside	N/A
Wed 11 December	CAP	Stirling	Karen Savage
Tues 17 December	Council	Stirling	Rebekah Lyons

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 deputees 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 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Acting Mayor Nathan Daniell

Members:

Councillor Kirrilee Boyd
Councillor Adrian Cheater
Councillor Pauline Gill
Councillor Malcolm Herrmann
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Ashley Curtis	Acting Director Corporate Services
Natalie Armstrong	Director Community and Development
David Waters	Director Environment and Infrastructure
Tracy Riddle (Kelledy Jones)	Governance Support
Zoë Gill	Governance and Risk Coordinator
Rebekah Lyons	Minute Secretary
Tom Portas	Technical Support
Jennifer Blake	Manager Communications, Engagements and Events
Deryn Atkinson	Manager Development Services
Gary Lewis	Manager Financial Services

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.

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3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

Cr Lucy Huxter

3.2 Leave of Absence

Mayor Jan-Claire Wisdom, 13 February 2024 to 14 May 2024, approved by Council at its meeting of 13 February 2024.

Cr Chris Grant, 17 February 2024 to 16 March 2024, approved by Council at its meeting of 19 December 2023.

6:31pm Cr Louise Pascale joined the meeting.

3.3 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 13 February 2024

Moved Cr Malcolm Herrmann

S/- Cr Pauline Gill

36/24

Council resolves that the minutes of the Ordinary Council meeting held on 13 February 2024, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4.2 Special Council Meeting – 20 February 2024

Moved Cr Mark Osterstock

S/- Cr Adrian Cheater

37/24

Council resolves that the minutes of the Special Council meeting held on 20 February 2024, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

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5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 General Conflict of Interest, Cr Melanie Selwood – Item 19.2 Amy Gillett Bikeway Prudential Report and Construction Funding

Under section 75B of the *Local Government Act 1999* Cr Melanie Selwood disclosed a General (section 74) Conflict of Interest in Item 19.2.

5.2 Material Conflict of Interest, Acting Mayor Nathan Daniell – Item 12.1 Appointment of Selection Panel for CAP Members and adoption of Revised Terms of Reference for CAP

Under section 75C of the *Local Government Act 1999* Acting Mayor Nathan Daniell disclosed a Material (section 75) Conflict of Interest in Item 12.1.

5.3 Material Conflict of Interest, Councillor Leith Mudge – Item 12.1 Appointment of Selection Panel for CAP Members and adoption of Revised Terms of Reference for CAP

Under section 75C of the *Local Government Act 1999* Cr Leith Mudge disclosed a Material (section 75) Conflict of Interest in Item 12.1.

6. PRESIDING MEMBER'S OPENING REMARKS

The Acting Mayor welcomed members of the Gallery and thanked them for attending the meeting. Acting Mayor Daniell expressed his keen interest in hearing from those planning to speak during the Public Forum.

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

With leave of the meeting Item 8.3 was brought forward on the agenda.

8.3 Public Forum

Susie O'Brien of Hahndorf, Amy Gillett Bikeway.

Melanie Walker and Rachel Crees of Paracombe, extension of green bin collection to Paracombe.

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With leave of the meeting the duration of Item 8.3 was extended for an additional 5 minutes.

Daisy Karamanlis of Lenswood, state of the pathway between Lenswood Primary School and the Lenswood General Store.

8.1 Petitions

Nil

8.1.1 Pathway Between Lenswood Primary School and Lenswood General Store

Moved Cr Malcolm Herrmann

S/- Cr Pauline Gill

38/24

Council resolves:

- 1. That the petition signed by 21 signatories requesting improvements to the pathway along Lobethal Road between Lenswood Primary School and the general store in Lenswood to be received and noted.**
- 2. That maintenance work be undertaken to improve the surface condition of the existing roadside verge.**
- 3. That a proposal for further improvements to the pathway be considered as part of the 2024-25 Annual Business Plan and Budget deliberations.**
- 4. That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.**

Carried Unanimously

8.2 Deputations

Nil

8.3 Public Forum

This item was considered earlier in the meeting.

9. PRESENTATIONS

Nil

10. QUESTIONS ON NOTICE

Nil

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11. MOTIONS ON NOTICE

11.1 Provision of fortnightly FOGO kerbside collection to Paracombe

6:53pm Cr Malcolm Herrmann left the meeting room.

6:54pm Cr Malcolm Herrmann returned to the meeting room.

Moved Cr Melanie Selwood

S/- Cr Pauline Gill

39/24

That:

1. Council notes that there is a trial of options regarding FOGO kerbside collection currently in progress;
2. The CEO prepare a report to Council exploring the provision of fortnightly FOGO kerbside collection to Paracombe and other comparable clusters of smaller residential properties outside the current service areas, before the trial is completed;
3. The report include:
 - a. Financial implications;
 - b. Boundary of most populated areas within which FOGO kerbside collection could be achievable;
 - c. Recommendations to Council regarding the implementation of FOGO bins in Paracombe;
 - d. Any other relevant matters;
4. The report be returned no later than 30 May 2024.

VARIATION

Through the presiding member, with the consent of the Mover and Seconder, leave of the meeting was sought and granted to vary section 3(c) of the motion, as follows:

That:

- 1. Council notes that there is a trial of options regarding FOGO kerbside collection currently in progress;**
- 2. The CEO prepare a report to Council exploring the provision of fortnightly FOGO kerbside collection to Paracombe and other comparable clusters of smaller residential properties outside the current service areas, before the trial is completed;**

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- 3. The report include:**
- a. Financial implications;
 - b. Boundary of most populated areas within which FOGO kerbside collection could be achievable;
 - c. Recommendations to Council regarding the implementation of FOGO bins in Paracombe; and other comparable clusters of smaller residential properties outside the current service areas
 - d. Any other relevant matters;
- 4. The report be returned no later than 30 May 2024.**

Carried Unanimously

11.2 Community Meetings

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

40/24

That:

1. The Adelaide Hills Council organises and runs at least four Community Meetings a year in different locations across Adelaide Hills Council to give community members, Council staff and Elected Members the opportunity to connect, hear the voices of community members on current issues and help ensure community members are aware of Council initiatives.
2. This schedule of quarterly events should commence in the first financial quarter of next financial year – from June 2024 – to give staff time to plan and schedule events.

7:23pm Cr Louise Pascale left the meeting room.

7:23pm Cr Adrian Cheater left the meeting room.

7:24pm Cr Adrian Cheater returned to the meeting room.

VARIATION

Through the presiding member, with the consent of the Mover and Seconder, leave of the meeting was sought and granted to vary section 2 of the motion, as follows:

That:

1. **The Adelaide Hills Council organises and runs at least four Community Meetings a year in different locations across Adelaide Hills Council to give community members, Council staff and Elected Members the opportunity to connect, hear the voices of**

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community members on current issues and help ensure community members are aware of Council initiatives.

2. This schedule of quarterly events should commence in the first financial quarter of next financial year – from July 2024 – to give staff time to plan and schedule events.

Carried Unanimously

12. OFFICER REPORTS – DECISION ITEMS

12.1 Appointment of Selection Panel for Council Assessment Panel (CAP) Membership and Adoption of Terms of Revised Terms of Reference for CAP

Under section 75C of the *Local Government Act 1999* Acting Mayor Nathan Daniell disclosed a Material (section 75) Conflict of Interest in Item 12.1 Appointment of Selection Panel for CAP Members and adoption of Revised Terms of Reference for CAP, the nature of which is as follows:

- I receive a sitting fee as a deputy member when I attend a panel meeting and have a pecuniary interest in the Revised Terms of Reference.

7:26pm Acting Mayor Nathan Daniell left the meeting room.

Under section 75C of the *Local Government Act 1999* Cr Leith Mudge disclosed a Material (section 75) Conflict of Interest in Item 12.1 Appointment of Selection Panel for CAP Members and adoption of Revised Terms of Reference for CAP, the nature of which is as follows:

- I receive a sitting fee as a panel member and have a pecuniary interest in the Revised Terms of Reference.

7:26pm Cr Leith Mudge left the meeting room.

With leave of the meeting Cr Malcolm Herrmann presided over Item 12.1 in the absence of Acting Mayor Nathan Daniell.

12.1.1 Appointment of Selection Panel for Council Assessment Panel (CAP) Membership

**Moved Cr Melanie Selwood
S/- Cr Adrian Cheater**

41/24

Council resolves:

1. That the report be received and noted.

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2. To appoint Cr Leith Mudge and Cr Nathan Daniell and the CEO (or delegate) as members of the Council Assessment Panel Independent Member Selection Panel.

Carried Unanimously

7:33pm Cr Louise Pascale returned to the meeting room.

12.1.2 Adoption of Terms of Revised Terms of Reference for CAP

Moved Cr Melanie Selwood
S/- Cr Mark Osterstock

42/24

Council resolves:

3. To revoke the Council Assessment Panel Terms of Reference dated 26 April 2022 and to adopt the Council Assessment Panel Terms of Reference contained in *Appendix 2* of this Report and
4. The CEO be authorised to make minor content, grammatical and formatting amendments to the Council Assessment Panel Terms of Reference during the period of currency.

Carried Unanimously

7:34pm Acting Mayor Nathan Daniell returned to the meeting room and resumed the Chair.

7:34pm Cr Leith Mudge returned to the meeting room.

12.2 Council and Information or Briefing Sessions Time and Place of Meetings

Moved Cr Adrian Cheater
S/- Cr Kirrilee Boyd

/24

Council resolves:

1. That the report be received and noted.
2. Commencing 28 February 2024, Ordinary Council Meetings will be held at 63 Mount Barker Road, Stirling and are scheduled to commence at 6.30pm on the 2nd Tuesday of the month for a period of 3 months up to the 11th of June 2024 (3rd Tuesday in January).
3. The Chief Executive Officer be authorised to adjust the Ordinary Council Meeting schedule, including the time and place of the meeting, where matters necessitate a

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change such as a meeting date occurring on a public holiday, catastrophic fire danger day or other valid reason.

4. Commencing 28 February 2024, times and venues of Special Council Meetings, requested in accordance with the legislative provisions, are to be determined by the Chief Executive Officer.
5. Commencing 28 February 2024 until the end of Council term, Information or Briefing sessions are scheduled as follows:
6. Workshops and Professional Development Sessions scheduled ordinarily at 6.30pm on the 1st and 4th Tuesday of each month, held at 36 Nairne Road, Woodside, and 63 Mount Barker Road, Stirling.
7. The Chief Executive Officer be authorised to schedule additional or Information or Briefing or remove sessions where workload dictates, or adjust the Information or Briefing Sessions schedule, including time and place of the sessions, where matters necessitate a change such as an Information or Briefing Session date occurring on a public holiday, catastrophic fire danger day or other valid reason. The Chief Executive Officer is authorised to adjust any Policy which is impacted by the setting of the time and place of meetings.
8. The CEO investigates, presents and workshops any potential policy considerations in the interest of improving Ordinary Meeting duration, procedures and accessibility within the above mentioned 3 month period.
9. The CEO develops a report to address the format and procedures of Informational Briefing Sessions/Workshops including consideration for defining terms such as 'workshop' item or 'informational briefing' items and how they can be facilitated accordingly.

12.2.1 Formal Motion

**Moved Cr Malcolm Herrmann
S/- Cr Pauline Gill**

43/24

Council resolves that the item be adjourned to the next Ordinary meeting of Council.

Carried

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12.2.2 Motion Without Notice

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

**Moved: Cr Malcolm Herrmann
S/- Cr Melanie Selwood**

44/24

Council resolves that an Ordinary Council Meeting be held on Tuesday 12 March 2024 from 6.30pm at 63 Mt Barker Road, Stirling.

Carried

12.3 Local Government Participation and Elections Review Report

7:55pm Cr Louise Pascale left the meeting room and did not return.

7:57pm Cr Pauline Gill left the meeting room and did not return.

**Moved Cr Adrian Cheater
S/- Cr Leith Mudge**

45/24

Council resolves:

1. That the report be received and noted.
2. That Council endorse the Adelaide Hills Council Local Government Participation and Election Review Final Submission be issued to the Office for Local Government with a copy provided to the Local Government Authority for their information.

VARIATION

Through the presiding member, with the consent of the Mover and Seconder, leave of the meeting was sought and granted to vary the motion by adding Point 3.

Council resolves:

1. That the report be received and noted.
2. That Council endorse the Adelaide Hills Council Local Government Participation and Election Review Final Submission be issued to the Office for Local Government with a copy provided to the Local Government Authority for their information.
3. That the CEO is authorised to make administrative changes that do not substantively change the content of the submission.

Carried Unanimously

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12.4 Adelaide Hills Council Budget Review 2

8:07pm Cr Kirrilee Boyd left the meeting room.

8:09pm Cr Kirrilee Boyd returned to the meeting room.

Moved Cr Malcolm Herrmann

S/- Cr Melanie Selwood

46/24

Council resolves:

- 1. That the report on the 2023/24 Budget Review 2 be received and noted.**
- 2. To adopt the proposed budget adjustments presented in Budget Review 2 which result in:**
 - a. A change to the Operating Surplus from of \$558k to an Operating Surplus of \$572k for the 2023-24 financial year.**
 - b. A reduction of \$605k in capital expenditure for the 2023-24 financial year to reflect estimated carry forwards relating to project delivery resulting in a revised capital expenditure budget for 2023-24 of \$25m.**
 - c. Council's Net Borrowing Result for the 2023-24 financial year being reduced by \$2.0m to \$8.492m.**
- 3. Council notes that the above adjustments results in Council meeting the approved financial targets of:**
 - a. Operating Surplus Ratio of 1% (within the approved range of 1%-5%)**
 - b. Operating Surplus Ratio using the Underlying Surplus of 1.7% (within the approved range of 1%-5%)**
 - c. Net Financial Liabilities Ratio of 56% (within the approved range of 25% to 75%)**
- 4. Council notes that the Asset Renewal Funding Ratio of 136% exceeded the approved range of 95% to 105%.**

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

13.1 Quarterly Council Performance Report

Moved Cr Mark Osterstock

S/- Cr Kirsty Parkin

47/24

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

Council resolves that the Quarterly Council Performance Report – Q2 2023-24 be received and noted.

Carried Unanimously

14. CORRESPONDENCE FOR INFORMATION

Nil

15. QUESTIONS WITHOUT NOTICE

Cr Melanie Selwood – Current agreements with community clubs and halls.

15.1 Motion Without Notice

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

Moved: Cr Malcolm Herrmann

S/- Cr Adrian Cheater

48/24

Council resolves that the minutes of the meeting reflect the Question Without Notice and the answer in relation to the Houghton Hub Project Proposal.

Carried Unanimously

Question: Cr Malcolm Herrmann requested a response with respect to the funding application for the Houghton Hub Project Proposal.

Answer: David Waters, Director Environment and Infrastructure: the Houghton Hub Project Proposal was not listed in the successful projects issued by the Office of Recreation, Sport and Racing. Mr Waters expressed there may be potential implications for the project as the Council's funding commitment to the project is contingent on the Houghton Hub Community Group receiving funding from the State Government.

16. MOTIONS WITHOUT NOTICE

Nil

17. REPORTS

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

17.1 Council Member Function or Activity on the Business of Council

Cr Louise Pascale

- 24 February – Morialta Residents Association Annual General Meeting

Cr Malcolm Herrmann

- 1 February – RSL Gumeracha Sub Branch
- 2 February – Mount Torrens Centennial Park
- 25 February – Oakbank Area School Old Scholars Reunion

Cr Kirsty Parkin

- 24 February – Meeting with residents of Piccadilly concerns regarding development and planning in their area
- 27 February – Informal, positive meeting with Dog Park users

Cr Adrian Cheater

- 21 February - Lobethal Community Association

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

Cr Malcolm Herrmann

- 5 February – GRFMA Audit Committee (via Zoom)
- 7 February – GRFMA Workshop Munno Para

Cr Adrian Cheater

- 22/23 February Southern and Hills LGA Strategy Planning and Board Meeting

17.3 CEO Report

Greg Georgopoulos, CEO, provided Council with a verbal update, including:

- Director of Corporate Services acting arrangements in place for the next 6 months whilst the formal recruitment process is undertaken.
- Southern & Hills LGA meeting on Kangaroo Island. Greg discussed the focus to redefine the value proposition and the strategic purpose for the group. The CEO will update Council regarding the developments.
- Council representation at the Stirling Rotary Community meeting being held on Wednesday 28 February.

18. REPORTS OF COMMITTEES

18.1 Council Assessment Panel

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

18.2 Audit Committee

Moved Cr Malcolm Herrmann
S/- Cr Melanie Selwood

49/24

Council resolves that the minutes of the Audit Committee meeting held on 19 February 2024, as supplied, be received and noted.

Carried Unanimously

18.3 CEO Performance Review Panel

Nil

18.4 Boundary Change Committee

Nil

18.4.1 Short Adjournment

Moved Cr Melanie Selwood
S/- Cr Adrian Cheater

50/24

That the Council meeting adjourn for a short break.

Carried Unanimously

8:36pm the Council meeting adjourned.

8:47pm the Council meeting resumed.

19. CONFIDENTIAL ITEMS

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

19.1 Recovery of Unpaid Rates – Exclusion of the Public

Moved Cr Mark Osterstock
S/- Cr Adrian Cheater

51/24

Carried Unanimously

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 Environment & Infrastructure, David Waters
- A/Director Corporate Services, Ashley Curtis
- Manager Finance, Gary Lewis
- Director Community & Development, Natalie Armstrong
- Governance & Risk Officer, Zoe Gill
- Governance Support, Tracy Riddle
- Minute Secretary, Rebekah Lyons
- IT Support, Tom Portas

be excluded from attendance at the meeting for Agenda Item 19.1: (Recovery of unpaid rates) in confidence.

The Council is satisfied that it is necessary that the public, except for Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

Section 90(3)(i) of the *Local Government Act 1999 (SA)*, the information to be received, discussed or considered in relation to this Agenda Item is information relating to actual litigation, or litigation that the Council or Council Committee believes on reasonable grounds that will take place, involving the Council or an employee of the Council, the disclosure of which could reasonably be expected to prejudice the legal processes required to progress the sale of land.

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.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

19.1.1 Recovery of Unpaid Rates – Confidential Item

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

19.1.2 Recovery of Unpaid Rates – Duration of Confidentiality

Moved Cr Malcolm Herrmann
S/- Cr Mark Osterstock

53/24

Carried Unanimously

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 18.1 in confidence under sections 90(2) and 90(3)(k) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	Until either the negotiations for sale are completed or a settlement reached or until legal proceedings have concluded, but no longer than 12 months.
Related Attachments	Until either the negotiations for sale are completed or a settlement reached or until legal proceedings have concluded, but no longer than 12 months.
Minutes	Until either the negotiations for sale are completed or a settlement reached or until legal proceedings have concluded, but no longer than 12 months.
Other (presentation, documents, or similar)	Nil

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.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

19.2 Amy Gillett Bikeway – Prudential Report and Construction Funding - Exclusion of the Public

Moved Cr Kirsty Parkin

S/- Cr Adrian Cheater

54/24

Carried Unanimously

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 Environment & Infrastructure, David Waters
- Acting Director Corporate Services, Ashley Curtis
- Director Community & Development, Natalie Armstrong
- Governance and Risk Coordinator, Zoe Gill
- Governance Support, Tracy Riddle
- Minute Secretary, Rebekah Lyons
- IT Support, Tom Portas
- Manager Strategic Assets, David Collins

be excluded from attendance at the meeting for Agenda Item 19.2: (Amy Gillett Bikeway Stage 4 – Prudential Review and Construction Funding) in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

- (j) Section 90(3)(j) of the *Local Government Act 1999*, the information to be received, discussed, or considered in relation to this Agenda Item is information the disclosure of which –
- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest.

Accordingly, on this basis the principle that meetings of the Committee should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

19.2.1 Amy Gillett Bikeway – Prudential Report and Construction Funding – Confidential Item

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

19.2.2 Amy Gillett Bikeway – Prudential Report and Construction Funding – Duration of Confidentiality

Moved Cr Kirsty Parkin
S/- Cr Malcolm Herrmann

56/24

Carried Unanimously

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 19.2 in confidence under sections 90(2) and 90(3)(j) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	19 December 2024 or with agreement with the State and Federal Governments, whichever is the earlier.
Related Attachments	19 December 2024 or with agreement with the State and Federal Governments, whichever is the earlier.
Minutes	19 December 2024 or with agreement with the State and Federal Governments, whichever is the earlier.
Other	N/A

Notwithstanding, the fact that the Council is working with other levels of government to find a way to complete the Amy Gillett Bikeway extension within available funding levels shall not be subject to the confidentiality order.

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.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

19.3 Audit Committee Minutes of Meeting – 12 February 2024 - Exclusion to the Public

Moved Cr Adrian Cheater
S/- Cr Kirsty Parkin

57/24

Carried Unanimously

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 Environment & Infrastructure, David Waters
- Acting Director Corporate Services, Ashley Curtis
- Director Community & Development, Natalie Armstrong
- Governance and Risk Coordinator, Zoe Gill
- Governance Support, Tracy Riddle
- Minute Secretary, Rebekah Lyons
- IT Support, Tom Portas
- Manager Strategic Assets, David Collins

be excluded from attendance at the meeting for Agenda Item 19.3: (Audit Committee Minutes of Meeting – 12 February 2024) in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

- (k) Section 90(3)(j) of the *Local Government Act 1999*, the information to be received, discussed, or considered in relation to this Agenda Item is information the disclosure of which –
- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest.

Accordingly, on this basis the principle that meetings of the Committee should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

19.3.1 Audit Committee Minutes of Meeting – 12 February 2024 – Confidential Item

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

19.3.2 Audit Committee Minutes of Meeting – 12 February 2024 – Duration of Confidentiality

Moved Cr Kirrilee Boyd
S/- Cr Leith Mudge

59/24

Carried Unanimously

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 19.3 in confidence under sections 90(2) and 90(3)(j) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	19 December 2024 or with agreement with the State and Federal Governments, whichever is the earlier.
Related Attachments	19 December 2024 or with agreement with the State and Federal Governments, whichever is the earlier.
Minutes	19 December 2024 or with agreement with the State and Federal Governments, whichever is the earlier.
Other	N/A

Notwithstanding, the fact that the Council is working with other levels of government to find a way to complete the Amy Gillett Bikeway extension within available funding levels shall not be subject to the confidentiality order.

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.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 27 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

20. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 12 March 2024 from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 9.12pm

Item 10 Adjourned Items

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item: 10

Responsible Officer: Zoë Gill
Governance and Risk Coordinator

Subject: Adjourned Item: Council and Information or Briefing Sessions –
time and place of meetings

For: Decision

SUMMARY

The purpose of this report is to:

- seek a decision on the time and place of Council meetings and Information or Briefing Sessions and
- provide additional information since the 27 February 2024 meeting, including revised options for motions

RECOMMENDATION

Option 1

Council resolves that:

1. **The report be received and noted.**
2. **The following be trailed for 12 months commencing April 2024 and ending after Tuesday 25 March 2025**

Day	Meeting Type	Location	Time
First Tuesday of the Month	No Meeting		
Second Tuesday of the Month	Workshop	36 Nairne Road, Woodside	6.30pm
Third Tuesday of the Month	Ordinary Council Meeting	63 Mount Barker Road, Stirling	6.30pm
Fourth Tuesday of the Month	Professional Development	63 Mount Barker Road, Stirling	6.30pm

	(or Workshop where necessary)		
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3. **For the remainder of the month of March 2024:**
 - a. **A Workshop is held on 19 March 2024 at 63 Mount Barker Road, Stirling at 6.30pm**
 - b. **An Ordinary Council Meeting is held on 26 March 2024 at 63 Mount Barker Road, Stirling at 6.30pm**
4. **The Chief Executive Officer has the delegated authority in exceptional circumstances, including but not limited to, catastrophic fire danger days and other emergency situations, after consultation with the Mayor, to move the time and place of an Ordinary Meeting.**
5. **The Chief Executive Officer has the delegated authority to schedule the time and venue of any Special Council Meetings, requested in accordance with the Local Government Act 1999, after consultation with the Mayor and Members with respect to availability.**
6. **The Chief Executive Officer investigates, presents and workshops any potential policy considerations in the interests of improving Ordinary Meeting duration, procedures and accessibility within the above 12-month trial.**
7. **The Chief Executive Officer is authorised to amend any Policy that may be impacted by this resolution of the Council, only to the extent of facilitating the content of this resolution.**

Option 2

Council resolves that:

8. **The report be received and noted.**
9. **The following be trailed for 12 months commencing 13 March 2024 and ending after Tuesday 25 March 2025**

Day	Meeting Type	Location	Time
First Monday of the Month	Workshop	Nairne Road, Woodside	6.30pm
Second Tuesday of the Month	Ordinary Council Meeting	63 Mount Barker Road, Stirling	6.30pm
Third Tuesday of the Month	Professional Development (or Workshop where necessary)	63 Mount Barker Road, Stirling	6.30pm
Fourth Tuesday of the Month	Ordinary Council Meeting	63 Mount Barker Road, Stirling	6.30pm

10. **The Chief Executive Officer has the delegated authority in exceptional circumstances, including but not limited to, catastrophic fire danger days and other emergency situations, after consultation with the Mayor, to move the time and place of an Ordinary Meeting.**
 11. **The Chief Executive Officer has the delegated authority to schedule the time and venue of any Special Council Meetings, requested in accordance with the Local Government Act 1999, after consultation with the Mayor and Members with respect to availability.**
 12. **The Chief Executive Officer investigates, presents and workshops any potential policy considerations in the interests of improving Ordinary Meeting duration, procedures and accessibility within the above 12-month trial.**
 13. **The Chief Executive Officer is authorised to amend any Policy that may be impacted by this resolution of the Council, only to the extent of facilitating the content of this resolution.**
-

1. BACKGROUND

At the 27 February 2024 meeting, Item 12.2 addressed an administration report on Council and Information or Briefing Sessions Time and Place of Meetings. This report is attached. In summary it identifies that:

- The administrative burden of two meetings a month is substantial
- The resource and financial cost of two meetings a month is likely two times that of one meeting a month
- The overall number of Council decisions was similar for one and two meetings a month
- Councillor attendance rates was slightly lower for two meetings a month

The following motion was moved and seconded on 27 February 2024:

Council resolves:

1. *That the report be received and noted.*
2. *Commencing 28 February 2024, Ordinary Council Meetings will be held at 63 Mount Barker Road, Stirling and are scheduled to commence at 6.30pm on the 2nd Tuesday of the month for a period of 3 months up to the 11th of June 2024 (3rd Tuesday in January).*
3. *The Chief Executive Officer be authorised to adjust the Ordinary Council Meeting schedule, including the time and place of the meeting, where matters necessitate day or other valid reason.*
4. *Commencing 28 February 2024, times and venues of Special Council Meetings, requested in accordance with the legislative provisions, are to be determined by the Chief Executive Officer.*
5. *Commencing 28 February 2024 until the end of Council term, Information or Briefing sessions are scheduled as follows:*

6. *Workshops and Professional Development Sessions scheduled ordinarily at 6.30pm on the 1st and 4th Tuesday of each month, held at 36 Nairne Road, Woodside, and 63 Mount Barker Road, Stirling.*
7. *The Chief Executive Officer be authorised to schedule additional or Information or Briefing or remove sessions where workload dictates, or adjust the Information or Briefing Sessions schedule, including time and place of the sessions, where matters necessitate a change such as an Information or Briefing Session date occurring on a public holiday, catastrophic fire danger day or other valid reason. The Chief Executive Officer is authorised to adjust any Policy which is impacted by the setting of the time and place of meetings.*
8. *The CEO investigates, presents and workshops any potential policy considerations in the interest of improving Ordinary Meeting duration, procedures and accessibility within the above mentioned 3 month period.*
9. *The CEO develops a report to address the format and procedures of Informational Briefing Sessions/Workshops including consideration for defining terms such as ‘workshop’ item or ‘informational briefing’ items and how they can be facilitated accordingly.*

The debate was adjourned.

2. ANALYSIS

- **Strategic Management Plan/Functional Strategy/Council Policy Alignment**
Under the *Local Government Act 1999* Council members have an obligation to ensure, as far as practicable, that the principles of the Act are observed (s59(1)(a)(viii)), including that ‘council resources are used fairly, effectively and efficiently...’(s8(h)).

- **Legal Implications**

Section 81 of the *Local Government Act 1999* (the ‘Act’) sets out the provisions regarding the frequency and timing of **ordinary** council meetings. Key amongst these are:

- the ordinary meetings of a council will be held at times and places appointed by a resolution of the council.
- there must be at least one ordinary meeting in each month.
- if a time and place has not been appointed for the ordinary meeting, the chief executive must appoint the time and date.
- ordinary meetings may not be held on Sundays or on public holidays.

Section 82 of the Act sets out the provisions regarding the calling of **special** council meetings. Key amongst these are:

- the CEO must call a special council meeting at the request of:
 - the principal member
 - at least three council members
 - a council committee at which three members of the council vote in favour of the request

- the CEO must be provided with an agenda for the special meeting when the request is made
- special meetings may be held at any time.

Section 90A of the Act sets out the provisions regarding the holding of an information or briefing session. Key amongst these are:

- a CEO or council may hold or arrange a session to which more than one Member is invited for the purposes of providing information or a briefing to attendees
- a matter must not be dealt with in such a way as to effectively obtain a decision outside of a council or council committee meeting
- a session must be conducted in a place open to the public if a matter is discussed that is intended to be on the agenda a council or council committee meeting unless an appropriate confidentiality provision under s90(3) is utilised.

➤ **Risk Management Implications**

Late meetings may result in Council members being fatigued when considering important Council Business, noting sensitive and confidential items often occur at the end of a meeting.

The resources, costs, and effectiveness of Council's meeting schedule should meet community expectations.

There may be work health and safety considerations regarding an intensive after hours meeting program, including in relation to enterprise bargaining.

➤ **Financial and Resource Implications**

The resourcing requirements for two Council Meetings a fortnight are significantly higher than the requirements for one meeting a month, including in relation to staff hours, catering, overtime and flexi-time.

A two monthly meeting schedule has significant impact on the time and energy of executive leadership.

Should Council Meetings be increased to two a month, the Chief Executive Officer may consider whether additional resources or the reallocation of resources is required.

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

The timing and location of Council Meetings and Information or Briefing Sessions should be considerate of the desire for community members to attend and participate in the meetings (where appropriate). A consistent scheduling approach, where possible, supports accessibility.

➤ **Sustainability Implications**

Not Applicable

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

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Discussed at 20 February 2024 workshop
<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	Not Applicable
<i>Community:</i>	Not Applicable

➤ **Additional Analysis**

Administration advises that it will be difficult to assess the effectiveness of a 3-month trial as there will be no clear comparison point. It will be difficult to give meaning to measures such as number of decisions and Councillor attendance. A 12-month trial would be more appropriate to enable a more accurate comparison. If 12 months is not agreeable, a 6-month trial would still enable more adequate analysis for Council Members.

The Information or Briefing Sessions cover both workshops and professional development. It should be noted that a program for mid-term mandatory training for Council Members is due soon, which will need to take priority in the coming months.

3. OPTIONS

Council has the following options:

In relation to the length of a trial:

- I. Undertake a further trial of one year (Recommended)
- II. Undertake a shorter trial (not recommend)

In relation to the schedule of meetings:

- III. Revert to one Ordinary Council meeting a month and two workshops/professional development sessions (Option 1)
- IV. Retain two Ordinary Council Meetings a month and two workshops/professional development sessions (Option 2)

4. APPENDICES

- (1) Report from 27 February 2024 Meeting: Council and Information or Briefing Sessions time and place of meetings

Appendix 1

*Report from 27 February 2024 Meeting: Council and
Information or Briefing Sessions time and place
of meetings*

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 February 2024
AGENDA BUSINESS ITEM**

Item: 12.3

Responsible Officer: Zoe Gill
Governance and Risk Coordinator
Office of the Chief Executive

Subject: Time and Place of Meetings

For: Decision

SUMMARY

The purpose of this report is to advise Council Members that the two Council meetings per month trial initiated on 29 November 2022 is due to expire on 28 February 2024. Further determination on Council Meeting occurrences must be resolved if more than one meeting per month is required.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
- 2A Commencing 28 February 2024, Ordinary Council Meetings will be held at 63 Mount Barker Road, Stirling and are scheduled to commence at 6.30pm on the second Tuesday of the month for the existing term of council, except for:**
 - a. January 2025 (which will be held on the 4th Tuesday – 28 January 2025)**

OR

- 2B Commencing 28 February 2024 until _____ (*insert trial date if applicable*), Ordinary Council Meetings will be held at 63 Mount Barker Road, Stirling and are scheduled to commence at 6.30pm on the second and fourth Tuesday of the month, except for:**
 - b. December 2024 (which will be held on the 3rd Tuesday – 17 December 2024)**
 - c. January 2025 (which will be held on the 4th Tuesday – 28 January 2025)**

OR

- 2C Commencing 28 February 2024 _____ (*insert other variation e.g. enable adjournment of meetings and continue at the next Information or Briefing Session*)**

3. **The Chief Executive Officer be authorised to adjust the Ordinary Council Meeting schedule, including the time and place of the meeting, where matters necessitate a change such as a meeting date occurring on a public holiday, catastrophic fire danger day or other valid reason.**
4. **Commencing 28 February 2024, times and venues of Special Council Meetings, requested in accordance with the legislative provisions, are to be determined by the Chief Executive Officer.**
- 5A **Commencing 28 February 2024 until the end of Council term, Information or Briefing Sessions are scheduled as follows:**
 - a. **Workshops scheduled ordinarily at 6.30pm on the first Monday of each month, held at 36 Nairne Road, Woodside, except for any January.**
 - b. **Professional Development Sessions scheduled ordinarily at 6.30pm on the third Tuesday of each month, held at 63 Mt Barker Road, Stirling, except for December and January.**

OR

- 5B **Commencing 28 February 2024, Information or Briefing Sessions be held _____ (*insert a recommendation that Council determines*).**
 6. **The Chief Executive Officer be authorised to schedule additional Information or Briefing sessions where workload dictates, or adjust the Information or Briefing Sessions schedule, including time and place of the sessions, where matters necessitate a change such as an Information or Briefing Session date occurring on a public holiday, catastrophic fire danger day or other valid reason.**
 7. **The Chief Executive Officer is authorised to adjust any Policy which is impacted by the setting of the time and place of meetings.**
-

1. BACKGROUND

At the Council meeting held 29 November 2022, Council resolved to adopt the following meeting schedule up until February 2024.

12.1 Time and Place of Meetings

Moved Cr Mark Osterstock
S/- Cr Lucy Huxter

295/22

Council resolves that:

1. The report be received and noted.
2. Commencing 2022 until 28 February 2024, Ordinary Council Meetings will be held at 63 Mt Barker Road, Stirling and are scheduled to commence at 6.30pm on the second and fourth Tuesday of the month, except for:
 - December 2022 (Tuesday 20 December 2022)
 - January 2023 (Tuesday 24 January 2023)
 - December 2023 (Tuesday 19 December 2023)
 - January 2024 (Tuesday 23 January 2024)
3. The Chief Executive Officer be authorised to adjust the Ordinary Council Meeting schedule, including time and place of the meeting, where matters necessitate a change such as a meeting date occurring on a public holiday, catastrophic fire danger day or other valid reason.
4. Commencing 2022 until 28 February 2024, times and venues for Special Council Meetings, requested in accordance with the legislative provisions, are to be determined by the Chief Executive Officer.

5. **Commencing 2022 until 28 February 2024, Information or Briefing Sessions are scheduled as follows:**
 - a. **Workshops scheduled ordinarily at 6.30pm on the first Monday of each month, held at 36 Nairne Road, Woodside, except for January.**
 - b. **Professional Development Sessions scheduled ordinarily at 6.30pm on the third Tuesday of each month, held at 63 Mt Barker Road, Stirling, except for December and January.**
6. **The Chief Executive Officer be authorised to schedule additional Information or Briefing sessions where workload dictates, or adjust the Information or Briefing Sessions schedule, including time and place of the sessions, where matters necessitate a change such as an Information of Briefing session date occurring on a public holiday, catastrophic fire danger day or other valid reason.**
7. **The Chief Executive Officer is authorised to adjust any Policy which is impacted by the setting of the Time and Place of Meetings.**
8. **The Chief Executive Officer will evaluate, in consultation with Council, and present a report on the success, or otherwise, on the aforementioned (Time and Place of Meetings), to be presented to Council for consideration by no later than the first meeting in February 2024.**

Carried

Council's *Code of Practice for Council Meeting Procedures* identifies that Council meetings are to conclude at or before 10.00pm unless the meeting formally resolves on each specific occasion to continue beyond that time.

Meeting Schedule

The meeting schedule from February 2023 to February 2024 had been aligned to the Monday/Tuesday nights within the month as follows:

1 st Monday	Information or Briefing Sessions - Woodside
2 nd Tuesday	Ordinary Council - Stirling
3 rd Tuesday	Information or Briefing Session (Professional Development) - Stirling
4 th Tuesday	Ordinary Council – Stirling
5 th Tuesday	No meeting (in the months with five Tuesdays)

The purpose of this schedule was to try to reduce the number of Ordinary Council meetings that concluded at 10pm or beyond.

Information or Briefing Sessions (Workshops and Professional Development)

Council makes use of Information or Briefing Sessions to assist in preparing Council Members for upcoming Council meeting agenda items in terms of providing contextual information, seeking views and perspectives, and to provide professional development in areas related to the Council Member's roles and responsibilities.

Workshops are scheduled to provide Council Members with background information, generally, on a matter coming to a formal Council meeting. These are not decision-making forums, yet they are useful for exploring strategic directions, legislative provisions and to provide additional detail on a matter.

Professional development sessions are focused on building the knowledge, skillset, and team culture of Council Members. There is a higher proportion of these sessions in the early years of a council term during which there is considerable mandatory training and other induction/orientation sessions required.

Legislation prohibits Information or Briefing Sessions from being an opportunity for Council Members to make, or to effectively make, decisions that should be made by resolution in a Council meeting.

The provisions relating to Information or Briefing Sessions, including Council discretionary policy provisions, are contained in the *Information and Briefing Sessions Policy* which is available on the Council website.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Under the *Local Government Act 1999* Council members have an obligation to ensure, as far as practicable, that the principles of the Act are observed (s59(1)(a)(viii)), including that 'council resources are used fairly, effectively and efficiently...' (s8(h)).

➤ Legal Implications

Section 81 of the *Local Government Act 1999* (the 'Act') sets out the provisions regarding the frequency and timing of **ordinary** council meetings. Key amongst these are:

- the ordinary meetings of a council will be held at times and places appointed by a resolution of the council.
- there must be at least one ordinary meeting in each month.
- if a time and place has not been appointed for the ordinary meeting, the chief executive must appoint the time and date.
- ordinary meetings may not be held on Sundays or on public holidays.

Section 82 of the Act sets out the provisions regarding the calling of **special** council meetings. Key amongst these are:

- the CEO must call a special council meeting at the request of:
 - the principal member
 - at least three council members
 - a council committee at which three members of the council vote in favour of the request
- the CEO must be provided with an agenda for the special meeting when the request is made

- special meetings may be held at any time.

Section 90A of the Act sets out the provisions regarding the holding of an information or briefing session. Key amongst these are:

- a CEO or council may hold or arrange a session to which more than one Member is invited for the purposes of providing information or a briefing to attendees
- a matter must not be dealt with in such a way as to effectively obtain a decision outside of a council or council committee meeting
- a session must be conducted in a place open to the public if a matter is discussed that is intended to be on the agenda a council or council committee meeting unless an appropriate confidentiality provision under s90(3) is utilised.

➤ **Risk Management Implications**

Late meetings may result in Council members being fatigued when considering important Council Business, noting sensitive and confidential items often occur at the end of a meeting.

The resources, costs, and effectiveness of Council's meeting schedule should meet community expectations.

There may be work health and safety considerations regarding an intensive after hours meeting program, including in relation to enterprise bargaining.

➤ **Financial and Resource Implications**

The resourcing requirements for two Council Meetings a fortnight are significantly higher than the requirements for one meeting a month, including in relation to staff hours, catering, overtime and flexi-time.

Should Council Meetings be increased to two a month, the Chief Executive Officer may consider whether additional resources or the reallocation of resources is required.

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

The timing and location of Council Meetings and Information or Briefing Sessions should be considerate of the desire for community members to attend and participate in the meetings (where appropriate). A consistent scheduling approach, where possible, supports accessibility.

➤ **Sustainability Implications**

Not Applicable

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable
Council Workshops: Discussed at 20 February 2024 workshop
Advisory Groups: Not Applicable

External Agencies: Not Applicable
Community: Not Applicable

➤ **Additional Analysis**

The tables below provide data related to the meetings held between February 2023 and February 2024 with the aim of allowing Council Members to assess the impacts of the change to two ordinary council meetings per month.

The types of meetings that are referred to in the analysis include:

- Ordinary Council Meetings (OCM)
- Special Council Meetings (SCM)
- Information or briefing sessions - also referred to as “workshops” (IOBS)

Other committee meetings such as CEO performance panel or Audit Committee have not been factored into this analysis.

Preparation time spent for meetings

In calculating possible hours spent outside of meetings, the following assumptions have been made:

- Each Ordinary Council Meeting requires approx. 27 hours and Special Council meeting requires approx. 5 hours in meeting administration for agendas, minutes and collation tasks both leading up to and on the night of the meeting.
- Staff hours spent on general reports or presentations have not been factored as this is part of standard or “planned” BAU work and will happen no matter how many meetings are in place.
- Staff hours on workshop preparation and admin has not been included as the scheduled workshops volume was not changed under the 29 November resolution.
- Motions on Notice (MON) require approx. 8 hours of work, and Questions on Notice (QON) require approx. 2 hours of work by senior staff (depending on the complexity can be up 38 hours of research & work). This data is included separately in the analysis as it is an element of “unplanned” work. What is not considered in the analysis is any additional work from the resulting resolutions.
- Council members potentially spend a minimum:
 - 3 hours in preparation for ordinary Council Meetings (eg: reading agendas)
 - 1.5 hours preparing for information or briefing sessions, Professional Development sessions or Special Council meetings

The below table does not include the following resourcing implications:

- Flexi and overtime staff costs for meetings (approx. 4 non-executive staff members per meeting)
- Additional “unplanned” time resulting from MON resolutions – eg: requests for reports to be researched and presented
- Meetings of other committees
- Costs related to meals/catering or other physical costs

Councillors may wish to factor these costs into their considerations.

Month	Meeting type	Meeting Volume	No of QON	No of MON	No of Agenda items ¹	No of meetings finishing after 10pm? ²	Total Meeting Hours ³	Council prep hours	Staff meeting admin hours
Feb 2023	OCM	2	-	3	37	0	5.1	6	78
	SCM	-	-	-	-	-	-	-	0
	IOBS	3	-	-	8	-	11.5	4.5	-
Mar 2023	OCM	2	-	1	28	0	4.4	6	62
	SCM	-	-	-	-	-	-	-	0
	IOBS	2	-	-	8	-	5.75	3	-
Apr 2023	OCM	2	1	4	39	0	4.7	6	88
	SCM	-	-	-	-	-	-	-	0
	IOBS	5	-	-	10	-	13	7.5	-
May 2023	OCM	2	3	1	47	1	6.25	6	68
	SCM	1	-	-	4	-	1.2	1.5	5
	IOBS	1	-	-	6	-	3	1.5	-
Jun 2023	OCM	2	1	3	52	0	5.45	6	80
	SCM	-	-	-	-	-	-	-	0
	IOBS	2	-	-	9	-	5.5	3	-
July 2023	OCM	2	1	3	34	1	5.15	6	80
	SCM	-	-	-	-	-	-	-	0
	IOBS	4	-	-	13	-	8.5	6	-
Aug 2023	OCM	2	1	2	29	0	4	6	72
	SCM	-	-	-	-	-	-	-	0
	IOBS	4	-	-	5	-	6	6	-
Sep 2023	OCM	2	0	2	14	0	3.1	6	70
	SCM	1	-	-	4	0	0.75	1.5	5
	IOBS	5	-	-	8	-	5	7.5	-
Oct 2023	OCM	2	0	1	14	0	3.6	6	62
	SCM	1	-	-	5	0	0.5	1.5	5
	IOBS	4	-	-	12	-	9	6	-
Nov 2023	OCM	2	0	4	26	0	5.3	6	86
	SCM	2	0	1	8	0	3.2	3	18
	IOBS	4	-	-	11	-	7.5	6	-
Dec 2023	OCM	1	0	3	6	1	3.7	3	51
	SCM	-	-	-	-	-	-	-	0
	IOBS	2	-	-	9	-	6	3	-
Jan 2024	OCM	1	2	1	9	1	3.56	3	39
	SCM	-	-	-	-	-	-	-	0
	IOBS	1	-	-	4	-	3	1.5	-
Totals			9	29	459	4	143.71	129	869

1. For the purpose of this analysis, “agenda items” for Ordinary and Special Council meetings includes only deputations/public forum, presentations, decision items, confidential items, questions without notice and motions without notice.
2. Conclusion times for information briefing sessions have not been recorded and not included above

3. As information briefing sessions times have not been recorded, meeting hours are an assumption based on the agenda timing.

Meeting Comparisons

The following compares the data over the past 3 years using the periods 1 Feb to 30 Jan each year so that they can be accurately compared to the period mentioned in the original resolution.

Period	1 Feb 2021 to 30 Jan 2022	1 Feb 2022 to 30 Jan 2023	1 Feb 2023 to 30 Jan 2024 (2 Council Meetings per Month)
Council Meetings			
Total Ordinary Council	11	12	22
Total Special Council	2	7	5
No of Council Meetings concluding post 10pm	4 (latest = 10:30pm)	4 (latest = 10:30pm)	4 (latest = 10:30pm)
Average attendance rate (OCM & SPM)	88.29%	89.74%	84.03%
Total hours spent in meetings	39	47.08	60.35
Total items discussed	306	356	301
Decision Items	274	311	238
Confidential Items	13	19	25
Questions on Notice	2	10	9
Motions on Notice	17	16	29
Total Council & Special Council Meeting Prep Hours (using assumptions)			
Council Members	36	46.5	73.5
Staff Admin	453	528	869
Information or briefing sessions			
Total information or briefing sessions (workshops)	21	25	37
Total Hours spent in meetings	52.9	59.9	83.36
Average attendance rate (IB & PD)	70.94%	79.98%	80.5%

Things to consider when reviewing the data above:

- The period 1 Feb 2023 to 30 Jan 2024 is early in this Council's 4 year term and therefore has required a higher volume of workshops and mandatory training, whereas the other two comparison periods are toward the end of the previous Council's term.
- Workshops and Professional Development sessions (other than the mandatory training) are not mandatory and Council Members have complete discretion as whether to attend. Post September 2023, attendance for these sessions were not consistently recorded therefore the attendance rate reflects only the attendance at recorded events.
- In each year, there have been 4 meetings that finished at 10.30pm

- Th attendance rate at meetings was 88.29% in 2021/22, 89.74% in 2022/2023 and 84.03% in 2023/24, noting Council has a target of 90% attendance
- There has been a slight drop in the overall number of actioned items, noting a significant increase in motions on notice during the trial period
- There has bee a significant increase in hours invested in meeting preparation for staff and elected members

3. OPTIONS

Council has the following options:

- I. Determine an outcome on Council Meeting occurrences noting Council Meetings will return to one per month from 28 Feburary if no outcome is determined.
- II. No determination will have one Council Meeting held per month.

4. APPENDICES

- (1) 20 February 2024 Workshop Presentation Handouts
- (2) 20 February 2024 Workshop Powerpoint

Appendix 1

20 February 2024 Workshop Presentation Handouts

Meetings over the last 12 Months

Month	Meeting type	Meeting Volume	No of QON	No of MON	No of Agenda items ¹	No of meetings finishing after 10pm? ²	Total Meeting Hours ³	Council prep hours	Staff meeting admin hours
Feb 2023	OCM	2	-	3	37	0	5.1	6	78
	SCM	-	-	-	-	-	-	-	0
	IOBS	3	-	-	8	-	11.5	4.5	-
Mar 2023	OCM	2	-	1	28	0	4.4	6	62
	SCM	-	-	-	-	-	-	-	0
	IOBS	2	-	-	8	-	5.75	3	-
Apr 2023	OCM	2	1	4	39	0	4.7	6	88
	SCM	-	-	-	-	-	-	-	0
	IOBS	5	-	-	10	-	13	7.5	-
May 2023	OCM	2	3	1	47	1	6.25	6	68
	SCM	1	-	-	4	-	1.2	1.5	5
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Jun 2023	OCM	2	1	3	52	0	5.45	6	80
	SCM	-	-	-	-	-	-	-	0
	IOBS	2	-	-	9	-	5.5	3	-
July 2023	OCM	2	1	3	34	1	5.15	6	80
	SCM	-	-	-	-	-	-	-	0
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Aug 2023	OCM	2	1	2	29	0	4	6	72
	SCM	-	-	-	-	-	-	-	0
	IOBS	4	-	-	5	-	6	6	-
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Dec 2023	OCM	1	0	3	6	1	3.7	3	51
	SCM	-	-	-	-	-	-	-	0
	IOBS	2	-	-	9	-	6	3	-
Jan 2024	OCM	1	2	1	9	1	3.56	3	39
	SCM	-	-	-	-	-	-	-	0
	IOBS	1	-	-	4	-	3	1.5	-
Totals			9	29	459	4	143.71	129	869

1. For the purpose of this analysis, "agenda items" for Ordinary and Special Council meetings includes only deputations/public forum, presentations, decision items, confidential items, questions without notice and motions without notice.
2. Conclusion times for information briefing sessions have not been recorded and not included above
3. As information briefing sessions times have not been recorded, meeting hours are an assumption based on the agenda timing.

Legend: OCM = Ordinary Council Meeting; SCM = Special Council Meeting; IOBS = Information of briefing session

3 Year Meeting Comparison

The following compares the data over the past 3 years using the periods 1 Feb to 30 Jan each year so that they can be accurately compared to the period mentioned in the original resolution.

Period	1 Feb 2021 to 30 Jan 2022	1 Feb 2022 to 30 Jan 2023	1 Feb 2023 to 30 Jan 2024 (2 Council Meetings per Month)
Council Meetings			
Total Ordinary Council	11	12	22
Total Special Council	2	7	5
No of Council Meetings concluding post 10pm	4 (latest = 10:30pm)	4 (latest = 10:30pm)	4 (latest = 10:30pm)
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Total Council & Special Council Meeting Prep Hours (using assumptions)			
Council Members	36	46.5	73.5
Staff Admin	453	528	869
Information or briefing sessions			
Total information or briefing sessions	21	25	37
Total Hours spent in meetings	52.9	59.9	83.36
Average attendance rate	70.94%	79.98%	80.5%

Things to consider when reviewing the data above:

- The period 1 Feb 2023 to 30 Jan 2024 is early in this Council's 4 year term and therefore has required a higher volume of workshops and mandatory training, whereas the other two comparison periods are toward the end of the previous Council's term.
- Workshops and Professional Development sessions (other than the mandatory training) are not mandatory and Council Members have complete discretion as whether to attend. Post September 2023, attendance for these sessions were not consistently recorded therefore the attendance rate reflects only the attendance at recorded events.

Questions to consider for 27 Feb Meeting

When considering the meeting format going forward you may wish to consider:

- What benefits you gain from 2 meetings a month
- Do they increase effective decision making by Council?
- Is the 2 meetings format the most effective use of Councillor time?
- Considering the resources required (in administration, overtime, meals) – what meeting format is the most efficient use of resources? *(Also keep this in mind for LTFP/Budget sessions coming up soon)*
- Are there health and wellbeing considerations?

Appendix 2

20 February 2024 Workshop Powerpoint



Council Meetings and Information & Briefing Sessions: 12 Month Meeting Analysis





Background

- 29 Nov 2022 Resolution to change to 2 Ordinary Council Meetings per month commencing Feb 2023 until **28 Feb 2024**
- One of the main drivers for the change was to:
 - Minimise Council Member fatigue
 - Reduce tiredness resulting in better decision making
 - Increased safety for those driving long distances late at night
 - Reducing impacts for members with commitments the following day



Background *cont...*

The following is a meeting schedule comparison

Schedule prior to Feb 2023

Timing	Meeting Type
1 st Monday	No Meeting <i>Available for Special Council or IOBS</i>
2 nd Tuesday	Information or briefing session (IOBS) <i>Woodside</i>
3 rd Tuesday	Information or briefing session (IOBS) <i>Stirling</i>
4 th Tuesday	Ordinary Council Meeting
5 th Tuesday <i>(When Applicable)</i>	Community Forum

Schedule Feb 2023 to Feb 2024

Timing	Meeting Type
1 st Monday	Information or briefing session (IOBS) <i>Woodside</i>
2 nd Tuesday	Ordinary Council Meeting
3 rd Tuesday	Information or briefing session (IOBS) <i>Stirling</i>
4 th Tuesday	Ordinary Council Meeting
5 th Tuesday <i>(When Applicable)</i>	No Meeting



Background *cont...*

- Report will be presented at 27 February Council Meeting to adopt a meeting format for Mar 2024 onwards
- The purpose of today is to provide you comparative data to assist you in making an informed decision by highlighting:
 - The resource implications and productiveness of 2 meetings a month
 - The required ongoing investment
 - Questions to consider when deciding what format is best going forward



Assumptions

To calculate an estimate of preparation times in the tables in your handout, the following assumptions were made:

Meeting Type	Who	Average Estimate of hours	Activities
Ordinary Council	Staff	27 hours	Administration activities – agendas, minutes and collation tasks including CEO review and approvals
	Staff	2 hours	Preparing reports for Questions on Notice (QON)*
	Staff	8 hours	Preparing reports for Motions on Notice (MON)* <i>(noting depending on complexity can take up to 38 hours of research and work)</i>
	Council Members	3 hours	Tasks include reading agendas, questions on notice, and consultation with staff as needed

*QON and MON are included as it is considered “unplanned” time that pose additional impact/cost to Council



Assumptions *cont...*

To calculate an estimate of preparation times in the tables in your handout, the following assumptions were made:

Meeting Type	Who	Average Estimate of hours	Activities
Special Council	Staff	5 hours	Administration activities – agendas, minutes and collation tasks including CEO review and approvals
	Council Members	1.5 hours	Tasks include reading agendas, questions on notice, and consultation with staff as needed
Information or Briefing session	Council Members	1.5 hours	Reading through workshop material and other preparations for sessions

Note: Timings related to MON or QON may also apply to Special Council meetings



Exclusions

What we are not including/considering in this analysis:

- Flexi and overtime staff costs for meetings (approx. 4 staff members per meeting)
- Additional “unplanned” time resulting from MON resolutions – eg: requests for reports to be researched and presented
- Meetings of other committees – eg: Audit, CAP, CEOPRP
- Staff hours on “planned” Council Report development and workshop presentations
- Costs related to meals/catering or other physical costs



The Past 12 Months

- The table shows by month:
 - No of meetings held
 - No of QON
 - No of MON
 - No of Agenda items
 - No of meetings that finish after 10pm
 - Total hours spent in meetings
 - Estimate of Council member preparation time
 - Estimate of Staff member admin time





3 Year Comparison

Period	1 Feb 2021 to 30 Jan 2022	1 Feb 2022 to 30 Jan 2023	1 Feb 2023 to 30 Jan 2024 <i>(2 Council Meetings per Month)</i>
Council Meetings			
Total Ordinary Council	11	12	22
Total Special Council	2	7	5
No of Council Meetings concluding post 10pm	4 <i>(latest finish = 10:30pm)</i>	4 <i>(latest finish = 10:30pm)</i>	4 <i>(latest finish = 10:30pm)</i>
Average attendance rate (OCM & SCM)	88.29%	89.74%	84.03%
Total hours spent in meetings	39	47.08	60.35
Total items discussed	306	356	301
Decision Items	274	311	238
Confidential Items	13	19	25
Questions on Notice	2	10	9
Motions on Notice	17	16	29
Total Council & Special Council Meeting Prep Hours (using assumptions)			
Council Members	36	46.5	73.5
Staff Admin	453	528	869
Information or briefing sessions			
Total IOBS (workshops)	21	25	37
Total Hours spent in meetings	52.9	59.9	83.36
Average attendance rate (IOBS)	70.94%	79.98%	80.5%

Things to consider

- No change to late finishes
- Attendance rate has fallen. *(note: Annual ABP Target is 90%)*
- Significant increased hours invested
- Similar number of actioned items



Questions to consider

When considering the meeting format going forward you may wish to consider:

- What benefits you gain from 2 meetings a month
 - Do they increase effective decision making by Council?
 - Is the 2 meetings format the most effective use of Councillor time?
 - Considering the resources required (in administration, overtime, meals) – what meeting format is the most efficient use of resources? *(Also keep this in mind for LTFP/Budget sessions coming up soon)*
 - Are there health and wellbeing considerations?
-



Options for future meetings

At 27 Feb 2024 meeting you will be asked to decide what you want to do going forward. Some options include...

No	Option	Possible Variations?
1	Continue with trial for a further 6 months	
2	Adopt to have 2 meetings per month for the rest of Council Term	a. Reduce staff at meetings (risk of reducing the quality of admin support) b. Realign staff resourcing
3	Revert to 1 meeting per month	a. Increase finish time to 10:30pm <i>(ie: save time on resolutions to increase meeting time on the occasions it goes past 10pm)</i> b. Keep 10pm (or earlier) finish & adjourn to next day <i>(need to consider how to best meet obligations about notice for meetings)</i> c. Keep 10pm and roll unfinished items to the next meeting or have a special meeting at beginning of Workshop the following week



Questions



Item 11 Questions on Notice

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item: 11.1 Question on Notice

Originating from: Cr Adrian Cheater

Subject: Legal costs under the Mayor seeking legal advice policy during the 2023/24 financial year – Cr Adrian Cheater

1. QUESTION

What was the total invoice amounts paid for matters which leveraged the Mayor seeking legal advice policy during the 23/24 financial year?

2. BACKGROUND

Adelaide Hills Council's *Mayor Seeking Legal Advice Policy* allows the Mayor to seek legal advice in certain circumstances.

During July-December 2023 the Mayor sought legal advice.

3. OFFICER'S RESPONSE – Zoe Gill, Governance and Risk Coordinator

Adelaide Hills Council has paid a total of \$16,341 (ex GST) for advice sought by the Mayor. This was comprised of two invoices for the following amounts:

- \$8,463 (ex GST)
- \$7,878 (ex GST)

4. APPENDIX

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item: 11.2 Question on Notice

Originating from: Cr Malcolm Herrmann

Subject: Government Levies on Waste Disposal

1. QUESTION

- 1 Can the Chief Executive Officer please advise what additional costs the Adelaide Hills Council (and ratepayers) may face due to the imposition of a Recycling Levy (tax), which will come into effect as from 1 July 2024?
- 2 For 1 Jul 2022 to 30 Jun 2023 and for 1 Jul to 31 Dec 2023:
 - 2.1 What is the waste levy per tonne for solid waste?
 - 2.2 How many tonnes of solid waste were collected for landfill ?
 - 2.3 How much did the council pay in levies to the state government?
 - 2.4 In regard to the collection/disposal cost of solid waste, what is the % that relates to the payment of government levies?

2. BACKGROUND

The "Advertiser" reported on 27 February 2024 that the world's first recycling tax which is to be imposed by the Federal Government, will come into effect on 1 July 2024. The article continues that the new regulatory crackdown would be passed on to taxpayers.

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

Question 1:

The Advertiser article relates to a proposed levy to be applied to each tonne of export paper and cardboard (fibre) from 1 July 2024. The levy is \$4 per tonne and applies to export licence holders if companies are sending fibre overseas to be recycled.

Adelaide Hills Council's recycling tonnes are processed through contracts managed by East Waste. Under the current recycling contracts there is a commitment to process all collected fibre onshore, i.e. within Australia. Confidential pricing review mechanisms within the contracts also offer protection from the levy until June 2025.

Noting the above, the levy is not expected to have a significant impact, if any at all, on Council's recycling costs in the near term. There is, however, potential for a trickle-down effect as the domestic market and price for recycling are heavily influenced by international

commodity prices. Over time, the impact of the levy will be known, as will be how the domestic market responds. The impact of the finalised regulations will be reflective in future recycling contracts.

Question 2:

The following figures are provided in response to question 2:

Solid Waste Levy / Tonne		
	2022/23	2023 (July to Dec inclusive)
Metropolitan	\$143	\$156
Non metropolitan	\$74.50	\$78
2022/23		
	2022/23	2023 (July to Dec inclusive)
Landfill Waste Tonnes	7380	4280
Solid Waste Levy Costs	\$873,000	\$417,000
Disposal Costs	\$300,000	\$159,000
TOTAL COSTS	\$1,173,000	\$576,000
% of Total Cost		
	2022/23	2023 (July to Dec inclusive)
Solid Waste Levy Costs	74	72
Disposal Costs	26	28
TOTAL	100	100

4. APPENDIX

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item: 11.3 Question on Notice

Originating from: Cr Lucy Huxter

Subject: Naming rights sponsorship for local sports clubs

1. QUESTION

In reference to the article in *The Courier* dated 14 February 2024:

1. What is the Adelaide Hills Council's current position regarding naming rights sponsorships for local sports clubs?
2. What has prompted this to become a public issue at this point in time?
3. Which clubs are impacted, and what are the ramifications?
4. What feedback/correspondence has the administration received regarding this matter?

2. BACKGROUND

Nil

3. OFFICER'S RESPONSE – Karen Cummings, Manager Property Services

What is the Adelaide Hills Council's current position regarding naming rights sponsorships for local sports clubs?

Under Section 219 of the *Local Government Act 1999* (the Act) the Council has the power to assign a name to, or change a name of, a public place.

The Council's *Public Place and Road Naming Policy* describes circumstances and provides criteria pertaining to changing a place name. Of relevance to this question, section 4.5 of the Policy states that "commercial or company" names will not be used.

Furthermore, at its meeting held on 23 August 2022, Council adopted a Community and Recreation Facilities Policy which forms part of Council's Community and Recreation Facilities Framework. This document reaffirms the Council's right to name its own properties with the following statement:

Naming Rights

It is acknowledged that Council holds the naming rights to all facilities on Council-owned land.

Lessees and management committees do not, and have not, had the power to name or rename Council owned sites and facilities.

With Council holding the right to name or rename public places, there is a level of assurance that the names of public places and facilities reflect community expectations. In addition, sites where this policy position applies are sometimes bushfire last resort refuges, and common names assist significantly in prompting attendance to emergencies.

Should Council wish to allow lessees and management committees to seek a particular name for a Council owned site, the *Public Place and Road Naming Policy* and the Community and Recreation Facilities Policy would need to be amended to provide for a process for these bodies to seek Council's approval to assign a particular name. Under s219(6) and (7) of the Act, Council has the power to alter or substitute their *Public Place and Road Naming Policy* but would need to publish notice of this:

- (a) in the Gazette; and
- (b) in a newspaper circulating within the area of the council; and
- (c) on a website determined by the chief executive officer.

What has prompted this to become a public issue at this point in time?

As part of the Community and Recreation Facilities Framework implementation, the Administration has recently distributed draft new management agreement documentation to community groups that manage Council owned sites. The draft documentation includes reference to the Council retaining site naming rights.

In recent years, some sporting organisations in the district have sought to sell naming rights to their oval or facility as part of a sponsorship arrangement with commercial entities. The Administration has addressed the matter with some clubs directly over the last 12 months (see answer to question below).

It is presumed that the specific reference to Council having naming rights in the draft management agreement documentation, in addition to Council Administration addressing the matter directly with some clubs, has prompted the matter to be raised and be reported on.

Which clubs are impacted, and what are the ramifications?

The Administration is aware of three (3) sites that have currently, or may previously, have obtained sponsorship through oval naming rights. These are Heathfield Oval, Bridgewater Oval and Gumeracha Oval. The clubs utilising these sites are understood to have had naming rights/sponsorship arrangements with commercial entities in place.

Following conversations with Council staff, the clubs associated with the Heathfield Oval site have subsequently negotiated with the naming rights/sponsorship holders to transfer arrangements to a building on the site instead. It is understood that Bridgewater is doing likewise.

What feedback/correspondence has the administration received regarding this matter?

There were no comments received about naming rights during the consultation phases of Community and Recreation Facilities Framework project.

The Administration has engaged with clubs located at Heathfield and Bridgewater Ovals. Representatives from these clubs have been understanding and, as mentioned above, sought alternative arrangements (such as naming their building in the case of Heathfield). No groups have since raised or written to Council Administration expressing concerns.

4. APPENDIX

Nil

Item 12 Motions on Notice

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item: 12.1 Motion on Notice

Originating from: Cr Leith Mudge

Subject: Support for Stirling main street businesses due to Stirling Village Mall (Woolworths) fire

1. MOTION

I move that:

1. The CEO investigates measures to provide temporary financial support to Stirling main street businesses substantially affected by a downturn caused by the Stirling Village Mall (Woolworths) fire on Sunday 15 October 2023.
2. The investigation includes an exploration of:
 - a. the total amount of funds to be allocated to provide financial support;
 - b. the criteria to be used to distribute these funds, ensuring that it is equitable and targeted so that only businesses with a demonstrated substantial reduction in income attributable to the fire are eligible; and
 - c. the period of time that this temporary support should be provided pending the rebuilding of a replacement shopping centre.
3. A report on the outcomes of this investigation be discussed at a workshop and presented to Council with recommendations no later than an Ordinary Council Meeting in April 2024 to ensure that timely support is able to be provided.

2. BACKGROUND

On Sunday 15 October 2023, a major fire in the Stirling Village Mall and considerably impacted other businesses within the mall. The majority of the Mall has subsequently been demolished and the owner has indicated that the remainder of the Mall cannot be salvaged and will soon be demolished.

At a recent community forum, Stirling Village Mall owner Leyton Funds' managing director, Warwick Mittiga, said that it could be another two and a half years before the rebuilt mall was up and running again. Council has taken steps to address some of the needs of the smaller businesses in the Mall that were directly affected through loss of their premises (<https://www.ahc.sa.gov.au/community/stirling-village-mall-fire-recovery>). However, at the same forum, Sarah Burchell, head of the Stirling Business Association (SBA) indicated that some other businesses on the main street have experienced significant downturns in business as a result of loss in foot traffic, seriously threatening their viability. This has been subsequently reported in *The Courier* (Front Page, March 6 2024).

There is concern that if a substantial number of these struggling businesses fail that the Stirling Main Street retail district will be “hollowed out” with a snowball effect causing further economic impact from which the district may take a long time (if ever) to recover.

This motion asks the administration to investigate measures to provide temporary financial support affected Stirling mainstreet businesses until the new mall opens to help them to ride out the serious impacts of the loss of a major retail facility in our district. It should be seen as an emergency measure similar to the support that Council gave to victims of the Cudlee Creek and Cherry Gardens bushfires.

With a small amount of proactive investment to support a small number of struggling businesses, Council may be able to prevent a wider economic impact to our region.

3. OFFICER’S RESPONSE – Brett Mayne, Manager Economic Development

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal Community Wellbeing
 Objective C4 An active, healthy, thriving and resilient community
 Priority C4.1 Support community wellbeing through or contribution to public health, planning, disaster recovery activities and the implementation of strategies that aim to measure and enhance wellbeing

Strategic Plan 2020-24 – A brighter future

Goal A prosperous Economy
 Objective E1 Support and grow our region’s existing and emerging industries
 Priority E1.4 Promote, support and encourage our existing and emerging businesses to response to economic changes by being creative, innovative, productive and resilient to unexpected impacts

➤ Legal Implications

There are no legal implications in relation to the preparation of the proposed report.

➤ Risk Management Implications

The investigation and preparation of a report for consideration by Council will assist in mitigating the risk of:

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

Inherent Risk	Residual Risk	Target Risk
Medium 3C	Low (1E)	Low (1E)

➤ Financial and Resource Implications

There are moderate resource implications to investigate and prepare a report within the specified time but can be managed within the existing resource allocation however some other matters may need to be deferred.

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

The investigation and preparation of the proposed report will demonstrate to the local Stirling business community that the Council is aware of the seriousness of the impacts of the Stirling Mall fire on the local business community.

➤ **Sustainability Implications**

Not Applicable

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Not Applicable

Community: Not Applicable

4. ANALYSIS

Subject to the resolution of Council, the Administration will investigate options and prepare a report for consideration by Council by the specified timeframe.

5. APPENDICES

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item: 12.2 Motion on Notice

Originating from: Cr Pauline Gill

Subject: Attendance Records of Elected Members at Information and Briefing Sessions

1. MOTION

I move that:

1. Elected Members attendance at Information and Briefing Sessions be recorded and reported on the Council agenda monthly.
2. That the *Code of Practice for Council Meeting Procedures* be amended to include a section for the reporting outlined in part 1.
3. That the attendance records are included in the Annual Report along with the meeting attendance records.

2. BACKGROUND

At its meeting of 29 November 2022, the following resolution was moved and carried:

12.1 Time and Place of Meetings

Moved Cr Mark Osterstock
S/- Cr Lucy Huxter

295/22

Council resolves that:

1. The report be received and noted.
2. ~~Commencing 2022~~ until 28 February 2024, Ordinary Council Meetings will be held at 63 Mt Barker Road, Stirling and are scheduled to commence at 6.30pm on the second and fourth Tuesday of the month, except for:
 - December 2022 (Tuesday 20 December 2022)
 - January 2023 (Tuesday 24 January 2023)
 - December 2023 (Tuesday 19 December 2023)
 - January 2024 (Tuesday 23 January 2024)
3. The Chief Executive Officer be authorised to adjust the Ordinary Council Meeting schedule, including time and place of the meeting, where matters necessitate a change such as a meeting date occurring on a public holiday, catastrophic fire danger day or other valid reason.
4. Commencing 2022 until 28 February 2024, times and venues for Special Council Meetings, requested in accordance with the legislative provisions, are to be determined by the Chief Executive Officer.

5. Commencing 2022 until 28 February 2024, Information or Briefing Sessions are scheduled as follows:
 - a. Workshops scheduled ordinarily at 6.30pm on the first Monday of each month, held at 36 Nairne Road, Woodside, except for January.
 - b. Professional Development Sessions scheduled ordinarily at 6.30pm on the third Tuesday of each month, held at 63 Mt Barker Road, Stirling, except for December and January.
6. The Chief Executive Officer be authorised to schedule additional Information or Briefing sessions where workload dictates, or adjust the Information or Briefing Sessions schedule, including time and place of the sessions, where matters necessitate a change such as an Information of Briefing session date occurring on a public holiday, catastrophic fire danger day or other valid reason.
7. The Chief Executive Officer is authorised to adjust any Policy which is impacted by the setting of the Time and Place of Meetings.
8. The Chief Executive Officer will evaluate, in consultation with Council, and present a report on the success, or otherwise, on the aforementioned (Time and Place of Meetings), to be presented to Council for consideration by no later than the first meeting in February 2024.

Carried

It has been observed that many Elected Members are consistently absent from Information and Briefing Sessions, which are designed to provide information to Elected Members on complex issues that will be coming to Council meetings in the future, providing Elected Members the opportunity to ask questions of the Administration and gain greater understanding, prior to Council meetings.

While these sessions are not mandatory, I believe it should be noted in agendas and the Annual Report, the attendance of Elected Members, especially given the increased request for Information and Briefing sessions from the Elected Body, as Council Administration and other Council staff make themselves available to conduct these sessions for the benefit of Elected Members.

3. OFFICER'S RESPONSE – Jody Atkins, Acting Governance and Risk Coordinator

➤ 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 O4.2 Attract and develop a diverse and capable elected body that represents, promotes and reflects the composition of the community

Priority O4.3 Advocate to, and exert influence with, our stakeholders on behalf of our community to promote the needs and ambitions of the region

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community

Priority O5.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

As an organisation we strive for accountable and strategic decision making. We seek to consistently meet our financial sustainability targets. Council is committed to open, participative and transparent decision making and administrative processes. We diligently adhere to legislative requirements to ensure public accountability.

➤ **Legal Implications**

The *Local Government Act 1999* (the Act) provides that Information or Briefing Sessions are not formal meetings (s90A(1)). With the exception of mandatory professional development requirements, Council Members are not required to attend Information or Briefing Sessions.

Section 90A(7) of the Act provides for prescribed information to be reported after a meeting. Regulation 8AB of the *Local Government (General) Regulations 2013* requires the following information to be published as soon as practicable after the holding of an information or briefing session:

- the place, date and time;
- the matter discussed;
- whether or not the session was open to the public

➤ **Risk Management Implications**

Not Applicable

➤ **Financial and Resource Implications**

Not Applicable

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

Not Applicable

➤ **Sustainability Implications**

Not Applicable

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

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	Not Applicable
<i>Community:</i>	Not Applicable

4. ANALYSIS

Information or Briefing Sessions include workshops and professional development and are held twice a month. They must be conducted in a place open to the public.

Information or Briefing Sessions are not used to make decisions, but they do provide opportunities to further develop the decision-making process of Council Members. They can involve discussions of matters that will be considered at a formal council or committee meeting.

Currently Council reports on the [website](#) the prescribed information about Information or Briefing Sessions, namely:

- the place, date and time;
- the matter discussed;
- whether or not the session was open to the public

Reporting is in the following format (example extract):

JANUARY 2023	SESSION NAME	OPEN, CLOSED OR CONFIDENTIAL	CONFIDENTIALITY PROVISION
Tuesday 17th	Animal Management Plan (AMP)- Consultation	Open	N/A
Tuesday 17th	Directorate Presentation - Corporate Services	Open	N/A
Tuesday 17th	Directorate Presentation - Infrastructure & Operations	Open	N/A
Tuesday 17th	Council Member Mandatory Training - Effective Meetings & Meeting Procedure	Open	N/A
Tuesday 17th	CEO Update	Open	N/A

Council does not report on Council Members attendance at Information or Briefing Sessions as it is not a mandatory requirement. Minutes are not kept for Information or Briefing Sessions. It is possible to record Councillor attendance at Information or Briefing Sessions. This can be included in the Council meeting agenda.

Council currently reports Councillor attendance at Council Meetings in the Annual Report in the following format (example extract):

Council Meeting attendance between 1/6/2022 to 23/11/2022

Council Meeting Type	Ordinary Council		Special Council	
Total Meetings Held	4		2	
	P	A	P	A
Mayor Jan-Claire Wisdom	4	0	2	0
Cr Nathan Daniell	4	0	2	0
Cr Ian Bailey	4	0	2	0
Cr Kirrilee Boyd	4	0	2	0
Cr Pauline Gill	4	0	2	0
Cr Chris Grant	3	1	0	2
Cr Linda Green	4	0	1	1
Cr Malcolm Herrmann	4	0	2	0
Cr John Kemp	3	1	2	0
Cr Leith Mudge	4	0	2	0
Cr Mark Osterstock	4	0	2	0
Cr Kirsty Parkin	4	0	2	0
Cr Andrew Stratford	4	0	2	0

Council Meeting attendance between 23/11/2022 to 30/06/2023

Council Meeting Type	Ordinary Council		Special Council	
Total Meetings Held	4		2	
	P	A	P	A
Mayor Jan-Claire Wisdom	12	1	1	0
Cr Nathan Daniell	11	2	1	0
Cr Kirrilee Boyd	11	2	1	0
Cr Adrian Cheater	10	3	1	0
Cr Pauline Gill	6	7	0	1
Cr Chris Grant	10	3	0	1
Cr Lucy Huxter	12	1	1	0
Cr Malcolm Herrmann	12	1	1	0
Cr Leith Mudge	13	0	1	0
Cr Mark Osterstock	13	0	1	0
Cr Kirsty Parkin	10	3	1	0
Cr Louise Pascale	11	2	1	0
Cr Melanie Selwood	13	0	0	1

P = Present (number of meetings attended) A = Apology (number of meetings not attended)

Council could commence recording attendance at Information or Briefing Sessions. Attendance could be recorded by individual attendance per session.

The [Code of Practice for Access to Council, Council Committee and Information or Briefing Session Meetings & Documents](#) outlines the reporting obligations of Council, reflecting the prescribed information (s5.2). It is due to be reviewed by February 2027. This policy can be varied to incorporate Council's final determination on recording of attendees at Information or Briefing Sessions.

Consideration could be given to:

- whether staff resources should be directed towards recording non-mandatory attendance
- whether public reporting ensures transparency and accountability of Councillor activities

5. APPENDICES
Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item: 12.3 Motion on Notice

Originating from: Cr Pauline Gill

Subject: Creating more Accessible and Inclusive Play Spaces

1. MOTION

I move that:

1. Administration report findings from the play space communication board pilot projects back to Council upon completion.
2. Administration further investigates communication access and physical access for play spaces in the region, in line with the Disability Access and Inclusion Plan review. Findings and costings are reported back to Council upon completion and are included in future iterations of The Play Space Policy and Annual Business Plan and Budgeting processes.
3. Play spaces upgrades continue to consider inclusive and accessible elements in designs.

2. BACKGROUND

Council has made progress with delivering a more inclusive and accessible Council region. On Tuesday 14 November 2023, Council held a Question and Answer session with members of the council Accessibility Committee. Items raised by members included the need to make play spaces more inclusive, by having communication boards for people that are non-verbal and to consider not laying bark or mulch, which limits access to people with mobility restrictions.

3. OFFICER'S RESPONSE – Renee O'Connor, Coordinator Sport and Recreation

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

Strategic Plan 2020-24 – A brighter future

Goal 1 A functional built environment

Objective B1 Our district is easily accessible for community, our businesses and visitors

Priority B4.1 Ensure the long term management of the built form and public spaces occurs in consideration of the relevant financial, social and environmental management matters

Priority B4.3 Ensure Council owned or managed assets, including staff accommodation, are functional and adaptive to meet service

requirements. Also, where appropriate and endorsed by Council, equitably assist community owned site (halls and recreation sites) to ensure their facilities are functional and meet service standards

Goal 2	Community Wellbeing
Objective C1	A community for everyone – that is inclusive, welcoming and accessible
Priority C1.1	Provide welcoming spaces and places for the community through our libraries, community centres, and Council and community facilities
Priority C1.3	Make the district more accessible and welcoming for all with a focus on youth participation, positive ageing, disability inclusion and multiculturalism
Objective C2	A connected, engaged and supported community
Priority C2.1	Work with community to provide a range of programs and opportunities to connect and engage around shared interests

Accessibility in play spaces aligns with Council’s *Strategic Plan* through two goals and several subsequent objectives and priorities as outlined above. Particular consideration should be given to links with the accessibility of community facilities.

Play space accessibility has direct links with Council’s *Access and Inclusion Plan 2020-2024*. Of particular note is the ‘Theme three: Accessible communities’ and ‘Priority Seven: Universal Design across South Australia’.

Council’s *Access and Inclusion Plan* defines ‘Universal Design’ as follows:

Universal Design involves creating facilities, built environments, products and services that can be used by people of all abilities, to the greatest extent possible, without adaptations.”

Play space accessibility also has direct links with Council’s *Sport and Recreation Strategy*, *Play Space Framework* and *subsequent Play Space Policy*.

Council’s *Play Space Policy* defines ‘Inclusive Play’ as follows:

‘Inclusive Play’ is where play spaces are designed to be inclusive, it means everyone, no matter their ability, age, cultural and social background, can play together and connect side-by-side. It means parents, grandparents and carers feel welcome too.

The following objectives listed in Council’s *Play Space Policy* should be considered in relation to this report:

- That play spaces in our region reflect the Adelaide Hills community and its built and natural form.
- Upgrades and developments should ensure that diverse opportunities, inclusion, and accessibility are provided and facilitate participation from a wide variety of users.

➤ **Legal Implications**

Not applicable.

➤ **Risk Management Implications**

Utilising the Inclusive Play Guidelines will assist in mitigating the risk of:

Play spaces that do not facilitate inclusivity and accessibility leading to community members who cannot utilise the space.

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

➤ **Financial and Resource Implications**

At this point in time, levels of service prescribe an approximate \$180,000 available budget for a local play space upgrade. Additional funding would need to be allocated to each play space upgrade project to support the installation of communication access solutions (including signage) and / or increased inclusivity and accessibility elements.

Staff are also proposing a pilot communication access (signage) project at the current play space upgrade sites of Protea Reserve, Crafers and Sherry Park, Mylor. Staff will work with a specialised contractor to develop the signage and use an existing Community and Social Planning budget to facilitate this project. It is envisaged that a minimum of \$2000 per sign will be required to facilitate.

Following this pilot, staff are proposing to review findings and then undertake some research into current communication access (including signage) best practice and physical access best practice in regards to play spaces. Consideration will then be given to what funding may be required to facilitate such additions in play space upgrades in the future.

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

Increased inclusivity and accessibility of Council’s play spaces will have positive impacts for marginalised groups within our community.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Not Applicable

Community: Not Applicable

4. ANALYSIS

Communication Access

While there are many elements of inclusivity and accessibility that Council address well when undertaking play space upgrade projects, signage is one element that has not yet been broadly implemented.

The Southern and Hills Local Government Association (of which AHC is a constituent council) has recently submitted a funding application to the Federal Government to work with an expert contractor and Council's Co-Design group on a signage project. If successful, AHC should obtain customised signage for two outdoor sites in our region that facilitate communication access for members of our community. The signs would consider the unique nature of the site and allow those with additional communication needs to utilise and enjoy these sites better.

In addition, a local Lions Club in partnership with the Deaf Butterfly Effect have recently approached Council regarding the installation of two Auslan signs at the Council play space in Bridgewater. It is proposed that one sign will include the Auslan alphabet and the other will include some other Auslan signs that reflect and represent the play space and wider Bridgewater area. The Lions Club have offered to pay for the cost of the signs, and requested that Council consider costs associated with installation. Staff are optimistic about the idea and are currently working through relevant permissions.

Furthermore, staff are also proposing a pilot communication access (signage) project at the current play space upgrade sites of Protea Reserve, Crafers and Sherry Park, Mylor. Staff will work with a specialised contractor to develop the signage and use an existing Community and Social Planning budget to facilitate this project.

Following this pilot, staff are proposing to review findings and then undertake some research into current communication access (including signage) best practice and physical access best practice in regards to play spaces. Consideration will then be given to what funding may be required to facilitate such additions in play space upgrades in the future.

Physical / Mobility Access

Since Council's adoption of its *Play Space Policy* in 2018 all play spaces that have been upgraded via Council's program have had both accessible and inclusive elements included in the design.

Since the Policy's inception, staff have developed thinking to understand (and subsequently implement) that an inclusive and accessible play space is not just about designing a space with flat terrain and paths for those with people who use mobility aids or wheel chairs.

It is anticipated that as part of the review of Council's DAIP later in the year, some universal design guidelines specific to AHC will be developed. These will further aid Council's play space design processes.

Inclusivity and Accessibility in Play Space Upgrades

Currently, staff make regular reference to and consider the State Government's '*Inclusive Play – Guidelines for Accessible Playspaces*' during planning, community engagement, tendering, contract and construction phases of play space upgrade projects. It is worth

noting specifically that these guidelines form part of the project scope that tenderers are required to address in their submissions, with Council's Community and Social Planning Officer then included in tender assessment processes to provide feedback around compliance.

The guidelines were created as a tool for Local Government (and others) to assist in planning, considering and developing play spaces that are inclusive of all children.

The guidelines state that "When playspaces are designed to be inclusive, it means everyone, no matter their age, cultural and social background, can play together side-by-side. It means parents, grandparents and carers feel welcome too."

As mentioned above, since the Play Space Policy's inception and continued reference to these guidelines, staff have developed thinking to understand (and subsequently implement) that an inclusive and accessible play space is not just about designing a space with flat terrain and paths for those with people who use mobility aids or wheel chairs.

Some key questions and considerations from the guidelines that staff consider in play space upgrade processes to ensure inclusivity and accessibility include:

- Once they are there, make sure everyone can easily find their way around. Are paths wide, slopes gentle and materials consistent?
- Is the play equipment accessible? Can everyone access 'the coolest' thing? Is equipment flush with adjacent surfaces?
- Have you asked the community what they want? Can you help them participate in making key decisions about the play space?
- Have you considered lighting, supervision and a boundary enclosure?
- Are there a variety of experiences to activate each sense? What can children feel? What can children hear? How can children move their bodies?
- Is there unstructured play? Are there hidden stories to find. Are there loose materials for making things?
- Are there challenges for a range of ages and abilities? High structures which everyone can access by different routes varying in difficulty.
- Are there unique places for solo play? Is there something different and memorable?
- Not all nature play elements can be accessible however, ensure there are some that can be accessed by all.
- Are the different activity zones easy to identify? Consider active / passive / quiet / circulation zones.
- Are there existing community groups in the area that the play space can connect with?
- Can the play space be easily found online?
- Is there ample seating scattered through the play space?
- Are there clear lines of sight from seating areas to allow supervision by carers?
- Does the play space cater for a range of ages and abilities? Provide a range of play options within close proximity that encourages side by side play.

Staff spend significant time considering these factors outlined above during project scoping processes. There is a delicate balance that needs to be found when designing a space that enhances a site's natural state by using natural materials and existing terrains, that also caters for appropriate physical access. Balance is also sought during design between elements for those who seek risk and adventure versus those who may seek space for quiet and passive play.

With the large number of sites located in the Adelaide Hills Council area and available budget, it is challenging for each site to address every inclusive and accessible element. As a result, staff try to create a balance and variety between neighbouring sites.

Staff also continue to attempt construction of site designs that do not create ‘accessible islands’ (i.e. a play space with accessible and inclusive elements that can’t be accessed due to inaccessible carparking, paths, etc outside the play space boundary). Available budgets and land ownership can make this challenging.

The table below outlines sites that have been upgraded since the adoption of Council’s Play Space Policy and the inclusive elements that have been included at that site.

Upgraded Site	Inclusive elements
Birdwood Oval	<ul style="list-style-type: none"> ● Pathways ● Birds nest swing ● Seating within close proximity of play space
Charleston Centennial Park	<ul style="list-style-type: none"> ● Some pathways ● Spinner flush with rubber softfall surface ● Birds nest swing with rubber softfall ● Trampolines flush with rubber softfall surface ● Fully fenced ● Seating within close proximity of play space
Yarrabee Road Reserve, Greenhill	<ul style="list-style-type: none"> ● Pathways ● Birds nest swing with rubber softfall ● Traditional swings with rubber softfall ● Cubby for quiet play ● Puzzle for passive play ● Fully fenced ● Seating within close proximity of play space ● Natural surfaces for sensory play <p>Due to terrain and property boundaries, access to this site is difficult; however it does present an opportunity for future improvement.</p>
Kersbrook Oval	<ul style="list-style-type: none"> ● Pathways ● Trampolines flush with rubber softfall surface ● Cubbies for quiet play ● Sand for sensory play ● Seating within close proximity of play space ● Natural surfaces for sensory play <p>The addition of rubber softfall and a path to the birds nest swing would add an additional accessible element to this site.</p>
Lenswood Oval	<ul style="list-style-type: none"> ● Pathways ● Birds nest swing with rubber softfall ● Trampolines flush with rubber softfall surface

	<ul style="list-style-type: none"> • Tee pee cubby and table and chairs for quiet play • Puzzles for passive play • Talk tube for passive and sensory play • Seating within close proximity of play space
<p>Lobethal Bushland Park</p>	<ul style="list-style-type: none"> • Pathways • Musical instruments and puzzles for sensory, imaginative and passive play • Cubbies for passive play • Wide slide for multiple users • Natural surfaces for sensory play • Adjacent nature play opportunities • Some seating within close proximity of the junior play space <p>In addition to the play space, staff have recently moved the gate at the entry to the site to facilitate better access for people with mobility issues.</p> <p>The addition of rubber softfall and a path to the birds nest swing would add an additional accessible element to this site.</p>
<p>Mount Torrens Oval</p>	<ul style="list-style-type: none"> • Pathways • Natural surfaces for sensory play • Quiet spaces for passive play • Wide ramp access to tower • Birds nest swing with rubber softfall • Partially fenced • Adjacent nature play opportunities • Seating within close proximity of play space
<p>Paracombe Hall</p>	<ul style="list-style-type: none"> • All rubber surface, no bark chips • Spinner flush with rubber softfall surface • Birds nest swing with rubber softfall • Wide slide, accessible via natural slope, not steps • Seating within close proximity of play space <p>During consultation for this play space upgrade project, staff learnt that the site was frequently used by a group of people who have disabilities. As a result, the design of the site was to facilitate easy use by these community members.</p>
<p>Sherry Park, Mylor <i>(under construction)</i></p>	<ul style="list-style-type: none"> • Pathways • Musical instruments and play panel for sensory and passive play • Birds nest swing with rubber softfall • Other play elements with rubber softfall • Partially fenced • Adjacent nature play opportunities • Some seating within close proximity of the junior play space area

	The installation of accessible car parking is also being considered for this site.
Protea Reserve, Crafers <i>(under construction)</i>	<ul style="list-style-type: none"> • Pathways • Seating within close proximity of play space • Play panel for sensory and passive play • Birds nest swing with rubber softfall • Spinner flush with rubber softfall surface • Other play elements with rubber softfall • Adjacent nature play opportunities • Partially fenced

While current play space upgrade budgets have been sufficient for delivering upgrades that are reflective of Council, our community and the number of play spaces in the region, there is scope and opportunity to do more in the inclusivity and accessibility space. As outlined above, staff are proposing to undertake some pilot projects in the near future that address communication accessibility. A review of findings from these pilots along with some research into current communication access (including signage) best practice and physical access best practice in regards to play spaces will also be undertaken. Consideration will then be given to what funding may be required to facilitate such additions in play space upgrades in the future. Findings and further information will be available to Council in the upon completion.

5. APPENDICES

Nil.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item: 12.4 Motion on Notice

Originating from: Cr Kirsty Parkin

Subject: Business Plan, including forward budget projections for Fabrik

1. MOTION

I move that:

1. The CEO prepares a report to present to Council outlining the Business Plan for Fabrik. It should detail the plan for how Fabrik is to be marketed, staffed, what it will produce and how, what services it will offer, and include forward financial estimates over 1, 3, 5 and 10 years.
2. This report should be presented to Council no later than May 2024.

2. BACKGROUND

Fabrik in Lobethal is being remodelled with the intent to expand and upgrade the existing Arts Centre. Significant Council Funds have been committed to the project, in addition to Federal and State Funding.

The new Fabrik potentially offers significant opportunities around tourism, small business and cultural contribution, but also presents the risk of running at continued financial deficit year on year.

3. OFFICER'S RESPONSE – Melinda Rankin, Manager Arts and Heritage Hub Position

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

Strategic Plan 2020-24 – A brighter future

Goal 2 Community Wellbeing

Objective C6 Celebrate our community's unique culture through the arts

Priority C6.1 Develop Fabrik as a vibrant cultural hub for the Adelaide Hills, fostering community connections and creativity and presenting the significant history of the Woollen Mill site

The development of Fabrik as a vibrant cultural hub is articulated in the objectives and priorities of Council's Community Wellbeing goal. In addition, the development aligns with a number of other strategies in the service areas of tourism, economic development and community development.

When the facility is reopened it will be positioned as a significant cultural tourism destination, linking to Goal 3, E1.1 – *Support and encourage local and international tourists*, while also contributing to community involvement, linking to Goal 2, C1.1 *Providing welcoming spaces*, Goal 2 C2.1 *Offering opportunities for community involvement* and Goal 2 C2.1 *Providing a range of programs and opportunities to connect*.

Additionally, Fabrik’s programming will link with Goal 2, C6.3 *Recognise, encourage and support artists* and Goal 3, E1.3 *support creative industry microbusinesses*. Programs and exhibitions encouraging and sharing First Nations culture align with Goal 2, C.5.2 *Celebrate and recognise Aboriginal culture and heritage*

➤ **Legal Implications**

Not applicable.

➤ **Risk Management Implications**

The Business and Implementation Plan 2024-2029 will assist in mitigating the risk of:

financial costs exceeding expectations leading to misuse of public funds.

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Low (2D)	Low (1D)

The development of the Business and Implementation Plan will include a thorough examination of financial forecasts (income and expenditure), staffing and visitor forecasts. It will include a risk mitigation plan that will suggest key moments of evaluation and a proposed exit strategy if goals and targets are not met.

➤ **Financial and Resource Implications**

Future estimates will be presented as part of the Business and Implementation Plan.

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

The development of Fabrik is connected to Council’s strategic goal of providing activities and opportunities that connect with the community. Public programs at Fabrik will include a strong focus on community cultural development, with the aim of increasing the involvement of Adelaide Hills community members in the arts, and creating opportunities for increased creativity and connection.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable
Council Workshops: Not Applicable
Advisory Groups: Not Applicable

External Agencies: Not Applicable
Community: Not Applicable

4. ANALYSIS

The development of Fabrik was informed by the *Adelaide Hills Arts and Heritage Hub Business Development Framework*, adopted by Council in 2018. Operations within the site commenced in 2019, including exhibitions, workshops and community events, as well as a particular focus on Creative Recovery programs after the Cudlee Creek fire. In 2021 Council received a Local Economic Recovery Grant of \$3m, and construction works commenced in late 2022.

As the redevelopment project nears completion, the business case for Fabrik, first proposed in the *Business Development Framework* has been reviewed by staff. Council has engaged Hudson Howells Consultants to provide an updated *Business and Implementation Plan 2024-2029*, including a review of human resources, marketing plan and visitor forecasts, financial budgets, a community benefit costs analyses and a risk mitigation plan.

This Plan will be presented to Council in May 2024.

5. APPENDICES

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item: 12.5 Motion on Notice

Originating from: Cr Kirsty Parkin

Subject: Which Bin stickers on all Green and Yellow Bins

1. MOTION

I move that:

Adelaide Hills Council works with Green Industries SA to undertake an investigation into the printing of stickers for every yellow and green bin lid in the Adelaide Hills Council, and then with Australia Post (or other distribution network) to send them to every bin user in the district to place on their bins.

A report detailing the outcome of the investigation be provided to Council for consideration by no later than 31 May 2024.

2. BACKGROUND

During our workshop in February 2024 from East Waste, a discussion ensued around increasing the amount of reusable waste from our bins. Education was mentioned as one way of assisting people to make the correct bin choice as they dispose of items into their bins.

The “blue bin” has on it’s surface an infographic outlining which waste items it should contain, but the yellow and green bins do not. Green Industries SA assists in the printing and distribution of “Which Bin” stickers that can be placed on the lids of yellow and green bins, clearly outlining the kinds of items best placed in each bin to maximise reuse efficiency.

3. OFFICER’S RESPONSE – John McArthur, Manager Sustainability Waste and Emergency Management

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

Strategic Plan 2020-24 – A brighter future

Goal A valued natural environment

Objective N5 Assist our community to reduce the impact of waste to landfill on the environment

Priority N5.2 Support and assist the community to prevent valuable resources going to landfill and reduce contamination in kerbside recycling bins

Placement of bin stickers on kerbside bins aligns with a number of strategies within Council’s Resource Recovery and Recycling Strategy.

➤ **Legal Implications**

Not applicable.

➤ **Risk Management Implications**

Investigating the supply of bin stickers will assist in mitigating the risk of:

Not providing waste and recycling services leading to community dissatisfaction, potential regulatory action against Council and or possible poor community public health and environmental outcomes.

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

➤ **Financial and Resource Implications**

The financial and resource implications for supplying 'Which Bin' stickers are currently not known in detail and need to be determined. Finance and resource implications that need consideration include postal costs to approximately 17,500 properties and supply of approximately 27,500 bin stickers.

Preliminary investigations suggest this figure could exceed \$50,000 (postal costs alone could exceed \$2 per household). Further detailed analysis is required to provide an accurate cost.

If 'Which Bin' stickers are supplied for the recycling and food organic garden organic (green) bins, communication material will need to be developed to support the roll out of the stickers.

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

Which Bin stickers for yellow recycling bins and food organic garden (green) bins are currently available from all services centres/libraries and at all waste education sessions. They are supplied to schools and residents upon request and are also available from East Waste.

➤ **Sustainability Implications**

Education and awareness is an important element of reducing waste to landfill and is therefore a key focus area for Council and partner subsidiaries East Waste and the Adelaide Hills Region Waste Management Authority.

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

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	Not Applicable
<i>Community:</i>	Not Applicable

4. ANALYSIS

As noted above, Which Bin stickers are currently available for residents for collection from Council service centres/libraries and other outlets. Posting stickers out to every household would ensure every household has them.

Preliminary discussions with Green Industries SA have identified support is available with graphic design and artwork for the stickers including customisation specific to Adelaide Hills Council, but not with the printing or distribution of the stickers. Given this outcome it is likely that Council will need to fully fund the printing of the stickers and the distribution costs.

Should the Council resolve as per the motion, staff will obtain accurate cost estimates through seeking quotes from market suppliers and bring this cost estimate back in the subsequent report.

As part of the proposed investigation, discussions would occur with Green Industries SA, East Waste and the Adelaide Hills Region Waste Management Authority to determine any other implications or opportunities associated with the matter.

A further report can be provided by 31 May 2024.

5. APPENDICES

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item: 12.6 Motion on Notice

Originating from: Cr Louise Pascale

Subject: Our Watch Toolkit

1. MOTION

I move that:

Council resolves to submit the following motion for debate at the 2024 National General Assembly of Local Government (NGA):

This National General Assembly calls on the Australian Government to:

- 1. Recognise local government plays a pivotal role in achieving the Australian Government's vision of ending gender-based violence in a generation.**
- 2. Recognise councils can lead this generational change by adopting Our Watch's Prevention Toolkit for Local Government.**
- 3. Fund a dedicated Domestic and Family Violence Prevention Officer in each State's local government association, this role will be jointly funded by Commonwealth and state governments. That this position be funded for a minimum of five years in line with the first stage of the National Plan to End Violence against Women and Children 2022-2032. The focus of the role should be to support councils in the implementation of Our Watch's Prevention Toolkit for Local Government.**
- 4. Fund the establishment of a local government grant funding program, similar to the Victorian Government's Free from Violence Local Government program, to be administered by the LGA. That this program be jointly funded by Commonwealth and state governments to support councils to embed gender equality and violence prevention practices into every part of their workplaces and services.**

2. BACKGROUND

The number of women being murdered each year is not decreasing, it is increasing. At this year's Pay Our Respects on the steps of Parliament House South Australians honoured 71 women murdered across the country, 16 more than 2023.

Local government is at the coalface of community, we have direct access to the women and children who are vulnerable and at risk. By adopting Our Watch's Toolkit for Local Government, we have seen first-hand that we are not powerless. We can do something. By teaching our staff servicing the community how to identify vulnerable women and children

and refer them to services we are demonstrating how close we are to the coalface. We are also part of preventing violence by looking at gender inequality in our workplace and taking measures to address our gaps. Each day we do this work we see how gender inequality creates gendered violence, and our staff are addressing that.

When Adelaide Hills Council adopted Our Watch’s Prevention Toolkit for Local Government in 2023, we learnt how much of it comes with our own resourcing. This resourcing is not only paying our staff time to implement it but researching its implementation. Unfortunately, there are too few Councils that have implemented the Toolkit for us to learn from and share understandings.

The Local Government Association (SA) is anecdotally hearing that councils are keen to act and work on prevention measures but are operating in an increasingly constrained fiscal environment. Councils are a partner in government and can leverage state monies for the benefit of their communities. (Greater Adelaide Regional Organisation of Councils (GAROC) Committee Notice 4 March 2024)

Last year there were three motions from Councils around Australia who also raised domestic and family violence as an issue they wanted the Federal Government to address with the Australian Local Government Association. Unfortunately The LGA Secretariat have had a “watching brief” on this Item of Business for the past several years, and due to a lack of capacity and resources, have been unable to undertake meaningful work in this area. (Greater Adelaide Regional Organisation of Councils (GAROC) Committee Notice 4 March 2024).

This motion calls for funding a dedicated role in Local Government Associations across Australia so we can move this from a ‘watching brief’ to taking action. A woman is being murdered in Australia every week, while on average 13 women aged 15 years and over across the country are being hospitalised due to family and domestic violence. They are not in one Council or State, they are in all Councils and every State. We can no longer sit by and watch this happen.

We are also endorsing calls for a targeted grants program to assist this work. Victorian Councils have been able to apply for small 12-month grants since 2017 which has now expanded to a three-year grant program. Councils can now apply from between \$270,000 to \$300,000. The change to the funding arrangements was based on their Royal Commission finding which found 12 months was not an adequate amount of time when it comes to prevention work.

If Adelaide Hills Council were able to access a grants program like this we could better resource our staffing to assist with data reporting to send to Our Watch Institute for the gender equity audit and expand our 16 Days of Activism campaign. We could also look to funding more training, workshops or community events including partnerships with sporting clubs and other community groups.

When I brought the motion reiterating our position on ending violence against women and children in November 2023 four women had been murdered in South Australia in one week (eight within a 6-month period). This highlights the level of urgency to deal with this issue. The escalation in murders resulted in the State Government announcing a Royal Commission into family, domestic and sexual violence, which has recently been announced as being led by Natasha Stott-Despoja, founding Chair of Our Watch. The Terms of Reference for the inquiry are currently being developed.

As a South Australian Council leading the way in working with our staff and community in ending this preventable violence in our community we are perfectly placed to bring this motion to the National Assembly. We have gone beyond this being a ‘watching brief’. We have taken action we can all be proud of and with this Motion can call on the Australian Government to assist Councils all over the country to do the same.

3. OFFICER’S RESPONSE – Rebecca Shepherd, Manager Community Development

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 2	Community Wellbeing
Objective C4	An active, healthy, thriving and resilient community
Priority C4.1	Support community wellbeing through our contribution to public health planning, disaster recovery activities and the implementation of strategies that aim to measure and enhance wellbeing

Advocating for the Australian Government to support the role of local government in preventing violence against women and children aligns with Council’s Strategic commitment to contribute to public health planning, as well as promoting the wellbeing of individuals, families, and communities.

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

Local governments are well placed to influence and advocate, on behalf of our community, to reduce violence against women and children through existing partnerships, networks and systems.

Family violence impacts on the health and wellbeing of children. The Regional Public Health and Wellbeing Plan 2022-27 for the Southern and Hills LGA (adopted by Council on 27 September 2022) identifies children as a priority population group for public health planning and intervention.

➤ Legal Implications

The *Local Government Act 1999* includes roles, functions, and principles relevant to local government responsibilities in preventing domestic violence, including to:

- provide for the welfare, well-being and interests of individuals and groups within its community (Section 7(c))
- establish or support organisations or programs that benefit people in its area or local government generally (Section 7(h))
- participate with other councils, and with State and national governments, in setting public policy and achieving regional, State and national objectives (Section 8(c)).

Section 51 and 52 of the *SA Public Health Act 2011* requires SA councils to prepare, maintain and report on a Regional Public Health Plan (RPHP) that is consistent with the State Public Health Plan and responds to public health challenges within their local area or region.

➤ **Risk Management Implications**

Proposing that the National General Assembly call on the Australian Government to support local government to prevent gender-based violence will assist in mitigating the risk of:

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

Inherent Risk	Residual Risk	Target Risk
Medium 3C	Low (1E)	Low (1E)

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

➤ **Financial and Resource Implications**

There are no direct costs associated with actioning this motion if carried. However, if Council resolves to submit the motion for the 2024 National General Assembly of Local Government (NGA) there will be some minor administrative resource implications involved with lodging the motion via the online form at the ALGA website by Friday 29 March 2024.

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

Not applicable.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	Local Government Association of SA
<i>Community:</i>	Not Applicable

4. ANALYSIS

Submitting motions for debate at the 2024 NGA

The Australian Local Government Association (ALGA) is convening the 30th National General Assembly of Local Government (NGA), to be held in Canberra from 2-4 July 2024.

As convener of the NGA, the ALGA Board is currently calling for councils to submit motions for debate at the 2024 NGA and send representatives to this national event.

ALGA have provided a discussion paper (**Appendix 1**) with essential information for Australian councils considering submitting motions for the 2024 NGA, including the criteria for motions to be eligible for inclusion in the NGA Business Papers, and subsequent debate

on the floor of the NGA. Criteria for motions for the 2024 NGA are provided on page 6 of the discussion paper (**Appendix 1**).

Council staff have reviewed the proposed motion for the 2024 NGA as written in the MON, and it appears to meet ALGA's criteria for motions published in the discussion paper (under the 'Community Services' category).

If Council resolves to submit the proposed motion for the 2024 NGA as per the MON, it will be reviewed, along with all motions submitted by other councils, by the ALGA Board's NGA Sub-committee in consultation with state and territory local government associations, to determine its eligibility for inclusion in the NGA Business Papers.

This sub-committee reserves the right to select, edit or amend notices of motions to facilitate the efficient and effective management of debate on motions at the NGA.

As the host of the NGA, ALGA will communicate resolutions to the relevant Australian Government Minister and publish Ministerial responses as they are received on its website.

If Council resolves to submit the proposed motion as per the MON, there is an expectation from ALGA that a Council representative will be present at the NGA, to be held in Canberra from 2-4 July 2024, to move and speak to that motion if required.

If Council resolves to submit the proposed motion for debate at the 2024 NGA, Council staff will lodge it electronically using the online form at ALGA's website, no later than 11:59pm AEST on Friday 29 March 2024.

Alignment with Council's commitment to prevent violence against women and children

This motion reflects Council's prior resolutions (40/23, 303/23, 186/23) to help prevent violence against women and children across its workplace and community, specifically through implementing Our Watch's Prevention Toolkit for Local Government (the Toolkit) over the initial period of July 2023 to June 2025.

To achieve the recommended activities under Stage 2 of the Toolkit ('setting up internal practices'), Council have engaged the Our Watch Institute under a Services Agreement for the period February 2024 to June 2024. The scope of work includes delivering executive training and facilitating a Gender Equity Audit and development of a Gender Equity Action Plan. These services are being provided at a cost to Council of \$9,950 (excluding GST) from operational budget allocations over the 2023-24 financial year.

Council staff advise that if the Australian Government responds to the proposed 2024 NGA motion (if submitted and carried by voting delegates) and co-funds a dedicated project officer position in each State's local government association, along with a local government grant funding program, Council will likely be eligible to seek project officer and external funding support for future Toolkit and prevention activities beyond the 2023-24 financial year.

Alignment with the LGA's advocacy position

On 5 March 2024 Council's Community and Social Planning Officer liaised with the LGA of SA's Senior Policy Officer Belinda Tassone who confirmed that the proposed motion for submission to the 2024 NGA, per the MON, is consistent with the LGA and ALGA's prior and repeated calls for the Australian Government and state and territory governments to:

- Recognise the role of local government in the primary prevention of violence against women and their children, in support of the National Plan and in line with Our Watch's Prevention Toolkit for Local Government
- Co-fund a dedicated family and domestic violence policy officer in each state and territory local government association for an initial period of five years.
- Consider additional resources required to assist individual local governments to have a more active role in preventing and responding to family, domestic and sexual violence, and to implement Our Watch's Prevention Toolkit for Local Government.

Most recently, at its meeting on 4 March 2024, the Greater Adelaide Regional Organisation of Councils (GAROC) Committee approved the following proposed item of business for inclusion in the agenda for the LGA's Ordinary General Meeting (OGM) to be held on 23 May 2024:

That the Ordinary General Meeting:

1. *Notes the work undertaken by the LGA since 2020 on domestic and family violence including opportunities for securing funding for a dedicated officer and working with the State Government to support cross government programs,*
2. *Approves the LGA writing to the Premier, the Treasurer and the Minister for the Women and the Prevention of Domestic and Family Violence:*
 - a) *Seeking fixed-term funding for a minimum of five years, for a dedicated domestic, family and sexual violence policy/project officer to:*
 - i. *assist councils to support the State Government's outcomes; and*
 - ii. *utilise and implement Our Watch's local government toolkit and implement preventative domestic and family violence measure and gender equality work.*
 - b) *Seeking the establishment of a local government grant funding program, similar to the Victorian Free from Violence grant program, to be administered by the LGA.*
 - c) *Noting the findings and recommendations from the 2017 report from the Municipal Association of Victoria (MAV) and the Nous Group in Evaluation of the role of local government in preventing violence against women.*

Council's registered voting delegate will have an opportunity to vote on the above motion at the LGA OGM on 23 May 2024.

The LGA have advised that, should the LGA receive funding for a dedicated policy/project officer, the GAROC Committee have endorsed plans for the officer to establish a dedicated council network or community of practice. The aim of this would be to support council staff, including Council's staff who are leading the Toolkit implementation project, to deliver, partner and lead primary prevention work through a diverse range of strategies and actions across their communities.

5. APPENDICES

- (1) 2024 NGA Motions Discussion Paper

Appendix 1
2024 NGA Motions Discussion Paper

2024 NGA

Building
Community
Trust

National Convention Centre
Canberra



AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION



2 - 4
JULY
2024

DISCUSSION
PAPER



KEY DATES

29 March 2024 | Acceptance of Motions

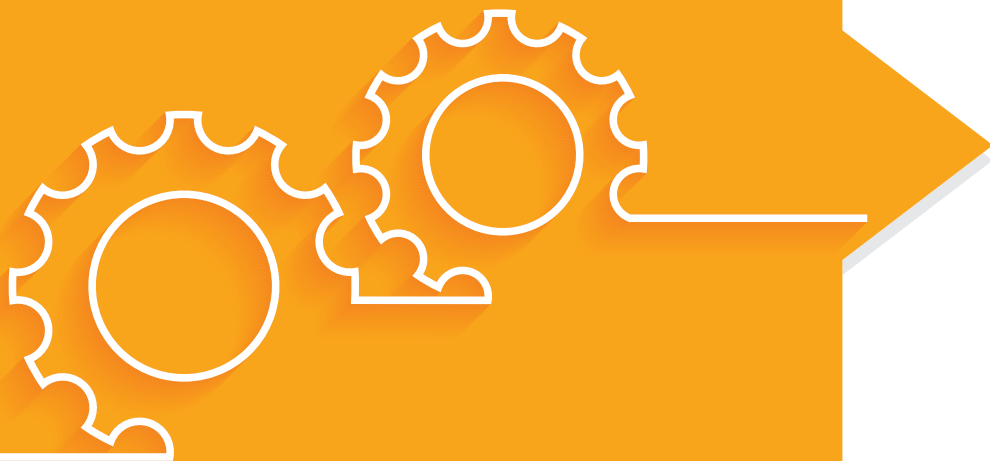
2 July 2024 | Regional Cooperation & Development Forum

3 - 4 July 2024 | National General Assembly

5 July 2024 | Australian Council of Local Government

TO SUBMIT YOUR MOTION

VISIT: **ALGA.COM.AU**





The Australian Local Government Association (ALGA) is pleased to convene the 30th National General Assembly of Local Government (NGA), to be held in Canberra from 2-4 July 2024.

As convenor of the NGA, the ALGA Board cordially invites all councils to send representatives to this important national event.

The NGA is the premier national gathering of local governments, and provides councils with the opportunity to come together, share ideas, debate motions, and most importantly unite and further build on the relationship between local government and the Australian Government.

This discussion paper contains essential information for Australian councils considering submitting motions for debate at the 2024 National General Assembly of Local Government (NGA).

It is recommended that all councils and delegates intending to attend the 2024 NGA familiarise themselves with the guidelines for motions contained in this paper on page 6.

BACKGROUND TO ALGA AND THE NGA

ALGA was established 1947. In structure, ALGA is a federation of member state and territory associations. Its mission is to achieve outcomes for local government through advocacy with impact, and maximise the economic, environmental and social wellbeing of councils and our communities.

Since 1994, the NGA has built the profile of local government on the national stage, showcased the value of councils, and most importantly demonstrated - particularly to the Australian Government - the strength and value of working with local government to help deliver on national priorities.

Debate on motions was introduced to the NGA as a vehicle for councils from across the nation to canvas ideas. Outcomes of debate on motions (NGA Resolutions) could be used by participating councils to inform their own policies and priorities, as well as their advocacy when dealing with federal politicians.

At the same time, they help ALGA and its member state and territory associations gain valuable insight into council priorities, emerging national issues, and the level of need and support for new policy and program initiatives.

Given the structure of ALGA, its Constitution, and level of resources, the NGA does not bind the ALGA Board. However, the Board carefully considers NGA resolutions as it determines ALGA's policies, priorities and strategies to advance local governments within the national agenda.

This is your NGA and ALGA is pleased to act as the convenor. ALGA's policies and priorities will continue to be determined by the ALGA Board in the interests of all councils.

The ALGA Board thanks all councils for attending the NGA and those that will take the time to reflect on the purpose of debate on motions outlined in this paper, and to submit motions for debate at the 2024 NGA.

SUBMITTING MOTIONS

Australia is one of the world's great democracies. It is held in high regard across the world but should never be taken for granted.

The theme of the 2024 NGA is – Building Community Trust.

This theme aims to explore the critical importance of trust in governments, between governments, its institutions, and its citizens. This trust is a fundamental building block of our nation's democracy.

While relatively low key, over the past decade there has been increasing public debate by scholars and policy makers about the level of trust in government, its institutions and indeed the operation of our democracy more broadly.

Mark Evans et al (2019) published research in 'The Conversation' indicating that Australians' trust in politicians (our political representatives) and democracy has hit an all-time low. This report indicates 'fewer than 41% of Australian citizens are satisfied with the way democracy works in Australia, down from 86% in 2007.

Public satisfaction has fallen particularly sharply since 2013, when 72% of Australian citizens were satisfied. Generation X is least satisfied (31%) and Baby Boomers most satisfied (50%). Some political authors suggest that these trends in part explain the rise in popularity and the relative success of independents and micro or single-issue parties.

These statistics should be of concern to every level of government and those interested in the future of our communities and Australia's democratic system.

It is said that 'trust is hard-earned, easily lost, and difficult to re-establish – and a key to absolutely everything.' While media and public attention frequently focuses on levels of trust in the national and state governments, local governments have an equally important role in building, maintaining and indeed, often repairing government-community relationships.

At its most fundamental level, the 2024 NGA focusses on the role of local government and how all levels of government can help each other build, maintain and strengthen government-community relationships.

This discussion paper is a call for councils to submit motions for debate at the 2024 NGA to be held in Canberra from 2-4 July 2024.

Motions for this year's NGA should consider:

- how all levels of government in Australia can build trust in each other and earn greater trust from the community;
- practical opportunities for the Australian Government to leverage the trust that local communities have in their local council;
- focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and
- new program ideas that that would help the local government sector to deliver the Australian Government's objectives.

Motions should be concise, practical and implementable and meet the guidelines for motions set out in the paper.

You are encouraged to read all the sections of the paper but are not expected to respond to every issue or question. Your council's motion/s must address one or more of the issues identified in the discussion paper.

Motions must be lodged electronically using the online form available on the NGA website at: www.alga.com.au and received no later than 11:59pm AEST on Friday 29 March 2024.

All notices of motions will be reviewed by the ALGA Board's NGA Sub-committee prior to publishing the NGA Business Paper to ensure that they meet these guidelines. This sub-committee reserves the right to select, edit or amend notices of motions to facilitate the efficient and effective management of debate on motions at the NGA.

All NGA resolutions will be published on www.nationalgeneralassembly.com.au.

As the host of the NGA, ALGA will communicate resolutions to the relevant Australian Government Minister and publish Ministerial responses as they are received on this website.

Please note that if your council does submit a motion, there is an expectation that a council representative will be present at the NGA to move and speak to that motion if required.

We look forward to hearing from you and seeing you at the 2024 NGA.

CRITERIA FOR MOTIONS

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. Be relevant to the work of local government nationally.
2. Not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications.
3. Be consistent with the themes of the NGA.
4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome ie call on the Australian Government to act on something.
7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

Motions must commence with the following wording:

This National General Assembly calls on the Australian Government to ...

Please note that resolutions of the NGA do not automatically become ALGA's national policy positions.

OTHER THINGS TO CONSIDER

It is important to complete the background section of the submission form. Submitters of motions should not assume that NGA delegates will have background knowledge of the proposal. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion. Please note, motions should NOT be prescriptive in directing how the matter should be pursued.

Try to keep motions practical, focussed and capable of implementation to ensure that relevant Australian Government Ministers provide considered, thoughtful and timely responses.

Try to avoid motions that are complex, contain multi-dot points and require complex cross-portfolio implementation.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-committee, in consultation with state and territory local government associations, to determine their eligibility for inclusion in the NGA Business Papers.

When reviewing motions, the Sub-committee considers the criteria, clarity of the motion and the importance and relevance of the issue to local government.

If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. With the agreement of the submitting council, these motions may be edited before inclusion in the NGA Business Papers.

To ensure an efficient and effective debate, where there are numerous motions on a similar issue, the NGA Sub-committee will group these motions together under an overarching strategic motion. The strategic motions will have either been drafted by ALGA or will be based on a motion submitted by a council which best summarises the subject matter.

Debate will occur in accordance with the rules for debate published in the Business Papers and will focus on the strategic motions. Associated sub-motions will be debated by exception only or in accordance with the debating rules.

Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

All motions require:

- a contact officer;
- a clear national objective;
- a summary of the key arguments in support of the motion; and
- endorsement of your council.

**Motions should be lodged electronically using the online form available at www.alga.asn.au.
Motions should be received no later than 11:59pm AEST on Friday 29 March 2024.**

SETTING THE SCENE

The theme for NGA24 'Building Community Trust' aims to focus on the role of local government in the Australian system of government and explore the critical importance of trust in governments, between governments, its institutions, and our citizens.

In a recent essay on Capitalism after the Crisis (2023) the Treasurer the Hon Dr Jim Chalmers MP wrote:

'Our mission is to redefine and reform our economy and institutions in ways that make our people and communities more resilient, and our society and democracy stronger as well.'

The need to strengthen our democracy was also emphasised the Prime Minister the Hon Anthony Albanese MP in a speech at Queensland's Woodford Folk Festival toward the end of 2022:

'I urge anyone who thinks our democracy is unassailable to have a look around the world. Even some of the oldest, most stable democracies have come under attack from a whole range of corrosive, insidious forces. No one is immune. Our democracy is precious, something we have carefully grown and nurtured from one generation to the next. One of our core responsibilities is to make it stronger, and the key to that strength is transparency and accountability.'

In early 2023 the Australian Government established a taskforce to advise government on 'what can be done – practically – to strengthen Australian democracy'.

The 2024 NGA provides you - the elected representatives of Australia's local councils and communities - with the opportunity to engage with the Federal Government and key Ministers.

Further, it is your opportunity to advocate for new or expanded programs and key policy initiatives that could strengthen local governments, its capacity to deliver services and infrastructure to local communities across the nation. This service delivery is critical to build, maintain and strengthen the trust of our citizens.

This year's call for motion focusses on twelve priority areas:

- Intergovernmental relations;
- Financial sustainability;
- Roads and infrastructure;
- Emergency management;
- Housing and homelessness;
- Jobs and skills;
- Community services;
- Closing the Gap and Aboriginal and Torres Strait Islander Reconciliation;
- Data, digital technology and cyber security;
- Climate change and renewable energy;
- Environment; and
- Circular economy.



1. INTERGOVERNMENTAL RELATIONS

'Australia's federal structure, built upon reciprocal financial, legislative and policy responsibilities, requires intelligent cooperation on issues of strategic national significance.'

National Cabinet is a forum for the Prime Minister, Premiers and Chief Ministers to meet and work collaboratively. National Cabinet was established on 13 March 2020 and is chaired by the Prime Minister. The National Cabinet is a key mechanism in Australia's current intergovernmental architecture.

A representative of local government, the President of ALGA, is invited to meet with National Cabinet once each year. The President of ALGA also attends one meeting per year of the Council on Federal Financial Relations comprising the Commonwealth Treasurer as Chair and all state and territory treasurers.

A substantial body of research, from Australia and internationally, has highlighted that governments that work together are generally more successful in achieving shared national objectives, including economic recovery from events like the COVID-19 pandemic as well as in service and infrastructure delivery.

This research reinforces the need for local government to be included in relevant ministerial forums that support national priorities – from housing affordability to reaching net-zero emissions. ALGA currently participates in National Cabinet (1/year), Council on Federal Financial Relations (1/year), Infrastructure Transport Ministers Meeting, National Emergency Managers Meeting, Local Government Ministers Forum, Joint Council on Closing the Gap, Planning Ministers Meeting, Meeting of Environment Ministers, Energy and Climate Change Ministers and the Road Safety Ministers Meeting, to represent local government views.

Local government input can provide a community voice, enabling our intergovernmental forums to make decisions with greater legitimacy and authority.

Given the importance of trust in governments, between governments and its citizens, how can intergovernmental arrangements be further improved in Australia?

Are there ways of maintaining and enhancing the community's trust in local government?

Are there new initiatives and programs that could be adopted to improve the level of cooperation and collaboration between the Australian Government and local government?

2. FINANCIAL SUSTAINABILITY

Trust in governments is highly correlated with their ability to fulfill the implicit social contract between government and its citizens by keeping promises.

Local government is the third sphere of government in Australia's system of government. Councils are comprised of locally elected representatives who understand local needs and engage locally on strategies to meet those needs.

Councils are responsible for providing a wide range of critical local area services including planning, libraries, waste management systems, transport and infrastructure (eg roads and footpaths, parks, sporting grounds and swimming pools) and social services.

These services are critical to the wellbeing, liveability and productivity of all local communities, and therefore the nation. Equally important is the sustaining of democratic processes at the local and regional level.

Local government's total annual expenditure in 2021 -22 was approximately \$43.6 billion. Non-financial assets including roads, community infrastructure such as buildings, facilities, airports, water, and sewerage (in some states) including land, are valued at \$539 billion [ABS Government Finance Statistics, Australia, 2021-22].

In 2021-22, the Australian Government provided \$2.6 billion in Financial Assistance Grants funding to councils. This included \$1.3b which was brought forward from the 2021-22 estimate and paid through state and territory governments in 2020-21.

Nationally, local government derives nearly 90% of its revenue from its own sources (including rates and services charges), compared to around 50% for state governments. Grants from other levels of government make up just over 10% of local government's total revenue, however these grants are particularly important in areas with a low-rate base, and/or high growth rates, and rapidly expanding service and infrastructure needs.

In 2021-22 Financial Assistance Grants to local governments was less than 0.6% of Commonwealth taxation revenue (CTR), a significant drop from 1996 when these grants were at 1% of CTR. In 2023-24 Financial Assistance Grants have fallen to 0.5% of Commonwealth taxation.

What improvements are needed to the intergovernmental financial transfer system, particularly the Commonwealth transfers to local government, to enhance the community's trust in local government and by extension all governments?

Noting that Commonwealth tied funding is provided with detailed requirements how can this system be improved to provide flexibility and maximize the benefit to local communities?

3. ROADS AND INFRASTRUCTURE

ALGA's 2021 National State of the Assets Report (NSoA) is currently being updated and expected to be launched in 2024. The most recent NSoA shows that while most local government assets such as roads, bridges, buildings, parks and recreation, stormwater, water and wastewater, and airports and aerodromes are generally in good to very good condition, around 10% are not fit for purpose, and around 20–25% are only fair and over time will need attention.

The last NSoA found that in 2019–20 non-financial infrastructure assets were valued at \$342 billion and were depreciating at \$7.7 billion per year. Replacement costs of these infrastructure assets were in the order of \$533 billion.

Local government assets make up a significant proportion of the physical structure of local communities and often provide critical access to and support for citizens to engage in state and national assets and opportunities.

For example, local roads provide important “first and last-mile access” for communities and industry to road networks, integral to economic development and community connection. Local sporting grounds can provide access for community groups to build community participation that has social, health and economic benefits.

Are there programs or initiatives that the Australian Government could adopt to improve the long-term sustainability of local government infrastructure?

Are there programs or initiatives that the Australian Government could provide to improve the sector's capacity to manage local government infrastructure and to integrate these plans into long-term financial plans?

Are there programs or initiatives that the Australian Government could develop to maintain, strengthen and enhance the reputation of Australia's infrastructure providers, including local government?

4. EMERGENCY MANAGEMENT

In 2022 alone, 46 disasters were declared across Australia, covering more than 300 different council areas. In recent years, almost every Australian council has been impacted in some way by fires, floods, or cyclones.

Last year's flooding caused a damage bill of approximately \$3.8 billion to local roads across Queensland, New South Wales, Victoria and South Australia. This was just a fraction of the total disaster costs incurred by governments across the country.

There have been numerous NGA motions in recent years regarding natural disasters and this has been a significant priority in ALGA's advocacy program.

In 2022 ALGA successfully advocated for a new \$200 million per year Disaster Ready Fund, with the first round of funding allocated in June 2023. This fund will support councils and communities to mitigate against the risk of future disasters and help address the significant imbalance between mitigation and recovery spending.

Councils are encouraged to draw on their practical experience of the improvements that could be made to managing emergencies.

Please note that many aspects of emergency management are state or territory responsibilities, and your motions should focus on how the Australian Government could assist.

What new programs, or improvements to existing programs, could the Australian Government develop to partner with local government to improve the current natural disaster management systems to further assist in recovery and build resilience?

5. HOUSING AND HOMELESSNESS

Almost every Australian council and community is facing challenges around a lack of affordable housing.

Alarming research by the UNSW City Futures Research Centre shows 640,000 Australian households – or one in 15 households – are under housing stress.

All levels of government, including councils, have a fundamental role to play in addressing this crisis, which is being compounded by high interest rates, rising construction costs and skills shortages.

At a national level, ALGA is a signatory to the National Housing Accord, and in 2023 successfully advocated for a new \$500 million Housing Support Program for state and local governments to deliver supporting infrastructure for new housing developments.

While the provision of affordable housing is not a local government responsibility, councils have a role to play in ensuring there is enough suitably located land available for housing and that a diversity of housing stock is supported. Councils also want to ensure that new housing developments are supported with the necessary services and infrastructure to create liveable and sustainable communities.

Many councils are also addressing thin markets and developing land and housing themselves, delivering local solutions to meet the needs of their communities.

Councils also want to ensure that they engaged with planning decisions that affect local communities. Taking planning powers away from councils does not always support the best local outcomes.

Councils also play an important role addressing some of the causes of homelessness, including social inclusion programs that can assist mental health and family violence issues, as well as providing support for people currently experiencing homelessness.

What new programs and policies could the Australian Government develop to partner with local government to support the provision of more affordable housing?

How can the Australian Government work with councils to address the causes and impacts of homelessness?

6. JOBS AND SKILLS

Local government is a major employer in Australia providing employment, career advancement and training opportunities for more than 190,800 Australians, across an estimated 400 occupations.

However, councils are facing significant jobs and skills shortages that are constraining their capacity to deliver services and build and maintain local infrastructure.

ALGA's 2022 National Local Government Workforce Skills and Capability Survey indicated that more than 90 percent of Australia's 537 councils were experiencing skills shortages.

The survey also showed that for approximately two-thirds of these councils, these shortages were impacting on project delivery.

In particular, councils are facing a shortage of planners, engineers, building surveyors, environmental officers and human resources professionals.

Skills shortages occur for a variety of reasons including an inability to compete against the private sector, worker accommodation, support services for families, ageing of the workforce and geographic isolation.

Are there programs or initiatives that the Australian Government could implement that would enhance local government's capacity to attract and retain appropriately skilled staff now and into the future?

Are there programs or changes to existing programs that would increase local government's ability to employ apprentices and trainees?

Are there other initiatives that the Australian Government could provide to improve the sector's ability to plan and develop skills fit for the future?

7. COMMUNITY SERVICES

Councils provide a wide range of services based on local characteristics, needs, priorities, and the resources of their community. Indeed, it is this level of responsiveness and accountability to the local community that is an essential feature of democratic local governments worldwide.

Some of these services are provided to address market failure, and many of them are provided by councils on behalf of other levels of government.

It is important to note that nationally local government is more than 83% self-sufficient ie funded at the local level either through rates, fees and charges, sale of goods and services, or interest. The Australian Bureau of Statistics data shows that total local government annual expenditure in 2021-22 was \$43.6 billion.

Only 17% comes from grants and subsidies from other levels of government. Unfortunately, many of these grants and subsidies are tied, or require matching funding which restricts the ability to address local priorities in the way the council and community might need.

Arguably there is no greater obligation upon government than to maintain the trust that citizens have in meeting their community services obligations and promises, particularly to society's most vulnerable.

Local government community services are broadly defined, and may include but are not limited to:

- environmental health including food safety;
- childcare, early childhood education, municipal health;
- aged care, senior citizens;
- services to people living with disability;
- programs to address disadvantage, to reduce poverty and homelessness;
- sporting and recreational programs;
- arts and cultural activities, programs and festivals;
- tourism and economic development activities; and
- library services.

Noting the funding arrangements for the provision of local government community services are there programs and initiatives that the Australian Government could implement to improve the delivery of these services?

Are there reforms or improvements in national community services program that would help local governments support the Australian Government to deliver on its national objectives?

8. CLOSING THE GAP AND ABORIGINAL AND TORRES STRAIT ISLANDER RECONCILIATION

In 2021, ALGA co-signed a landmark national agreement to close the gap between Indigenous and non-Indigenous Australians. At the heart of the National Agreement on Closing the Gap Partnership are four agreed priority reform targets and 19 socio-economic targets in areas including education, employment, health and wellbeing, justice, safety, housing, land and waters, and Aboriginal and Torres Strait Islander languages.

The Indigenous Voice Co-design Final Report to the Australian Government was released in December 2021. The Local & Regional Voice will contribute to achieving the Closing the Gap outcomes by providing avenues for Indigenous voices to be heard, including to provide feedback to government on Closing the Gap.

As the level of government closest to the people, councils have an essential role supporting and helping to steer the development of policies and programs in partnership with local Indigenous peoples that address closing the gap priorities at the local and regional level.

Local government plays a positive role in reconciliation and celebrating Indigenous culture and identity, and sustainably funded could work effectively to reduce Indigenous disadvantage in all its forms.

On 14 October 2023, Australians voted in a referendum about whether to change the Constitution to recognise the First Peoples of Australia by establishing a body called the Aboriginal and Torres Strait Islander Voice. The referendum did not pass.

Are there programs or initiatives that the Australian Government could adopt to assist local government to advance reconciliation and close the gap?

Are there practical programs or initiatives that local government and the Australian Government could introduce to maintain, build and strengthen the level of trust between Aboriginal and Torres Strait Islanders and governments?

9. DATA, DIGITAL TECHNOLOGY AND CYBER SECURITY

Provision of information technology to all Australians is vital to innovation, economic growth, and social equity. However, it is potentially even more important to regional Australia where the tyranny of distance increases the inequity of services available – including education, health, economic and social. Innovative technology is becoming more broadly available and could boost productivity and economic growth.

Councils around Australia continue to embrace new technologies to improve their service delivery standards and broaden consultation and engagement with their local communities. However, implementation can be hindered without access to basic technological infrastructure and the necessary IT skills and resources.

In recent times, cyber-attacks on major corporations and other businesses have resulted in significant data breaches. It is a timely reminder as digital information, services and products become an increasing feature of modern business operation including in local government.

Like all risks, local government must manage the risk of cyber-attacks and address cyber security. At a national level, there is limited understanding of local governments' vulnerability to cyber-attacks, preparedness and adequacy of risk management strategies or business continuity planning.

While this is primarily a responsibility of the sector itself, governments at all levels must work together to ensure that the public have confidence in government information management systems and its security.

Drawing upon your council's experience, and your knowledge of other councils within your state or territory, are there programs and initiatives that the Australian Government could implement to help local government develop its digital technology services and infrastructure?

Are there actions the Australian Government could take to improve cyber security within the local government sector?

10. CLIMATE CHANGE AND RENEWABLE ENERGY

Australia's changing climate presents a significant challenge to governments, individuals, communities, businesses, industry, and the environment.

The Australian Government has committed to address climate change and in June 2022 submitted its revised National Determined Contribution (NDC) to the United Nations Framework Convention on Climate Change. The revised NDC included reaffirming a target of net zero emissions by 2050 and committing to reduce greenhouse gas emissions by 43% from 2005 levels.

Local governments have played an important leadership role in addressing climate change, and councils have supported a wide range of community-based programs and initiatives to lower the carbon footprint of their own business operations and of their local communities.

As a sector, local government has been an advocate and active participant in the debate for lowering carbon emissions, is sourcing renewable energy, has responded creatively to reduce greenhouse gas emissions from landfills, and facilitated the construction of green buildings and water sensitive design of cities and towns.

Local government has been at the forefront in addressing the impacts of climate change and adaptation to climate change. In particular, councils have a practical understanding of the risk and impact of climate change on Australia's infrastructure and physical assets, natural ecosystems, local economies and their community.

Noting the Australian Government's approach to reducing emissions, are there partnerships, programs, and initiatives that local government and the Australian Government can form to achieve Australia's 2050 net zero emissions target?

Are there initiatives that could assist local governments to build trust in the community for implementation of key climate change and emissions reduction initiatives?

11. ENVIRONMENT

Australia's 537 local councils play an essential role in providing, regulating and managing Australia's environmental services and infrastructure.

Whether it's biodiversity, biosecurity, natural resource management (NRM), contaminated lands, waste management, water resources, sustainability or roadside environments, councils are responsible for educating households and businesses on environment policy, as well as driving environmental programs and initiatives in their local communities.

In recent years the National General Assembly has considered a range of environmental issues, and passed resolutions on biodiversity, biosecurity, conservation, climate change and water security.

How could the Australian Government partner with local government to strengthen Australia's environmental services and infrastructure?

What new programs could the Australian Government partner with local government in to progress local regional and national objectives?



12. CIRCULAR ECONOMY

Local government is responsible for the management of household and domestic waste and has a critical role to play in further developing the circular economy.

Australia's 537 councils manage approximately 26 percent of Australian waste, either directly or through contractual arrangements. Each year, local governments collect around 9.7 million tonnes of waste from kerbside bin services, sort it at material recovery facilities (MRFs), and dispatch what can be recycled to reprocessing facilities in Australia and overseas.

Where waste cannot be recovered it is landfilled, and local governments in most jurisdictions must pay a significant levy per tonne for landfilled waste, as well as incur the operational costs of maintaining and managing a landfill.

Collecting, treating, and disposing of Australian domestic waste costs local government an estimated \$3.5 billion annually. Local government also dedicates resources to administering community waste-education programs, collecting litter, addressing illegal rubbish dumping, and ensuring compliance with waste bylaws.

In November 2023, Australia's Environment Ministers agreed that the Federal Government would establish new regulations for packaging as well as mandate how packaging is designed, develop minimum recycled content requirements and prohibit harmful chemicals being used. These changes are expected to have a positive impact on the amount of waste sent to landfill, and the costs borne by councils and their communities.

How could the Australian Government further strengthen product stewardship arrangements to support local governments in their endeavours to increase recycling and reduce the volume of waste?

How could the Australian Government partner with local government to advance the circular economy?

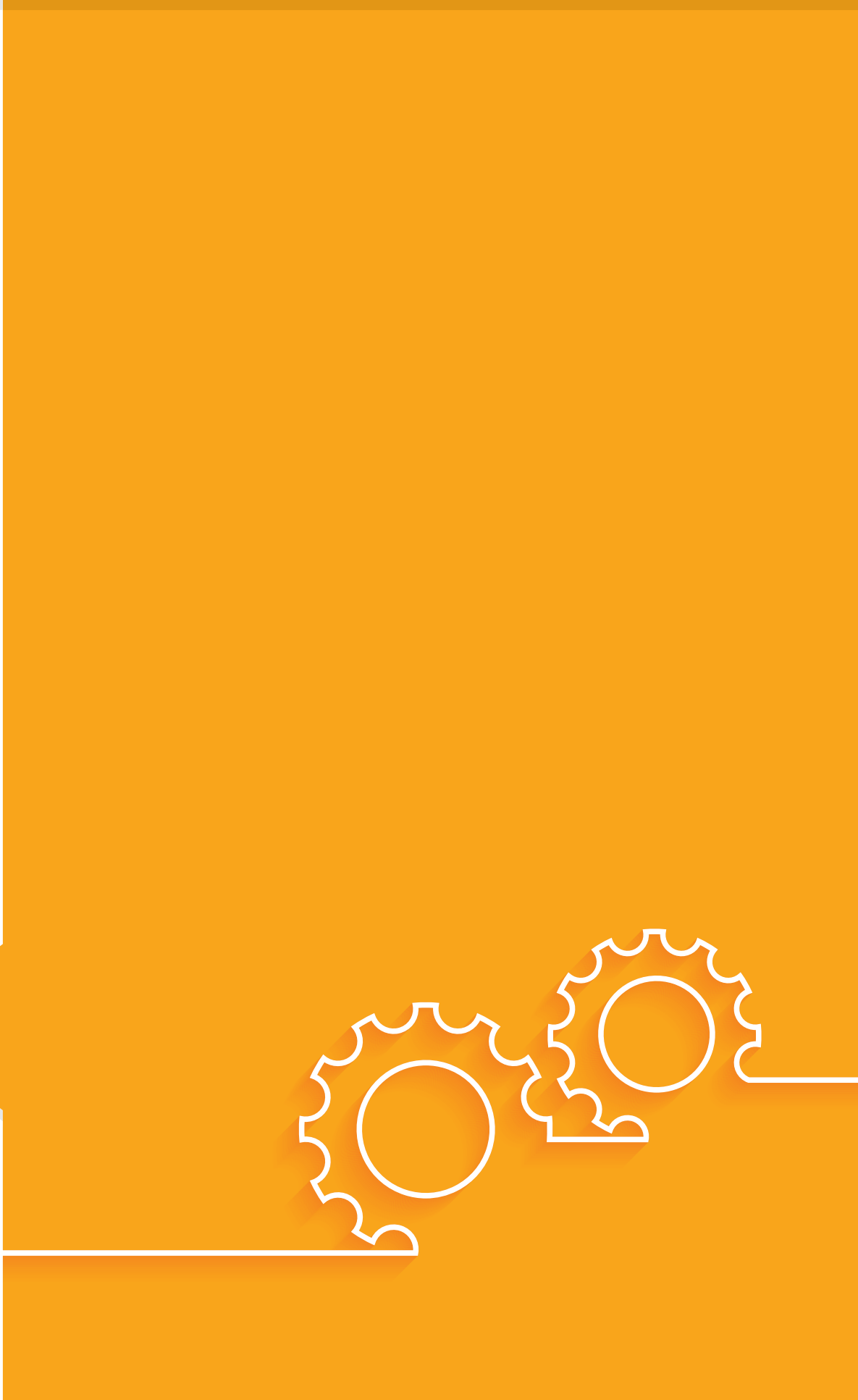
CONCLUSION

Thank you for taking the time to read this discussion paper and your support for the 2024 National General Assembly of Local Government.

A FINAL REMINDER:

- » Motions should be lodged electronically at www.alga.com.au and received no later than 11.59pm on Friday 29 March 2024.
- » Motions must meet the criteria published in this paper.
- » Motions should commence with the following wording: 'This National General Assembly calls on the Australian Government to...'
- » Motions should not be prescriptive in directing how the matter should be pursued.
- » Motions should be practical, focussed and relatively simple.
- » It is important to complete the background section on the form.
- » Motions must not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
- » When your council submits a motion there is an expectation that a council representative will be present at the 2024 National General Assembly to move and speak to that motion if required.
- » Resolutions of the National General Assembly do not automatically become ALGA's national policy positions. The resolutions are used by the ALGA Board to inform policies, priorities and strategies to advance local governments within the national agenda.

We look forward to hearing from you and seeing you at the 2024 National General Assembly in Canberra.





AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION

8 Geils Court | 02 6122 9400
Deakin, ACT, 2600 | alga@alga.asn.au

www.alga.com.au

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item: 12.7. Motion on Notice

Originating from: Cr Pauline Gill

Subject: Reaffirmation of support to all Veterans

1. MOTION

I move that:

- 1. The Adelaide Hills Council reaffirm support to all Australian Veteran's, past and present, who have served and sacrificed in the Defence of Australia's democratic freedom.**
- 2. The CEO and Mayor, jointly write to all RSL's and other Soldier/Service Memorial organisations within the Adelaide Hills Council, to express the Council's support for Veteran's, past and present, after the dishonourable attempt by the State Government to remove ANZAC Day from the Public Holidays Bill 2023.**

2. BACKGROUND

The South Australian State Government introduced the Public Holidays Bill 2023, to repeal the *Holidays Act 1910*, according to the introduction, *"This Bill modernises and streamlines South Australia's public holiday legislation, bringing our laws into the 21st century and rectifying longstanding issues that employers, workers and regulators have had dealing with the outdated and archaic Holidays Act 1910."*, and goes on to say, *"including removing outdated and archaic terminology"*. I was not aware that ANZAC was an outdated and archaic terminology, nor have I seen any uprising of the population to remove the name ANZAC Day from the 25th of April. While it is admirable to ensure that workers that work on public holidays are provided public holiday penalty rates of pay, regardless of what day a public holiday falls on, there is no reasoning behind removing the names of the public holidays to attain this goal.

In debate on the Bill, Hon Susan Close, responding to amendments suggested by the Opposition, to put the names of the public holidays into the Bill, said, *"Somehow, South Australia has survived for 110 years with the Holidays Act without including these names. Somehow, we have managed to work out that we have those holidays on those days."* On reading the current *Holidays Act 1910*, it clearly states ANZAC Day at section 3a. *In addition to the days mentioned in the second schedule to this Act, the twenty-fifth of April shall be a public holiday and a bank holiday: Provided that when the said day falls upon a Sunday, the*

following Monday shall be a public holiday and a bank holiday in lieu of that day. The *Holidays Act 1910* also mentions Christmas and New Years Day, which had also gone missing in the Public Holidays Bill. Australia Day was added as an amendment to the Act in the *Holidays (Proclamation Day, Australia Day and Bank Holidays) Amendment Act 1993*, therefore the Hon Susan Close is incorrect in her response.

I, like many Australians, are either related to a service person or are or have been a service person, the removal of ANZAC Day, is disparaging and dishonouring to all these people who have served their country.

3. OFFICER'S RESPONSE – Jody Atkins, A/Governance and Risk Coordinator

➤ 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 O4.2 Attract and develop a diverse and capable elected body that represents, promotes and reflects the composition of the community

As an organisation we strive for accountable and strategic decision making. We seek to consistently meet our financial sustainability targets. Council is committed to open, participative and transparent decision making and administrative processes. We diligently adhere to legislative requirements to ensure public accountability.

➤ Legal Implications

Not Applicable.

➤ Risk Management Implications

Not Applicable

➤ Financial and Resource Implications

Not Applicable

➤ Customer Service and Community/Cultural Implications

Not Applicable

➤ Sustainability Implications

Not applicable.

➤ Engagement/Consultation conducted in the development of the report

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Not Applicable

Community: Not Applicable

4. ANALYSIS

Prior to December 2023, the *Holidays Act 1910* outlined public holidays by their traditional names such as Good Friday and Anzac Day.

In late 2023 the *Public Holidays Bill 2023* proposed changes to the *Holidays Act 1910* including not using traditional names for some public holidays. For example, Anzac Day was referred to as '25 April'. Specifically, the bill provided:

3—Days fixed as public holidays

- (1) Subject to this section, the following days will be public holidays in each year:
- (a) 1 January;
 - (b) 26 January;
 - (c) the second Monday in March;
 - (d) Good Friday;
 - (e) Easter Saturday;
 - (f) Easter Sunday;
 - (g) Easter Monday;
 - (h) 25 April;
 - (i) the second Monday in June;
 - (j) the first Monday in October;
 - (k) 25 December;
 - (l) 26 December.

The Bill was passed on 29 November 2023 and repealed the *Holidays Act 1910*. The *Public Holidays Act 2023* (the Act) commenced on 1 January 2024. However, Parliament has since passed the *Statutes Amendment (Industrial Relations Portfolio) Bill 2024*, which, on a day to be proclaimed, will have the effect of reintroducing the term ANZAC Day to the Act.

5. APPENDICES

Nil

**Item 13 Administration Reports
Decision Items**

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item:	13.1
Responsible Officer:	James Szabo Senior Strategic and Policy Planner Community and Development
Subject:	Revised Policy for Community Consultation – Management of Built Heritage
For:	Decision

SUMMARY

The purpose of this report is to provide the draft *Management of Built Heritage Policy (Appendix 1)* to Council for approval for the purpose of community consultation.

The revised draft *Management of Built Heritage Policy* (the “Policy”) aims to carry forward the original intent of the existing policy by providing the basis for Council to approach the Management of Built Heritage across the district. Notwithstanding, the review has led to content and formatting changes, as summarised below.

Community engagement on this revised Policy is considered an important step in informing and seeking feedback from interested members of the community on Council’s approach to policy planning projects involving amendments to the heritage protection policy framework and the incentives provided by Council to encourage the preservation and enhancement of built heritage.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
 - 2. To approve the draft *Management of Built Heritage Policy* as contained in *Appendix 1* for community consultation.**
-

1. BACKGROUND

The Council has 103 State Heritage Places, 1 State Heritage Area (Mt Torrens), 242 Local Heritage Places and 3 Historic Areas (Ayers Hill, Mylor and Woodside).

The Council is fortunate to have a large quantity of its built heritage still intact and these buildings and places provide a significant and positive contribution to the character and appeal of the Council’s townships and rural areas.

In acknowledging the importance of heritage buildings and places Council adopted the Management of Built Heritage Policy on the 12 July 2004 with the resolution:

“That the Management of Built Heritage Draft Policy be endorsed in order to provide a framework for the expansion of the Local Heritage List to include the Torrens Valley and Onkaparinga Valley Wards as well as providing a range of incentives designed to protect and enhance the built heritage within the Adelaide Hills Council area.”

The policy has since provided a basis for Council’s approach to protection, preservation and support of heritage buildings and places across the district.

Since its adoption, the policy has been subject to three reviews, with the most recent review adopted on the 14 November 2017, where at the Special Council Meeting, Council resolved the following:

5.3. Management of Built Heritage Policy

Moved Cr Malcolm Herrmann
S/- Cr Val Hall

265/17

Council resolves that:

- 1. That the report be received and noted**
- 2. With an effective date of 28 November 2017, to revoke the 12 April 2016 Management of Built Heritage Policy and to adopt the Management of Built Heritage Policy, as contained in Appendix 1.**

Carried Unanimously

The abovementioned review foreshadowed likely changes to heritage policy in the new planning system and the need for a comprehensive review of the Policy, following the implementation of the Planning and Design Code (introduced in March 2021).

This review has subsequently been informed by two years of operation in the new system and is considered timely as Council seeks to further strengthen the heritage policy framework via a Code Amendment.

2. ANALYSIS

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

Strategic Plan 2020-24 – A brighter future

Goal 1 A Functional Built Environment

Objective B2 Preserve and enhance the unique character of the Hills for current and future generations

Priority B2.4 Ensure our planning framework, council policies and guidelines support privately owned local heritage places.

The Council is committed to heritage preservation and support through various operational functions, with a particular focus on the planning framework and associated incentive schemes. The Policy provides the basis for such an approach and is consistent with the key organisational strategic objectives.

➤ **Legal Implications**

Planning, Development and Infrastructure Act 2016
Heritage Places Act 1993

The Policy addresses those elements of built heritage as recognised in the abovementioned legislation, including relevant designated instruments (i.e. the Planning & Design Code), in particular Local Heritage Places and buildings and streetscapes within an Historic Area Overlay.

➤ **Risk Management Implications**

The adoption of the Management of Built Heritage Policy will assist in mitigating the risk of:

Inappropriate management of heritage buildings and places resulting in poor outcomes that undermine heritage significance and the historic fabric of buildings and places.

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

The Policy is considered an effective control against the stated risk.

➤ **Financial and Resource Implications**

The financial and resource implications of community consultation are accommodated in the current Policy Planning budget.

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

Consulting the community about changes to the Policy is seen as an appropriate approach as it allows the community an opportunity to provide feedback, gain insight into Council's approach to heritage protection and further promote transparency in matters relating to the management of built heritage.

➤ **Sustainability Implications**

Heritage buildings and places provide important links to the past and provide opportunities for social and economic development through an appreciation of shared histories, adaptive reuse and cultural tourism.

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

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	4 March 2024 & 12 July 2022
<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	Not Applicable
<i>Community:</i>	Not Applicable

The Policy review was outlined at the 12 July 2022 Council Workshop, where feedback on a range of issues was provided. In particular, there was discussion surrounding the following:

3. Approach to notification of proposed heritage listed properties
4. Engagement and education as a key component of any proposed local heritage listing process
5. How objections to a listing would be reconciled
6. Whether the Planning and Design Code heritage policy suite is sufficient

The discussion and feedback at the workshop informed revisions to the Policy and it demonstrated a high level of interest in heritage matters, particularly where local heritage listing is proposed. This suggests that consultation on the revised Policy is an important step in outlining Council's approach to these matters with the broader community.

Additional Analysis

The aim of the revised draft Policy is to ensure that the original intent is carried forward, in particular providing the framework for the expansion of local heritage listing and Council's heritage incentive schemes.

Suggested changes have been made to ensure that the Policy can respond to emerging issues and remain a useful basis for Council actions in the areas relating to built heritage. The changes are recommended in response to the feedback received throughout the review process.

The revision of the Policy has taken into account the requirements of the *Planning, Development and Infrastructure Act 2016* (the "Act") and been amended accordingly. For instance, the Policy now addresses not only Local Heritage Listing but also Historic and Character Areas, a new component of the Planning and Design Code.

The Policy now includes reference to the Local Heritage Grant Fund Procedure for matters involving the grant program.

In addition the key changes to the Policy are outlined below:

- The introduction has been refined and transitioned to other sections where appropriate
- The objectives have been transitioned and refined as policy statements, with replacement objectives developed
- A new section addressing the scope of the Policy has been included
- A section addressing the broader policy position on matters involving Council's approach to Local Heritage List and Historic Area expansion, heritage incentive programs and awareness and promotion of built heritage has been transitioned and refined from content within the existing policy.

Although Council's *Public Consultation Policy* does not require consultation for a *Management of Built Heritage Policy*, it is recommended that consultation is undertaken to engage the wider community and historical groups and other interested parties to ensure that the policy meets the community's expectations.

Consultation will be consistent with the public consultation steps for Table 2, contained in Council's *Public Consultation Policy*.

3. OPTIONS

Council has the following options:

- I. To endorse the draft *Management of Built Heritage Policy* for community consultation (Recommended)
- II. To determine not to endorse the draft *Management of Built Heritage Policy* for community consultation at this time (Not Recommended)


4. APPENDICES

- (1) Draft Management of Built Heritage Policy

Appendix 1

Draft Management of Built Heritage Policy

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2>MANAGEMENT OF BUILT HERITAGE</h2>
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Policy Number:	DEV-09
Responsible Department(s):	Policy Planning
Relevant Delegations:	As per Delegations Schedule
Other Relevant Policies:	None
Relevant Procedure(s):	<u>Local Heritage Grant Fund Procedure</u>
Relevant Legislation:	<i>Planning, Development and Infrastructure Act, 2016 Heritage Places Act 1993</i>
Policies and Procedures Superseded by this policy on its Adoption:	12 July 2004, Item 6.1, 28 15 June 2009, Item 8.1, 30 12 April 2016, Item 12.3, 12 14 November 2017, Item 5.3, 265
Adoption Authority:	Council
Date of Adoption:	To be entered administratively
Effective From:	To be entered administratively
Minute Reference for Adoption:	To be entered administratively
Next Review:	To be entered administratively

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	12/07/2004	New Policy	Council - Res 28/04
1.1	15 /06/2009	Policy Review – minor editorial changes	Council - Res 30/09
1.2	12/04/2016	Policy Review –minor editorial changes	SPDPC - Res 12/16
1.3	14/11/2017	Policy Review –minor editorial changes	Council – Res 265/17
1.4	-	To be entered administratively	-

MANAGEMENT OF BUILT HERITAGE POLICY

1. INTRODUCTION

1.1. This policy outlines Council's commitment to protect and enhance the rich historical fabric of the Adelaide Hills which forms an important part of the identity and story of South Australia.

1.1.1.2. This policy recognises that the Council district is fortunate to have a large quantity of its built heritage ~~still~~ intact and acknowledges the significant and positive contribution that these heritage buildings and places make to the character and appeal of ~~our~~ townships and rural areas.

1.2.1.3. ~~They provide an~~ This policy recognises that heritage buildings and places provide important links to the past and often establish-reflect a particular character that warrantswe wish to preservation into the future.

1.3.1.4. This policy acknowledges the important contribution heritage buildings and places make to social and economic development through ~~an appreciation of our past and through~~ adaptive reuse and cultural tourism.

2. POLICY OBJECTIVES

2.1. The objectives of this policy are:

2.1.1.To ensure the retention and conservation of heritage buildings and historic areas

2.1.2.To collaborate, inform and build positive relationships with all stakeholders involved in managing built heritage.

2.1.3.To advocate for, contribute to and participate in a strong and transparent planning system which supports clear and comprehensive policies for built heritage protection.

2.1.4.To promote Council's built heritage and the contribution it makes to the cultural identity, community sense of place, amenity and economy of the Adelaide Hills.

3. SCOPE

3.1. The policy relates to those elements of built heritage as recognised in the *Planning Development & Infrastructure Act 2016*, *Heritage Places Act 1993* and the Planning & Design Code, in particular :

- State Heritage Places
- State Heritage Areas
- Local Heritage Places
- Representative Buildings ~~(formerly known as Contributory Items)~~

- Buildings and streetscapes within ~~the~~ Historic Area or Character Area Overlay

Note: heritage protection provided by the above legislative framework does not preclude development; it simply makes sure that any new works do not adversely affect the heritage significance of a building or place.

3.2. Beyond its responsibilities under the above mentioned Acts, the Council has a number of options regarding the management of local heritage places ranging from: ~~Local government responses in this area generally range from~~, strategic and policy guidance for owners to be responsible, the provision of heritage advice, place management, through to providing financial assistance via grant programs. Within this range of options, this policy establishes Council's responses as including:

- Developing strategies and policies to guide future actions
- Outlining the community engagement process to be followed by Council in the establishment of a Local Heritage List or Historic Area or Character Area Overlay
- A commitment to the provision of a Heritage Advisor service, and
- The periodic establishment of a Local Heritage Grant Fund to provide financial assistance to owners of local heritage places.

4. POLICY STATEMENT

4.1. The Council is committed to ensuring that heritage places are adequately protected to ensure their long-term preservation conserved for present and future generations. A fundamental component of this is ensuring a strong planning framework applies within the Council Area.

4.2. The Council in pursuing planning framework amendments changes via Local Heritage Places and Historic Area or Character Area Overlay Code Amendments will ensure transparent and open engagement with affected property owners and the community more broadly.

4.3. The Council acknowledges that a strong planning framework Heritage places provides scope for works affecting heritage places to be appropriately maintained, managed and adaptively re-used so that they to ensure they continue to contribute strongly to the District's district's appeal attractiveness and retain their heritage significance.

4.4. To support heritage conservation Council is committed to establishing a Heritage Incentive Program to that support the planning process, encourage and contribute to the ongoing management and maintenance of heritage buildings and to promote work to heritage places that is of a high quality of workmanship and authenticity.

4.5. The Council is committed to raising awareness among the Adelaide Hills Community of the importance of heritage preservation and will seek opportunities to celebrate and promote the Council's built heritage and the contribution it makes to the Adelaide Hills as a place to live, work, visit and do business.

4.5. POLICY POSITION

Heritage Places Code Amendments

4.1.5.1. The following ~~process steps~~ will be followed by Council in the establishment ~~and refinement of the~~ Local Heritage ~~List Places and any designation of an~~ Historic Area or Character Area Overlay that covers the entire Council area in the Planning and Design Code where it applies to the Adelaide Hills Council:

5.1.1. The listing of buildings and places as Local Heritage Places and any designation of a Historic Area or Character Area Overlay will be based on the recommendations of a Heritage Survey that has been prepared and reviewed by suitably qualified heritage experts.

5.1.2. The listing of buildings and places as Local Heritage Places and the designation of a Historic Area or Character Area Overlay will be undertaken in accordance with the requirements of the *Development Act, 1993 and the Planning, Development and Infrastructure Act 2016* and in accordance with the Community Engagement Charter, as appropriate.

5.1.3. All owners of properties affected by a proposed heritage listing Code Amendment will be informed in writing of Council's intention ~~to list their property and provided~~ with an opportunity to make a submission on the proposed amendments in accordance with the Community Engagement Charter process.

n

5.1.4. Property owners who object to their property being impacted by a heritage listed Code Amendment ~~n~~ will be invited to ~~write contact~~ to Council outlining their reasons for objecting as well as being provided an opportunity presenting to present their case position ~~to a Committee of Council~~ at a Public Hearing public meeting.

5.1.5. Council, in forming an opinion on properties that are the subject of an objection, ~~will~~ may seek the advice of an independent heritage expert ~~(, at Council's cost),~~ to provide a ~~'second secondary expert~~ opinion' on the subject property.

5.1.6. Properties which are ~~the~~ subject to an objection will be presented to the full Council for consideration prior to any recommended heritage Code Amendment, being forwarded to the State Planning Commission for finalisation.

Note: Following Council's decision, and if a disagreement still exists, property owners will be able to have their case heard by the State Government's Planning Commission's Local Heritage Advisory Sub-Committee.

Heritage Incentive Program

4.2.5.2. The following ~~process steps~~ will be followed by Council in the establishment of a heritage Incentive Program:

4.2.1.5.2.1. The Council, to promote heritage listing and property maintenance, will make available the services of its Heritage Advisor free of charge (subject to Clause 5.2.2) to owners of Local Heritage Places to provide advice in relation to:

- ongoing management and maintenance issues;
- redevelopment and renovation proposals, ~~;~~ or,
- details required for the lodgement of development applications.

~~4.2.2.5.2.2.~~ The Heritage Advisor will generally be available for two meetings or four hours for an individual property.

~~4.2.3.5.2.3.~~ Council may periodically establish a Local Heritage Grant Fund to support owners of Local Heritage buildings and places to undertake work that reinstates or maintains their heritage significance. Any grant program established in accordance with this Policy must adhere to the Local Heritage Grant Fund Procedure.

~~Council will, as part of the Local Heritage DPA process, seek to provide policy options to encourage development opportunities to support the retention, restoration and re-use of State and Local Heritage Places.~~

Awareness and promotion of heritage

~~4.3.5.3.~~ The following actions may be taken by Council to raise awareness or promote heritage conservation within the Adelaide Hills:

~~4.3.1.5.3.1.~~ Council may utilise its networks to provide information ~~brochures~~ ~~to~~ ~~hat~~ ~~promote~~ ~~the~~ ~~promote~~ ~~the~~ value of heritage protection to the wider community.

~~4.3.2.5.3.2.~~ Council ~~may~~~~will~~ consider whether one ~~or~~~~f~~ more interpretive plaques should be installed on buildings of heritage significance with the agreement of the owner.

~~4.3.3.5.3.3.~~ In the case of Local Heritage Places with a special significance to the wider community, Council may ~~resolve to~~ ~~,~~ ~~at the discretion of the Director of Strategy & Development~~, prepare a Heritage Management Plan.

~~5.3.4.~~ Council ~~will (by December 2018)~~~~may~~ prepare detailed guidelines to assist owners of Local Heritage Places with maintenance issues as well as proposals for building work.

5. DELEGATION

The CEO has the delegation to:

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

6. AVAILABILITY OF THE POLICY

This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.ahc.sa.gov.au. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 12 March 2024
AGENDA BUSINESS ITEM**

Item: 13.2

Responsible Officer: Karen Cummings
Manager Property Services
Directorate

Subject: Land Purchase at 8 St John Road Norton Summit

For: Decision

SUMMARY

The purpose of this report is to seek a resolution of Council in support of a boundary realignment involving the Council owned land at 2 St John Road Norton Summit contained in Certificate of Title Volume 5624 Folio 6 ("Council land") refer **Appendix 1**.

The boundary realignment with the adjoining land at 8 St John Road Norton Summit contained in Certificate of Title Volume 5662 Folio 781 ("Church Land") owned by The Synod of the Diocese of Adelaide of the Anglican Church of Australia ("the Church") will involve the purchase of land by the Council from the Church of approximately 1369m² for the sum of \$94,000 plus GST (refer **Appendix 2**).

The purchase of the land enables Council to deal with the immediate matter of the septic system from the public toilet and CFS building on Council's land being non-compliant by allowing for the discharge from the septic system to be discharged onto a larger adjacent area of land. The boundary alignment will also ensure that any building encroachments from the CFS building onto the Church land are remedied.

This report follows from a previous report considered by Council on 26 April 2022 which considered the purchase of approximately 2705 sqm of land to remedy the encroachments referred to in this report and to acquire additional land considered excess to the church's requirements. Following further investigations and negotiations with the Church, it is now recommended that a smaller parcel of land be acquired by Council of 1369sqm.

This report recommends the Council resolves to purchase a portion of the Land identified as portion of Allotment 3 in **Appendix 2** and for \$94,000.00 (plus GST).

Photos of the land is shown in **Appendix 3**.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.

2. **In conjunction with The Synod of the Diocese of Adelaide of the Anglican Church of Australia (“the Church”), undertake a boundary realignment to alter the boundaries between the land located at 2 St John Road Norton Summit owned by Council and the land located at 8 St John Road Norton Summit owned by the Church, with the effect of Council purchasing from the Church an area of approximately 1369m² for the amount of \$94,000 exclusive of GST.**
 3. **To allocate funding in 2024-25 budget for the purchase of the land in the amount of \$94,000 exclusive of GST (if applicable) plus Council’s proportion of purchase and land division costs estimated at \$15,000 plus GST, plus fencing costs estimated at \$5,000 plus GST.**
 4. **To update the Council’s Community Land Register to reflect the additional area of land vesting in Council and to develop a Community Land Management Plan for the site.**
 5. **To delegate to the CEO to do all things necessary, including sign all documents to give effect to this resolution.**
 6. **To authorise the Mayor and CEO to apply the Council’s seal, if required, in the execution of any documents related to this resolution.**
-

1. BACKGROUND

On 26 April, 2022, Council received a report on this matter that considered the purchase of a larger portion of land totalling approximately 2705 sqm. Following consideration of the matter, a motion was debated and lost. No further decision was made at that meeting. The minutes of the lost motion are included below for information.

Council resolves:

1. That the report be received and noted
2. In conjunction with The Synod of the Diocese of Adelaide of the Anglican Church of Australia (“the Church”), undertake a boundary realignment to alter the boundaries between the land located at 2 St John Road Norton Summit owned by Council and the land located at 8 St John Road Norton Summit owned by the Church, with the effect of Council purchasing from the Church an area of approximately 2705m² for the amount of \$175,000 exclusive of GST
3. To allocate funding in 2022/23 budget for the purchase of the land in the amount of \$175,000 exclusive of GST plus \$16,175 for the Council’s proportion of purchase and land division costs
4. To update the Council’s Community Land Register to reflect the additional area of land vesting in Council and to develop a Community Land Management Plan for the site
5. To delegate to the CEO to all do things necessary, including sign all documents to give effect to this resolution

LOST

Arguments against the motion included that Council would be acquiring more land than was needed, at ratepayers' expense, and that Council should instead focus on just addressing the issue of encroachment without purchasing additional land.

A workshop with Council Members was subsequently held in August 2022 that included consideration of the following:

- Further information on the need for the proposal
- The nature of the encroachments of Council infrastructure onto the Church land
- Whether a play space or outdoor bench could be placed on the adjacent land if acquired by Council
- Whether car parking could be formalised along Colonial Drive due to parking issues at this location.

Staff subsequently reviewed the proposal and determined that a reduced acquisition of approximately 1369 sqm of land would suffice for the purpose of resolving the encroachment matter and enabling the Council to adequately upgrade and maintain the buildings and associated infrastructure into the future.

The acquired land would be merged into Council's existing title with the new proposed Council allotment to be the whole of allotment 3 in **Appendix 2**.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 1	A functional Built Environment
Objective B4	Sustainable management of our built assets ensures a safe, functional and well serviced community
Priority B4.1	Ensure the long term management of the built form and public spaces occurs in consideration of the relevant financial, social and environmental management factors
Goal 2	Community Wellbeing
Objective C2	A connected, engaged and supported community
Priority C2.4	Increase participation from the broadest range of our community and engage with them to shape policies, places and decisions that affect them
Goal 2	Community Wellbeing
Objective C4	An active, health, thriving and resilient community
Priority C4.5	Take an all hazards approach to emergency management so we can support the emergency services and the community before, during and after disaster events
Goal 3	A prosperous economy
Objective E2	Provide local infrastructure to drive growth and productivity
Priority E2.4	Manage and maintain Council assets to maximise their utilisation and benefit to the community

- Goal 4 A valued Natural Environment
- Objective C2 A connected, engaged and supported community
- Priority C2.4 Increase participation from the broadest range of our community and engage with them to shape policies, places and decisions that affect them

➤ **Legal Implications**

If the land is acquired by Council, it will be added to the existing Council owned land parcel and be included on the Council’s community land register. A separate Community Land Management Plan may be required given the number of uses of the parcel of land (i.e. CFS, East Torrens Historical Society, public toilets and biodiversity uses). The boundary realignment will also allow for compliance with the new septic system and will deal with encroachments of Council’s existing CFS building onto the Church land.

➤ **Risk Management Implications**

The purchase of the land will assist in mitigating the risk of:

Decision not to purchase land leading to loss of community confidence and need to plan an alternate proposal to deal with septic system.

Inherent Risk	Residual Risk	Target Risk
High (2A)	High (2A)	Low

➤ **Financial and Resource Implications**

All external costs including the initial and subsequent survey, valuation, conveyancing, advertising and government charges are to be paid by Council. Approximately \$2,000 has been incurred in survey fees to date, together with approximately \$2,000 for the most recent market valuation.

If the recommendation is endorsed, Council will pay \$94,000.00 (plus GST) for the purchase of the subject portion of the land.

It is estimated that an additional \$15,000 in costs will be incurred to settle the matter including final survey for submission to the Land Titles Office, final pegging of the site, statutory charges and other administrative costs. In addition, Council would be responsible for refencing along the new boundary line at approximately \$5,000.

There is currently no budget set aside to formalise car parking along Colonial Drive. If Council wished to pursue formalisation of car parking at this location it would cost in the order of \$5,000 (operating expenditure) for Option 1, and \$45,000 to \$50,000 (capital expenditure) for Option 2. Both options, which are described later in this report, would create approximately 8-9 car parking spaces.

The Council owned reserve to the north of the boundary realignment area is currently managed as a parcel of predominantly native vegetation. Only weed management activities are undertaken. It is not expected that the addition of this land will create additional maintenance obligations over and above what is already resourced. If the land were to be improved with car parking, picnic tables, etc. then maintenance costs would increase as a result.

Details of this will be investigated in conjunction with the costs to put in additional car parking and community infrastructure and included in a future strategic initiative for consideration by Council, should Council resolve to proceed with the purchase.

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

As outlined in the 2022 report, there was a Council sold nearby land and buildings in Norton Summit that were then known as “Morialta Barns”. In 2014, Council resolved to sell Morialta Barns. It was noted in the Council report at that time (although not part of the formal resolution) that Council “should consider re-investing a portion of these proceeds from this sale back into a local project as part of the 2013/2014 budget deliberations”. This created some expectation in the community that at least a portion of funds from the sale of Morialta Barns would be invested back into a project in the local community.

The proposed purchase of this land at Norton Summit could be deemed a suitable outcome for the investment in a local project however for reasons outlined in this report picnic tables and/or a play space for passive recreation would not be suitable at this site. Council could however consider funding the formalisation of car parking along Colonial Drive as part of future budget considerations.

➤ **Sustainability Implications**

The land proposed to be purchased is vegetated with native vegetation which is considered to be in reasonable condition. The purchase of the land will ensure preservation of the native vegetation on the land and be managed by Council’s Biodiversity team.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not applicable

External Agencies: Not Applicable

Community: Anglican Church of South Australia and Norton Summit Parish

➤ **Additional Analysis**

Progress since the 2022 Council report and workshop

Progress has been made since 2022 in the following areas:

- Further analysis on car parking opportunities
- Further analysis on the needs for a new septic system to service the public toilets and adjacent CFS station
- Further review of the possibility of passive recreational elements such as a small play space or picnic tables/chairs on the land to be acquired.

Each of these topics is addressed below.

Car parking

As outlined in the 2022 Council report, car parking options are complicated by the topography of the land, and it is not viable to increase car parking significantly at this location for this reason. Further investigations were undertaken however on the possibility of line marking and maximising on street parking in front of the land along Colonial Drive. Presently, on-street car parking at this location is not formalised and car parking along Colonial Drive is at a premium on weekends due to the adjacent hotel land use and other recreational activities such as walking and cycling at Norton Summit. Advice was received from Council's Manager Civil Services to ascertain how many car parks could be formalised along Colonial Drive.

Advice received is that improvements to car parking could be dealt with via two (2) options:

Car parking Option 1: Create 8-9 car parks by improving delineation of existing informal parking along Colonial Drive by minor maintenance treatments such as trim existing pavement, signage and perma-pine wheel stops (or similar). Estimated cost for this option = \$5,000 (operating expenditure).

Car parking Option 2: Formalised parking bays for approximately 8 to 9 car parks, including survey, design to AS2890, minor earthworks to achieve design levels, minor retaining, minor drainage works, sealed surface, line marking and signage. Estimated cost for this option \$45,000 - \$50,000 (Capital expenditure).

Upgrades to car parking along Colonial Drive are currently unfunded and the information above is provided only to enable Council to understand future opportunities.

Septic/wastewater system

Following the Council workshop in August 2022, a wastewater engineer was engaged to provide detail and a design for a new septic system to service Council's property. The report identifies that the current system which is dated and at the end of its useful life, does not comply with the current standards in that there is not enough land surface area to allow for the appropriate discharge of waste water.

The information from the report highlighted that an additional amount of land of approximately 1300 sqm would be required adjacent to this particular site to allow for the proper discharge of the wastewater onto the adjacent land. Following a meeting on site with representatives from the Church, it was agreed in principle that the alignment of the revised parcel of land would be in line with the end of the Church car park and would allow for the space require for effluent discharge.

Recreational elements

Further review was undertaken in relation to the topography of the parcel of land to be acquired and access to that land for pedestrians including adults and children. Due to the topography of the land, it has been determined that the site would not comply with accessibility requirements for all, for both a play space and even a picnic table and chairs. Accordingly, it is recommended that this not be pursued should the land be acquired.

Revised valuation/s

Once in-principle agreement had been reached with the Church on the revised smaller parcel of land required to meet the Council's needs (as shown in **Appendix 2**) an updated valuation

was obtained from an independent valuer to determine the market value of the Land. The value attributed by Council's Valuer (McLean Gladstone Valuers) for the proposed 1369 sqm of land, was determined to be \$85,000. The valuation was determined utilising the Direct Comparison Method and Before and After Method. A copy of the Valuation report is provided in **Appendix 4**.

Following this, in late 2023 representatives from the Church engaged their own valuer to also value the land. Their valuation was shared with Council and was determined to be \$103,000.

The Administration is of the view that both valuations are valid market valuations undertaken by experienced valuers at arm's length from the proposed transaction. Accordingly, an in-principle negotiation was undertaken with the Church to arrive at a proposed price between Council's valuation of \$85,000 and the Church's valuation of \$103,000. The result of those negotiations was an in-principle agreement for Council to purchase the land for \$94,000 plus GST (if applicable) with Council meeting the cost for the fencing along the new boundary.

3. OPTIONS

Council has the following options:

- I. Resolve to purchase the land (Recommended)
- II. Resolve to not to purchase the land (Not Recommended)

4. APPENDICES

- (1) Aerial view of the land
- (2) Proposed Plan of Division (boundary realignment)
- (3) Photos of the land
- (4) Valuation dated 12 September 2023

Appendix 1

Aerial view of the land

11-April-2022

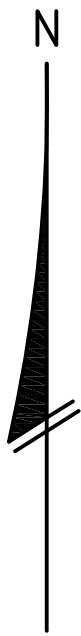


Appendix 2

Proposed Plan of Division (boundary realignment)

PLAN FOR DEVELOPMENT APPROVAL - LAND DIVISION (BOUNDARY RE-ALIGNMENT)

PLAN NUMBER - R22086AHC-02 Sht1



NOTES

- EXISTING STRUCTURES TO REMAIN
- NO NATIVE VEGETATION WILL BE AFFECTED BY THE DIVISION
- APPROX AREA OF LAND TO BE TRANSFERRED TO FORM ALLOTMENT 3 IS 1369m² (TO BE CONFIRMED BY FINAL SURVEY)



LEGAL IDENTIFIER

ALLOTMENTS 12 & 13 IN D50939 AND ALLOTMENT 36 IN F130290 HUNDRED OF ADELAIDE C'sT 5662/780, 5662/781 AND 5624/6

ADDRESS

8 ST JOHN RD & 5 COLONIAL DRIVE
NORTON SUMMIT

COUNCIL

ADELAIDE HILLS

APPLICANT

ADELAIDE HILLS COUNCIL

OWNERS

ADELAIDE HILLS COUNCIL & THE SYNOD OF THE DIOCESE OF ADELAIDE OF THE ANGLICAN CHURCH OF AUSTRALIA INC

AGENT

RICHARD RETALLACK

EASEMENTS

EXISTING EASEMENT MARKED A ON CT 5662/780 IS TO BE EXTINGUISHED

PORTION OF ALLOTMENT 2 MARKED E IS SUBJECT TO A RIGHT OF WAY

PORTION OF ALLOTMENT 2 MARKED G IS SUBJECT TO A FREE AND UNRESTRICTED RIGHT OF WAY

SUBJECT TO SURVEY



RICHARD RETALLACK
LICENSED SURVEYOR

Member of Consulting Surveyors SA and SSSI

0488 663 360

www.richardretallack.com.au

PO Box 154, Daw Park SA 5041

info@richardretallack.com.au



DIMENSIONS AND AREAS
SUBJECT TO SURVEY



Member of Consulting Surveyors SA and SSSI

Appendix 3

Photos of the land













Appendix 4

Valuation dated 12 September 2023



PORTION LOT 12 COLONIAL DRIVE, NORTON SUMMIT ADJACENT 5 COLONIAL DRIVE, NORTON SUMMIT FOR SALE PURPOSES



PORTION LOT 12 COLONIAL DRIVE, NORTON SUMMIT, SOUTH AUSTRALIA, 5136

Prepared for:

Adelaide Hills Council
Carmine Gallarelllo, Property Officer
PO Box 44, WOODSIDE, S.A. 5244



Prepared by:

Jeremy Carter
McLean Gladstone Valuers
Date: 12th September, 2023



Unit 14, 467 Fullarton Road Highgate SA 5063 Postal Address: PO Box 313 Highgate SA 5063
Phone: (08) 8272 9455 Jeremy Carter Mobile: 0411 728 699

Website: www.mcleangladstone.com Email: mgvaluer@bigpond.net.au ABN 38 627 167 050 ACN 082 812 520

**PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136**

1. TITLE DETAILS:

Volume 5662 Folio 780 (a) "CHURCH LAND"
Volume 5624 Folio 6 (b) "COUNCIL LAND"

Schedule of Dealings: Lease 12231122 to Optus Mobile Pty. Ltd. (a)
Lease 12231123 to Optus Mobile Pty. Ltd. (a)

Easements: Nil.

Registrar-General's Notes: Plan for Lease Purposes Vide G242/2003 (a)
Approved Filed Plan for Lease Purposes FX56544 (a)
New Edition created due to expiration. (a)
Plan for Lease Purposes Vide G242/2003 (b)

Registered Proprietors: The Synod of the Diocese of Adelaide of the Adelaide of the Anglican Church of Australia Inc. (a)
Adelaide Hills Council (b)

2. DIMENSIONS / AREA:

5 Colonial Drive 1,001 m² (Irregular) **LGA:** Adelaide Hills Council
Portion Lot 12 Colonial Drive 1,319 m² (Irregular) **LGA:** Adelaide Hills Council

3. ZONING & PLANNING INSTRUMENT: Productive Rural Landscape (Z4802) - PRuL

LGA: Adelaide Hills Council

Effect: Rural Development

4. LOCATION / NEIGHBOURHOOD:

The subject property is situated approximately 13.90 km east of the Adelaide GPO. Located close to limited local facilities including schools, shops and transport.

Neighbouring properties comprise varying use including The Scenic Hotel, Anglican Church with residential of varying value and dimensions, mostly of a good standard and retailing in the middle price bracket.

5. SITE DESCRIPTION & TOPOGRAPHY: Irregular allotment with standard street access.

Services: Electricity, Water, Septic Tank.

Environmental Hazards: None Known

6. MAIN BUILDING:

Style & Street Appeal: Single Storey Post Office/Museum Building with Good Street Appeal

Built about: 1902/3 Additions: N/A

Main Walls & Roof: Stone Walls / Colourbond Roof

Flooring: Timber

Interior Linings: Plastered Brick

Accommodation: Hall

7. MAIN BUILDING (2):

Style & Street Appeal: CFS Building

Main Walls & Roof: Colourbond Walls / Colourbond Roof

Flooring: Reinforced Concrete Foundations

Interior Linings: Plastered Brick

Features: Air Conditioning; Public Toilets

8. OBSERVATIONS: Nil

MCLEAN GLADSTONE VALUERS

(2)

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**PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136**

9. CAR ACCOMMODATION: Nil.

10. IMPROVEMENTS:
Porch; Verandah; Rainwater Tank

11. REPAIRS/REQUIREMENTS: N/A **ESTIMATED COST:** N/A

AREAS: Post Office / Museum: 78 m² Verandah: 34 m² Porch: 5 CFS Building: 248 m² **TOTAL: 365 m²**

12. GENERAL REPORT: BACKGROUND

The subject property is located in the Hills area of Norton Summit to the east of the Adelaide GPO.

The property is set in a smaller semi commercial area with the Scenic Hotel, Post Office, CFS building and old Council Chambers located in the immediate vicinity.

Surrounding rural residential properties vary in land size with varying quality and size of improvements, however, with the majority retailing in the middle/upper price bracket.

The subject property comprises the original 1902/3 Council Hall that is now a Museum and Post Office. To the rear is located the Norton Summit CFS building which has public toilets to the rear.

The Post Office and CFS building are currently located on an irregular corner allotment comprising 1,001 m².

I have been requested to value a portion of 1,369 m² parcel of land that is presently portion of Lot 12 which is owned by the neighbouring Anglican Church and 50 m² to be road.

This land comprises scrubby land which is reasonably steep in parts and has native gum trees growing upon portion as well as land adjoining the Museum.

The land may enable the expansion of the existing CFS building in the future, however, cannot be divided or built upon as a single holding.

VALUER GENERAL'S ASSESSMENT – 5 COLONIAL DRIVE, NORTON SUMMIT - 5624/6 "COUNCIL LAND"

Date: 2022/23 **Capital Value:** \$390,000 **Site Value:** \$196,000

VALUER GENERAL'S ASSESSMENT – LOT 12 COLONIAL DRIVE, NORTON SUMMIT - 5662/780 "CHURCH LAND"

Date: 2022/23 **Capital Value:** \$840,000 **Site Value:** \$580,000

**PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136**

13. SALES EVIDENCE

Sales of properties considered comparable in terms of location and other criteria, have been researched and analysed, in order to determine appropriate value parameters for the Subject Property. The following are considered to best support our assessment of market value. I have sought vacant allotments within the Adelaide Hills Council area with same zoning being "Productive Rural Landscape (Z4802) – PruL".

<u>Address</u>	<u>Sale Date</u>	<u>Price</u>	<u>Site Area</u>	<u>\$/m² Land</u>
185A Upper Sturt Rd. Upper Sturt 5156	21-Dec-22	\$400,000	2,746 m ²	\$146
Description:	Vacant allotment, zoned PRuL. Long narrow strip of land, single access point, steep areas, some scrub areas. Similar rate per m².			
28 Walker Av. Heathfield 5153	28-Oct-22	\$422,500	1,858 m ²	\$227
Description:	Vacant allotment, zoned PRuL. Regular allotment, heavily treed, power – no water, represents a regular building allotment, portion cleared. Superior rate per m².			
71A Scott Creek Rd. Heathfield 5153	24-Jan-23	\$300,000	1,829 m ²	\$164
Description:	Vacant allotment, zoned PRuL. Steepish scrub allotment, inferior location, limited access. Similar rate per m².			
Lt 1 Swamp Rd. Lenswood 5240	29-Mar-23	\$374,000	2,053 m ²	\$182
Description:	Vacant allotment, zoned PRuL. Irregular cleared allotment, previously Apple Orchard. Superior rate per m². (power and water available) .			
Analysis:	Site Area Rate \$/m ² :		High	\$227
			Low	\$146
			Mean	\$180

14. VALUATION APPROACH

In determining a fair market value for the subject portion of Lot 12, regard has been given to two traditional valuation methods, these being 'Direct Comparison and Before and After'.

15. DIRECT COMPARISON METHOD

This method calculates the unencumbered value of the land based on comparable land sales. A discount of 60% is applied on the basis the land has no form of development potential.

I have considered recent sales of similar sized allotments in the surrounding area with the same zoning. Sales analysis indicated a market range of between \$146- \$227 per m². After comparison of the individual characteristics of each sale, I have adopted \$155 m² as a fair representation of market value. Smaller allotments of around 1,000 m² are selling for between \$285 m² and \$325 m² and I have adopted a value for the smaller site at \$325 m². After a discount due to the subject land not being a stand-alone allotment, I have adopted a value of \$62.00 per m² (after the discount is applied) as representative of market value to apply to portion of Lot 12.

CALCULATION

Site Area 1,369 m² @ \$155/m² = \$212,195
 Less 60% = \$127,317
 Net Value = \$ 84,878
 ADOPT = \$ 85,000

**PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136**

16. BEFORE AND AFTER METHOD

The Before and After method requires the property at 5 Colonial Drive, Norton Summit to be valued "As Is" and subsequent to the land being added. I have determined the land component only as based on comparable sales so the analysis is not confused by the value of the existing improvements. The difference in the land value represents the additional value of the adjoining land.

CALCULATION

	<u>SITE AREA</u>	<u>RATE</u>	<u>SITE VALUE</u>
BEFORE	1,001 m ²	\$325 per m ²	SAY \$325,325
AFTER	2,320 m ²	\$170 per m ² (CLOSE TO MEAN OF ALL SALES)	SAY \$394,400
DIFFERENCE	\$69,075	ADOPT \$70,000	

The above valuation approaches may be summarized as follows:

DIRECT COMPARISON	\$85,000
(HIGHEST VALUE)	
BEFORE AND AFTER	\$70,000

On the basis of the above calculations, taking all matters into account, I believe the market value for the adjoining land to be \$82,000.

17. VALUATION

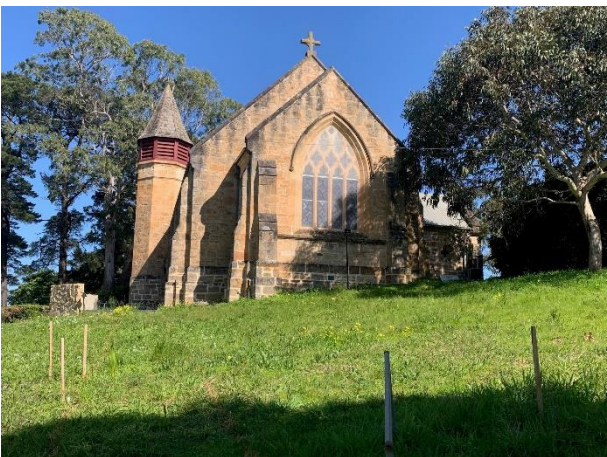
I value the 1,319 m² Portion of Lot 12 adjacent the eastern boundary of 5 Colonial Drive, Norton Summit as follows:

\$85,000 (EIGHTY FIVE THOUSAND DOLLARS) (EXCLUSIVE OF GST)

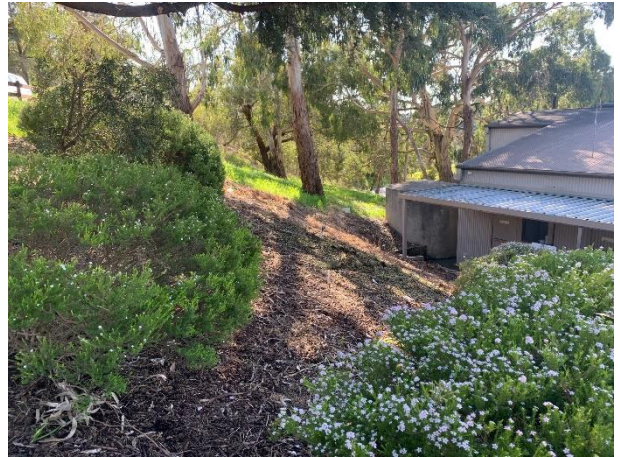
I hereby certify that I have inspected the above property on 12th September, 2023.

THIS VALUATION IS FOR POSSIBLE PURCHASE PURPOSES ONLY OF PORTION LOT 12.

PHOTOS



PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136



MCLEAN GLADSTONE PTY LTD., REAL ESTATE VALUERS

A handwritten signature in black ink, appearing to read 'JDCarter'.

JEREMY D. CARTER
B. App. Sc. (Val.), A.A.P.I / Member No. 63985
Associate Australian Property Institute
Member R.E.I. (S.A.) Valuers Division
Certified Practicing Valuer

MCLEAN GLADSTONE VALUERS
(7)

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CERTIFICATE OF TITLE



Product Title and Valuation Package
Date/Time 13/09/2023 01:01PM
Customer Reference
Order ID 20230913005256

Certificate of Title

Title Reference CT 5662/780
Status CURRENT
Easement YES
Owner Number 80094878
Address for Notices 18 KING WILLIAM RD NORTH ADELAIDE, SA 5006
Area 1.394ha (CALCULATED)

Estate Type

Fee Simple

Registered Proprietor

THE SYNOD OF THE DIOCESE OF ADELAIDE OF THE ANGLICAN CHURCH OF AUSTRALIA INC.
OF 26 KING WILLIAM ROAD NORTH ADELAIDE SA 5006

Description of Land

ALLOTMENT 12 DEPOSITED PLAN 50939
IN THE AREA NAMED NORTON SUMMIT
HUNDRED OF ADELAIDE

Last Sale Details

There are no sales details recorded for this property

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
LEASE	12231122	OPTUS MOBILE PTY. LTD.
LEASE	12231123	OPTUS MOBILE PTY. LTD.

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
0311794506	CURRENT	8 ST JOHN ROAD, NORTON SUMMIT, SA 5136

Notations

Dealings Affecting Title

NIL

Notations on Plan

NIL

PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136



Product Title and Valuation Package
Date/Time 13/09/2023 01:01PM
Customer Reference
Order ID 20230913005256

Registrar-General's Notes

PLAN FOR LEASE PURPOSES VIDE G242/2003
APPROVED FILED PLAN FOR LEASE PURPOSES FX56544
NEW EDITION CREATED DUE TO EXPIRATION OF LEASE

Administrative Interests

NIL

Valuation Record

Valuation Number 0311794506
Type Site & Capital Value
Date of Valuation 01/01/2023
Status CURRENT
Operative From 01/07/1999
Property Location 8 ST JOHN ROAD, NORTON SUMMIT, SA 5136
Local Government ADELAIDE HILLS
Owner Names THE SYNOD OF THE DIOCESE OF ADELAIDE OF THE ANGLICAN CHURCH OF AUSTRALIA INC.
Owner Number 80094878
Address for Notices 18 KING WILLIAM RD NORTH ADELAIDE, SA 5006
Zone / Subzone PRuL - Productive Rural Landscape\\
Water Available No
Sewer Available No
Land Use 5610 - Churches / Seminaries
Description CHURCH S/SCHOOL
Local Government Description Other

Parcels

Plan/Parcel	Title Reference(s)
D50939 ALLOTMENT 12	CT 5662/780
D50939 ALLOTMENT 13	CT 5662/781

Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$580,000	\$840,000			
Previous	\$460,000	\$750,000			

Occupants

**PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136**



Product Title and Valuation Package
Date/Time 13/09/2023 01:01PM
Customer Reference
Order ID 20230913005256

Occupant Id	Property Id	Occupant Name	Land Use	Local Government Description	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
20	A13	RECTOR Y	1100 - House	Residential	\$185,743	\$315,055			
40	TELCO SITE	OPTUS	6790 - Telecommunications N.E.C.	Commercial - Other	\$115,644	\$116,458			
10	A13	CHURCH S/SCHOOL	5610 - Churches / Seminaries	Other	\$185,743	\$315,055			
30	A12	LAND	4100 - Vacant Land-Urban	Vacant Land	\$92,870	\$93,432			

Building Details

Valuation Number	0311794506
Building Style	Not Available
Year Built	Not Available
Building Condition	Not Available
Wall Construction	Not Available
Roof Construction	Not Available
Equivalent Main Area	Not Available
Number of Main Rooms	Not Available

Note – this information is not guaranteed by the Government of South Australia



Product Title and Valuation Package
Date/Time 13/09/2023 01:06PM
Customer Reference
Order ID 20230913005340

Certificate of Title

Title Reference CT 5624/6
Status CURRENT
Easement NO
Owner Number 90005728
Address for Notices PO BOX 44 WOODSIDE SA 5244
Area 1020m² (APPROXIMATE)

Estate Type

Fee Simple

Registered Proprietor

ADELAIDE HILLS COUNCIL
OF PO BOX 44 WOODSIDE SA 5244

Description of Land

ALLOTMENT 36 FILED PLAN 130290
IN THE AREA NAMED NORTON SUMMIT
HUNDRED OF ADELAIDE

Last Sale Details

There are no sales details recorded for this property

Constraints

Encumbrances

NIL

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
0311795007	CURRENT	5 COLONIAL DRIVE, NORTON SUMMIT, SA 5136

Notations

Dealings Affecting Title

NIL

Notations on Plan

NIL

Registrar-General's Notes

PLAN FOR LEASE PURPOSES VIDE G242/2003

PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136



Product Title and Valuation Package
Date/Time 13/09/2023 01:06PM
Customer Reference
Order ID 20230913005340

Administrative Interests

NIL

Valuation Record

Valuation Number 0311795007
Type Site & Capital Value
Date of Valuation 01/01/2023
Status CURRENT
Operative From 01/07/1981
Property Location 5 COLONIAL DRIVE, NORTON SUMMIT, SA 5136
Local Government ADELAIDE HILLS
Owner Names ADELAIDE HILLS COUNCIL
Owner Number 90005728
Address for Notices PO BOX 44 WOODSIDE SA 5244
Zone / Subzone PRuL - Productive Rural Landscapell
Water Available No
Sewer Available No
Land Use 5941 - Fire Station Or Depot
Description SHED BLDG
Local Government Description Other

Parcels

Plan/Parcel	Title Reference(s)
F130290 ALLOTMENT 36	CT 5624/6

Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$196,000	\$390,000			
Previous	\$187,000	\$325,000			

Occupants

Occupant Id	Property Id	Occupant Name	Land Use	Local Government Description	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
20	2	Post Office	6810 - Post	Commercial - Other	\$65,333	\$124,799			

PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136



Product Title and Valuation Package
Date/Time 13/09/2023 01:06PM
Customer Reference
Order ID 20230913005340

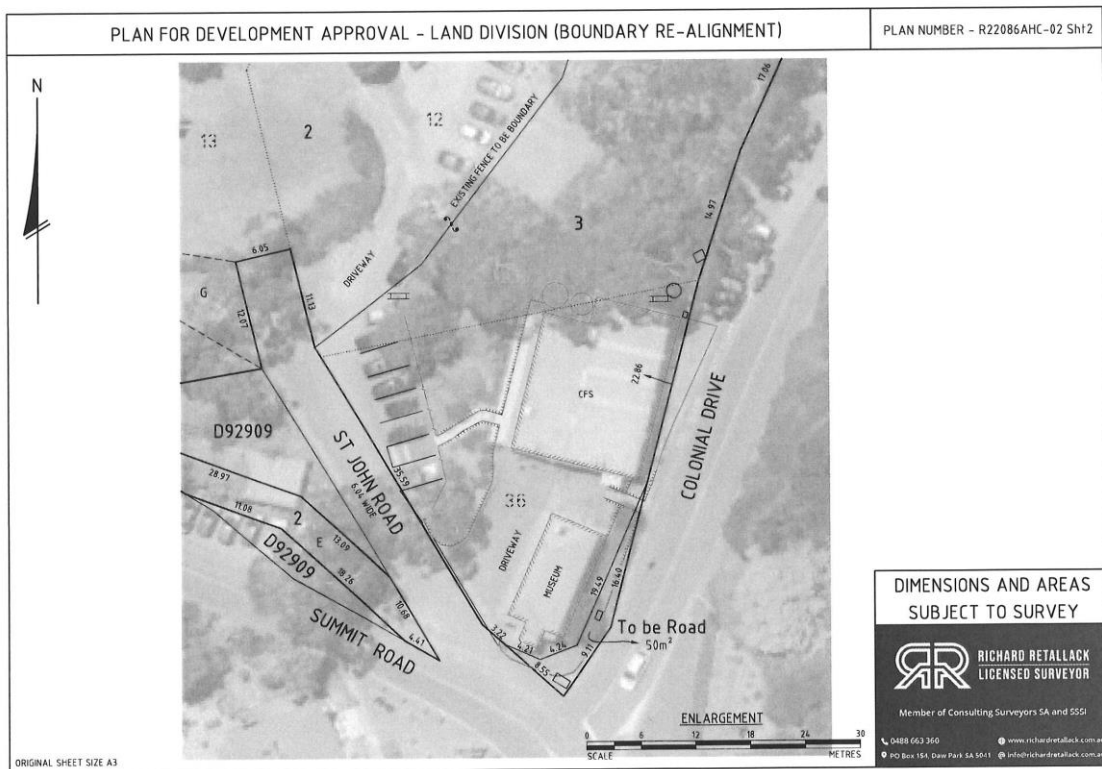
Occupant Id	Property Id	Occupant Name	Land Use	Local Government Description	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
			Office						
10	1	CFS	5941 - Fire Station Or Depot	Other	\$130,667	\$265,201			

Building Details

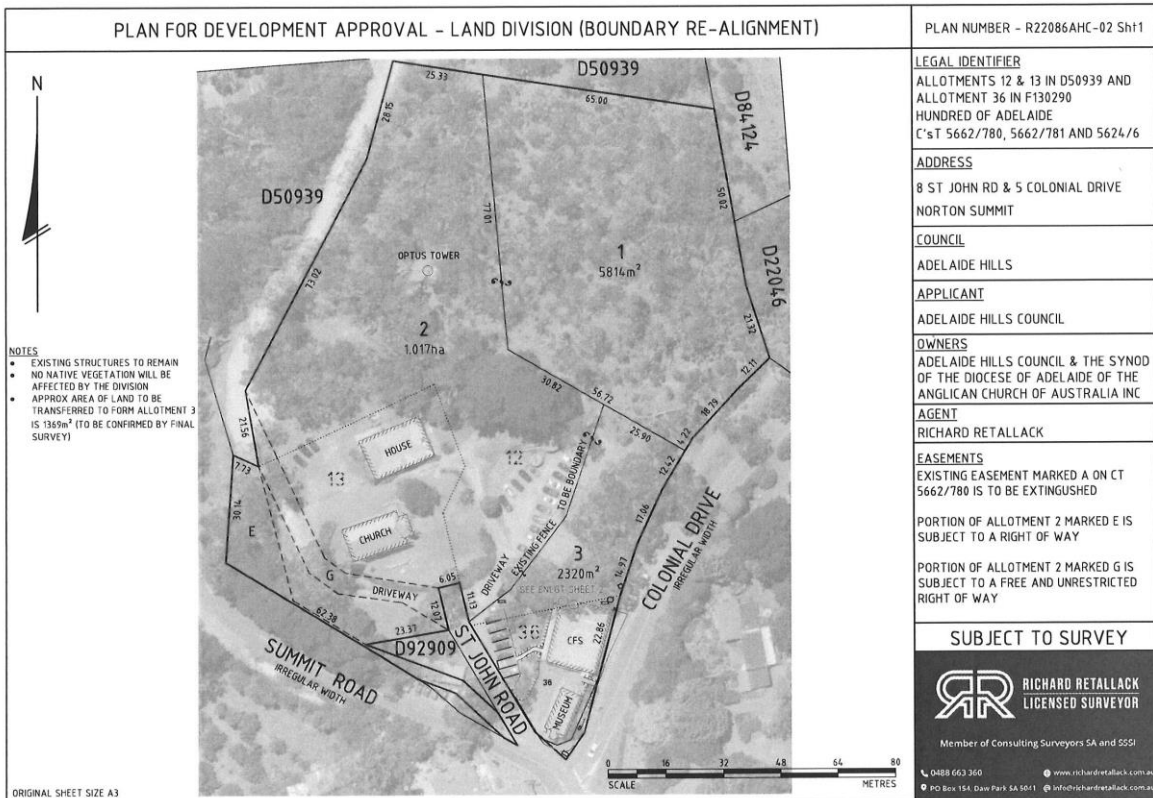
Valuation Number	0311795007
Building Style	Not Available
Year Built	Not Available
Building Condition	Not Available
Wall Construction	Not Available
Roof Construction	Not Available
Equivalent Main Area	Not Available
Number of Main Rooms	Not Available

Note – this information is not guaranteed by the Government of South Australia

PLANS



**PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136**



**PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136**

Special Comments

- (a) Whilst we carried out a careful building inspection, we advise that we have not completed a detailed structural survey, tested any of the services, or inspected unexposed or inaccessible portions of the building and are therefore unable to state that these are free from defect, rot or infestation (not applicable for vacant land).
- (b) We advise that the valuation has been completed in accordance with supportive documentation supplied. Following investigations, we have now assumed that there are no other agreements or documents in existence which would vary the terms and conditions of the data provided to us.
- (c) This Report is relevant as at the date of preparation, and to economic circumstances prevailing at this time.
- (d) We certify that this valuation, where applicable, complies with your standard instructions to Valuers and in accordance with the *Australian Property Institute – Australian & New Zealand Valuation and Property Standards* as published in the 2012 edition in addition to the API Code of ethics and Rules of Conduct as applicable.
- (e) Neither the whole nor any part of this Report or any reference thereto may be included in any document, circular or statement without our written approval of the form and context in which it will appear. Finally, and in accordance with our standard practice we must state that this valuation is for the use only of the party to whom it is addressed and for no other purpose. No responsibility is accepted to any third party who may use or rely on the whole or any part of the content of this valuation.
- (f) Neither the Valuer nor *McLean Gladstone Pty Ltd* has a pecuniary interest in the property which has been valued for first mortgage finance purposes / financial reporting purposes / acquisition purposes / disposal purposes/or any other purpose.
- (g) The Valuer holds a Certified Practising Valuer accreditation with the Australian Property Institute and has a minimum of 5 years post qualification experience.
- (h) In accepting this valuation, Client acknowledges that *McLean Gladstone Pty Ltd* shall not be liable to Client for any loss or damage incurred by Client due to *McLean Gladstone Pty Ltd's* ordinary negligence, or circumstances beyond *McLean Gladstone Pty Ltd's* control. *McLean Gladstone Pty Ltd* shall indemnify Client for any direct loss or damage incurred by Client due to *McLean Gladstone Pty Ltd* gross negligence, or wilful acts or omissions, provided, however, that (i) Client submits a report to *McLean Gladstone Pty Ltd* in writing via certified mail, within 10 days of the occurrence of a negligent or wilful act or omission on the part of *McLean Gladstone Pty Ltd*, which report shall explain the circumstances in detail; and (ii) *McLean Gladstone Pty Ltd*, at its sole discretion, after investigation, notify Client that *McLean Gladstone Pty Ltd* agrees that the circumstances described in the written notice constitute a grossly negligent or wilful act or omission on *McLean Gladstone Pty Ltd's* part. In the event *McLean Gladstone Pty Ltd* determines that the circumstances described in such notice do in fact constitute a grossly negligent or wilful act or omission on *McLean Gladstone Pty Ltd's* part, *McLean Gladstone Pty Ltd*, in *McLean Gladstone Pty Ltd's* sole discretion, shall issue a credit to Client against future payments for damages incurred by Client as a result of any such negligent or wilful act or omission and shall relieve Client of any further liability with respect thereto; provided, however, that in no event shall *McLean Gladstone Pty Ltd* be liable to Client for any amounts in excess of the fees paid by Client to *McLean Gladstone Pty Ltd* for the calendar month in which such grossly negligent or wilful act or omission occurred.
- (i) This valuation is current as at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period (including as a result of general market movements or factors specific to the particular property). We do not accept liability for losses arising from such subsequent changes in value. Without limiting the generality of the above comment, we do not assume any responsibility or accept any liability where this valuation is relied upon after the expiration of three (3) months from the date of the valuation, or such earlier date if you become aware of any factors that have any effect on the valuation.
- (j) As stipulated under our Professional Indemnity policy this valuation may not be relied upon directly or indirectly for mortgage purposes:
- i. for or on behalf of a Solicitor Lender or any person lending money through a Solicitor Lender; or
 - ii. for which responsibility is accepted to any Solicitor Lender or any person lending money through a Solicitor Lender.
- For avoidance of doubt, "Solicitor Lender" means any solicitor involved in arranging, controlling, managing, broking or otherwise inducing the lending of money on mortgage security (including but not limited to any solicitor controlled or managed mortgage fund) BUT shall not include any mortgage fund registered as a Managed Investment Scheme.
- (k) As stipulated under our Professional Indemnity policy this valuation may not be relied upon for any lending in connection with any managed investment scheme, as defined under section 9 of the Corporations Act 2001 (Cth) which;
- (i) has as its prime and substantial purpose the provision of tax benefits to investors; or
 - (ii) is involved in any form of direct or indirect investment in primary production (including property used for primary production).
- (l) This Valuation is given subject to the following Prudent Lending Clause, unless; the person or entity making such loan is an authorized deposit taking institution within the meaning of the Banking Act 1959 (including but not limited to any bank, building society or credit union).
- This valuation is prepared on the assumption that the Lender as referred to in the valuation report (and no other) may rely on the valuation for mortgage finance purposes and the lender has complied with its own lending guidelines as well as prudent finance industry lending practices and has considered all prudent aspects of credit risk for any potential borrower, including the borrower's ability to service and repay any mortgage loan. Further, the valuation is prepared on the assumption that the lender is providing mortgage financing at a conservative and prudent loan to value ratio.

MCLEAN GLADSTONE VALUERS

(16)

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**PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136**

- (m) **GST - Residential – Used**
Valuations of residential property for mortgage security purposes are undertaken on the basis that GST is not applicable. This valuation is prepared on the assumption that the subject property does not constitute a 'new residential property' as defined under ATO Ruling GSTR 2003/3. Further it is assumed that the subject property will transact as a residential property between parties not registered (and not required to be registered) for GST. The market valuation herein reflects a market transaction to which GST is not applicable, (Unless otherwise stated).
- (n) **GST – Commercial Property / Residential - New/ Vacant Land - New**
The above defined property types are generally regarded as taxable supply and generally will be liable for GST on the sale of the property as a default position.
The GST is usually calculated as 1/11th of the GST inclusive sale price of the property, however, this may change if selling the property under the margin scheme or a supply of a going concern.
The margin scheme will reduce the GST liability, if a number of conditions are met and must be agreed in writing with the buyer of the property that the margin scheme will apply.
The market valuation herein reflects a GST exclusive basis as per Australian Property Institute Valuation Property Standards.
We note that the valuer is not a Taxation expert, and this is not our area of expertise.
For more detailed advice, we recommend the lender consult a Taxation expert.
- (o) **Definition of Market Value**
The estimated amount for which an asset should exchange on the valuation date between a willing buyer and a willing seller in an 'arm's length' transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.
- (p) **Definition of Market Rental**
The estimated amount for which an interest in a real property should be leased on the valuation date between a willing lessor and a willing lessee on appropriate lease terms in an 'arm's length' transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion.
- (q) **Building & Construction**
This Valuation inspection and Report does not constitute a structural survey and is not intended as such. We have carried out an inspection only of the exposed and readily accessible areas of the improvements. Note, the Valuer is not a building construction or structural expert and is therefore unable to certify the structural soundness of the improvements. Readers of this report should make their own enquiries. This Valuation has been based on the condition of the structural improvements and the property in general as at the inspection date, and if the property has to be sold in circumstances where its condition has deteriorated and/or essential fixtures/fittings removed there is likely to be a significant write down in the asset value when compared to the current assessment. Under these circumstances the Valuer will not be responsible for any reduction in value.
- (r) **Insurance Replacement Cost Estimate**
The recipient of this report is advised that the undersigned is not a Quantity Surveyor and has relied on published building costing guides to arrive at an opinion of replacement cost for insurance purposes for the subject property improvements. Our estimate includes an allowance for the following: (a) demolition and removal of debris; (b) professional fees and preliminaries and contingency costs; (c) extra cost of reinstatement; (d) an inflation factor in respect to lead time for demolition and building approval, construction period and policy year. (It does not include loss in rental income or include contents for owners or tenant's furniture or personal effects). The amount estimated includes G.S.T.
- (s) **Improvements**
This valuation assumes that all improvements have been constructed in accordance with the appropriate planning and building regulations in force at the time of construction, and that all appropriate approvals have been obtained from the relevant authorities.
The valuation is made on the basis that there are no encroachments by or upon the property. If the instructing party has any concerns regarding encroachments, they should be referred to a Registered Surveyor for advice or current survey report.
- (t) **Number of Bedrooms in Sales Evidence**
The number of bedrooms listed in the above sales schedule are either as recorded in available property sales databases or have been assumed by the Valuer. As we have not physically inspected the interior of the sales evidence quoted, we cannot guarantee the accuracy of the information provided.
- (u) **Land Dimensions/Area**
Unless stated as otherwise in this report we advise that we have not searched or been provided with a copy of the current Title or Registered Plans and that any dimensions or land areas quoted in this report have been obtained from third party information sources and whilst every endeavour has been made to verify such information we accept no responsibility for inaccuracy of any information provided and relied upon.
- (v) **Environmental**
The client acknowledges and recognizes that the Valuer is not expert in identifying environmental hazards and compliance requirements affecting properties. The Valuer has endeavoured to identify all matters of environmental concern and the effect they might have on the value of the property. However, the Valuer will not be held liable nor responsible for his/her failure to identify all such matters of environmental concern and the impact which any environmental related issue has on the property and its value including loss arising from site contamination; or the non-compliance with environmental laws; or costs associated with the clean-up of the property to which an environmental hazard has been recognized, including action by the Environmental Protection Agency to recover clean-up costs pursuant to the relevant Environmental Protection Act.
- (w) **Certificate of Title**
Unless stated as otherwise or provided in this report we advise that a copy of the current Certificate of Title has not been provided or searched. This valuation assumes clear title. Should any encumbrances, easements, leases or other restrictions not mentioned in this report be known or discovered then the valuation should be referred to the valuer for comment.

**PORTION LOT 12 COLONIAL DRIVE ADJACENT 5 COLONIAL DRIVE
NORTON SUMMIT, SOUTH AUSTRALIA 5136**

- (x) **Body Corporate Records**
We advise that we have not concluded a search of the Body Corporate records and our valuation assumes there are no outstanding requisitions or legal liabilities. We recommend the recipient of this report conduct a search of the Body Corporate records prior to reliance on this report should they deem this necessary.
- (y) **Flooding**
There was no hydrologist report available, so we are unable to state whether the property is subject to inundation or under what circumstances.
- (z) **Pest Inspection**
We have not sighted a current pest inspection report. As we are not experts in this field we cannot confirm the improvements are free from any pest infestation.
- (a.a) **Fire Rating**
We have not sighted a Fire Rating report for this property.
- (a.b) **Comparable Sales**
Due to the possible requirements that comparable sales are not more than six months old, listed sales may be from surrounding areas, however, are deemed as the closest most comparable sales available. Older sales may be included if deemed more comparable than recent sales and these have been adjusted to reflect market movements.
- (a.c) **Intellectual Property**
The Valuation Firm grants the Client a royalty free, non-exclusive, irrevocable licence to use, copy and reproduce the Valuation for the purposes of, or in connection with, the purpose for which the Valuation was provided.

(a.d) **National Residential Sector**

The Australian housing market has defied forecasts and emerged from the cyclical downturn, which is becoming more and more obvious.

In addition to the fact that house values are clearly stabilising or increasing across the majority of the nation, other data also supports the upward trend, which is only intensifying and widening.

Home sales are tracking around the prior five-year average, sentiment has improved, and auction clearing rates are producing excellent, almost boom-time results.

Each State is at a different stage of the property cycle, and each capital city has a variety of markets where real estate values are still declining in some areas and stagnating in others while rising in many other regions. In fact, CoreLogic reports that over 30% of suburban real estate prices have risen over the past few months.

(Sources: Michael Yardney Property update, May 2023)

Property price changes around Australia:

Index results as at 31 May, 2023	Change in dwelling values				Median value
	Month	Quarter	Annual	Total return	
Sydney	1.8%	4.5%	-8.2%	-5.5%	\$1,052,810
Melbourne	0.9%	1.6%	-7.4%	-4.4%	\$755,871
Brisbane	1.4%	1.8%	-9.3%	-5.1%	\$713,939
Adelaide	0.9%	1.1%	0.4%	3.9%	\$654,767
Perth	1.3%	2.4%	2.0%	6.8%	\$580,023
Hobart	0.5%	-0.5%	-12.6%	-8.9%	\$655,403
Darwin	0.4%	-1.3%	-0.6%	5.2%	\$491,386
Canberra	0.4%	-0.1%	-8.8%	-5.4%	\$825,053
Combined capitals	1.4%	2.8%	-6.8%	-3.4%	\$779,155
Combined regional	0.5%	0.8%	-6.9%	-2.8%	\$583,173
National	1.2%	2.3%	-6.8%	-3.3%	\$715,092

Source: CoreLogic 1st June 2023

Adelaide Residential Market Update

Housing prices in Adelaide increased by 0.2% in April, maintaining a trend of resilience despite the environment of increasing interest rates. Actually, the decline in Adelaide property prices from the peak in July of last year is just 2.4%.

Adelaide

KEY STATISTICS

Rental rates and yields

Weekly rent:	Houses	\$550
	Units	\$450
Gross rental yield:	Houses	3.9%
	Units	5.2%

Selling time and discounting

Time on market:	Apr 23	30
	Apr 22	31
Vendor discount:	Apr 23	-4.6%
	Apr 22	-2.9%

Australia, May 2023)

market has been supported by persistently low stock levels, with advertised supply beginning in April being 42% below the five-year norm for this time of year, while sales activity tracked at a rate of around 15% above the average.

Rental markets have also held tight with vacancy rates the lowest of any capital cities recorded at just 0.4% in April. Overall, it is looking like the Adelaide housing market has moved through what has been a relatively short but sharp downturn, followed by a persistently stable period for dwelling values. (Source: CoreLogic

Adelaide

KEY STATISTICS

Change in dwelling values

Three months	▼ -0.1%
Twelve months	▲ 1.3%
Avg. annual growth past decade	▲ 5.4%

Median values

Median dwelling value	\$650,981
Median house value	\$697,909
Median unit value	\$444,910

The

Adelaide House Price Forecast

Adelaide's housing market has persisted in being the nation's strongest of the nation's capitals.

Housing values in Adelaide have climbed by 44% throughout the boom cycle, adding around \$197,000 to the median home value. The house market has seen more growth than the rental sector, with values up 48% so far in the cycle compared to a lesser 23% increase in unit values.

The persistent lack of supply that has been advertised is one of the major causes driving rising costs.

Although the Adelaide real estate market has now slowed down along with the rest of Australia's housing market, it is still up 44.2% since the epidemic started in March 2020.

In the short term, Adelaide's housing and rental markets are expected to continue to thrive despite the tight economic and credit environment. (Sources: Michael Yardney Property update, May 2023).

June years	avg*	2020	2021	2022	latest
GSP, ann%	2.3	-1.0	4.7	5.1	n.a.
State final demand, ann%	3.0	-1.5	5.3	5.6	4.1
Employment, ann%	1.3	-4.3	6.4	2.7	3.9
Unemployment rate, %#	6.9	7.9	5.6	4.5	4.0
Population, ann%	0.8	1.3	0.5	1.0	1.4
Dwelling prices, ann%	6.0	1.9	13.7	25.6	1.3
Rental yield, %#	5.2	5.2	5.6	5.7	5.7
Sales/new listings, ratio#	1.06	1.34	1.37	1.26	1.65
Total listings, mths sales#	3.9	4.6	2.5	2.2	1.8

* avg last 25yrs; # June qtr readings
Sources: ABS, CoreLogic, REIA, Westpac Economics

Source: Westpac Housing Pulse, May 2023

(a.e) **Valuation Protocol – Cladding on Buildings**

Where the building/development appears to be clad, we are unable to identify from our visual inspection whether the cladding used, or method of attachment, is compliant/conforming or non-compliant/non-conforming.

This valuation report has been prepared under the assumption that the building materials used, as well as the application and installation of those materials, comply with all approvals, relevant law, legislation, legal codes and or standards. Should this not be the case, we reserve the right to review our valuation.

We are not experts in 'cladding' or methods of attachment and are not qualified to determine the existence of non-conforming or non-compliant cladding. We do not accept responsibility or liability for any losses whatsoever arising from the Valuer failing to identify non-conforming or non-compliant cladding.

Prior to any reliance on the Valuation Report by any Lender/LMI, the Lender/LMI and any other party nominated in the Report as being entitled by the Valuer to rely upon the Report, those parties must make their own enquiries regarding the cladding used, including the application, installation, specification and utilisation of the cladding, and its compliance with all approvals, relevant law, legislation, legal codes and or standards.

(a.f) **COVID-19 Disclaimer**

"The outbreak of the Novel Coronavirus (COVID-19) was declared as a 'Global Pandemic' by the World Health Organisation on 11 March 2020. We have seen global financial markets and travel restrictions and recommendations being implemented by many countries, including Australia. The real estate market is being impacted by the uncertainty that the COVID-19 outbreak has caused. Market conditions are changing daily at present. As at the date of valuation we consider that there is a significant market uncertainty. This valuation is current at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the Valuer could not reasonably have been aware of as at the date of valuation). We do not accept responsibility or liability for any losses arising from such subsequent changes in value. Given the valuation uncertainty noted, we recommend that the user(s) of this report review this valuation periodically."

The market commentary below does not yet reflect the impact of the coronavirus and the resultant containment restrictions placed on the community by the government (at state and federal levels). We can only speculate at this early stage – however, a negative impact is certain, with economists agreeing the country is heading into recession (or worse). This is despite the attempts by the government (at Federal and State levels) to minimise adverse effects with massive stimulus packages.

(a.g) **Market Uncertainty**

The market is being impacted by the uncertainty caused by the COVID-19 pandemic. As at the date of valuation we consider that there is market uncertainty resulting in significant valuation uncertainty.

This valuation is therefore reported on the basis of 'significant valuation uncertainty'. As a result, less certainty exists than normal and a higher degree of caution should be attached to our valuation than normally would be the case. Given the unknown future impact that COVID-19 might have on markets, we recommend that the user(s) of this report review this valuation periodically.

This valuation is current at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the valuer could not reasonably have been aware of as at the date of valuation). We do not accept responsibility or liability for any losses arising from such subsequent changes in value.

Item 19 Reports of Committees

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 6 MARCH 2024
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

[Please Note: These minutes are unconfirmed until 13 March 2024]

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup

Paul Mickan

Myles Somers

Leith Mudge

In Attendance

Deryn Atkinson

James Booker

Darren Smith

Mike O'Donnell

Karen Savage

Assessment Manager
Team Leader Statutory Planning
Statutory Planner
ICT Support Officer
Minute Secretary

1. Commencement

The meeting commenced at 6.00pm

2. Opening Statement

"Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come".

3. Apologies/Leave of Absence

3.1 Apologies

Nil

3.2 Leave of Absence

Nil

**ADELAIDE HILLS COUNCIL
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[Please Note: These minutes are unconfirmed until 13 March 2024]

4. Previous Minutes

4.1 Meeting held 10 January 2024

The minutes were adopted by consensus of all members (3)

That the minutes of the meeting held on 10 January 2024 be confirmed as an accurate record of the proceedings of that meeting.

5. Presiding Member's Report

Nil

6. Declaration of Interest by Members of Panel

Cr Leith Mudge advised that, in relation to Item 8.1, four (4) of the representors on the list are known to him and he has had previous associations with them:

Iain Hay – they both served on Council's Sustainability Advisory Group for several years until the end of 2022. They were acquaintances at the time, but he has not had a conversation with Iain since then and they have never discussed nor had any communication over this application.

John Hill – they have had several discussions over the years regarding general issues in the Council area in John's capacity as the head of the Stirling District Residents Association. They have never discussed nor had any communication over this particular application.

Geoff Purdie – they both served on Council's Audit Committee for several years during the previous Council term. They were acquaintances at the time, but he has not had a conversation with Geoff since and they have never discussed nor had any communication over this application.

Vanessa Geerts – Vanessa is a former employee with Council with whom he had irregular contact with on matters related to community engagement. They have never discussed nor had any communication over this application.

As he has no pecuniary interest and has not had any conversations or contact with these representors about this application, which might lead to a perception of bias, Leith advised he will remain in the meeting when this application is considered.

**ADELAIDE HILLS COUNCIL
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7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table
Nil

7.2 Matters Deferred
Nil

8. Development Assessment Applications – Planning, Development and Infrastructure Act

8.1 **Development Application 23020199 by Development Holdings Pty Ltd for change of use to childcare centre including alterations and additions to a Local Heritage Place, deck, retaining walls and fencing with associated car parking and landscaping at 52 Pomona Road, Stirling**

8.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Phillip Brunning	27 Halifax Street, Adelaide	Phillip Brunning
Jonathan Ashby	13 Duncraig Lane, Stirling	Jonathan Ashby
Hazel Ashby	2/86 Queen Street, Norwood	Jonathan Ashby
Kristen Beltrame	50 Pomona Road, Stirling	Kristen Beltrame
Nathan Brown	28 Merrion Terrace, Stirling	Did not Attend
Robert Bullock	8 Fowler Street, Woodside	Did not Attend
Jane Chapman	PO Box 440, Stirling	Jane Chapman
Leong Charlesworth	22 Snows Road, Aldgate	Leong Charlesworth
Hayley Conolly	13 Duncraig Lane, Stirling	Did not Attend
Helen & Greg Favretto	30 Main Avenue, Frewville	Greg Favretto
Marion Favretto	14 Duncraig Lane, Stirling	Greg Favretto

**ADELAIDE HILLS COUNCIL
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[Please Note: These minutes are unconfirmed until 13 March 2024]

Michael French	PO Box 291, Crafers	Michael French
Vanessa & Jason Geerts	46 Pomona Road, Stirling	Vanessa Geerts
Richard Gunner	104 Old Mount Barker Road, Stirling	Richard Gunner
Iain Hay	80 Old Mount Barker Road, Stirling	Did not Attend
John Hill	118 Piccadilly Road, Crafers	John Hill
Chloe McLeod	28 Merrion Terrace, Stirling	Did not Attend
Stephen Morton	3 Vista Terrace, Stirling	Stephen Morton via Zoom
Sameer Pandey	10 Bradshaw Avenue, Crafers	Did not Attend
Darren Peisley	9 Duncraig Lane, Stirling	Amanda Peisley
Amanda Peisley	9 Duncraig Lane, Stirling	Amanda Peisley
Laura Prest	56 Pomona Road, Stirling	Thomas Prest
Thomas Prest	56 Pomona Road, Stirling	Thomas Prest

The following representors also answered questions from the Panel following their representation:

Phillip Brunning
Jonathan Ashby
Kristen Beltrame
Greg Favretto
Vanessa Geerts
Amanda Peisley
Thomas Prest

The applicant's representatives, James Rhodes (Ekistics Planning and Design) and Ben Wilson (CIRQA), addressed the Panel, and answered questions from the Panel.

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
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[Please Note: These minutes are unconfirmed until 13 March 2024]

8:37pm The meeting was adjourned for a short break
--

8:43pm The meeting resumed

8.1.2 Decision of Panel

Moved	Paul Mickan	Carried
S/-	Leith Mudge	(4)

The Council Assessment Panel resolved that:

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 23020199 by Development Holdings Pty Ltd for change of use to childcare centre including alterations and additions to a Local Heritage Place, deck, retaining walls and fencing with associated car parking and landscaping at 52 Pomona Road, Stirling is REFUSED Planning Consent for the following reasons:

Rural Neighbourhood Zone

Performance Outcome 1.1

The proposal is not considered to be a complementary non-residential use and it is not compatible with a spacious and peaceful lifestyle.

Performance Outcome 1.2

The proposal is not considered to be of a scale that maintains residential amenity.

Performance Outcome 1.3

The proposal is not considered to be sited and designed to complement the residential character and amenity of the neighbourhood.

**ADELAIDE HILLS COUNCIL
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Design

Performance Outcome 8.1

The proposal does not minimise the need for earthworks and disturbs the natural topography of the site.

Performance Outcome 9.1

The proposed collective number of fences and their height unreasonably impacts upon the visual amenity of adjoining properties.

9. **Development Assessment Applications – Development Act**
Nil
10. **Development Assessment Applications – Review of Decisions of Assessment Manager**
Nil
11. **ERD Court Appeals**
Nil
12. **Policy Issues for Advice to Council**
- 12.1 There was discussion about the level of community consultation for development applications. Public Notification is dictated by legislation, rather than policy. It was noted there may be actions that come out of the Expert Panel Review that address public consultation and appeal rights.
- 12.2 The Panel discussed the provisions of the Code regarding guidance on the appropriate size and scale of childcare facilities and asked that Council gives consideration to having discussions with PlanSA on additional policy to provide clarity on the appropriate scale of childcare facilities for Neighbourhood type zones, and associated car parking requirements.

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 6 MARCH 2024
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[Please Note: These minutes are unconfirmed until 13 March 2024]

- 13. Other Business**
Nil
- 14. Order for Exclusion of the Public from the Meeting to debate Confidential Matters**
Nil
- 15. Confidential Item**
Nil
- 16. Next Meeting**
The next ordinary Council Assessment Panel meeting will be held on Wednesday 13 March 2024.
- 17. Close meeting**
The meeting closed at 10.08pm.

Item 20 Confidential Items

**ADELAIDE HILLS COUNCIL
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 8 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Cr Chris Grant

Members:

Ms Vanessa Godden	Independent Member
Mayor Jan-Claire Wisdom	
Cr Nathan Daniell	
Cr Kirsty Parkin	

In Attendance:

Mr Greg Georgopoulos	Chief Executive Officer
Ms Collette Ordish	Perks People Solutions
Tracy Riddle	Governance Support, Kelledy Jones Lawyers

1. COMMENCEMENT

The meeting commenced at 6:07pm

2. OPENING STATEMENT

The Committee 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.

3. APOLOGIES/LEAVE OF ABSENCE

Apology

Nil

Leave of Absence

Nil

Absent

Nil

**ADELAIDE HILLS COUNCIL
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 8 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

4. MINUTES OF PREVIOUS MEETINGS

That the minutes of the CEO Performance Review Panel meeting held on Thursday 14 December 2023 as distributed, to be confirmed as an accurate record of the proceedings of that meeting at the next Panel meeting.

Moved Cr Daniell
S /- Cr Parkin

PRP 8/24

CARRIED UNANIMOUSLY

That the minutes of the CEO Performance Review Panel meeting held on Monday 15 January 2024 as distributed, to be confirmed as an accurate record of the proceedings of that meeting at the next Panel meeting.

Moved Mayor Wisdom, with the inclusion of reference to Collette Ordish as being in attendance

S/- Cr Parkin

PRP 9/24

CARRIED UNANIMOUSLY

5. PRESIDING MEMBER'S OPENING COMMENTS

Thanked the CEO and Ms Ordish for preparing draft KPI's for the consideration of the Panel.

Welcomed Ms Vanessa Godden to her first Panel meeting.

6. DELEGATION OF AUTHORITY

The CEO Performance Review Panel operates in accordance with the relevant sections of the *Local Government Act 1999*, and its Terms of Reference.

7. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF THE COMMITTEE

Nil

8. OFFICER REPORTS – DECISION ITEMS

Nil

9. MOTIONS WITHOUT NOTICE

Nil

**ADELAIDE HILLS COUNCIL
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 8 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

10. QUESTIONS WITHOUT NOTICE

Nil

11. CONFIDENTIAL ITEMS

11.1 CEO Performance Review Process – KPI Review – Exclusion of the Public

Moved Cr Parkin
S/- Ms Godden

PRP 10/24

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

- CEO, Greg Georgopoulos
- Collette Ordish, Perks People Solutions
- Tracy Riddle, Kelledy Jones Lawyers, Governance Support

be excluded from attendance at the meeting for Agenda Item 11.1: CEO Performance Review Process – KPI Review.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

Section 90(3) (a) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
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11.2 CEO Performance Review Process – KPI Review

**ADELAIDE HILLS COUNCIL
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
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11.3 CEO Performance Review Panel Independent Member Appointment - Duration of Confidentiality

Moved Cr Parkin
S/- Ms Godden

PRP 12/24

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 11.4 in confidence under sections 90(2) and 90(3) (a) of the Local Government Act 1999, resolves that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the report, related attachments and the minutes of Committee and the discussion and considerations of the subject matter be retained in confidence until further order and be reviewed every twelve months.

CARRIED UNANIMOUSLY

**ADELAIDE HILLS COUNCIL
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 8 FEBRUARY 2024
63 MT BARKER ROAD STIRLING**

11.4 NEXT MEETING

The next ordinary meeting of the CEO Performance Review Panel was agreed to be moved from Thursday 22 February 2024 to Thursday 21 March from 6.00pm at 63 Mt Barker Road Stirling.

12. CLOSE MEETING

The meeting closed at 7:55pm