



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: A/Mayor Nathan Daniell

Councillor Kirrilee Boyd
Councillor Adrian Cheater
Mayor Jan-Claire Wisdom
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 9 April 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.

A handwritten signature in black ink, appearing to read 'GG', with a small dot at the end.

Greg Georgopoulos
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 9 April 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 Kaurna people. They are Custodians of this ancient and beautiful land and so we pay our respects to Elders past, present and emerging. We will care for this country together by ensuring the decisions we make will be guided by the principle that we should never decrease our children's ability to live on this land.

3. APOLOGIES/LEAVE OF ABSENCE

3.1. Apology

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 Louise Pascale, 5 April 2024 to 29 April 2024, approved by Council on 26 March 2024

3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 26 March 2024

That the minutes of the ordinary meeting held on Tuesday 26 March 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
 - 8.1.1 Dylan Russell and Deanne Hanchant-Nichols
Maintain Council decision regarding no citizenship ceremonies on 26 January.
- 8.2. Deputations
 - 8.2.1 Chris Illman
Mt Lofty Sports Club Scoreboard Submission
 - 8.2.2 Sebastian Geers and Deanne Hanchant-Nichols
Uraidla Reconciliation
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

- 11.1. Citizenship Ceremonies and Civic Awards (Cr Pauline Gill)
 - 1. *The CEO undertakes an independent Community Consultation regarding the community's views of holding Citizenship Ceremonies and presenting Civic Awards on Australia Day, including if people attended events and which events they attended.*
 - 2. *A report be provided to Council with results of Australia Day events held in January 2024, to include those events held on Australia Day and those held on alternative days.*
 - 3. *First Nation people are consulted in an appropriate way to seek their individual views.*
 - 4. *The results of both actions be reported to Council by 24 September 2024.*
- 11.2. First Nations Engagement Framework (Cr Adrian Cheater)
 - 1. *Requests the CEO reports back to Council on the implications of Council engaging the services of an external consultant to investigate options for the*

Council to appropriately and respectfully engage with First Nations people and representative mechanisms; including consultation with residents who identify as First Nations, including but not limited to Kaurna and Peramangk. This investigation should acknowledge and address the confines of western systems of consultation, governance and authority while forming recommendations aligned with generally accepted methodologies for First Nation representation by 30 July 2024.

2. *Acknowledges First Nation people as an identified low representation of total population, influenced by historical colonial impacts leading to significant displacement, and the social and economic factors limiting the ability for many First Nation people to live on traditional country.*

12. ADMINISTRATION REPORTS – DECISION ITEMS

12.1. Proposed Disposal of Council Land, Norton Summit

1. *That the report be received and noted.*
2. *The land known as Pieces 1 and 2 Filed Plan No. 257220 located off Nicholls Road, Norton Summit and contained in Certificate of Title Volume 6261 Folio 497 be declared surplus to Council's requirements.*
3. *To dispose of the subject land to the owner of 105 Nicholls Road, Norton Summit for the amount of \$5,000 (plus GST), subject to the owner of 105 Nicholls Road, Norton Summit paying for all costs associated with the settlement and transfer of the land including final survey fees, conveyancing fees, transfer and government charges and any other charges relating to the sale of the land.*
4. *That the Chief Executive Officer and Mayor be authorised to finalise, sign, and seal (if necessary), all documentation to dispose of the above portion of land pursuant to this resolution.*

12.2. Community Energy Upgrades Fund

1. *That the report be received and noted.*
2. *To apply for Round 1 of the Community Energy Upgrades Fund (CEUF) for the design and installation of a Building Management System with a total estimated value of \$195,000, with funding comprising:*
 - a. *\$97,500 from the CEUF*
 - b. *\$97,500 from Council funds*
3. *That subject to the application being successful, include the funding in the Council's Annual Business Plan and budget for 2024-25.*
4. *That the Chief Executive Officer be authorised to finalise the detail of the funding proposal between now and the funding application deadline, and, if*

necessary, adjust aspects of the application and scope of work to ensure the project can be accommodated within the funding allocation outlined.

12.3. Local Roads Community Infrastructure Program (LRCIP) Phase 3 – Alternate Projects

1. *That the report be received and noted.*
2. *To withdraw Project #4 (Junction Road Stormwater, Balhannah) and Project #5 (ASWMSC Splash Park) from the Approved Works Schedule of Local Roads and Community Infrastructure Program Phase 3.*
3. *That the following projects be submitted as a Variation to the Phase 3 Approved Works Schedule for consideration by the program delegate as a project for completion by 30 June 2024:*
 - a. *CBBF Fire Scar Proactive Tree Management - \$250,000*
 - b. *Accelerated street furniture upgrades - \$75,000*
 - c. *Fidlers Hill Road sealing - \$75,000*
4. *That the withdrawn projects from Phase 3 be considered by Council for submission in Phase 4 of the Local Roads and Community Infrastructure Program.*
5. *That the Chief Executive Officer be authorised to undertake all necessary action, including entering into necessary agreements, to further the Council's resolution and that the Chief Executive Officer be authorised to submit any necessary alternative proposals to ensure the Council can receive and utilise its full LRCIP Phase 3 funding allocation by 30 June 2024.*

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

Nil

14. CORRESPONDENCE FOR NOTING

Nil

15. QUESTIONS WITHOUT NOTICE

16. MOTIONS WITHOUT NOTICE

17. REPORTS

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

17.3. CEO Report

18. REPORTS OF COMMITTEES

18.1. Council Assessment Panel

Nil

18.2. Audit Committee

Nil

18.3. CEO Performance Review Panel – Special Meeting 28 March 2024

Refer to confidential items

18.4. Boundary Change Committee

Nil

19. CONFIDENTIAL ITEMS

19.1. CEO Performance Review Panel – Minutes of Special Meeting 28 March 2024

That the minutes of the special CEOPRP meeting held on 28 March 2024, as supplied, be received and noted.

19.2. CEO Setting of KPIs

19.3. CEO Performance Review Process

19.4. CEO Development Plan 2024

19.5. Appointment of the Gawler River Floodplain Management Authority Chairperson

20. NEXT MEETING

Tuesday 23 April 6.30pm, 63 Mt Barker Road, Stirling

21. CLOSE MEETING

Council Meeting & Workshops 2024

DATE	TYPE	LOCATION	MINUTE TAKER
JANUARY 2024			
Wed 10 January	CAP	Stirling	Karen Savage
Tues 23 January	Council	Stirling	Rebekah Lyons
Tues 30 January	Workshop	Stirling	N/A
FEBRUARY 2024			
Mon 5 February	Workshop	Woodside	N/A
Tues 13 February	Council	Stirling	Rebekah Lyons
Wed 14 February	CAP	Stirling	Karen Savage
Mon 19 February	Audit Committee	Stirling	Jody Atkins
Tues 20 February	Professional Development	Stirling	N/A
Thurs 22 February	CEO PRP	Stirling	Jody Atkins
Tues 27 February	Council	Stirling	Rebekah Lyons
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
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	TBA
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	TBA
Tues 21 May	Professional Development	Stirling	N/A
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

DATE	TYPE	LOCATION	MINUTE TAKER
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	TBA
Tues 20 August	Professional Development	Stirling	N/A
Tues 27 August	Council	Stirling	Rebekah Lyons
SEPTEMBER 2024			
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	TBA
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	TBA
Tues 19 November	Professional Development	Stirling	N/A
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.

Community Forums 2024

6.00 for 6.30pm

(dates and venues to be confirmed)

DATE	LOCATION
Woodforde Community Forum - 30 April 2024	To be confirmed

Council Member Attendance 2024

Information or Briefing Sessions

Meeting Date	Mayor Jan-Claire Wisdom	Cr Kirrilee Boyd	Cr Adrian Cheater	Cr Nathan Daniell	Cr Leith Mudge	Cr Louise Pascale	Cr Mark Osterstock	Cr Kirsty Parkin	Cr Pauline Gill	Cr Chris Grant	Cr Malcolm Herrmann	Cr Lucy Huxter	Cr Melanie Selwood
19.03.2024 (PD)	LOA	F	F	F	F	F	AP	F	F	F	F	F	F
23.03.2024 (WS)	LOA	P	F	F	F	F	P	P	F	F	F	AP	F
02.04.2024 (WS)	LOA	AP	F	F	F	F	F	P	A	F	F	P	A

Council Member Attendance 2024

Council Meetings (including Special Council Meetings)

Meeting Date	Mayor Jan-Claire Wisdom	Cr Kirrilee Boyd	Cr Adrian Cheater	Cr Nathan Daniell	Cr Leith Mudge	Cr Louise Pascale	Cr Mark Osterstock	Cr Kirsty Parkin	Cr Pauline Gill	Cr Chris Grant	Cr Malcolm Herrmann	Cr Lucy Huxter	Cr Melanie Selwood
26.03.2024	LOA	AP	F	F	F	P	LOA	F	F	AP	F	AP	F

Conflict of Interest Disclosure Form

CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS

Date: _____

Meeting Name (please tick one)

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

Item No **Item Name:**

(Only one conflict of interest entry per form)

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

GENERAL

MATERIAL

GENERAL

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

MATERIAL

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

The nature of my conflict of interest is as follows:

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

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

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

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

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

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

8. DEPUTATIONS

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

1. A request to make a deputation should be made by submitting a Deputation Request Form, (available on Council's website and at Service and Community Centres) to the CEO seven clear days prior to the Council meeting for inclusion in the agenda.
2. Each deputation is to be no longer than ten (10) minutes, excluding questions from Members.
3. Deputations will be limited to a maximum of two per meeting.
4. In determining whether a deputation is allowed, the following considerations will be taken into account:
 - the number of deputations that have already been granted for the meeting
 - the subject matter of the proposed deputation
 - relevance to the Council agenda nominated – and if not, relevance to the Council's powers or purpose
 - the integrity of the request (i.e. whether it is considered to be frivolous and/or vexatious)
 - the size and extent of the agenda for the particular meeting and
 - the number of times the deputee has addressed Council (either in a deputation or public forum) on the subject matter or a similar subject matter.

8.3 PUBLIC FORUM

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

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

Minutes of Council

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 MARCH 2024
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Acting Mayor Nathan Daniell

Members:

Councillor Adrian Cheater
Councillor Pauline Gill
Councillor Malcolm Herrmann
Councillor Leith Mudge
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
Michael Kelledy (Kelledy Jones)	Governance Support
Zoë Gill	Governance and Risk Coordinator
Rebekah Lyons	Minute Secretary
Jody Atkins	Senior Governance and Risk Officer
Tom Portas	Technical Support
Jennifer Blake	Manager Communication and Events
Stephanie Murgatroyd	Events Officer
Chris Janssan	Manager, Open Space
Tom Mason	Strategic and Policy Planner
Sharon Leith	Sustainability Officer
John McArthur	Manager Sustainability and Waste Management
Tim Possingham	Event Organiser, Adelaide Rally

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

Mayor _____

9 April 2024

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 MARCH 2024
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3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

Cr Kirilee Boyd
Cr Chris Grant
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.

Moved Cr Adrian Cheater

S/- Cr Melanie Selwood

79/24

- 1 That a Leave of Absence from all duties of office be granted to Cr Mark Osterstock for Tuesday 26 March.**
- 2 That any committee or panel membership currently held by Cr Mark Osterstock be undertaken by the Deputy during the leave of absence.**

Carried Unanimously

Moved Cr Pauline Gill

S/- Cr Adrian Cheater

80/24

- 3 That a Leave of Absence from all duties of office be granted to Cr Louise Pascale from Friday 5 April to Monday 29 April.**
- 4 That any committee or panel membership currently held by Cr Louise Pascale be undertaken by the Deputy during the leave of absence.**

Carried Unanimously

3.3 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 12 March 2024

Moved Cr Malcolm Herrmann

S/- Cr Louise Pascale

81/24

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 MARCH 2024
63 MT BARKER ROAD STIRLING**

Council resolves that the minutes of the Ordinary Council meeting held on 12 March 2024, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 Material Conflict of Interest, Cr Melanie Selwood – Item 12.2 Bushfire Mitigation Strategy

Under section 75C of the *Local Government Act 1999* Cr Melanie Selwood disclosed a Material (section 75) Conflict of Interest in Item 12.2.

5.2 General Conflict of Interest, Cr Louise Pascale – Item 12.1 Event Proposal – Multi Year Rally Proposal

Under section 75B of the *Local Government Act 1999* Cr Louise Pascale disclosed a General (section 74) Conflict of Interest in Item 12.1.

6. PRESIDING MEMBER'S OPENING REMARKS

The Acting Mayor commented on the recent announcement of the Amy Gillett Bikeway extension project, acknowledging the positive outcome, not only for the local community, but also for the state. Acting Mayor Daniell reported that he has received affirming comments from locals, and from others further abroad.

Acting Mayor Daniell thanked those present in the Gallery for their attendance and requested that the meeting procedures and processes be adhered to by all during proceedings.

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1 Questions Adjourned

Through the Presiding Member, leave of the meeting was sought and granted to bring Item 12.4 forward on the agenda and to reset the debate.

12.4 Road Closure Decision – Unmade public road adjacent 474b Springhead Road Mount Torrens

Adjourned Item 13.3 from 28 November 2023 Council Meeting

**Moved Cr Malcolm Herrmann
S/- Cr Adrian Cheater**

82/24

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 MARCH 2024
63 MT BARKER ROAD STIRLING**

Council resolves:

1. That the report be received and noted.
2. The land marked "B" in Preliminary Plan No. 22/0032 (known as the Road Land) be declared surplus to Council's requirements.
3. That the Chief Executive, or his delegate, are authorised to negotiate with the owners of 474b Springhead Road, Mount Torrens for the sale and transfer of the piece marked "B" in Preliminary Plan No. 22/0032 for the sum of \$35,000 plus GST, together with all fees and charges associated with the road closure process.
4. That Council's approval of the sale and transfer of the land be subject to the provision for a statutory easement in favour of Telstra as per their interest in the land, together with a Right of Way for foot traffic access in favour of the owner of the adjacent land, being Allotment 2 in Filed Plan 1336.
5. Subject to agreement from the owners of 474b Springhead Road, Mount Torrens to purchase the Road Land for the sum of \$35,000 plus GST, to make a Road Process Order pursuant to the Roads (Opening & Closing) Act 1991 to close and merge the pieces of land identified as "B" in the Preliminary Plan No. 22/0032 attached to this report with Allotment 24 Deposited Plan 62438 comprised in Certificate of Title Volume 5911 Folio 128.
6. That upon the deposit of the Road Closure, the land will be excluded from the classification of Community Land and not be included in Council's Community Land Register.
7. That the Chief Executive Officer, and Mayor, be authorised to finalise and sign, and seal if necessary, all documentation to close and sell the above portion of closed road pursuant to this resolution.

Carried Unanimously

7.2 Questions Lying on the Table

Nil

8. PETITIONS/DEPUTATIONS/PUBLIC FORUM

8.1 Petitions

Mayor _____

9 April 2024

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
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8.1.1 Black Snake Road and Lucky Hit Road Birdwood

Moved Cr Malcolm Herrmann

S/- Cr Pauline Gill

83/24

Council resolves:

- 1. That the petition signed by 38 signatories requesting Council to undertake a review of the vehicle usage of Black Snake Road Birdwood with the objective of improving road safety be received and noted.**
- 2. That a new traffic count be carried out to ascertain the current traffic volumes along Black Snake Road, Birdwood and that staff consider any appropriate road signage or other safety measures in light of the outcome.**
- 3. That the tree of concern be assessed for stability with appropriate remedial action taken, if required.**
- 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

8.2.1 Separation of Australia Day from the presentation of Civic Awards and/or citizenship ceremonies - Mr John Tate and Mr Mark Neugebauer

MOTION WITHOUT NOTICE

Moved Cr Pauline Gill

S/-

Council resolves:

- 1. That the CEO undertakes independent community consultation re the community views of holding citizenship ceremonies and presenting civic awards on Australia Day, including how many people attended events and which events they attended.**
- 2. That a report be provided to Council with the results of Australia Day events held in January 2024, to include those events held on Australia Day and those held on alternative days.**
- 3. That the results of both actions be reported to Council by 23 July 2024.**

**ADELAIDE HILLS COUNCIL
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The Acting Mayor did not accept the Motion Without Notice in line with the meeting procedures and in reference to the guiding principles. The Acting Mayor determined that the motion should be dealt with by way of a written motion on notice at the next meeting.

8.2.2 Proposal for the beautification of the Onkaparinga Valley entrance to Lobethal and a review of the history of community advocacy for FABRIK - Lobethal Community Association – Kim Jordan and Peter Stanley

8.3 Public Forum

Through the Presiding Member, leave of the meeting was sought and granted to adjust the time allocation to 4 minutes per presenter during the Public Forum.

Lynton Vonow, Lobethal – Complimented Council on showing leadership and support of Aboriginal citizens by not holding citizenship ceremonies on Australia Day.

Dr Samantha Bateman, Basket Range – Affirming Council’s decision to move civic and citizenship ceremonies away from 26 January.

Sebastian Geers, Basket Range – Affirming Council’s decision to move civic and citizenship ceremonies away from 26 January.

Craig Jones, Norton Summit - Affirming Council’s decision to move civic and citizenship ceremonies away from 26 January.

Paul Mayers, Norton Summit - Affirming Council’s decision to move civic and citizenship ceremonies away from 26 January.

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

10.1 State Bike Fund – Cr Melanie Selwood

- 1. How many times has the Council accessed the State Bicycle Fund for cycling infrastructure projects?**
- 2. For each time we have successfully accessed the State Bicycle Fund, what was the amount received and what was the project?**

Council accessed the Bicycle Fund in 2019-20 for the Amy Gillett Pathway construction (connecting link from Tiers Road to Onkaparinga Valley Road, Woodside - \$48,900) and in 2021-22 for the Stirling - Crafers Bikeway construction (\$50,000).

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Council has developed a Trails and Cycling Routes Management Policy as part of the *Trails and Cycling Routes Management Framework (2021)*, which focuses on existing infrastructure and routes. The implementation of projects within this framework are in their infancy with further exploration of infrastructure projects to occur.

Council currently manages the aforementioned bicycle infrastructure at Woodside and Stirling/Crafers. There are no other Council managed cycle infrastructure projects within the area.

As mentioned in the background provided by Cr Selwood, the funding program is a dollar-for-dollar program requiring capital funding to be equally contributed to the project by Council. Cycle lanes, bikeways and the like can be high-cost projects which are made even more challenging in the Adelaide Hills with the existing road network and limited space for assets. Recent work in this space, that was supported by Council, was in the design phase of the proposed Verdun Interchange Project (Pioneer Women's Trail upgrade and widening of bridge over the Onkaparinga River to accommodate pedestrians and cyclists). That project has now been suspended following the withdrawal of Commonwealth funding.

Council and the Department for Infrastructure and Transport also recently considered the State Bicycle Fund as a potential source of funding for the Amy Gillett Bikeway extension to Birdwood.

Council is currently considering budget allocations for bike storage and parking and other cycling facilities to support cycling in the Adelaide Hills and, should opportunities arise to do so, it is expected that support from the State Bicycle Fund will be sought.

10.2 Media Interaction – Cr Pauline Gill

Is the identity of the person leaking to the media known to the CEO and / or the Deputy Mayor?

The identity of the person who leaked to the media is unknown.

If so, has there been disciplinary action taken against this individual?

No disciplinary action has been taken as the identity of the individual is unknown.

If not, what actions have been taken to identify the person leaking to the media?

The A/Mayor raised the matter with all elected members at the 13 February 2024 Council Meeting and warned against leaking to the media.

If the person is known and no disciplinary action has been taken, why not?

As previously advised the identity of the individual is unknown.

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11. MOTIONS ON NOTICE

11.1 Comprehensive survey on the housing in the Adelaide Hills – Cr Kirsty Parkin

Cr Kirsty Parkin withdrew the motion pending further refinement.

11.2 Investigating the merits of a Community Renewables Program based on the success at City of Mitcham – Acting Mayor Nathan Daniell

Moved Cr Nathan Daniell

S/- Cr Melanie Selwood

84/24

That:

1. The CEO provide a report to Council by 30 June 2024 that investigates collaborating with the City of Mitcham to use their Community Renewables Framework, due diligence and tender results to implement a similar bulk buy and Virtual Power Plant (VPP) program, but tailored to meet the requirements of Adelaide Hills Council and our community.
2. That the CEO request a briefing for Elected Members and relevant staff by the City of Mitcham to understand the community, environmental, and economic benefits achieved from the implementation of their program.
3. That the prior to entering into its next electricity agreement, investigates an innovative 100% Renewable Energy Power Purchase Agreement (PPA) or similar for Council's future energy needs, including the opportunity to integrate a VPP and community batteries.

Carried

11.3 Fire, Wastewater and Animal Management – Cr Adrian Cheater

Moved Cr Adrian Cheater

S/- Cr Melanie Selwood

85/24

I move that Council requests the CEO to provide a report to Council by 31 May 2024 that:

1. Reviews the Council's Enforcement Policy and provides recommendations for updates.
2. Reviews the current educational and enforcement practices, assesses their effectiveness with particular focus on fire prevention, wastewater systems and

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environmental impacts, animal management and building/planning compliance and provides recommendations for alternate practices (if appropriate).

3. If recommendations are made to consider changes to the Enforcement Policy and/or alternate educational and compliance practices, include detailed information in relation to how that would be delivered, resourced and the financial implications of any recommendations.
4. Investigates the financial and resourcing implications of adding specialised officers for compliance and educational opportunities in the areas of:
 - i. Fire prevention
 - ii. Wastewater and associated environmental impacts
 - iii. Animal management
5. Assumes no reduction in existing compliance officer resourcing and consider the specialised officer roles as additional.

Carried Unanimously

12. OFFICER REPORTS – DECISION ITEMS

Through the Presiding Member, leave of the meeting was sought and granted to bring Item 12.2 forward on the agenda.

12.2 Adelaide Hills Council Bushfire Mitigation Landscape Strategy

Under section 75C of the *Local Government Act 1999* Cr Melanie Selwood disclosed a Material (section 75) Conflict of Interest in Item 12.2 Bushfire Mitigation Landscape Strategy, the nature of which is as follows:

- My husband works in the bushfire recovery space, particularly related to landscape and tree management.

7:40pm Cr Melanie Selwood left the meeting room.

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

86/24

Council resolves:

1. That the report be received and noted.
2. To adopt the Bushfire Mitigation Landscape Strategy 2024-28 as contained in Appendix 1.

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3. **That the Chief Executive Officer be authorised to make any formatting, nomenclature, or other minor changes to the Strategy prior to publication.**

Carried Unanimously

7:44pm Cr Melanie Selwood returned to the meeting room.

12.1 Event Proposal – Multi Year Rally Proposal

7:45pm, through the Presiding Member, leave of the meeting was sought and granted to suspend formal meeting procedures for the purposes of a presentation from Tim Possingham, Event Organiser.

7:55pm the meeting resumed.

Under section 75B of the *Local Government Act 1999* Cr Louise Pascale disclosed a General (section 74) Conflict of Interest in Item 12.1 Event Proposal – Multi Year Rally Proposal, the nature of which is as follows:

- I live on a road that experiences closures from this event.

Cr Louise Pascale remained in the meeting when the item was discussed and participated in the debate. Cr Pascale left the Chamber for the vote on the matter.

8:11pm Cr Louise Pascale left the meeting and did not return.

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

87/24

Council resolves:

1. **That the report be received and noted.**
2. **That, in relation to the Multi-Year Agreement Proposal submitted by Massive Events Corp Pty Ltd, Council supports the conduct of the Adelaide Rally within the district for the period of three years 2024 to 2026 and acknowledge that the Chief Executive Officer will use the delegation already provided to him to consider consent for road closures under Section 33(2) of the *Road Traffic Act 1961*.**
3. **That, recognising this decision is a departure from the usual requirements of the *Festival & Events Policy*, Council determines that the reasons applying for the usual requirement for road closures associated with motorsport proposals to be brought to the Council for a formal decision on each occasion are outweighed by the expected benefits to be achieved in providing multi-year support.**

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4. That each year, support for the Adelaide Rally road closures, will be contingent on Massive Events Corp Pty Ltd, to the satisfaction of the Chief Executive Officer:
- a. Complying with Council's *Festivals and Events Policy – Guideline No. 1 for Competitive Motoring Events*
 - b. Payment of an Application Fee as per the Council's Fees and Charges Register for Temporary Road Closures
 - c. Providing confirmation that affected business owners are aware of the proposed road closures
 - d. Providing written confirmation that the organiser has used reasonable endeavours to address concerns raised by affected residents and that arrangements for egress and regress for those properties can be managed within the event where practicable
 - e. Providing evidence of satisfactory procedures for enabling emergency services access to properties on the event route at all times
 - f. Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event
 - g. Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event
 - h. Providing written confirmation that advance notice of road closures on the affected roads will be erected at least three weeks prior to the event
 - i. Hosting at least one significant community event within the Adelaide Hills Council region in conjunction with the rally
 - j. Hosting the prima tour lunch within the Adelaide Hills Council region
 - k. Making reasonable endeavours to contract local food and beverage suppliers for event stages within the Adelaide Hills Council district
 - l. That the event continue to support the At Risk Youth Driver Training Program delivered by the Australian Driving Institute in the Adelaide Hills Council region.
5. That, subject to agreeing to the requirements of Item 4 being undertaken, Council provides consent for the organisers to promote the event to sponsors and participants as 'supported by Adelaide Hills Council' for the period 2024 – 2026.

Carried Unanimously

12.1.1 Short Adjournment

Moved Cr Malcolm Herrmann
S/- Cr Kirsty Parkin

88/24

That the Council meeting adjourn for a short break.

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Carried Unanimously

8:12pm the Council meeting adjourned.

8:22pm the Council meeting resumed.

12.2 Adelaide Hills Council Bushfire Mitigation Landscape Strategy

This item was considered earlier in the meeting.

12.3 Statewide Bushfire Hazards Code Amendment – Adelaide Hills Council Submission

Moved Cr Leith Mudge

S/- Cr Kirsty Parkin

89/24

Council resolves:

- 1. That the submission (as contained in *Appendix 1*) on the draft State-wide Bushfire Hazards Overlay Code Amendment, be endorsed and forwarded to the South Australian Planning Commission.**
- 2. That the Chief Executive Officer be authorised to make any necessary minor amendments to finalise the submission, providing the changes do not affect the intent of the submission.**

Carried Unanimously

12.4 Road Closure Decision – Unmade public road adjacent 474b Springhead Road Mount Torrens

This item was considered earlier in the meeting.

13. OFFICER REPORTS - INFORMATION ITEMS

Nil

14. CORRESPONDENCE FOR INFORMATION

14.1 Correspondence from Paul De Ionno, Director, Minerals Regulation, Department for Energy and Mining regarding Hanson Construction Materials Pty Ltd White Rock Quarry

Moved Cr Kirsty Parkin

S/-Cr Melanie Selwood

90/24

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Council resolves that the correspondence is received and noted.

Carried Unanimously

14.2 Board of Stirling Hospital update

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

91/24

Council resolves that the correspondence is received and noted.

Carried Unanimously

15. QUESTIONS WITHOUT NOTICE

Nil

16. MOTIONS WITHOUT NOTICE

Nil

17. REPORTS

17.1 Council Member Function or Activity on the Business of Council

Acting Mayor Nathan Daniell

28 February – Stirling Community Forum at Stirling
 1 March – Mount Torrens Park Dinner at Mount Torrens
 3 March – Discover Play Bikeway at Woodside, Charleston, and Mount Torrens
 4 March – International Women’s Day video at Stirling
 4 March – Meeting with Independent Member of CEOPRP at Stirling
 6 March – Tourism Australia networking meeting at Hahndorf
 15 March – Mount Lofty Districts Historical Society AGM at Stirling
 17 March – The Courier re Amy Gillett Bikeway announcement at Mount Torrens
 17 March – Uraidla Sustainability Fair at Uraidla
 18 March – National Volunteer Week video at Stirling
 20 March – Radio interview with ABC Drive re Amy Gillett Announcement
 20 March – CAP Independent Member Selection Panel Interviews at Stirling
 21 March – CEOPRP Committee meeting at Stirling
 22 March – Filming with ABC for Amy Gillett Bikeway announcement at Mount Torrens
 23 March – Harmony Day Picnic at Gumeracha
 24 March – Woodforde Community Picnic at Woodforde

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Cr Louise Pascale

- 24 March – Inaugural Woodforde Community Picnic at Hamilton Hill

Cr Melanie Selwood

- 17 March – Uraidla Sustainability Fair
- 22 March – Meeting with The Food Embassy

Cr Malcolm Herrmann

- 1 March – Mt Torrens Memorial Park
- 3 March – Discover, Play, Bikeway at Mt Torrens, Charleston and Woodside
- 9 March – Funeral of the late Peter Ancell, Councillor of the former DC of Gumeracha
- 13 March – Meeting with Birdwood Hall Committee
- 18 March – Final meeting Torrens Valley Celebrations Committee (Coolamon) Gumeracha
- 23 March – Harmony Day Gumeracha

17.2 Reports of Members as Council/Committee Representatives on External Organisations**Cr Malcolm Herrmann**

- 7 March – Special Meeting GRFMA (Zoom)

17.3 CEO Report

Greg Georgopoulos, CEO, provided Council with a verbal update regarding the current focus on organisational budget matters and planning for 2025.

18. REPORTS OF COMMITTEES**18.1 Council Assessment Panel**

Moved Cr Kirsty Parkin
S/- Cr Leith Mudge

92/24

Council resolves that the minutes of the Council Assessment Panel meeting held on Wednesday 13 March 2024, as distributed, be received and noted.

Carried Unanimously

18.2 Audit Committee

Nil

18.3 CEO Performance Review Panel – 21 March 2024

Refer to Item 19.3

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18.4 Boundary Change Committee

Nil

19. CONFIDENTIAL ITEMS

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19.1 Ashton Landfill – Exclusion of the Public

Moved Cr Adrian Cheater

S/- Cr Kirsty Parkin

93/24

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
- Minute Secretary, Rebekah Lyons
- Zoë Gill, Governance and Risk Coordinator
- Governance Advice, Michael Kelleedy, Kelleedy Jones Lawyers
- Manager Sustainability Waste and Emergency Management, John McArthur
- Ashton Landfill Project Officer, Meridee Jensen
- Sustainability Officer, Sharon Leith

be excluded from attendance at the meeting for Agenda Item 19.1: (Ashton Landfill) in confidence.

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

Section 90(3)(a) and 90(3)(h) 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) and is legal advice.

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

Carried Unanimously

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19.1.1 Ashton Landfill – Confidential Item

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19.1.2 Ashton Landfill – Duration of Confidentiality

Moved Cr Kirsty Parkin
S/- Cr Leith Mudge

95/24

Council resolves:

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 19.1 in confidence under sections 90(2) and 90(3)(a) and 90(3)(h) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* 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	26 March 2027
Related Attachments	26 March 2027
Minutes	26 March 2027
Other	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.

Carried Unanimously

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19.2 Trans Tasman Energy Group – Exclusion of the Public

Moved Cr Adrian Cheater

S/- Cr Kirsty Parkin

96/24

Council resolves:

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
- Director Community & Development, Natalie Armstrong
- Governance and Risk Coordinator, Zoë Gill
- Governance Legal Support, Michael Kelledy, Kelledy Jones Lawyers
- Minute Secretary, Rebekah Lyons
- IT Support Officer, Tom Portas

be excluded from attendance at the meeting for Agenda Item 19.2: (Trans Tasman Energy Group) in confidence.

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

Section 90(3)(i)(h) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information relating to legal advice the disclosure of which could reasonably be expected to prejudice future legal proceedings.

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
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19.2.1 Trans Tasman Energy Group – Confidential Item

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19.2.2 Trans Tasman Energy Group – Duration of Confidentiality

Moved Cr Adrian Cheater

S/- Cr Pauline Gill

98/24

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 19.2 in confidence under sections 90(2) and 90(3)(h) of the Local Government Act 1999, resolves that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence in accordance with the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	26 March 2025 or until legal release date
Related Attachments	26 March 2025 or until legal release date
Minutes	26 March 2025 or until legal release date

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

Carried Unanimously

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19.3 Special CEO Performance Review Panel Committee Minutes of Meeting 21 March 2024 – Exclusion of the Public

Moved Cr Kirsty Parkin
S/- Cr Leith Mudge

99/24

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 Community and Development, Natalie Armstrong
- Director Environment and Infrastructure, David Waters
- A/Director Corporate Services, Ashley Curtis
- Governance Legal Support, Michael Kelledy, Kelledy Jones Lawyers
- Governance and Risk Coordinator, Dr Zoë Gill
- Minute Taker, Rebekah Lyons
- Information Technology, Tom Portas

be excluded from attendance at the meeting for Agenda Item 19.3: Special CEO Performance Review Panel Committee Minutes of Meeting 21 March 2024

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
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 MARCH 2024
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- 19.3.1 Special CEO Performance Review Panel Committee Minutes of Meeting 21 March 2024 – Confidential Item**

**ADELAIDE HILLS COUNCIL
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TUESDAY 26 MARCH 2024
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**19.3.2 Special CEO Performance Review Panel Committee Minutes of Meeting 21 March 2024–
Duration of Confidentiality**

Moved Cr Adrian Cheater
S/- Cr Pauline Gill

101/24

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 19.3 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 for 12 months.

Carried Unanimously

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20. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 9 April 2024 from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

8:54pm the meeting closed.

Petitions / Deputations / Public Forum

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 April 2024
AGENDA BUSINESS ITEM**

Item:	8.1.1
Responsible Officer:	Zoë Gill Governance and Risk Coordinator Office of the Chief Executive
Subject:	Petition – Urge Adelaide Hills Council to maintain Jan-26 decision
For:	Decision

SUMMARY

A petition has been received with 116 signatories stating urging Adelaide Hills Council to:

- Maintain its decision to move citizenship and civic ceremonies away from 26 January.
- Maintain its position of respect for First Nations people, culture and values.
- Continue leadership and advocacy on behalf of First Nations ratepayers.

RECOMMENDATION

Council resolves:

- 1. That the petition signed by 116 signatories requesting that Adelaide Hills Council maintain its current decision to move citizenship and awards ceremonies away from January 26 be received and noted.**
 - 2. That the CEO advise the principal signatory of the Council’s noting of the petition and of any resolutions relating to the matter.**
-

1. PETITION DETAILS

Council has received a petition organised by Dyaln Russell of Summertown and signed by 116 signatories.

The Petition states:

We, the undersigned, urge Adelaide Hills Council to:

- Maintain its decision to move citizenship and civic ceremonies away from 26 January.
- Maintain its position of respect for First Nations people, culture and values.
- Continue leadership and advocacy on behalf of First Nations ratepayers.

In July 2023, Adelaide Hills Council (Council) resolved to move citizenship and awards ceremonies away from 26 January. Mayor Jan-Claire Wisdom said that the decision recognised the difficulties of 26 January for First Nations Peoples: <https://bit.ly/3VAUOGO>.

Supporters of reconciliation in the Adelaide Hills region commend Council for this principled decision and its leadership on reconciliation.

At the next Council meeting on 9 April, Cr Pauline Gill will move a Motion on Notice requesting public consultation on this matter.

We urge Council Members to reject Cr Gill’s motion out of respect for Aboriginal and Torres Strait Islander ratepayers. Supporting this motion risks undermining Council’s recent consultation process – which engaged First Nations people – on the proposed date change of citizenship and award ceremonies and its “commitment to being an inclusive council that respects First Nations culture and values”.

Why is this important?

Please sign this petition to urge Council Members to prevent undue hurt or distress being inflicted on First Nations community members – and stand in solidarity with supporters of reconciliation.

2. OFFICER’S RESPONSE – Zoë Gill, Governance and Risk Coordinator

➤ Relationship/relevance to Council services/activities/plans/strategies/resolutions

On 16 December 2022 there was a change announced to the Australian Citizenship Code. This refers to the dates on which Citizenship Ceremonies may be conducted and does NOT refer to the celebrating of Australia Day. The date on which Australia Day is celebrated is the decision of the Federal Government.

At the meeting of 24 January 2023, following consideration of a Motion on Notice from Cr Selwood, Council resolved as follows:

Moved Cr Melanie Selwood
S/- Cr Chris Grant

7/23

That Council

- 1. Reaffirms its commitment to being an inclusive council that respects First Nations culture and values**
- 2. Acknowledges the 26th of January is a day of mourning for many First Nations people**
- 3. Requests the Chief Executive Officer prepares a report for Council’s consideration on the proposal to move citizenship ceremonies, award ceremonies and related events to a date other than 26 January from 2024 onwards.**

Carried Unanimously

In preparing the Council Report consultation was undertaken with the Adelaide Hills Reconciliation Working Group and the three groups who undertake award ceremonies on Council's behalf, being Lions Club of Torrens Valley, Lions Club of Onkaparinga and East Torrens Historical Society.

This report was considered at the Council meeting of 25 July 2023 at which Council resolved:

**Moved Cr Melanie Selwood
S/- Cr Nathan Daniell**

195/23

- 1. That the report be received and noted;**
- 2. To not conduct Citizenship Ceremonies, confer awards or support events on 26 January from this date onwards in recognition of the difficulties of the 26 January for First Nations Peoples; and**
- 3. That the CEO find alternative dates and opportunities in consultation with local groups for award and citizenship ceremonies (acknowledging that a Citizenship Ceremony must still be conducted within 3 days either side of 26 January).**

Carried

➤ **Options**

Council has the following options in relation to the matter(s) raised in the petition:

- I. Receive and note the petition (Recommended)
- II. Not receive and note the petition (Not Recommended)

Motions on Notice

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 April 2024
AGENDA BUSINESS ITEM**

Item: 11.1 Motion on Notice

Originating from: Cr Pauline Gill

Subject: Citizenship Ceremonies and Civic Awards

1. MOTION

I move that:

- 1. The CEO undertakes an independent Community Consultation regarding the community's views of holding Citizenship Ceremonies and presenting Civic Awards on Australia Day, including if people attended events and which events they attended.**
- 2. A report be provided to Council with results of Australia Day events held in January 2024, to include those events held on Australia Day and those held on alternative days.**
- 3. First Nation people are consulted in an appropriate way to seek their individual views.**
- 4. The results of both actions be reported to Council by 24 September 2024.**

2. BACKGROUND

At the Council meeting held 26 March 2024, Mr John Tate gave a deputation regarding Australia Day celebrations, Citizenship ceremonies and Civic Awards being held on 26 January. As a democratic society, I feel it is prudent for the Council to validate if the decision made to move Australia Day events to other days, is what most of our citizens want and listen to all sides of the debate.

A report into the events held in January this year would assist in understanding if there was support for the events that Council supported / held on 26 January, what worked for the events Council supported / held and what, if anything, could be improved.

This is not a motion to look at changing the status of Council's decision to hold Australia Day celebrations on alternative days, it is about listening to the diverse range of opinions of the community and providing the consultation that should have occurred prior to the decision being made and to assess support for all events held, regardless of the date.

3. OFFICER'S RESPONSE – Lynne Griffiths, Community and Cultural Development Officer

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5	A progressive organisation
Objective 05	We are accountable, informed and make decisions in the best interests of the whole community.
Priority 05.2	Make evidence-based decisions and prudently assess the risks and opportunities to our community before taking action.

There is an opportunity to increase the information on community opinion based on further consultation.

Goal 2	Community wellbeing
Objective C5	Respect for Aboriginal culture and values
Priority C5.2	Celebrate and recognise Aboriginal culture and heritage through participation in the delivery of programs and activities that engage our community in cultural experience and learning.

Council has a commitment to reconciliation. It is widely established that, for many in the Aboriginal and/or Torres Strait Islander community, and the non-Aboriginal community, 26 January represents a day of mourning, and this can be a barrier to participating in citizenship and award ceremonies held on this date. This is reflected in Council's previous resolution.

➤ Legal Implications

Not Applicable

➤ Risk Management Implications

Further community consultation risks providing a platform for racism and could be divisive and harmful for the Aboriginal and Torres Strait Islander community and others. Anecdotal information indicates that there has been an increase in vulnerability to racism post referendum. Any further consultation would require a specialised approach to minimise this risk.

A decision to not undertake further community consultation, or to engage a specialist contractor to undertake further consultation, will assist in mitigating the risk of providing a platform for racism.

Due to strong views on this matter from both sides there is a risk that to not undertake further community consultation may lead to some members of the community feeling that they have not been heard.

Inherent Risk	Residual Risk	Target Risk
High 3B	Medium 3C	Low

➤ **Financial and Resource Implications**

Community consultation that is appropriate to addressing the sensitive nature of the issue and ensures robust engagement with all key cohorts has been indicatively quoted at \$35k to \$40k by an existing provider. In accordance with our procurement policy, should the motion be carried, we would be required to obtain three quotes.

Even with the use of an independent party to conduct the community consultation, this will impact on the capacity of the communications and engagement team who will still control the major communication channels and facilitate a relationship with community groups and event organisers.

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

There has been feedback from community members expressing a view that Council should have engaged in further community consultation in relation to this issue. Likewise, there has been community feedback supporting Council's decision to change the date of Citizenship Ceremonies away from the 26 January. This suggests that there are strong opinions on both sides.

This was expected as it was apparent that there were strong opinions from both sides during the initial consultation.

With regards to event organisers holding events on 26 January, of the three events normally supported by Council, two groups chose to move their celebration to a different day. The Woodside based group chose not to move and therefore were no longer eligible for Council funding.

➤ **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

On 16 December 2022 there was a change announced to the Australian Citizenship Code. This refers to the dates on which Citizenship Ceremonies may be conducted and does NOT refer to the celebrating of Australia Day. The date on which Australia Day is celebrated is the decision of the Federal Government.

At the meeting of 24 January 2023, following consideration of a Motion on Notice from Cr Selwood, Council resolved as follows:

Moved Cr Melanie Selwood
S/- Cr Chris Grant

7/23

That Council

- 1. Reaffirms its commitment to being an inclusive council that respects First Nations culture and values**
- 2. Acknowledges the 26th of January is a day of mourning for many First Nations people**
- 3. Requests the Chief Executive Officer prepares a report for Council's consideration on the proposal to move citizenship ceremonies, award ceremonies and related events to a date other than 26 January from 2024 onwards.**

Carried Unanimously

In preparing the Council Report consultation was undertaken with the Adelaide Hills Reconciliation Working Group and the three groups who undertake award ceremonies on Council's behalf, being Lions Club of Torrens Valley, Lions Club of Onkaparinga and East Torrens Historical Society.

This report was considered at the Council meeting of 25 July 2023 at which Council resolved:

Moved Cr Melanie Selwood
S/- Cr Nathan Daniell

195/23

- 1. That the report be received and noted;**
- 2. To not conduct Citizenship Ceremonies, confer awards or support events on 26 January from this date onwards in recognition of the difficulties of the 26 January for First Nations Peoples; and**
- 3. That the CEO find alternative dates and opportunities in consultation with local groups for award and citizenship ceremonies (acknowledging that a Citizenship Ceremony must still be conducted within 3 days either side of 26 January).**

Carried

In considering the prospect of undertaking further community consultation it should be noted that there is a likelihood, based on consultation undertaken, that views will be polarised. This has been the experience of many other local governments around Australia tackling the same issue and question. This issue could prove divisive, emotional, and difficult - particularly in light of the recent 2023 Federal Voice Referendum – for parts of our community. It is also likely that the consultation would extend in significance beyond our Council area and attract media attention and input from community groups outside AHC.

The number of people who identify as Aboriginal or Torres Strait Islander in Adelaide Hills Council is 281, which is 0.7% of the total population of 41,250 (census 2021). As a minority of the population this group is disadvantaged in their ability to have their view heard. Any

engagement process would need to be sensitive to this constraint and mitigate it to the greatest extent possible.

Overall, consultation on this issue would need to be approached carefully and in incremental steps to avoid unintended harm but also to gauge community sentiment along the journey. The consultation would need to be clear there are no predetermined ideas or outcomes and be upfront around the fact that there are different perspectives in the community, and we (Council) want to listen.

Potential consultation steps (as provided by external consultant and reviewed by council staff):

Stage 1

Conduct overarching sentiment research where no solutions are proposed or nor is a potential concept being explored – but instead Council is gauging community and stakeholder sentiment in relation to some key questions. We want to have an open “conversation” with the community. The key here would be to ensure feedback is representative of the demographics / groups within the community. It would be important not to rush this step. The expert recommendation is to allow at least four months so that we can ensure as many as people take part as possible.

The core components of this stage would be to:

1. Develop a detailed engagement plan in collaboration with Council staff – this includes stakeholder mapping.
2. Develop simple messaging around the purpose of the engagement, why it is happening and how it will be conducted and any other necessary context. The messaging would steer away from seeking to “educate” as that is so open to interpretation and differing views. How we position First Nations perspective within context of this engagement would be very important too.
3. Develop frequently asked questions as a reference tool for Council team members.
4. Develop the core questions as a survey (likely 3 to 4 max in addition to demographic questions). During this first stage of engagement it is important to not try and ask too many specific questions or seek responses around specific ideas – this stage is around gathering broad feedback, ideas, perceptions, thoughts and feelings and keeping the parameters for feedback very open. It is noted questions would include open response questions which enable detailed feedback and insights to be gathered.
5. Test the messaging, questions and dissemination/ promotion methodology within Council and through 3 facilitated focus group sessions:
 - a. Council working group session with a particular focus on team members who have a strong understanding of the community / interface with the community.
 - b. Three focus groups with approximately 15 people in each.
 - c. Three sessions with members of the community and representatives of the community as a whole in terms of demographics.

This process would aim to give us certainty around how the overall approach and survey will be received and understood, as well as providing an early indicator of sentiment. Once the survey and approach has been adjusted as needed, based on the feedback

from this step, public engagement could then be taken to the next stage. It is noted management of participation and promotion of focus groups takes time and should be done carefully and rigorously.

6. Promotion of the survey would need to be done using a variety of mechanisms (to be confirmed based on focus group feedback) and could include:
 - a. Insert to rates bill / inclusion on rates bill (if timing allows).
 - b. Media release.
 - c. Website / engagement page.
 - d. Website.
 - e. Socials promotion, including a short video to explain key messaging.
 - f. Leveraging existing groups and structures within the community (Sporting Clubs, Lions Clubs, Committees, Reconciliation Groups and representatives of Aboriginal or Torres Strait Islander people etc).
 - g. Hard copy and digital survey options made available at Customer Service Centres and Libraries.
 - h. Direct mail to existing stakeholder lists.
 - i. Direct engagement with community groups and interest groups within the community.

Note that effort would need to be made to ensure there are as few barriers as possible to participation, especially those voices less heard (e.g. people who have a disability, young people, CALD communities and Aboriginal and Torres Strait Islander people).

Results from Stage 1 would need to be shared back with the community as closing the loop is important for an issue such as this where diverse opinions and emotions are likely to be triggered.

A detailed survey analysis report for Council and an easy-to-read version for the community should be made available.

It is expected the cost of this stage would be around **\$35 - 40k** depending on the number and level of facilitation of the focus groups and survey response numbers which would impact survey analysis/ reporting. We anticipate a high volume of information would be gathered as part of the open response questions, which would provide valuable insights to guide next steps.

Stage 2

Once initial overarching feedback was gathered – and pending the results – preferred approaches or concepts based on the feedback from stage 1 could then be developed further through working groups and more in-depth engagement.

The cost for this is unknown until Stage 1 is complete.

Council staffs' ability to address the request for information relating to community attendance at Australia Day events held on or around 26 January will be dependent largely on the availability of accurate information from event organisers within the community.

Anecdotal feedback is that the Woodside event on 26 January was very well attended. The events at Uraidla and Gumeracha on 28 and 29 January were potentially impacted by this being the first year of the event moving away from 26 January and the fact that many people

would have used the long weekend, given Thursday was a public holiday, to enjoy the last weekend of the school holidays.

Feedback was provided by the Uraidla and Gumeracha groups that allowing Citizen of the Year Award recipients to invite family and friends prior to the event would allow for more attendance and this will be the process going forward. There was no suggestion from them that they would prefer to move the ceremony back to 26 January.

5. APPENDICES
Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 April 2024
AGENDA BUSINESS ITEM**

Item: 11.2 Motion on Notice

Originating from: Cr Adrian Cheater

Subject: First Nations Engagement Framework

1. MOTION

I move that Council:

- 1. Requests the CEO reports back to Council on the implications of Council engaging the services of an external consultant to investigate options for the Council to appropriately and respectfully engage with First Nations people and representative mechanisms; including consultation with residents who identify as First Nations, including but not limited to Kurna and Peramangk. This investigation should acknowledge and address the confines of western systems of consultation, governance and authority while forming recommendations aligned with generally accepted methodologies for First Nation representation by 30 July 2024.**
- 2. Acknowledges First Nation people as an identified low representation of total population, influenced by historical colonial impacts leading to significant displacement, and the social and economic factors limiting the ability for many First Nation people to live on traditional country.**

2. BACKGROUND

Nil

3. OFFICER'S RESPONSE – Jennifer Blake Manager Communication, Engagement & Events

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

Strategic Plan 2020-24 – A brighter future

Goal 5 A progressive organisation

Objective 05 We are accountable, informed and make decisions in the best interests of the whole community.

Priority 05.2 Make evidence-based decisions and prudently assess the risks and opportunities to our community before taking action.

Goal 2 Community wellbeing

Objective C5 Respect for Aboriginal culture and values

Priority C5.2 Celebrate and recognise Aboriginal culture and heritage through participation in the delivery of programs and activities that engage our community in cultural experience and learning.

➤ **Legal Implications**

Not applicable

➤ **Risk Management Implications**

Council has a commitment to reconciliation.

The preparation of a report to Council will assist in mitigating the risk of not appropriately and respectfully engaging with First Nations people, leading to poor understanding of cultural issues and community needs being unmet.

Inherent Risk	Residual Risk	Target Risk
Medium 3C	Low	Low

This is an existing corporate risk and we currently have mitigation controls in place including collaboration with the Adelaide Hills Reconciliation Work Group (which includes First Nations members), local engagement with cultural groups via community centres, development of our Innovate RAP and staff awareness cultural training.

➤ **Financial and Resource Implications**

Staff would be required to gather quotes from appropriate consultants.

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

Following the voice to Parliament referendum and Council's decision to change the date of Citizenship Ceremonies away from 26 January, the issue of a First Nations voice has been divisive within communities. Council currently uses the Adelaide Hills Reconciliation Working Group as our reference group for First Nations issues and is in the final stages of completing our Innovate Reconciliation Action Plan (RAP). Consideration needs to be given to any implications related to this group and the content of the draft RAP.

➤ **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 Administration is able to provide a report on behalf of the CEO.

Administration Reports Decision Items

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 April 2024
AGENDA BUSINESS ITEM**

Item:	12.1
Responsible Officer:	Karen Cummings Manager, Property Services Environment and Infrastructure
Subject:	Proposed Disposal of Council Land – off Nicholls Road, Norton Summit
For:	Decision

SUMMARY

On 25 July 2023, Council made a decision to revoke the classification of Community Land from Council Land, known as Pieces 1 and 2 in Filed Plan No. 257220 in Certificate of Title Volume 6261 Folio 497 (“Land”) (see **Appendix 1**).

Piece 2 is “land locked” (i. e. with no public road frontage) within the property at 105 Nicholls Road, Norton Summit. Piece 2 has a shed constructed on it along with the driveway entrance to the property at piece 1 (see **Appendix 2**).

Following the community land revocation from the land parcels and as pre-empted in previous Council reports, this report now seeks a resolution of Council to dispose of these pieces of Council Land, to the owner of 105 Nicholls Road, Norton Summit.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
 - 2. The land known as Pieces 1 and 2 Filed Plan No. 257220 located off Nicholls Road, Norton Summit and contained in Certificate of Title Volume 6261 Folio 497 be declared surplus to Council’s requirements.**
 - 3. To dispose of the subject land to the owner of 105 Nicholls Road, Norton Summit for the amount of \$5,000 (plus GST), subject to the owner of 105 Nicholls Road, Norton Summit paying for all costs associated with the settlement and transfer of the land including final survey fees, conveyancing fees, transfer and government changes and any other charges relating to the sale of the land.**
 - 4. That the Chief Executive Officer and Mayor be authorised to finalise, sign, and seal (if necessary), all documentation to dispose of the above portion of land pursuant to this resolution.**
-

1. BACKGROUND

At its meeting held on 25 July, 2023 Council resolved as follows:

12.2 Revocation of Community Land – Closed Roads off Lenger Road Mt Torrens and Nicholls Road Norton Summit

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge

198/23

Council resolves:

1. That the report be received and noted.
2. That the Community Land classification over the land comprised in Certificate of Title Volume 6261 Folio 496 being for Allotment 10 in Filed Plan No. 257096 be revoked.
3. That the Community Land classification over the land comprised in Certificate of Title Volume 6261 Folio 497 being for Pieces 1 and 2 in Filed Plan No. 257220 be revoked.

Carried Unanimously

The revocation of community land classification followed a series of previous Council reports with a history as outlined hereunder.

The subject land, comprising two (2) pieces of Council Land were previously pieces of a closed road that was closed on 10 May 1928. These parcels of land were closed and retained by Council at that time. As the two pieces of closed road were not “excluded” from the classification of Community Land upon the introduction of the *Local Government Act 1999* (the Act) in 1999, the Land was deemed Community Land as defined in the Act in 1999.

Administration undertook the revocation of the Community Land process for these pieces of closed road between 2021-2023, as per the following timeline -

- 27 July 2021 - Council Approved the commencement of Revocation of Community Land Process;
- March 2022 - Community Consultation Undertaken;
- 28 June 2022 - Council approved writing to the Minister for Planning and Local Government seeking consent to revoke the community land classification consent, to make decision to revoke Community Land classification;
- 21 July 2022 - Letter sent to Minister for Planning and Local Government
- 9 January 2023 - Minister for Planning and Local Government response received supporting the removal of the community land classification, and

- 25 July 2023 - Council made decision to revoke the Community Land Classification from the subject pieces of road.

Following the decision by Council on 25 July 2023 to revoke the Community land Classification from the Land, discussions progress with the owner of 105 Nicholls Road, Norton Summit regarding the proposed sale of the land to them due to their existing interest in the land.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal A Progressive Organisation

Objective 05 We are accountable, informed and make decision in the best interested of the whole community.

Priority 05.2 Make evidence-based decision and prudently assess the risk and opportunities to our community before taking action.

The decision to dispose of this land with private infrastructure on it being used for the sole purpose of one property, reduces the insurance risk and any perceived maintenance obligations to Council for this infrastructure.

➤ Legal Implications

The disposal of this land is undertaken pursuant to the provisions of the *Local Government Act 1999* and in accordance with Councils Disposal of Assets Policy.

➤ Risk Management Implications

The closure and exchange of the pieces of land and road will assist in mitigating the risk of:

'Private infrastructure on public road reserve leading to increased risk and liability for Council'.

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

➤ Financial and Resource Implications

If the recommendation in this report is endorsed, the owner of 105 Nicholls Road, Norton Summit has agreed to pay Council \$5,000 (plus GST) for the purchase of the portion of the pieces of land. The amount of \$5,000 was determined by an independent valuation (*see Appendix 3*).

All external costs for the sale and amalgamation process including surveying, conveyancing and government charges will also be paid for by the owner of 105 Nicholls Road, Norton Summit.

The Council's administrative costs for the revocation of Community land and possible disposal process have been covered by the application fee, paid by the applicant at the beginning of the Community Land revocation process.

If the recommendation is not endorsed the application fee will be refunded to the applicant, with a Licence issued to the applicant so they can continue to use the Council land as part of their existing property.

➤ **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: Community Consultation was undertaken in March 2022 in accordance with the Councils Public Consultation Policy as per the requirements set out in the *Local Government Act 1999*, as part of the Community Land Revocation process.

➤ **Additional Analysis**

Council was approached by the owner of 105 Nicholls Road, Norton Summit in May 2021, requesting to purchase the land defined as pieces 1 and 2 Filed Plan No. 257220 adjacent to their property.

These pieces of land were closed from being a road on 10 May 1928 and was proposed to be sold. As the sale did not proceed at this time, a Certificate of Title was not issued for the land.

In 1978, a previous owner had approval to construct a shed. It is believed that, in error, a shed was constructed on the piece of land known as piece 2 in filed plan 257220. The piece known as piece 1 is used as the entrance to the property at 105 Nicholls Road, Norton Summit.

Both pieces 1 and 2 are maintained by the current owner ostensibly as part of their property.

As highlighted in previous Council reports, the results from Council's internal assessment determined that the parcels of closed road land (pieces 1 and 2) were suitable for disposal. The disposals would remove risk to Council with regard to ongoing repairs, maintenance and insurance. The parcels do not provide any linkages to existing or proposed recreation trails and they have no existing biodiversity value.

3. OPTIONS

Council has the following options:

- I. Resolve to dispose of the land in accordance with this recommendation (Recommended)
- II. Resolve to not dispose of the land which will result in Council owning land that includes private infrastructure and is land locked by private property. (Not Recommended)

4. APPENDICES

- (1) Identification of Land – CT6261/49, FP 257220
- (2) Aerial Photo of Land
- (3) Valuation Report dated 24 November 2023

Appendix 1

Identification of Land – CT6261/497,
Pieces 1 & 2 Filed Plan 257220



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 6261 Folio 497

Parent Title(s)

Creating Dealing(s) VM 13593308

Title Issued 01/11/2021 Edition 1 Edition Issued 01/11/2021

Estate Type

FEE SIMPLE

Registered Proprietor

ADELAIDE HILLS COUNCIL
OF PO BOX 44 WOODSIDE SA 5244

Description of Land

ALLOTMENT COMPRISING PIECES 1 AND 2 FILED PLAN 257220
IN THE AREA NAMED NORTON SUMMIT
HUNDRED OF ADELAIDE

Easements


NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

PURPOSE:	REIDENTIFICATION OF LAND AND REDESIGNATION OF PARCELS	AREA NAME:	NORTON SUMMIT	APPROVED:	12/10/2021	 F257220 SHEET 1 OF 2 <small>110464_text_01_v03_Version_3</small>					
MAP REF:	6628/43/G	COUNCIL:	ADELAIDE HILLS COUNCIL	FILED:	12/10/2021						
LAST PLAN:		DEVELOPMENT NO:									
AGENT DETAILS:	LANDS TITLES SA 101 GRENFELL STREET ADELAIDE SA 5000 PH: 84235000 FAX:	SURVEYORS CERTIFICATION:									
AGENT CODE:	LTSA										
REFERENCE:	BS LSSA										
SUBJECT TITLE DETAILS:											
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER	
		VM 13593308		CLOSED ROAD MARKED	A & B	R	1573	ADELAIDE			
OTHER TITLES AFFECTED:											
EASEMENT DETAILS:											
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION				
ANNOTATIONS:											
UNIQUE LAND PARCEL IDENTIFICATION PLAN											

UNIQUE LAND PARCEL IDENTIFICATION PLAN



PIECES SCHEDULE

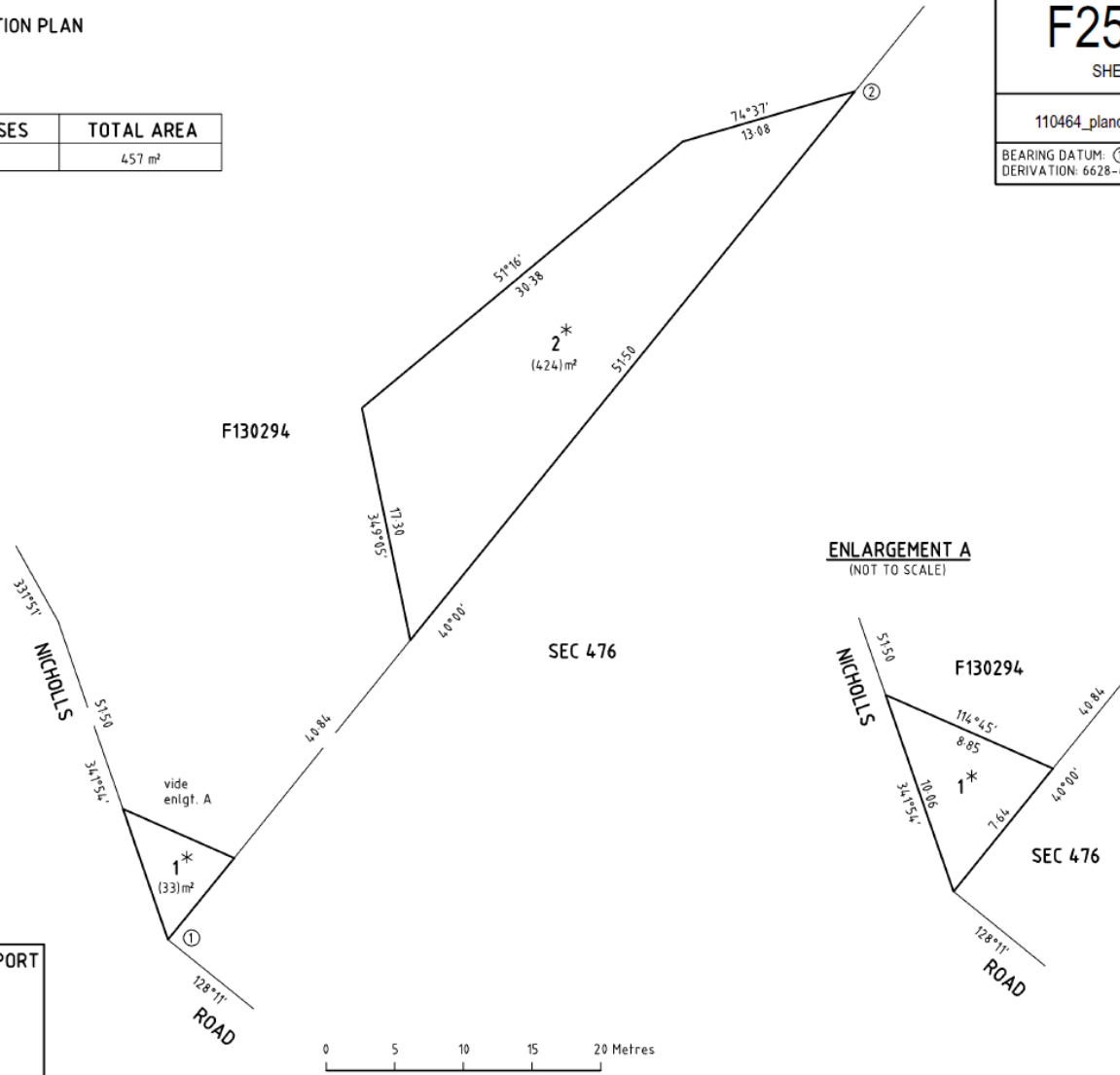
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1* AND 2*	457 m ²

F257220

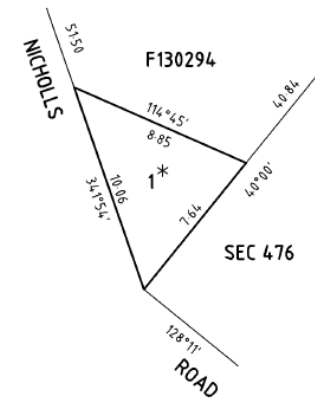
SHEET 2 OF 2

110464_pland_1_V01_Version_3

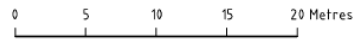
BEARING DATUM: ①-② 40°00'
DERIVATION: 6628-43-G SCALED



ENLARGEMENT A
(NOT TO SCALE)



DEPARTMENT OF PLANNING, TRANSPORT
AND INFRASTRUCTURE
LAND SERVICES GROUP
LANDS TITLES SA
101 GRENFELL ST. ADELAIDE SA 5000
PH: 8423 5000

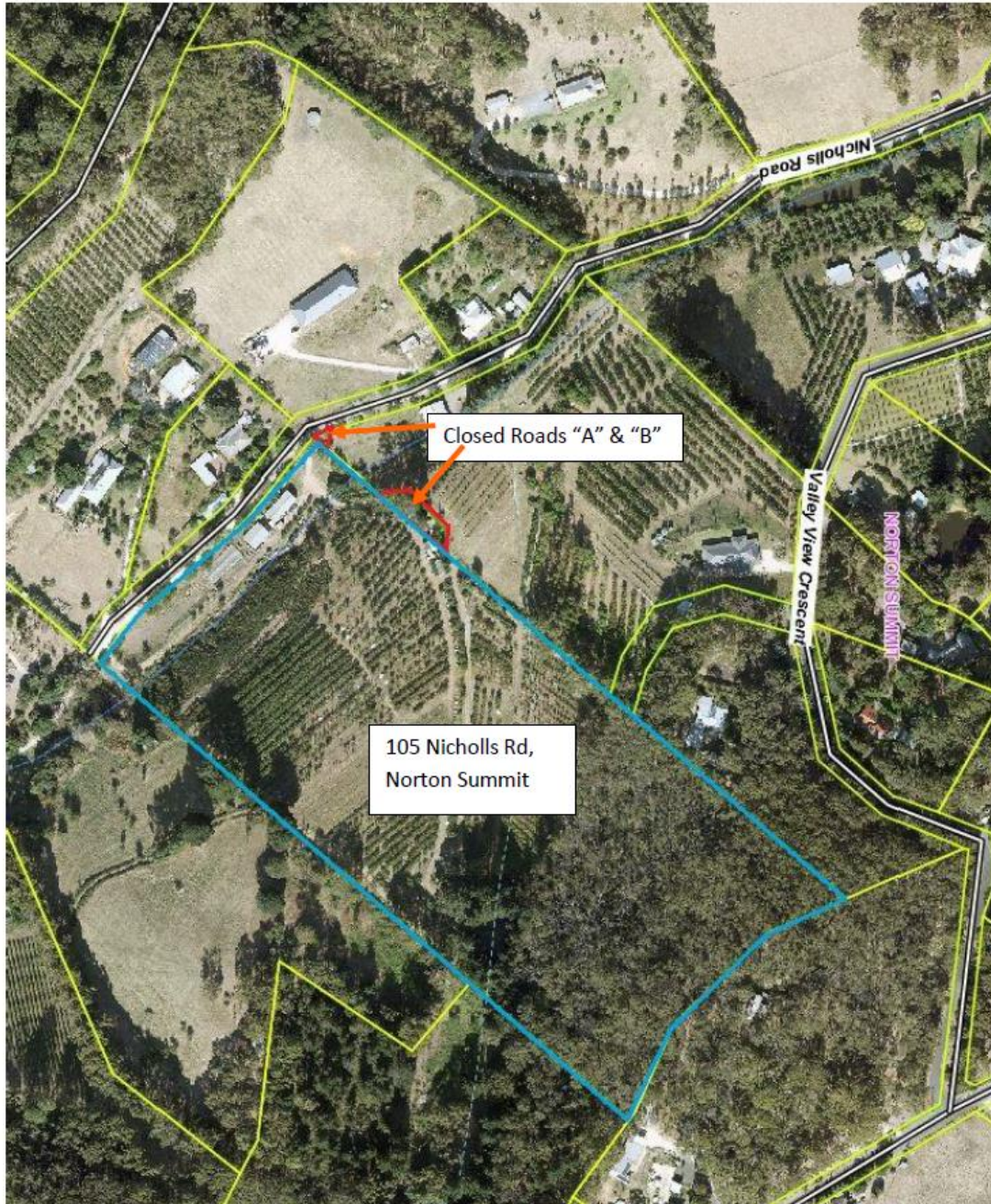


Appendix 2

Aerial Photo of Land

CLOSED ROAD – OFF NICHOLLS ROAD, NORTON SUMMIT

(RP 1573 – “A & B”



Appendix 3

Valuation Report Dated 24 November 2023

PUBLIC

PRIVATE

PROPERTY

INFRASTRUCTURE AND PUBLIC SECTOR VALUATION SPECIALISTS

Market Value for Disposal

Portions Closed Road (A & B in Road Plan 1573)

Proposed Purchaser: Four Seasons Orchards Pty Ltd

105 Nicholls Road, Norton Summit SA 5136

Prepared for Adelaide Hills Council

24 November 2023



PUBLIC PRIVATE PROPERTY PTY LTD ABN 99 616 987 896 LEVEL 1, 89 PIRIE STREET, ADELAIDE SA 5000
PO BOX 76 RUNDLE MALL ADELAIDE SA 5000 **T** 1300 311 660 **E** CONTACT@PUBLICPRIVATEPROPERTY.COM.AU

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Market Value for Disposal

Portions Closed Road adjacent 105 Nicholls Road, Norton Summit SA 5136

Prepared for Adelaide Hills Council on behalf of Bryan Lau

1. Introduction

1.1 Instructions

This report has been prepared in accordance with instructions received from Alana Faber, Property Officer at the Adelaide Hill Council (Council) on 26 October 2023. Our instructions are to prepare a valuation of two pieces of Closed Road for disposal to Four Seasons Orchards Pty Ltd, for merging with their adjoining property at 105 Nicholls Road, Norton Summit.

For completeness, we note that the subject land was revoked from Community Land Classification pursuant to Local Government Act 1999 on 25 July 2023.



1.2 Basis of Valuation

International Valuation Standards Council definition of Market Value:

The estimated amount for which an asset or liability 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.

1.3 Dates of Inspection and Valuation

The affected property was inspected from the road boundary on 11 November 2023. The date of valuation is the date of inspection, namely 11 November 2023.

Market Value for Disposal

Portions Closed Road adjacent 105 Nicholls Road, Norton Summit SA 5136

Prepared for Adelaide Hills Council on behalf of Bryan Lau

2. Property Details

2.1 Title Details

Subject Land

The portions of land identified for disposal and merging with an adjoining property are legally described as Allotment comprising Pieces 1 and 2 in Filed Plan 257220 (formerly Closed Road A and B in RP 1573), more particularly being contained within Certificate of Title Volume 6261 Folio 497.

Register search dated 25 November 2023 identifies the registered proprietor of an Estate in Fee Simple as Adelaide Hills Council of PO Box 44 Woodside SA 5244. The Title is clear of registered dealings.

Adjoining Land

The adjoining land is legally described as Section 476, Hundred of Adelaide, more particularly being contained within Certificate of Title Volume 5531 Folio 981.

Register search dated 25 November 2023 identifies the registered proprietor of an Estate in Fee Simple as Four Seasons Orchards Pty Ltd (ACN: 659 770 475) of 4A Borthwick Court, Beaumont SA 5066. The Title is subject to the easement(s) over the within land (T 3799301).

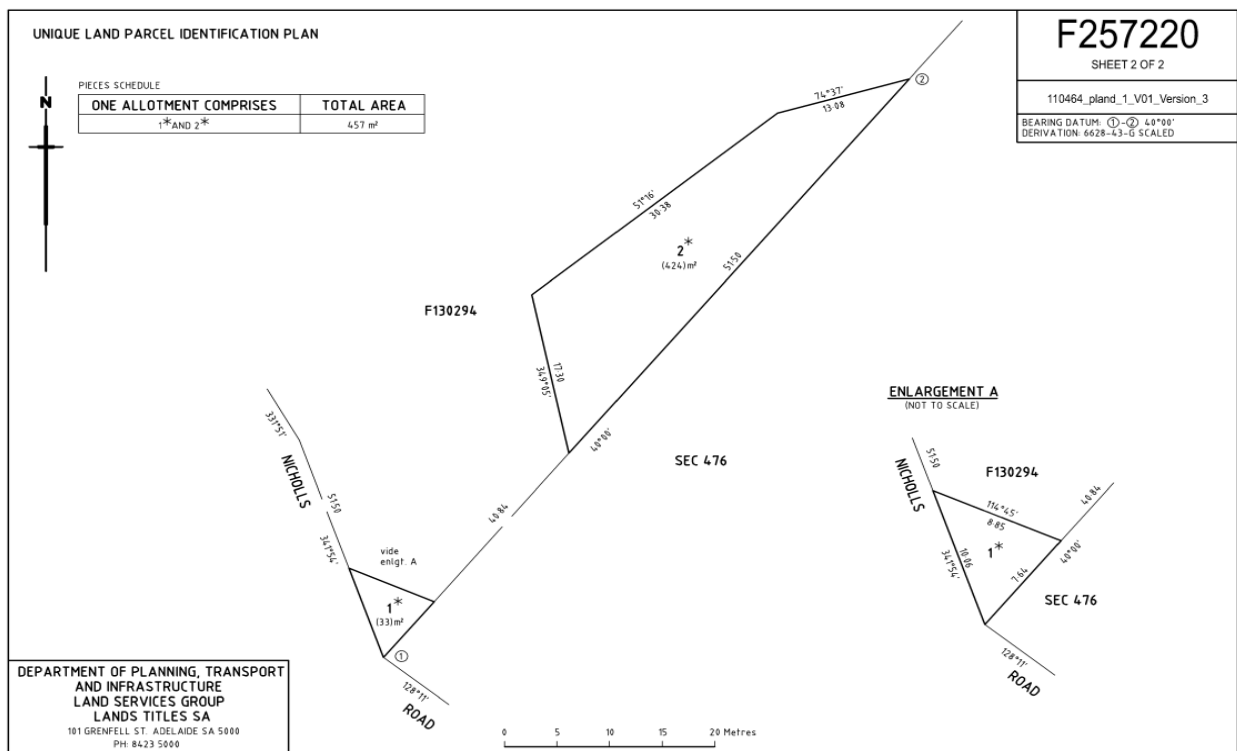
Certificates of Title, Filed Plan 257220 and Road Plan 1573 are included in this report as **Appendix 1**.

2.2 Property Description

Subject Land

The portions of land identified for disposal consist of two irregular shaped portions of land situated adjacent the north-western boundary of 105 Nicholls Road, Norton Summit as summarised hereunder:

Piece 1 (Formerly Closed Road A)	33 sqm
Piece 2 (Formerly Closed Road B)	424 sqm
Total	457 sqm



Market Value for Disposal

Portions Closed Road adjacent 105 Nicholls Road, Norton Summit SA 5136

Prepared for Adelaide Hills Council on behalf of Bryan Lau

Adjoining Land

The adjoining property with which the subject land is proposed to merge, consists of a slightly irregular shaped horticultural property (cherry orchard) with a frontage to Nicholls Road (unsealed) of approximately 172 metres. Total site area is approximately 6.376 hectares.

Topography is moderately to steeply undulating. Approximately 70% of the site is cleared arable land, with remainder being uncleared natural bushland. Improvements at the property include shedding, all-weather formed access tracks, plantings and fencing.

Photos taken at the date of our roadside inspection are shown hereunder:



Market Value for Disposal

Portions Closed Road adjacent 105 Nicholls Road, Norton Summit SA 5136

Prepared for Adelaide Hills Council on behalf of Bryan Lau



2.3 Planning and Design Code (Zoning)

The affected property is in the Rural Productive Landscape Zone within the Adelaide Hills Local Government Area. Pursuant to the Planning and Design Code, the Desired Outcomes ('DO') in the Rural Productive Landscape Zone are as follows:

DO1 A diverse range of land uses at an appropriate scale and intensity that capitalise on the region's proximity to the metropolitan area and the tourist and lifestyle opportunities this presents while also conserving the natural and rural character, identity, biodiversity and sensitive environmental areas and scenic qualities of the landscape.

Market Value for Disposal

Portions Closed Road adjacent 105 Nicholls Road, Norton Summit SA 5136

Prepared for Adelaide Hills Council on behalf of Bryan Lau

DO2 A zone that promotes agriculture, horticulture, value adding opportunities, farm gate businesses, the sale and consumption of agriculturally based products, tourist development and accommodation that expands the economic base and promotes its regional identity.

DO3 Create local conditions that support new and continuing investment while seeking to promote co-existence with adjoining activities and mitigate land use conflicts.

Overlays applying to the subject land are as follows:

- Environment and Food Production Area
- Hazards Bushfire High Risk
- Limited Land Division
- Native Vegetation
- Prescribed Wells Area
- State Significant Native Vegetation
- Water Resources

2.4 Environmental

The subject property is not listed on the South Australian Environment Protection Agency Site Contamination Index. We have therefore proceeded with our valuation assuming the site to be free of contamination that may impact value. In the event this assumption is found to be incorrect, this report must be returned to the valuer for review and possible amendment.

2.5 Services

For the purposes of this report, it is assumed that the adjoining property is connected to electricity. It is further assumed that mains water and sewer are unavailable.

2.6 Statutory Assessments

The Government of South Australia records the value of the adjoining property for statutory purposes as at 1 January 2023 and effective as at 1 July 2023 as follows:

Site Value	\$700,000
Capital Value	\$750,000

2.7 Heritage Considerations

None known.

2.8 Native Title

None known.

2.9 Last Sale Details

Searching reveals that the affected property last transferred on 14 June 2022 for the sum of \$440,000.

Market Value for Disposal

Portions Closed Road adjacent 105 Nicholls Road, Norton Summit SA 5136

Prepared for Adelaide Hills Council on behalf of Bryan Lau

3. Valuation Considerations

3.1 Valuation Assumptions

- The highest and best use of the subject land is horticulture.
- The subject land is to merge with 105 Nicholls Road, Norton Summit (Sec 426 Hundred of Adelaide).
- Existing improvements situated on the subject land are excluded from the valuation.
- The adjoining landowner (applicant) will bear costs associated with transfer of the subject land.
- Assessed land value is exclusive of GST (if applicable).

3.2 Valuation Methodology

The appropriate method of valuation for rural land is the market comparison method of valuation. This method requires the investigation and analysis of comparable market transactions and the subsequent making of adjustments to take account of the specific attributes of the affected property.

3.3 Market Evidence

Address	Sale Date	Sale Price	Site Area (ha)	Rate/ha (improved)	Description
251 MARBLE HILL ROAD, NORTON SUMMIT	24/02/2023	\$1,350,000	10.2	\$132,353	Rural lifestyle property inclusive of 4-bedroom dwelling, and extensive shedding. Land is undulating and predominantly uncleared (unproductive).
64 GUM TREE GLADE, NORTON SUMMIT	20/01/2023	\$1,000,000	7.1	\$141,044	Horticultural property (apples, pears and walnuts) consisting of 3 non-contiguous pieces of land. Topography is undulating. Improvements include 3-bedroom house and sheds.
122C NICHOLLS ROAD, NORTON SUMMIT	13/06/2023	\$1,900,000	8.2	\$232,843	Rural lifestyle property inclusive of 4-bedroom dwelling, extensive shedding and swimming pool. Land is undulating and predominantly uncleared except for small orchard.

Market Value for Disposal

Portions Closed Road adjacent 105 Nicholls Road, Norton Summit SA 5136

Prepared for Adelaide Hills Council on behalf of Bryan Lau

146D GREEN VALLEY ROAD, NORTON SUMMIT	25/08/2023	\$1,201,000	4.7	\$253,482	Rural lifestyle property inclusive of 4-bedroom dwelling, and shedding. Land is undulating and predominantly uncleared (unproductive).
39C DEBNEYS ROAD, NORTON SUMMIT	29/09/2023	\$1,575,000	6.2	\$254,690	Hybrid horticulture and rural lifestyle property inclusive of 3-bedroom dwelling, and shedding. Land is undulating and partially cleared and planted. Bisected by watercourse.

3.4 Valuation Rationale

As may be seen in the comparable sales, horticultural and/or rural lifestyle properties in the region show analysed values in the broad range of approximately \$132,000/hectare to approximately \$255,000/hectare (inclusive of improvements). Adjusted for improvements, the identified range of pro-rata values is approximately \$65,000/ha to \$125,000/ha.

Those sales at the lower end of the identified range of values apply to properties where large portions of the site are uncleared and/or otherwise non-arable. Conversely, those sales at the higher end of the identified range of values apply to cleared land and/or smaller land holdings which serves to keep the pro-rata values at a higher level.

By reference to the above attributes, the affected property is deemed to sit toward the mid-range of the observed range of values. On balance, and in consideration of the available market evidence, we resolved to adopt \$110,000 per hectare (\$11/sqm) as the pro-rata value for the purposes of assessing the value of the land identified for disposal.

4. Valuation

Elsewhere herein, we adopted \$11 per square metre as representing the pro-rata value of the subject land. The application of the selected rate to the land identified for disposal to the adjoining owner results in a market value of the subject land as follows:

		Market Value
Piece 1 (Formerly Closed Road A)	33 sqm @ \$11/sqm	\$363
Piece 2 (Formerly Closed Road B)	424 sqm @ \$11/sqm	\$4,664
Total exc. GST	457 sqm	\$5,000 (rounded)

5. Disclaimer

We have utilised the following defined terms in this disclaimer:

“**PPP**” means Public Private Property Pty Ltd.

“**Valuer**” means Andrea Carolan.

“**Client**” means Adelaide Hills Council.

“**Property**” means land adjacent 105 Nicholls Road, Norton Summit SA 5136.

5.1 General

5.1.1 This valuation is current as at the date of valuation only and can only be regarded as representing PPP’s opinion as at that date. The valuation may change significantly and unexpectedly over a short period of time due to changes in market conditions and circumstances. PPP does not accept any liability for loss or damage arising from any change in conditions or circumstances that affect value after the date of valuation.

5.1.2 This valuation has been prepared only for the use of the Client and only for the purpose of assessing compensation payable for the partial acquisition of the registered proprietor’s interest. This valuation should not be relied upon by the Client for any other purpose.

5.1.3 This valuation has not been prepared for and PPP does not accept any liability to any third party who may use or rely on this valuation.

5.1.4 The terms of this valuation are private and confidential and should not be provided by the Client to any third party without the prior written consent of PPP.

5.1.5 PPP warrants that:

5.1.5.1 the Valuer holds the required qualifications to lawfully practice as a valuer; and

5.1.5.2 neither PPP nor the Valuer has a pecuniary interest that could conflict with the proper valuation of the Property.

5.1.6 This valuation is not intended to constitute financial advice and we confirm that neither PPP nor the Valuer is licensed to provide financial advice under the Corporations Act 2001 (Cth).

5.1.7 In preparing this valuation PPP has relied in part on market evidence including comparable sales data and has assumed that the relevant market evidence is correct. PPP cannot verify all details comprising that market evidence due to privacy laws, confidentiality restrictions and other circumstances.

5.2 Qualifications and assumptions

5.2.1 Unless explicitly stated elsewhere in this valuation, in preparing this valuation PPP has made the following assumptions regarding the Property.

5.2.1.1 **Full and frank disclosure:** The valuation has been prepared on the assumption that full and frank disclosure of all information and facts relevant to the value of the Property have been disclosed to PPP.

5.2.1.2 **Highest and best use:** The valuation has been prepared on the basis that the highest and best use is horticulture.

Market Value for Disposal

Portions Closed Road adjacent 105 Nicholls Road, Norton Summit SA 5136

Prepared for Adelaide Hills Council on behalf of Bryan Lau

5.2.2 Environmental:

5.2.2.1 **Contamination:** PPP has not undertaken an environmental audit of the Property. PPP has undertaken the following steps to determine if there are any obvious signs of contamination of the Property:

- site inspection;
- review of historical use of the Property;
- review of the EPA List.

5.2.2.2 PPP's investigations have not identified any obvious signs of contamination. As a result, the valuation has been prepared on the basis that the soil and groundwater are not contaminated (including without limitation that the soil is free from asbestos);

5.2.2.3 The Property is free from any other adverse environmental issues (including without limitation susceptibility to potential flooding or landslides);

5.2.2.4 There are no adverse geotechnical conditions that impact on the highest and best use of the Property;

5.2.2.5 No native title claim exists or is threatened in relation to the Property.

5.2.3 Construction:

5.2.3.1 Any improvements on the Property are free from asbestos.

5.2.3.2 Any improvements on the Property are structurally sound.

5.2.3.3 There are no encroachments on the Property and the Property does not encroach on any other property. If the Client wishes to obtain certainty, then PPP recommends that the Client engages a surveyor.

5.2.3.4 All services are adequate, well maintained and in reasonable operating condition.

5.2.3.5 No heritage issues impact on the highest and best use of the Property.

5.2.4 Planning / surveying:

5.2.4.1 Town planning and zoning information has been obtained informally from relevant local and State Government authorities and is assumed to be correct.

5.2.4.2 The site area and site dimensions as specified on the Certificate of Title plans are correct. If the Client wishes to obtain certainty then PPP recommends that the Client engages a surveyor,

5.2.5 **Encumbrances:** There are no restrictions, encumbrances or notations over the Property other than those shown on the Property's title.

5.2.6 **Liabilities:** There are no GST or arrears liabilities over the Property.

5.2.7 The Client will promptly advise PPP if any of the above assumptions is incorrect. PPP reserves the right to review and if required, to review its valuation if any of the above assumptions is incorrect.

Market Value for Disposal

Portions Closed Road adjacent 105 Nicholls Road, Norton Summit SA 5136

Prepared for Adelaide Hills Council on behalf of Bryan Lau

6. Certification

6.1 Declaration

I hereby declare that I have made all enquiries that I believe are desirable and appropriate and that no matters of significance which I regard as relevant have, to my knowledge, been withheld. I further declare that I have no pecuniary interest in the affected property. Neither am I aware of any actual or potential conflict of interest arising from my involvement in this matter.

6.2 Valuation Certificate

Subject to comments contained within this report, I the undersigned, confirm that acting on instructions from the Adelaide Hills Council, inspected the subject land (adjacent 105 Nicholls Road, Norton Summit SA 5136) on 11 November 2023.

I further confirm that I have made all necessary and appropriate investigations which have enabled me to assess the sum payable by Four Seasons Orchards Pty Ltd as registered proprietor of 105 Nicholls Road, Norton Summit for the purchase of Closed Road A and B RP1574 as itemised hereunder:

Piece 1 FP 257220 (Formerly Closed Road A)

Piece 2 FP 257220 (Formerly Closed Road B)

\$5,000

Exclusive of GST



Andrea Carolan FAPI

Certified Practising Valuer

API No: 63983

Date of Inspection: 11 November 2023

Date of Valuation: 11 November 2023

Date of Report: 24 November 2023

Market Value for Disposal

Portions Closed Road adjacent 105 Nicholls Road, Norton Summit SA 5136

Prepared for Adelaide Hills Council on behalf of Bryan Lau

Appendix 1 – Certificates of Title, Filed Plan and Road Plan



REAL PROPERTY ACT, 1886



South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 6261 Folio 497

Parent Title(s)

Creating Dealing(s) VM 13593308

Title Issued 01/11/2021 Edition 1 Edition Issued 01/11/2021

Estate Type

FEE SIMPLE

Registered Proprietor

ADELAIDE HILLS COUNCIL
OF PO BOX 44 WOODSIDE SA 5244

Description of Land

ALLOTMENT COMPRISING PIECES 1 AND 2 FILED PLAN 257220
IN THE AREA NAMED NORTON SUMMIT
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Notations on Plan NIL

Registrar-General's Notes NIL

Administrative Interests NIL

REAL PROPERTY ACT, 1886



South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5531 Folio 981

Parent Title(s) CT 4052/757
Creating Dealing(s) CONVERTED TITLE
Title Issued 06/05/1998 **Edition** 6 **Edition Issued** 21/06/2022

Estate Type

FEE SIMPLE

Registered Proprietor

FOUR SEASONS ORCHARDS PTY. LTD. (ACN: 659 770 475)
OF 4A BORTHWICK COURT BEAUMONT SA 5066

Description of Land

SECTION 476
HUNDRED OF ADELAIDE
IN THE AREA NAMED NORTON SUMMIT

Easements

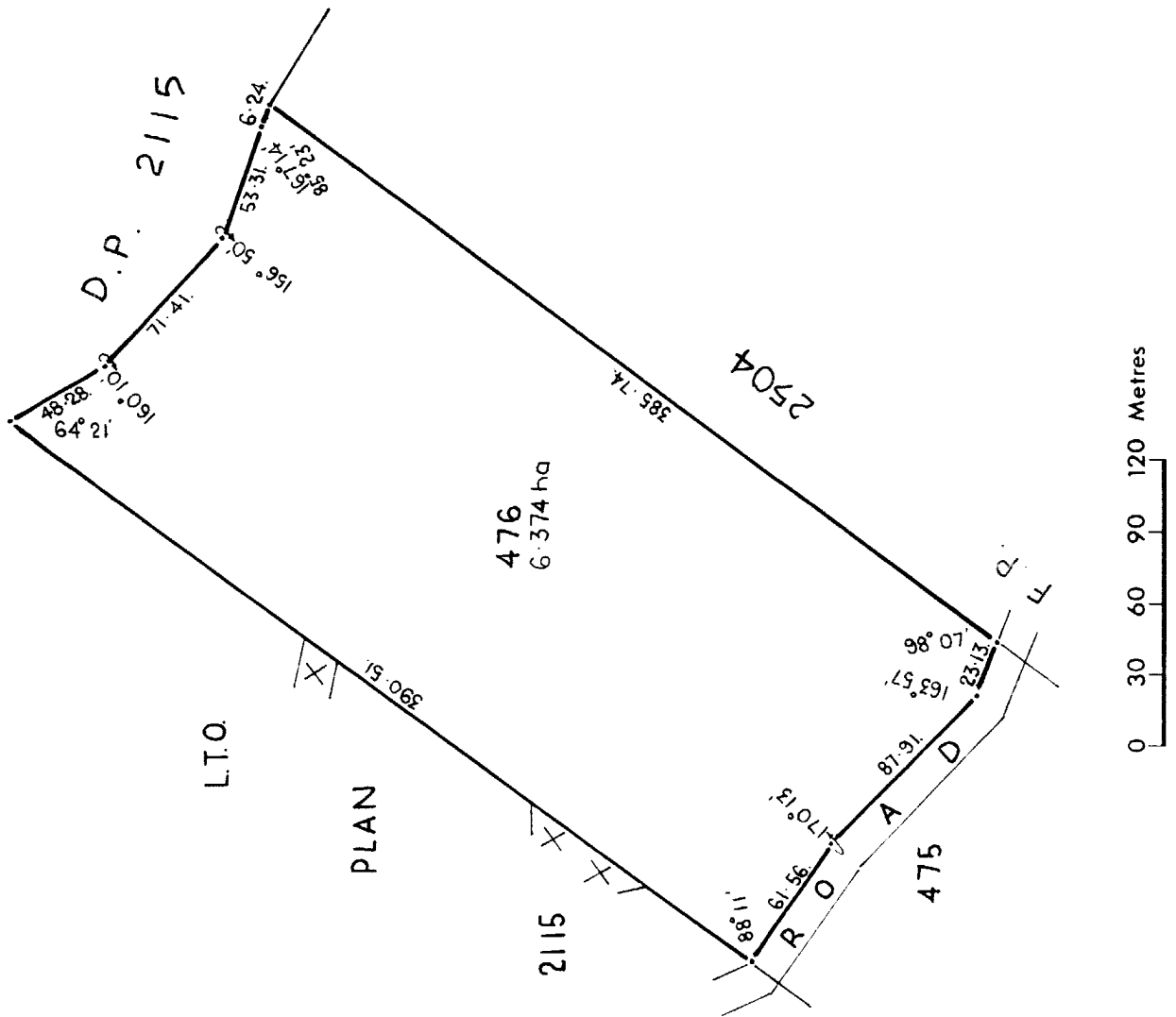
SUBJECT TO THE EASEMENT(S) OVER THE WITHIN LAND (T 3799301)


Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



PURPOSE:	REIDENTIFICATION OF LAND AND REDESIGNATION OF PARCELS	AREA NAME:	NORTON SUMMIT	APPROVED:	12/10/2021	 F257220 SHEET 1 OF 2 <small>110464_text_01_v03_Version_3</small>
MAP REF:	6628/43/G	COUNCIL:	ADELAIDE HILLS COUNCIL	FILED:	12/10/2021	
LAST PLAN:		DEVELOPMENT NO:				

AGENT DETAILS:	LANDS TITLES SA 101 GRENFELL STREET ADELAIDE SA 5000 PH: 84235000 FAX:	SURVEYORS CERTIFICATION:
AGENT CODE:	L TSA	
REFERENCE:	BS LSSA	

SUBJECT TITLE DETAILS:									
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER
		VM 13593308		CLOSED ROAD MARKED	A & B	R	1573 ADELAIDE		
OTHER TITLES AFFECTED:									

EASEMENT DETAILS:									
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION		

ANNOTATIONS:	UNIQUE LAND PARCEL IDENTIFICATION PLAN

UNIQUE LAND PARCEL IDENTIFICATION PLAN

F257220

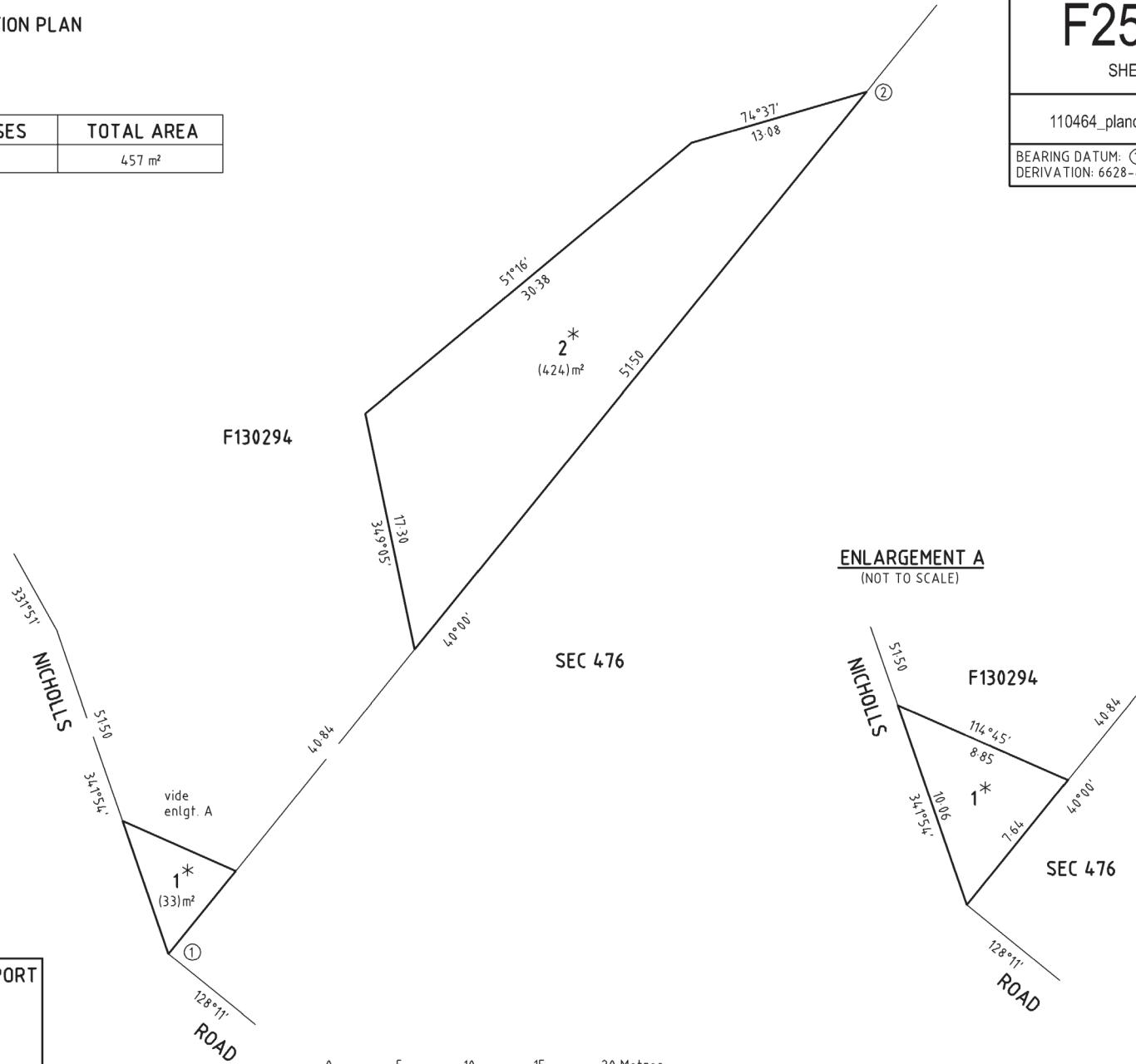
SHEET 2 OF 2

110464_pland_1_V01_Version_3

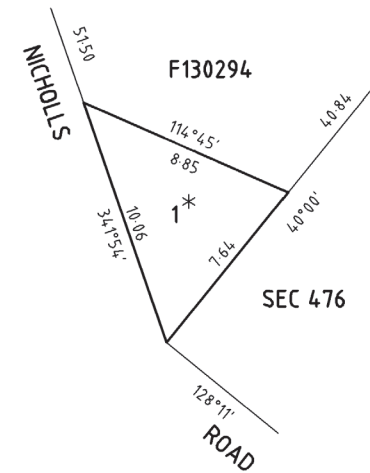
BEARING DATUM: ①-② 40°00'
DERIVATION: 6628-43-G SCALED

PIECES SCHEDULE

ONE ALLOTMENT COMPRISES	TOTAL AREA
1* AND 2*	457 m ²



ENLARGEMENT A
(NOT TO SCALE)



DEPARTMENT OF PLANNING, TRANSPORT
AND INFRASTRUCTURE
LAND SERVICES GROUP
LANDS TITLES SA

101 GRENFELL ST. ADELAIDE SA 5000
PH: 8423 5000



MICROFILMED

21.3.1985

DISTRICT OF EAST TORRENS
Hd of Adelaide

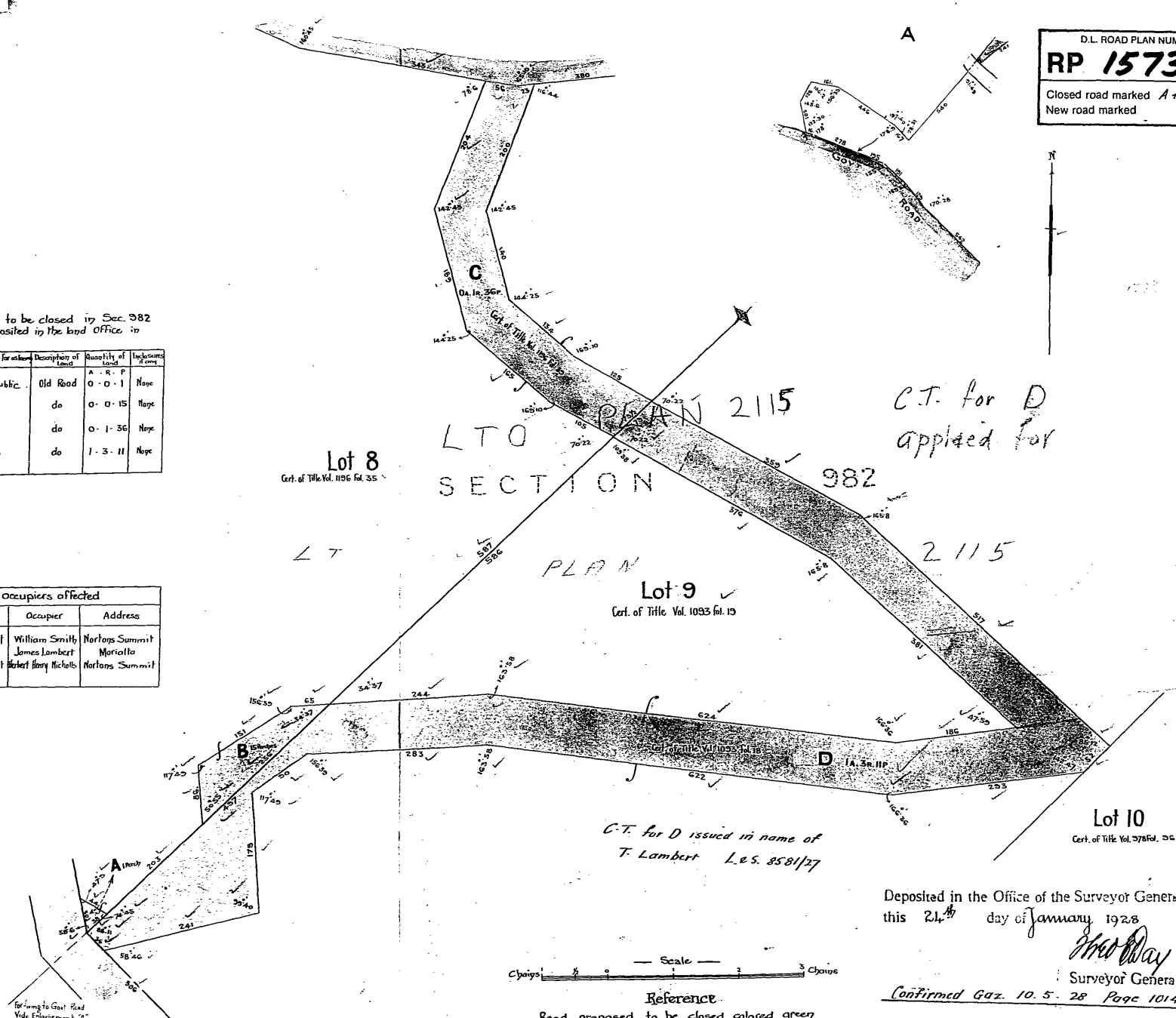
D.L. ROAD PLAN NUMBER
RP 1573
Closed road marked A to D
New road marked

Reference to plan of old roads to be closed in Sec. 382
in the hundred of Adelaide deposited in the land office in
pursuance of Road Act 1884.

Letter	Section E.P.C.	Notes as far as known	Occupier as far as known	Description of Road	Quantity of Road	Indicative Name
A	by 382	D.C. of East Torrens	The Public	Old Road	0-0-1	None
B	do	do	do	do	0-0-15	None
C	do	do	do	do	0-1-36	None
D	do	do	do	do	1-3-11	None

Schedule of Owners & Occupiers affected

No of Section	Owner	Address	Occupier	Address
Lot 8 to No 215	William Smith	Mariage Summit	William Smith	Norlans Summit
Lot 8 to No 215	James Lambert	Mariage Summit	James Lambert	Mariage Summit
Lot 8 to No 215	Robert Henry Nichols	Mariage Summit	Robert Henry Nichols	Norlans Summit



Deposited in the Office of the Surveyor General
this 24th day of January 1928
Max Day
Surveyor General.
Confirmed Gaz. 10.5.28 Page 1014

Reference.
Road proposed to be closed colored green
Existing Roads colored Brown
Datum, Black obtained from the Lands Titles Office

I, John Bickell, Collector of Adelaide, Licensed Surveyor, hereby
certify that the land colored green, and shown by
letters A, B, C, D is correctly drawn from data obtained
from the Lands Titles Office.
John Bickell
Licensed Surveyor
1/10/1927

W. Howard - Chairman
J. Howling District Clerk

DEPARTMENT OF LANDS
SURVEY DIVISION
Crown copyright reserved

Plan examined
W. Garman
Lands Titles Office for examination
A.C.D. 10-1-1928

PUBLIC

PRIVATE

PROPERTY



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 April 2024
COMMUNITY ENERGY UPGRADES FUND**

Item: 12.2

Responsible Officer: Sharon Leith
Sustainability Coordinator
Environment and Infrastructure

Subject: Community Energy Upgrades Fund

For: Decision

SUMMARY

The purpose of this report is to provide information on the recently released Community Energy Upgrades Fund (CEUF) and seek a resolution on applying for a grant under same.

The CEUF is a targeted, competitive grant program that provides co-funding (50/50 contribution) for energy efficiency and electrification upgrades at existing council owned and/or operated facilities. There is a maximum of one grant per council and two rounds in which councils can apply.

The Administration commenced a proactive approach to identify possible projects and undertake a workshop with Council Members on 4 March 2024 to provide information on the CEUF and a range of potential projects including some ideas generated by Council Members.

At this stage, the most viable project is a Building Management System (as discussed in this report) and the recommendation is therefore to submit an application for this project in Round 1.

Should the Round 1 application not be successful, that project, and further ideas, could be developed between now and Round 2 (in January 2025), particularly in light of the current revision of the Council's Carbon Management Plan.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
- 2. To apply for Round 1 of the Community Energy Upgrades Fund (CEUF) for the design and installation of a Building Management System with a total estimated value of \$195,000, with funding comprising:**
 - a. \$97,500 from the CEUF**
 - b. \$97,500 from Council funds**
- 3. That subject to the application being successful, include the funding in the Council's Annual Business Plan and budget for 2024-25.**

- 4. That the Chief Executive Officer be authorised to finalise the detail of the funding proposal between now and the funding application deadline, and, if necessary, adjust aspects of the application and scope of work to ensure the project can be accommodated within the funding allocation outlined.**
-

1. BACKGROUND

The Australian Government has recently released a Community Energy Upgrades Fund (CEUF) which is a targeted, competitive grant program that provides co-funding (50/50 contribution) for energy efficiency and electrification upgrades at existing council owned and/or operated facilities. The intent is that the emission savings will contribute to Australia meeting its emission reduction targets of 43% by 2030, Net -Zero emissions by 2050 and 80% renewable electricity generation by 2030.

There are two grant rounds with up to \$50 million available for each round with a minimum grant amount of \$25,000 and maximum grant amount of \$2,500,000 per project. Round 1 is now open and will close on 30 April 2024. Round 2 will be open from January 2025. There is a maximum 2-year implementation timeline allowed for project proposals.

There is a maximum of one grant per council and if not successful in Round 1 a further application can be submitted in Round 2. Council is only eligible for one project.

Applications are assessed using the program objectives:

- Decarbonise the council's operations
- Energy efficiency
- Load flexibility operation
- Improve energy performance
- Utilise renewable electricity more effectively
- Reduce energy bills
- Reduce emissions
- Install energy efficiency equipment
- Improve council's capability in delivering energy project and upgrades on their own
- Supporting the community with their energy projects
- Improve the council's workforce skill in delivering and operating energy transition projects.

This report has been prepared to provide further information on the CEUF, the application process and potential projects that have been considered.

It is worth noting that although Council has already offset its carbon emissions from electricity consumption by purchasing accredited green power, the program is not intended to 'penalise' councils which do this and therefore the Council is still eligible to apply.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 1	A functional built environment
Objective B3	Consider external influences in our long-term asset management and adaptation planning.
Priority B3.2	Aim to achieve 100% renewable energy use for our corporate operations and strive towards carbon neutrality.

The priority B3.2 has been partially achieved by the Council committing to the purchase of 100% renewable energy through the Green Power program. The intent to strive towards carbon neutrality is ongoing. The intent of the CEUF is to contribute to reducing Council's carbon footprint.

A Corporate Carbon Management Plan (CCMP) was prepared in 2019 and has provided direction and actions for Council to strive towards carbon neutrality. A key emphasis of the CCMP was to improve energy efficiency and reduce carbon emissions. The CCMP will be reviewed, and a new Carbon Management Plan (corporate and community emissions) developed in 2024 which will set new strategies, actions and priorities.

➤ Legal Implications

Not Applicable.

➤ Risk Management Implications

The preparation of a CEUF application provides an opportunity to access funds provided by the Australian Government for projects that will improve energy efficiency and reduce Council's carbon footprint. The current CCMP identifies numerous projects and actions with an overall goal of striving towards carbon neutrality. However, the new Carbon Management Plan (CMP) review process has commenced and will provide new goals, strategies, actions and priorities but this information will not be available for Round 1. The CMP is expected to be completed by the commencement of Round 2.

By applying for the CEUF, Council has the ability to access funds to progress its carbon neutrality and net zero ambitions. The application requires detailed information on the specific project, backed up by feasibility reports, detailed scope of works, technical reports and data that supports a high reduction in carbon emissions. Council has limited information on potential projects at this time.

Should Council resolve to apply for a project in Round 1, it will be necessary to develop some of this information in the coming weeks before the grant application deadline. This is considered crucial however, to maximise the application's chance of success, while also mitigating risks associated with committing to a project at this time.

In any event, it is recommended that Council continue to explore its best energy efficiency options through the development of a new Carbon Management Plan.

Applying for a CEUF grant will assist in mitigating the risk of:

Missing an opportunity to have part funding of a project from an external source, leading to increased cost being borne by ratepayers and/or the project not proceeding.

Inherent Risk	Residual Risk	Target Risk
High 3B	Medium 3C	Low 2D

➤ **Financial and Resource Implications**

There will be financial and resource implications for any of the five projects identified. As the CEUF requires a 50/50 contribution, the financial implications will be based on the specific project. There is no budget or LTFP allocation currently for any of these projects.

The five projects identified included:

- Future proof the Heathfield Depot to be an Electric Vehicle charging hub (including for heavy fleet) – insufficient scope and cost information available at this stage.
- Design and implement an integrated load flexibility and demand management system for the Coventry Library and Stirling Office including additional solar generation and battery storage – high level cost estimate of \$2.6 million, Council would therefore have a contribution of \$1.3 million, spread over two financial years.
- Undertake LED lighting audits and upgrades for numerous sporting facilities – insufficient scope and cost information available at this stage.
- Further solar and battery storage for the Birdwood Community Wastewater Management System – high level cost estimate of \$500,000, Council would therefore have a contribution of \$250,000, spread over two financial years. In addition, the CWMS customer base could fund the initial upfront investment requirements and associated financing; however, this would be offset by the reduced electricity costs. A full business case is required to determine the cost benefit to the customer base.
- Building Management Systems (BMS) for numerous Council facilities - during further investigations it was determined that the Coventry Library and Stirling Office, Woodside Library and Gumeracha Library due to their air-conditioning configurations are the buildings most likely to benefit from a BMS. The remainder of the sites investigated including the Woodside Office, Nairne Road Office, the Summit Community Centre and Heathfield Depot all have numerous split air-conditioning systems and a more cost-effective approach is to install a BMS if these systems are upgraded. The high-level cost estimate for the installation of the BMS for the Stirling, Woodside and Gumeracha buildings is \$100,000 - \$120,000. Approximately 30% of this cost estimate (\$30,000 – \$40,000) would be software applications and an operational cost. There are additional project management, system integration and contingency costs which would bring the total project budget to \$195,000. Council would therefore have a contribution of \$97,500. It is anticipated that there will be ongoing operational costs associated with the software and management of the BMS. These costs are currently unknown but are not expected to be substantial in

consideration of the scale and scope of the system being applied. There are also expected to be substantial energy cost savings through more efficient operation of the air conditioning systems. At the time of writing this report, the expected return on investment was still being calculated.

Due to funding program timelines, there has been minimal time to undertake a detailed feasibility and/or business case analysis for all the projects and therefore the cost provided for the projects where Council has some information are very high level. Should Council wish to pursue one of the potential programs, either for Round 1 or Round 2, it will be necessary to undertake further work as a matter of priority to develop the material required for a grant application.

These include detailed energy audits, a feasibility report, cost benefit analysis and business case. There is no budget or LTFP allocation currently for any of these projects and any new expenditure would need to be included in the 2024-25 budget.

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

Not Applicable.

➤ **Sustainability Implications**

The requirements of the CEUF grant are explicitly to reduce the carbon emissions of Council facilities by undertaking energy efficiency or electrification projects. Therefore, there are positive environmental implications by reducing carbon emissions.

➤ **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: A Council Workshop was held on Monday 4 March 2024 to present the CEUF information and discuss potential projects.

Advisory Groups: Not Applicable

External Agencies: Not Applicable

Community: Not Applicable

➤ **Additional Analysis**

Initial meetings were held with numerous Council departments to determine if there were any projects suitable for the CEUF application process. In addition, a review was undertaken of existing sustainability reports and based on this information, four projects were identified as possibilities for further investigation for the CEUF application process. An information email was sent to Council Members for consideration of the four projects and identification of any further potential projects for a possible CEUF application.

The four projects identified included:

- Future proof the Heathfield Depot to be an Electric Vehicle charging hub (including for heavy fleet).
- Design and implement an integrated load flexibility and demand management system for the Coventry Library and Stirling Office.
- Undertake LED lighting audits and upgrades for numerous Council owned sporting facilities.
- Further solar and battery storage for the Birdwood Community Wastewater Management System effluent treatment lagoons.

Comments received from Council Members in a response email identified some interest in the LED sporting facilities lighting project. In addition, LED streetlighting, Kersbrook CWMS and additional solar and battery storage at the Coventry Library and Stirling Office were raised. The LED streetlighting project was considered not suitable for the application process as there is an ongoing discussion on the changeover of Council held public lighting on Department for Infrastructure and Transport (DIT) roads and many of the remaining lights will be changed by SA Power Networks (SAPN) as part of routine maintenance operations.

The Kersbrook CWMS project was considered not suitable due to the distance of the pump from the lagoons and the lack of available space for solar panels at the pump location.

Additional solar and battery storage is included within the integrated load flexibility and demand management system for the Coventry Library and Stirling Office project.

On Monday 4 March 2024 a Council Workshop was held to present the CEUF objectives and the potential projects for consideration. At this workshop a further project was presented on possibly installing Building Management Systems (BMS) within Council's main facilities.

High level advice was sought from consultants Tandem Energy to provide further information on the specific projects and any information which would assist in deciding on a preferred project suitable for the CEUF application. This is described below.

Heathfield Depot electric vehicle charging hub

Heathfield Depot will likely become the highest consuming electricity site once the Council electrifies all utility and heavy vehicles. The timeline for electrification of the heavy fleet is not yet fully defined with technology still in development, which makes it a challenge to determine the site's future electrical capacity upgrade needs at this time.

There are already two solar systems at this site with a combined solar inverter output capacity of 30kW. Based on the current generation profile, solar generation would need to increase three times and battery storage added to meet the current energy needs with locally generated renewable energy, before even the provision for Electric Vehicle (EV) charging of utility and heavy vehicles. There is a high voltage line running along the road on the North and East boundaries of the Council depot which may suggest that adding extra capacity from the grid may be feasible.

However, to develop the Heathfield Depot into an EV charging hub with the capacity for future heavy and utility vehicles is too premature and the information to complete an application is not available.

Therefore, it is not recommended to put forward this project for the CEUF application at this time but to consider for Round 2.

LED Upgrades for sporting facilities

LED upgrades at numerous Council owned sporting grounds have been considered as they offer a quick energy savings opportunity, however their payback depends on many factors related to the specific operational needs at each site, such as:

- Current cost of energy
- Operating hours of the lights
- Cost of integration
- Is the existing supporting infrastructure - poles, mounting brackets and electrical infrastructure, still sufficient for the life of the new project?
- Lighting design
- Does the existing lighting design meet the needs of the current users?
- Are any approvals required for the new designs?
- What are the lighting control considerations to achieve energy savings and ensure longevity of the upgrade?

There has not been the opportunity to investigate the site characteristics, undertake light audits and determine the energy consumption in time for the grant application. However, there is a budget consideration for 2024-25 with a Recreation and Community Facilities Framework action to undertake a lighting audit. If the lighting audit was completed in time for Round 2 of the CEUF in January 2025 then this information would provide a very good basis for an application at that time.

Stirling Office and Coventry Library

The Stirling Office and Coventry Library have a solar system with a solar inverter output capacity of 99.9kW. The current annual use of electricity from the grid is approximately 270,000kWh. The existing solar system utilises all of the available roof area suitable for solar installation. The existing system covers some of the site's daytime needs over the summer period and, would be expected, a lesser amount during the winter period. Adding more solar generation to this site could most feasibly be done through building solar carports over existing parking spaces.

The capacity estimate for this site to operate completely on renewable energy would require the following upgrades:

- Minimum of 400kW of solar AC output capacity using available technologies such as solar carports and bi-facial panels
- A 900-1000kWh battery storage with at least 400kW battery inverter to absorb as much solar generated electricity as possible for use when solar generation is not occurring.

The high level cost estimate required for this work is estimated to be around \$2.6 million.

There are challenges with installing this capacity of solar and battery storage. The 400kW of solar would cover the extent of the Council carpark surrounding the Stirling Office and the battery size would be in the vicinity of 3-4 carparks. Issues including development approval and risks associated with distances from the building to reduce fire potential and how the

battery would perform during a bushfire are currently unknown. Investing this capital should only occur with certainty of long-term Council use of the building.

Therefore, further investigation and a detailed business case would be required to determine the feasibility of this project and whether it could be undertaken in stages. However, the information currently available is not adequate to provide the detail required within the CEUF application process.

Birdwood Community Wastewater Management Systems (CWMS) additional solar and battery storage

There is a solar system at this site with solar inverter output capacity of 15kW. The current annual use of electricity from the grid is approximately 66,000 kWh. For this site to operate completely on renewable energy would require the following upgrades:

- Minimum of 80kW of solar AC output capacity using available technologies such as tracking and bi-facial panels Operating times of the existing onsite treatment plant would need to be adjusted where possible to absorb the renewable energy.
- A 250kWh battery storage with at least 80kW battery inverter to absorb as much as possible of solar generated electricity.
- The existing main switchboard would need to be upgraded with civil and electrical works to integrate the new system to the existing connection. To minimise the cost of the project the location of the battery would need to be as close as possible to the existing connection point, the Mains Switchboard.

The budget requirement for this upgrade is estimated at \$500,000.

The Birdwood CWMS is part of the critical infrastructure of Council which provides an ongoing service to numerous customers. A further cost benefit analysis should be undertaken including the comparison of installing a generator to enable backup of the system during an electricity failure. As part of Council's obligation as a Water Entity Council are required to consider investments that ensure minimal disruption to customer service.

Council has recently invested in a generator at the Church Street pump station. This is the only pump station in Birdwood. In the event of a power outage, the Council operating as the Water Entity can continue to pump effluent to the treatment facility at Birdwood. The next phase of this process would be adding back-up power at the treatment plant itself. In considering the options, a large diesel generator is potentially the most effective up-front investment to meet this back up capability. However, it is likely that the size of the generator would require a significant investment. Therefore, the opportunity to investigate additional solar and a storage battery on site become a potentially cost-effective business strategy for the customers. The investment over and above the required cost of a diesel generator would provide the potential to fund this additional investment through savings in power costs to the customers of the scheme.

The Birdwood treatment facility site has the land area to accommodate the additional requirement for solar panels. These could be screened within the existing woodlot area.

The CWMS customer base would fund the initial upfront investment requirements and associated financing; however, this would be offset by the reduced electricity costs. A full business case is required to determine the cost/ benefit to the customer base and

subsequent consultation with these customers. As the funding for any upgrades to CWMS can effectively be sourced through CWMS fees, it may not be the best use of the CEUF.

Building Management Systems at Council’s largest facilities

A Building Management System (BMS) provides automated control of energy efficiency and occupant comfort from a single digital interface and allows control and optimization of equipment cycles. A BMS controls the operation of equipment, specifically heating and cooling, and enables remote access.

Where possible, site operations should be adjusted using a BMS to utilise solar energy during the day as it is being generated on site and minimise consumption outside daylight hours. The installation of a BMS could result in 10-30% reduction in energy use which can result in significant financial savings. A BMS could be installed on numerous Council facilities. Seven potential facilities were identified including the Woodside Office, Woodside Library, The Summit Community Centre, Torrens Valley Community Centre, Heathfield Depot, Nairne Road Office, Coventry Library and Stirling Office.

During further investigations with a contractor on site it was determined that the Coventry Library and Stirling Office, Woodside Library and Gumeracha Library due to their air-conditioning configurations are the preferred buildings for a BMS. The remainder of the sites investigated including the Woodside Office, Nairne Road Office, the Summit Community Centre and Heathfield Depot all have numerous split air-conditioning systems, and a more cost-effective approach is to install a BMS if these systems are upgraded.

Initial advice is that a BMS can be integrated with Council’s existing air conditioning systems at the subject sites and, as such, there is no need to replace the air conditioning system.

The high-level cost estimate for the installation of the BMS for these three buildings is approximately \$100,000 - \$120,000. Approximately 30% of this cost estimate (\$30,000 – 40,000) would be software applications – likely an operational cost.

From a project budget perspective, it is considered that a total project budget as follows would be necessary.

System design and consulting	\$25,000
System procurement and installation	\$120,000
Project management	\$15,000
Risk and contingency	\$25,000
Project total estimated cost	\$195,000

At that cost, the funding sought from the CEUF would be \$97,500 with the remaining funding (\$97,500) being borne by Council.

At this time, this project is the most likely viable project for the CEUF.

Summary analysis of projects

All projects underwent a high-level analysis to determine the information available, energy efficiency measures, carbon emission reductions, feasibility, constraints and associated cost. All these projects would achieve a number of the CEUF program objectives when compared against the application requirements with the Coventry Library and Stirling Office, Birdwood CWMS and the Building Management System installation for numerous facilities meeting more of the program objectives.

All the projects, however, would require further development to enable a fully informed application process that would maximise the chances of success in receiving the funding. There has been minimal time to undertake any technical detail and business case analysis for the identified projects and therefore the cost provided for the projects where Council has some information are very high level.

Should Council wish to pursue a CEUF project at this time, the Building Management System across the Stirling, Woodside and Gumeracha sites is considered the most feasible and attractive project from the perspective of the program objectives.

3. OPTIONS

Council has the following options:

- I. To proceed with a CEUF application process for one of the projects identified in this report. This would require a budget allocation for 2024-25 depending on the specific project.
- II. To undertake further work concurrent to the development of a new Carbon Management Plan to identify the best possible project for application to Round 2 of the CEUF in January 2025.

4. APPENDICES

- (1) CEUF Program Guidelines

Appendix 1

Community Energy Upgrade Fund Guidelines



Australian Government

Department of Industry, Science and Resources

Department of Climate Change, Energy,
the Environment and Water

Grant Opportunity Guidelines

Community Energy Upgrades Fund Round 1

Opening date:	21 December 2023
Closing date and time:	5:00pm Australian Eastern Standard Time on 30 April 2024 Please take account of time zone differences when submitting your application.
Commonwealth policy entity:	Department of Climate Change, Energy, the Environment and Water (DCCEEW)
Administering entity:	Department of Industry, Science and Resources (DISR)
Enquiries:	If you have any questions, contact us on 13 28 46.
Date guidelines released:	21 December 2023
Type of grant opportunity:	Targeted competitive

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1. Community Energy Upgrades Fund processes

The Community Energy Upgrades Fund Round 1 is designed to achieve Australian Government objectives

This grant opportunity is part of the above grant program which contributes to the Department of Climate Change, Energy, the Environment and Water (DCCEEW)'s Outcome 1: Support the transition of Australia's economy to net-zero emissions by 2050; transition energy to support net zero while maintaining security, reliability and affordability; support actions to promote adaptation and strengthen resilience of Australia's economy, society and environment; and take a leadership role internationally in responding to climate change. DCCEEW works with stakeholders to plan and design the grant program according to the [Commonwealth Grants Rules and Guidelines \(CGRGs\)](#).



The grant opportunity opens

We/DISR publish the grant guidelines on business.gov.au and [GrantConnect](#).



You complete and submit a grant application

You complete the application form, addressing all the eligibility and assessment criteria in order for your application to be considered.



We assess all grant applications

We assess the applications against eligibility criteria and notify you if you are not eligible. The Committee assess eligible applications against the assessment criteria including an overall consideration of value with money and compare it to other eligible applications.



The Committee makes grant recommendations

The Committee provide advice to the decision maker on the merits of each application.



Grant decisions are made

The decision maker decides which applications are successful.



We notify you of the outcome

We advise you of the outcome of your application. We may not notify unsuccessful applicants until grant agreements have been executed with successful applicants.



We enter into a grant agreement

We will enter into a grant agreement with successful applicants. The type of grant agreement is based on the nature of the grant and will be proportional to the risks involved.



Delivery of grant

You complete the grant activity as set out in your grant agreement. We manage the grant by working with you, monitoring your progress and making payments.



Evaluation of the Community Energy Upgrades Fund Round 1

DCCEEW will evaluate the specific grant activity and Community Energy Upgrades Fund Round 1 as a whole. We base this on information you provide to us and that we collect from various sources.

1.1. Introduction

These guidelines contain information for the Community Energy Upgrades Fund Round 1

This document sets out:

- the purpose of the grant program/grant opportunity
- the eligibility and assessment criteria
- how we consider and assess grant applications
- how we notify applicants and enter into grant agreements with grantees
- how we monitor and evaluate grantees' performance
- responsibilities and expectations in relation to the opportunity.

This grant opportunity and process will be administered by the Department of Industry, Science and Resources (the department/DISR) on behalf of the Department of Climate Change, Energy, the Environment and Water (DCCEEW).

We have defined key terms used in these guidelines in the glossary at section 14.

You should read this document carefully before you fill out an application.

2. About the grant program

The Community Energy Upgrades Fund (the program) will deliver \$100 million over 2 funding rounds and will run over 3 years from 2024-25. The program will co-fund energy efficiency and electrification upgrades for local governments to deliver reduced energy bills and emissions from local government owned and/or operated facilities. The program will contribute to Australia meeting its emission reduction targets of 43 percent by 2030, net zero emissions by 2050, and support 82% renewable electricity generation by 2030. It will also support the Commonwealth-led National Energy Performance Strategy (NEPS).

The objectives of the program are to support:

- the Government's broader efforts to reduce emissions and improve energy performance and contribute to Australia meeting its emission reduction targets of 43 percent by 2030, Net-Zero emissions by 2050 and 82% renewable electricity generation by 2030
- local governments to decarbonise their operations and reduce energy bills through energy efficiency and load flexibility upgrades and electrification of their facilities
- the improvement in energy performance necessary to more easily utilise renewable electricity and improve system reliability.

The intended outcomes of the program are:

- reduced energy bills and emissions from local government owned and/or operated facilities
- installed energy efficiency, load flexibility and electrification technology that is commercially available
- improved capability of local governments and the wider community to implement energy upgrades and electrification projects in their facilities.
- increased capacity of domestic supply chains and labour force to support significant future investment in energy efficiency upgrades
- improved workforce skills in delivering and operating energy transition projects.

We administer the program according to the [Commonwealth Grants Rules and Guidelines \(CGRGs\)](#)¹.

3. Grant amount and grant period

3.1. Grants available

The Australian Government has announced a total of \$100 million over 2 funding rounds from 2024-25 to 2026-27 for the program. For Round 1 up to \$50 million is available.

- The minimum grant amount is \$25,000
- The maximum grant amount is \$2,500,000.

You are required to contribute towards the grant activities. The grant amount will be up to 50 per cent of eligible expenditure. Contributions to your project must be cash.

You are responsible for the remaining eligible and ineligible project costs.

Other funding can come from any source including state, territory and local government grants. We cannot fund your project if it receives funding from another Commonwealth government grant.

You can apply for a grant for your project under more than one Commonwealth program, but if your application is successful, you must choose either the Community Energy Upgrades Fund Program Round 1 grant or the other Commonwealth grant.

3.2. Project period

You must complete your project by 31 March 2027.

The maximum project length is 24 months.

4. Eligibility criteria

We cannot consider your application if you do not satisfy all eligibility criteria.

4.1. Who is eligible to apply for a grant?

To be eligible you must:

- have an Australian Business Number (ABN)

and be one of the following entities:

- a Local Government Body
- a Joint Local Government Body (as defined in section 14).

Joint applications are acceptable, provided you have a lead organisation who is the main driver of the project. All parties within the joint application must be an eligible entity and be eligible to apply. For further information on joint applications, refer to section 7.2.

4.2. Additional eligibility requirements

We can only accept applications where you:

- declare that your targeted facility/ies or building/s is owned, managed or leased by local government at the time of application. Existing facilities and buildings owned by local government but tenanted by others are eligible

¹ <https://www.finance.gov.au/government/commonwealth-grants/commonwealth-grants-rules-guidelines>

- declare that you will share your knowledge and learnings with other local governments and similar commercial facilities during and at the completion of your project, including the completion of a proforma case study
- provide all relevant mandatory attachments as outlined in section 7.1.

We cannot waive the eligibility criteria under any circumstances.

4.3. Who is not eligible to apply for a grant?

You or a member of your Project Partnership are not eligible to apply if they are not a Local Government Body or a Joint Local Government Body.

You are not eligible to apply if you or a member of your Project Partnership is:

- an organisation included on the [National Redress Scheme's website](#) on the list of 'Institutions that have not joined or signified their intent to join the Scheme'
- an employer of 100 or more employees that has [not complied](#) with the *Workplace Gender Equality Act (2012)*
- any organisation not included in section 4.1.

5. What the grant money can be used for

5.1. Eligible grant activities

To be eligible your project must:

- be aimed at meeting the objectives of the grant opportunity, as outlined in Section 2.
- have at least \$50,000 in eligible expenditure
- be aimed at energy efficiency and/or electrification and/or load flexibility upgrades that reduce costs and emissions for local government's facilities or operations using commercially available technologies.

Eligible activities must directly relate to the project and may include one or more of the following:

- load flexibility/demand management systems, e.g. air-conditioning controls upgrades including demand management capabilities at a civic centre
- electrification upgrades, e.g. the replacement of a gas boiler with a heat pump and heat recovery at an aquatic centre
- electric vehicle charging infrastructure, e.g. smart electric vehicle charging for multiple vehicles at a depot for local government vehicles
- energy efficiency upgrades, e.g. variable speed drives fitted to electric motors at a wastewater treatment plant
- behind the meter renewables generation and storage, e.g. a rooftop solar power system with a virtual power plant enabled energy storage system at a childcare centre.

Integrated projects that bring together several activities and encompass multiple sites are encouraged e.g. an energy upgrade at a community centre including energy efficient building envelope improvements, energy efficient equipment, a solar power and battery storage system and disconnection of the gas supply.

We may also approve other activities, any additional activities must be in line with objectives and outcomes in section 2.

5.2. Eligible expenditure

You can only spend the grant on eligible expenditure you have incurred on an agreed project as defined in your grant agreement.

- For guidance on eligible expenditure, refer to appendix A.
- For guidance on ineligible expenditure, refer to appendix B.

We may update the guidance on eligible and ineligible expenditure from time to time. If your application is successful, the version in place when you submitted your application applies to your project.

If your application is successful, we may ask you to verify project costs that you provided in your application. You may need to provide evidence such as quotes for major costs.

Not all expenditure on your project may be eligible for grant funding. The program delegate (who is a manager within the department with responsibility for administering the program) makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

To be eligible, expenditure must:

- be a direct cost of the project
- be incurred by you for required project activities.

You must incur the project expenditure between the project start and end date for it to be eligible unless stated otherwise.

You must not commence your project until you execute a grant agreement with the Commonwealth. We are not responsible for any expenditure you incur until a grant agreement is executed. The Commonwealth will not be liable, and should not be held out as being liable, for any activities undertaken before the grant agreement is executed.

5.3. What the grant money cannot be used for

For guidance on ineligible expenditure, refer to appendix B.

6. The assessment criteria

You must address all assessment criteria in your application. The Committee will assess your application based on the weighting given to each criterion.

The application form asks questions that relate to the assessment criteria below. The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and grant amount requested. You should provide evidence to support your answers. The application form displays character limits for each response.

We will only award funding applications that score at least 50 per cent against each assessment criterion.

6.1. Assessment criterion 1

Describe how your project will reduce local government greenhouse gas emissions and/or provide load flexibility (30 points).

You must demonstrate this through:

- a. explaining how impactful your project will be in relation to energy efficiency, load flexibility, electrification and/or emission reductions

- b. explaining how your project will reduce operational costs of local governments in the longer term
- c. providing calculated energy savings, emissions reductions and load flexibility capacity utilising the abatement calculator on business.gov.au.

To avoid penalising Councils already purchasing emissions-free electricity and to provide a level playing field the national full fuel cycle electricity emission factor in 2030 (0.31 tCO₂e/MWh as per Australia's Emissions Projections 2023) is used in the calculator. Emission reduction will be assessed on a \$ grant funding requested per tonne abatement. Load flexibility will be assessed by taking into consideration the type of flexibility and benefits provided such as capacity, duration, control and compatibility with network orchestration.

6.2. Assessment criterion 2

Wider impact of the grant funding (20 points).

You must demonstrate this through identifying:

- a. how your project builds the capability and skills of local governments and the wider community to undertake energy upgrades. For example, implementing projects not typically undertaken by local governments in your region/situation due to unfamiliarity/perceived risk, and in so doing providing an example that can be followed by others
- b. explaining how you intend to share your knowledge from the project for local government and community benefit.

6.3. Assessment criterion 3

Capacity, capability and resources to deliver the project (30 points).

You must demonstrate this through:

- a. detailing the technical feasibility of your project
- b. submitting a project plan including:
 - describing your resources, including, personnel, physical resources and facilities that you will use to deliver the project
 - your access, and future access to, any land, infrastructure, capital equipment, technology and intellectual property required to undertake eligible activities
 - how you plan to manage the project including scope, funding, governance, implementation methodology and timeframes
 - how you plan to identify and mitigate delivery risks, in particular technical risks such as technology selection, installation quality, electrical capacity and connection constraints (but also including national security, financial, land access and environmental risks)
 - how you plan to identify and mitigate work health and safety risks
 - how you plan to secure required regulatory and other approvals.

6.4. Assessment Criterion 4

Economic and social benefits (20 points).

You must demonstrate this through identifying:

- a. the impact of grant funding on your project. You should include information of the impact on your local community, project site and your projects viability without grant funding, including

specific reference to the location of your community (rural, regional, remote) and its financial resourcing

b. any broader regional, social, economic and environmental benefits of your project.

7. How to apply

Before applying you should read and understand these guidelines, the sample [application form](#) and the sample [grant agreement](#) published on business.gov.au and GrantConnect.

Applicants should read all eligibility and assessment criteria closely and attach detailed evidence that supports the assessment criteria.

You will need to set up an account to access our online [portal](#). You can only submit an application during a funding round. You can only submit one application per round. If your application is successful in Round 1 you will not be eligible for Round 2. If you are part of a joint application (either as a Lead Body, Project Partner or member of a Joint Local Government Body) and are eligible to apply, you cannot submit a separate application in the same round. If a joint application is successful in Round 1, all parties will be considered ineligible for Round 2.

To apply, you must:

- complete and submit the application through the online [portal](#)
- provide all the information requested
- address all eligibility and assessment criteria
- include all necessary attachments.

You are responsible for making sure your application is complete and accurate. Giving false or misleading information is a serious offence under the [Criminal Code Act 1995](#). If we consider that you have provided false or misleading information we may not progress your application. If you find an error in your application after submitting it, you should call us immediately on 13 28 46.

After submitting your application, we will not contact you for clarification if we find an error or any missing information, including evidence that supports your eligibility/merit.

You can view and print a copy of your submitted application on the portal for your own records.

If you need further guidance around the application process, or if you have any issues with the portal, [contact us](#) at business.gov.au or by calling 13 28 46.

7.1. Attachments to the application

You must provide the following documents with your application:

- a project plan including a detailed project budget, planning, timeframes, implementation methodology, project risk assessments or reports and risk mitigation (in particular technical risks such as technology selection, installation quality, electrical capacity and connection constraints)
- detailed evidence that supports assessment criteria responses (where applicable). This could include energy audits, feasibility studies or other technical documentation as relevant to the proposed activities
- letter of support from each project partner (where applicable)
- recent electricity, gas and/or fuel bill/s relevant to the proposed activities
- completed abatement calculator (available on business.gov.au).

You must attach supporting documentation to the application form in line with the instructions provided within the form. You should only attach requested documents. The total of all attachments cannot exceed 20MB. We will not consider information in attachments that we do not request.

7.2. Joint (consortia) applications

We recognise that some Local Government Bodies may want to join together as a group to deliver a project. In these circumstances, the group must appoint a Lead Body. Only the Lead Body can submit the application form and enter into the grant agreement with the Commonwealth. The application must identify all other members of the proposed group (each a Project Partner) and include a letter of support from each of these Project Partners. Each letter of support should include:

- details of the Project Partner
- an overview of how the Project Partner will work with the Lead Body and any other Project Partners in the group to successfully complete the project
- an outline of the relevant experience and/or expertise the Project Partner will bring to the group
- the roles/responsibilities the Project Partner will undertake, and the resources it will contribute (if any)
- details of a nominated management level contact officer from each Project Partner.

You must have a formal arrangement in place with all Project Partners prior to execution of the grant agreement.

If you are part of a joint application (either as a Lead Body or Project Partner or member of a Joint Local Government Body) and are eligible to apply, you cannot submit a separate application in the same round. If a joint application is successful in Round 1, all parties will be considered ineligible for Round 2.

7.3. Timing of grant opportunity processes

You can only submit an application between the published opening and closing dates. We cannot accept late applications.

If you are successful, we expect you will be able to commence your project around September 2024.

Table 1: Expected timing for this grant opportunity

Activity	Timeframe
Assessment of applications	4 weeks
Approval and announcement of successful applicants	4 weeks
Negotiations and award of grant agreements	1-3 weeks
Notification to unsuccessful applicants	2 weeks
Earliest start date of project	September 2024
Project completion date	31 March 2027
End date of grant commitment	30 June 2027

7.4. Questions during the application process

If you have any questions during the application period, [contact us](#) at business.gov.au or by calling 13 28 46.

8. The grant selection process

8.1. Assessment of grant applications

We first review your application against the eligibility criteria.

If eligible, your application will be assessed against the assessment criteria. Only eligible applications will proceed to the assessment stage.

We consider your application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications
- whether it provides value with relevant money.²

When assessing the extent to which the application represents value with relevant money, we will have regard to:

- the overall objective/s of the grant opportunity
- the evidence provided to demonstrate how your project contributes to meeting those objectives
- the relative value of the grant sought
- the spread of projects across geographical areas and the extent to which the geographic location of the application matches identified government priorities.

If applications are scored the same, the committee will consider value for money and geographical spread to recommend applications for funding.

8.2. Who will assess applications?

We will establish a committee comprised of DCCEEW departmental officials to assess applications. The Committee may also seek additional advice from independent technical experts or advisors to inform the assessment process.

² See glossary for an explanation of 'value with money'.

The Committee will assess your application against the assessment criteria and compare it to other eligible applications in a funding round before recommending which projects to fund. The Committee, and any expert or advisor, will be required to perform their duties in accordance with the CGRGs. The Committee will make a recommendation to the decision maker for approval.

8.3. Who will approve grants?

The decision maker decides which grants to approve taking into account the recommendations of the Committee and the availability of grant funds.

The decision makers decision is final in all matters, including:

- the grant approval
- the grant funding to be awarded
- any conditions attached to the offer of grant funding

We cannot review decisions about the merits of your application.

The decision maker will not approve funding if there are insufficient program funds available across relevant financial years for the program.

9. Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we advise you of any specific conditions attached to the grant.

You can submit a new application for the same (or similar) project in any future funding rounds however if you are successful in Round 1 you will not be considered eligible for Round 2. You should include new or more information to address the weaknesses that prevented your previous application from being successful. If a new application is substantially the same as a previous ineligible or unsuccessful application, we may refuse to consider it for assessment.

9.1. Feedback on your application

If you are unsuccessful, we will give you an opportunity to discuss the outcome with us, noting that any feedback will be based on your application and no comparative statements will be made with other applications.

10. Successful grant applications

10.1. The grant agreement

You must enter into a legally binding grant agreement with the Commonwealth. The grant agreement has general terms and conditions that cannot be changed. A sample [grant agreement](#) is available on business.gov.au and GrantConnect.

We will manage the grant agreement through the online portal. This includes issuing and executing the grant agreement. Execute means both you and the Commonwealth have accepted the agreement. You must not start any Community Energy Upgrades Fund Round 1 activities until a grant agreement is executed. We are not responsible for any expenditure you incur and cannot make any payments until a grant agreement is executed.

The approval of your grant may have specific conditions determined by the assessment process or other considerations made by the program delegate. We will identify these in the offer of grant funding.

If you enter an agreement under the Community Energy Upgrades Fund Program Round 1, you cannot receive other grants for the same activities from other Commonwealth granting programs.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

We will use a standard grant agreement.

You will have 30 days from the date of a written offer to execute this grant agreement with the Commonwealth. During this time, we will work with you to finalise details.

The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period. We base the approval of your grant on the information you provide in your application. We will review any required changes to these details to ensure they do not impact the project as approved by the program delegate.

10.2. Specific legislation, policies and industry standards

You must comply with all relevant laws, regulations and Australian Government sanctions in undertaking your project. You must also comply with the specific legislation/policies/industry standards that follow. It is a condition of the grant funding that you meet these requirements. We will include these requirements in your grant agreement.

In particular, you will be required to comply with:

- state/territory legislation in relation to working with children.
- local government planning requirements
- local government building approval requirements
- state/territory legislation relation to Workplace Health and Safety
- state/territory electrical safety regulations
- energy audits should meet AS/NZS 3598 2014.

10.3. How we pay the grant

The grant agreement will state the:

- maximum grant amount we will pay
- proportion of eligible expenditure covered by the grant (grant percentage)
- any financial contribution provided by you or a third party.

We will not exceed the maximum grant amount under any circumstances. If you incur extra costs, you must meet them yourself.

We will make payments according to an agreed schedule set out in the grant agreement. Payments are subject to satisfactory progress on the project.

We set aside 10 per cent of the total grant funding for the final payment. We will pay this when you submit a satisfactory end of project report demonstrating you have completed outstanding obligations for the project. We may need to adjust your progress payments to align with available program funds across financial years and/or to ensure we retain a minimum 10 per cent of grant funding for the final payment.

10.4. Grant Payments and GST

If you are registered for the Goods and Services Tax (GST), where applicable we will add GST to your grant payment and provide you with a recipient created tax invoice. You are required to notify

us if your GST registration status changes during the project period. GST does not apply to grant payments to government related entities³.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the [Australian Taxation Office](#). We do not provide advice on tax.

11. Announcement of grants

If successful, your grant will be listed on the GrantConnect website 21 calendar days after the date of effect.

We will publish non-sensitive details of successful projects on GrantConnect. We are required to do this by the [Commonwealth Grants Rules and Guidelines](#), Section 5.3. We may also publish this information on business.gov.au. This information may include:

- name of your organisation
- title of the project
- description of the project and its aims
- amount of grant funding awarded
- Australian Business Number
- business location
- your organisation's industry sector.

12. How we monitor your grant activity

12.1. Keeping us informed

You should let us know if anything is likely to affect your project or organisation.

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your project, carry on business and pay debts due.

You must also inform us of any changes to your:

- name
- addresses
- nominated contact details
- bank account details.

If you become aware of a breach of terms and conditions under the grant agreement, you must contact us immediately.

You must notify us of events relating to your project and provide an opportunity for the Minister, Assistant Minister or their representative to attend.

12.2. Reporting

You must submit reports in line with the grant agreement. We will provide the requirements for these reports as appendices in the grant agreement. We will remind you of your reporting obligations before a report is due. We will expect you to report on:

³ See Australian Taxation Office ruling GSTR 2012/2 available at ato.gov.au

- progress against agreed project milestones and outcomes
- project expenditure, including expenditure of grant funds
- contributions of participants directly related to the project.

The amount of detail you provide in your reports should be relative to the project size, complexity and grant amount.

Unless advised otherwise, grantees will also be required to complete a proforma case study which is to be submitted with their end of project report (template is provided on business.gov.au). This will assist the Commonwealth to evaluate energy upgrade outcomes at a project and program level.

We will monitor the progress of your project by assessing reports you submit and may conduct site visits to confirm details of your reports if necessary. Occasionally we may need to re-examine claims, seek further information or request an independent audit of claims and payments.

12.2.1. Progress reports

Progress reports must:

- include details of your progress towards completion of agreed project activities
- show the total eligible expenditure incurred to date
- include evidence of expenditure
- be submitted by the report due date (you can submit reports ahead of time if you have completed relevant project activities).

We will only make grant payments when we receive satisfactory progress reports.

You must discuss any project or milestone reporting delays with us as soon as you become aware of them.

12.2.2. Ad-hoc reports

We may ask you for ad-hoc reports on your project. This may be to provide an update on progress, or any significant delays or difficulties in completing the project.

12.2.3. End of project report

When you complete the project, you must submit an end of project report.

End of project reports must:

- include the agreed evidence as specified in the grant agreement
- identify the total eligible expenditure incurred for the project
- include evidence of expenditure
- include a declaration that the grant money was spent in accordance with the grant agreement and to report on any underspends of the grant money
- be submitted by the report due date.

12.3. Audited financial acquittal report

We may ask you to provide an independent audit report. An audit report will verify that you spent the grant in accordance with the grant agreement. The audit report requires you to prepare a statement of grant income and expenditure. The report template is available on business.gov.au and GrantConnect.

12.4. Grant agreement variations

We recognise that unexpected events may affect project progress. In these circumstances, you can request a variation to your grant agreement, including:

- changing project milestones
- extending the timeframe for completing the project but within the maximum time period allowed in program guidelines
- changing project activities.

The program does not allow for an increase of grant funds.

If you want to propose changes to the grant agreement, you must put them in writing before the project end date. You can submit a variation request via our online portal.

If a delay in the project causes milestone achievement and payment dates to move to a different financial year, you will need a variation to the grant agreement. We can only move funds between financial years if there is enough program funding in the relevant year to allow for the revised payment schedule. If we cannot move the funds, you may lose some grant funding.

You should not assume that a variation request will be successful. We will consider your request based on factors such as:

- how it affects the project outcome
- consistency with the program policy objective, grant opportunity guidelines and any relevant policies of the department
- changes to the timing of grant payments
- availability of program funds.

12.5. Compliance visits

We may visit you during the project period, or at the completion of your project to review your compliance with the grant agreement. For large or complex projects, we may visit you after you finish your project. We will provide you with reasonable notice of any compliance visit.

12.6. Record keeping

We may also inspect the records you are required to keep under the grant agreement.

12.7. Evaluation

DCCEEW will evaluate the grant program to measure how well the outcomes and objectives have been achieved. We may use information from your application and project reports for this purpose. We may also interview you, or ask you for more information to help us understand how the grant impacted you and to evaluate how effective the program was in achieving its outcomes. We may contact you up to two years after you finish your project for more information to assist with this evaluation. Information we request may include a recent copy of a relevant fuel bill/s and/or authorisation allowing the department to access your meter data.

12.8. Acknowledgement

If you make a public statement about a project funded under the program, including in a brochure or publication, you must acknowledge the grant by using the following:

‘This project received grant funding from the Australian Government.’

If you erect signage in relation to the project, the signage must contain an acknowledgement of the grant.

13. Probity

We will make sure that the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs.

These guidelines may be changed from time-to-time by DISR. When this happens, the revised guidelines will be published on GrantConnect.

13.1. Enquiries and feedback

For further information or clarification, you can contact us on 13 28 46 or by [web chat](#) or through our [online enquiry form](#) on business.gov.au.

We may publish answers to your questions on our website as Frequently Asked Questions.

Our [Customer Service Charter](#) is available at business.gov.au. We use customer satisfaction surveys to improve our business operations and service.

If you have a complaint, call us on 13 28 46. We will refer your complaint to the appropriate manager.

If you are not satisfied with the way we handle your complaint, you can contact:

General Manager
Business Grants Hub
Department of Industry, Science and Resources
GPO Box 2013
CANBERRA ACT 2601

You can also contact the [Commonwealth Ombudsman](#) with your complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

13.2. Conflicts of interest

Any conflicts of interest could affect the performance of the program. There may be a conflict of interest, or perceived conflict of interest, if our staff, any member of a committee or advisor and/or you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer or member of an external panel or
- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program/grant opportunity.

As part of your application, we will ask you to declare any perceived or existing conflicts of interests or confirm that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform us in writing immediately.

Conflicts of interest for Australian Government staff are handled as set out in the Australian [Public Service Code of Conduct \(Section 13\(7\)\)](#) of the [Public Service Act 1999](#). Committee members and other officials including the decision maker must also declare any conflicts of interest.

We publish our [conflict of interest policy](#)⁴ on the department's website. The Commonwealth policy entity also publishes a conflict of interest policy on its website.

13.3. Privacy

Unless the information you provide to us is:

- confidential information as per below, or
- personal information as per below.

we may share the information with other government agencies for a relevant Commonwealth purpose such as:

- to improve the effective administration, monitoring and evaluation of Australian Government programs
- for research
- to announce the awarding of grants.

We must treat your personal information according to the Australian Privacy Principles (APPs) and the *Privacy Act 1988* (Cth). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- to whom we give your personal information.

We may give the personal information we collect from you to our employees and contractors, the committee, and other Commonwealth employees and contractors, so we can:

- manage the program
- research, assess, monitor and analyse our programs and activities.

We, or the Minister, may:

- announce the names of successful applicants to the public
- publish personal information on the department's websites
- provide names and contact information of successful applicants to members of both houses of the Parliament .

You may read our [Privacy Policy](#)⁵ on the department's website for more information on:

- what is personal information
- how we collect, use, disclose and store your personal information
- how you can access and correct your personal information.

13.4. Confidential information

Other than information available in the public domain, you agree not to disclose to any person, other than us, any confidential information relating to the grant application and/or agreement, without our prior written approval. The obligation will not be breached where you are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

⁴ <https://www.industry.gov.au/publications/conflict-interest-policy>

⁵ <https://www.industry.gov.au/data-and-publications/privacy-policy>

We may at any time, require you to arrange for you; or your employees, agents or subcontractors to give a written undertaking relating to nondisclosure of our confidential information in a form we consider acceptable.

We will treat the information you give us as sensitive and therefore confidential if it meets all of the following conditions:

- you clearly identify the information as confidential and explain why we should treat it as confidential
- the information is commercially sensitive
- disclosing the information would cause unreasonable harm to you or someone else
- you provide the information with an understanding that it will stay confidential.

We may disclose confidential information:

- to the committee and our Commonwealth employees and contractors, to help us manage the program effectively
- to the Auditor-General, Ombudsman or Privacy Commissioner
- to the responsible Minister or Assistant Minister
- to a House or a Committee of the Australian Parliament.

We may also disclose confidential information if:

- we are required or authorised by law to disclose it
- you agree to the information being disclosed, or
- someone other than us has made the confidential information public.

13.5. Freedom of information

All documents in the possession of the Australian Government, including those about the program, are subject to the *Freedom of Information Act 1982* (Cth) (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

If someone requests a document under the FOI Act, we will release it (though we may need to consult with you and/or other parties first) unless it meets one of the exemptions set out in the FOI Act.

14. Glossary

Term	Definition
administering entity	When an entity that is not responsible for the policy, is responsible for the administration of part or all of the grant administration processes.
application form	The document issued by the program delegate that applicants use to apply for funding under the program.
assessment criteria	The specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application ranking.
Assistant Minister	The Commonwealth Assistant Minister for Climate Change and Energy.
behind the meter	The energy system located on the customers side of the utility meter.
<u>Commonwealth Grants Rules and Guidelines (CGRGs)</u>	Establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration.
completion date	The expected date that the grant activity must be completed and the grant spent by.
date of effect	Can be the date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable.
Department	The Department of Industry, Science and Resources.
decision maker	A Senior Responsible Officer within DCCEEW.
Committee	The body established to consider and assess eligible applications and make recommendations to the decision maker for funding under the program.
eligible activities	The activities undertaken by a grantee in relation to a project that are eligible for funding support as set out in 5.1.
eligible application	An application or proposal for grant funding under the program that the program delegate has determined is eligible for assessment in accordance with these guidelines.

Term	Definition
eligibility criteria	Refer to the mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria.
eligible expenditure	The expenditure incurred by a grantee on a project and which is eligible for funding support as set out in 5.2.
eligible expenditure guidance	The guidance that is provided at Appendix A.
grant	For the purposes of the CGRGs, a 'grant' is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: <ul style="list-style-type: none"> a. under which relevant money⁶ or other Consolidated Revenue Fund (CRF) money⁷ is to be paid to a grantee other than the Commonwealth; and b. which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives.
grant activity/activities	Refers to the project/tasks/services that the grantee is required to undertake.
grant agreement	A legally binding contract that sets out the relationship between the Commonwealth and a grantee for the grant funding, and specifies the details of the grant.
grant funding or grant funds	The funding made available by the Commonwealth to grantees under the program.
grant opportunity	Refers to the specific grant round or process where a Commonwealth grant is made available to potential grantees. Grant opportunities may be open or targeted, and will reflect the relevant grant selection process.
grant program	A 'program' carries its natural meaning and is intended to cover a potentially wide range of related activities aimed at achieving government policy outcomes. A grant program is a group of one or more grant opportunities under a single Portfolio Budget Statement Program.
GrantConnect	The Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs.
grantee	The organisation which has been selected to receive a grant.

⁶ Relevant money is defined in the PGPA Act. See section 8, Dictionary.

⁷ Other CRF money is defined in the PGPA Act. See section 105, Rules in relation to other CRF money.

Term	Definition
Joint Local Government Body	A joint organisation or regional organisation with its own ABN, established for the purposes of enabling local governments to work together, and where Local Government Bodies are the only members of the organisation.
Lead Body	The Local Government Body appointed by the Project Partners to submit the grant application and enter into the grant agreement with the Commonwealth in accordance with section 7.2.
load flexibility	Managing electricity demand at a site in response to generation, network, or market signals.
Local Government Body	<p>A local governing body as defined under the Local Government (Financial Assistance) Act 1995.</p> <p>a. a local governing body established by or under a law of a State, other than a body whose sole or principal function is to provide a particular service, such as the supply of electricity or water;</p> <p>b. a body declared by the Minister, on the advice of the relevant State Minister, by notice published in the Gazette, to be a local governing body for the purposes of this Act; or</p> <p>c. any of the following:</p> <ul style="list-style-type: none"> ▪ The Australian Capital Territory ▪ Anangu Pitjantjatjara Yankunytjatjara ▪ Maralinga Tjarutja ▪ Gerard Community Council Aboriginal Corporation ▪ Nipapanha Community Aboriginal Corporation ▪ Yalata Community Council Incorporated ▪ Cocos (Keeling) Islands Shire Council ▪ Lord Howe Island Board ▪ Norfolk Island Regional Council ▪ Outback Communities Authority ▪ Shire of Christmas Island ▪ Silverton Village Committee Incorporated ▪ Tibooburra Village Committee Incorporated
Minister	The Commonwealth Minister for Climate Change and Energy.

Term	Definition
personal information	<p>Has the same meaning as in the <i>Privacy Act 1988</i> (Cth) which is:</p> <p>Information or an opinion about an identified individual, or an individual who is reasonably identifiable:</p> <ol style="list-style-type: none"> a. whether the information or opinion is true or not; and b. whether the information or opinion is recorded in a material form or not.
program delegate	A manager within the department with responsibility for administering the program.
program funding or program funds	The funding made available by the Commonwealth for the program.
project	A project described in an application for grant funding under the program.
Project Partner	A Local Government Body who has agreed with one or more other Local Government Bodies to collectively deliver a project eligible for a grant under the program in accordance with section 7.2.
value with money	<p>Value with money in this document refers to ‘value with relevant money’ which is a judgement based on the grant proposal representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>When administering a grant opportunity, an official should consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to:</p> <ul style="list-style-type: none"> ▪ the quality of the project proposal and activities; ▪ fitness for purpose of the proposal in contributing to government objectives; ▪ that the absence of a grant is likely to prevent the grantee and government’s outcomes being achieved; and ▪ the potential grantee’s relevant experience and performance history.

Appendix A. Eligible expenditure

This section provides guidance on the eligibility of expenditure. We may update this guidance from time to time; check you are referring to the most current version from the business.gov.au website before preparing your application.

The program delegate makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

To be eligible, expenditure must:

- be incurred by you within the project period
- be a direct cost of the project
- be incurred by you to undertake required project audit activities (where applicable)
- meet the eligible expenditure guidelines.

A.1 How we verify eligible expenditure

If your application is successful, we may ask you to verify the project budget that you provided in your application when we negotiate your grant agreement. You may need to provide evidence such as quotes for major costs.

The grant agreement will include details of the evidence you may need to provide when you achieve certain milestones in your project. This may include evidence related to eligible expenditure.

If requested, you will need to provide the agreed evidence along with your progress reports.

You must keep payment records of all eligible expenditure, and be able to explain how the costs relate to the agreed project activities. At any time, we may ask you to provide records of the expenditure you have paid. If you do not provide these records when requested, the expense may not qualify as eligible expenditure.

At the end of the project, you may be required to provide an independent financial audit of all eligible expenditure from the project.

A.2 Plant and equipment expenditure

Plant is usually an input to the project or the tools or infrastructure used to undertake the project. Plant is likely to have a value or use outside of the project and you can build or obtain it with minimal technical risk or new learning.

A.3 Newly purchased plant and pre-existing purchased plant

Only depreciation of newly purchased and pre-existing purchased plant is eligible expenditure. Depreciation is the decline in asset value of an item of plant allowed through the Commissioner of Taxation's effective life schedules. The depreciation must be proportional to the time you use it on the project. In extraordinary situations, for instance, where the plant is subject to heavy usage, and where this is in accordance with Commissioner of Taxation's rules, you may apply a higher rate of depreciation.

You can only claim depreciation of the plant for the time you use it on the project. However, you can claim all eligible depreciation charges in full for each item of purchased plant as you deploy it.

Running costs for purchased or pre-existing plant are eligible expenditure but must be readily verifiable and may include items such as rent, light and power, repairs and maintenance.

A.4 Hired/leased plant

You must calculate eligible expenditure for hired, rented, or leased plant by the number of payment periods where you use the plant for the project multiplied by the period hiring fee. If you purchase plant under a hire purchase agreement, or you use a lease to finance the purchase of the plant, the cost of the item of plant, excluding interest, is capitalised, and then depreciated.

Running costs for hired or leased plant are eligible expenditure but you must be able to verify them. They may include items such as rent, light and power, and repairs and maintenance.

A.5 Constructed plant

Only depreciation of constructed plant is eligible expenditure. Depreciation is the decline in asset value of an item of plant allowed through the Commissioner of Taxation's effective life schedules. The depreciation must be proportional to the time you use it on the project. In extraordinary situations, for instance, where the plant is subject to heavy usage, and where this is in accordance with Commissioner of Taxation's rules, you may apply a higher rate of depreciation.

Where you lease a project facility you may claim leasehold improvements where they are for your specific needs. The improvement cost is eligible expenditure if it is capitalised in your financial statements (balance sheet) and depreciated as above.

The starting value for constructed plant depreciation calculations is the capitalised construction cost or capitalised leasehold improvement cost for the plant item according to Australian Taxation Office (ATO) requirements. You can only claim depreciation of the plant for the time you use it on the project. However, you can claim all eligible depreciation charges in full for each item of purchased plant as you deploy it.

Once fully completed, running costs for constructed plant are eligible expenditure but you must be able to verify them. They may include items such as rent, light and power, repairs and maintenance.

A.6 Labour expenditure

Eligible labour expenditure for the grant covers the direct labour costs of employees you directly employ on the core elements of the project. We consider a person an employee when you pay them a regular salary or wage, out of which you make regular tax instalment deductions.

We consider costs for technical, but not administrative, project management activities eligible labour expenditure. However, we limit these costs to 10 per cent of the total amount of eligible labour expenditure claimed.

We do not consider labour expenditure for leadership or administrative staff (such as CEOs, CFOs, accountants and lawyers) as eligible expenditure, even if they are doing project management tasks.

Eligible salary expenditure includes an employee's total remuneration package as stated on their Pay As You Go (PAYG) Annual Payment Summary submitted to the ATO. We consider salary-sacrificed superannuation contributions as part of an employee's salary package if the amount is more than what the Superannuation Guarantee requires.

The maximum salary for an employee, director or shareholder, including packaged components that you can claim through the grant is \$175,000 per financial year.

For periods of the project that do not make a full financial year, you must reduce the maximum salary amount you claim proportionally.

You can only claim eligible salary costs when an employee is working directly on agreed project activities during the agreed project period.

A.7 Labour on-costs and administrative overhead

You may increase eligible salary costs by an additional 30 per cent allowance to cover on-costs such as employer paid superannuation, payroll tax, workers compensation insurance, and overheads such as office rent and the purchase or provision of computing equipment directly required or related to the delivery of the project.

You should calculate eligible salary costs using the formula below:

$$\text{Eligible salary costs} = \text{Annual salary package} \times \frac{\text{Weeks spent on project}}{52 \text{ weeks}} \times \text{percentage of time spent on project}$$

You cannot calculate labour costs by estimating the employee's worth. If you have not exchanged money (either by cash or bank transactions) we will not consider the cost eligible.

Evidence you will need to provide can include:

- details of all personnel working on the project, including name, title, function, time spent on the project and salary
- ATO payment summaries, pay slips and employment contracts.

A.8 Contract expenditure

Eligible contract expenditure is the cost of any agreed project activities that you contract others to do. These can include contracting:

- another organisation
- an individual who is not an employee, but engaged under a separate contract.

All contractors must have a written contract prior to starting any project work—for example, a formal agreement, letter or purchase order which specifies:

- the nature of the work they perform
- the applicable fees, charges and other costs payable.

Invoices from contractors must contain:

- a detailed description of the nature of the work
- the hours and hourly rates involved
- any specific plant expenses paid.

Invoices must directly relate to the agreed project, and the work must qualify as an eligible expense. The costs must also be reasonable and appropriate for the activities performed.

We will require evidence of contractor expenditure that may include:

- an exchange of letters (including email) setting out the terms and conditions of the proposed contract work
- purchase orders
- supply agreements
- invoices and payment documents.

You must ensure all project contractors keep a record of the costs of their work on the project. We may require you to provide a contractor's records of their costs of doing project work. If you cannot provide these records, the relevant contract expense may not qualify as eligible expenditure.

A.9 Other eligible expenditure

Other eligible expenditures for the project may include:

- building modifications where you own the modified asset and the modification is required to undertake the project
- purchase, hire or lease of equipment required to undertake eligible project activities
- knowledge sharing sessions and production of educational materials that directly relate to eligible project activities
- staff training that directly supports the achievement of project outcomes
- financial auditing of project expenditure, the cost of an independent audit of project expenditure (where we request one) up to a maximum of 1 per cent of total eligible project expenditure
- costs you incur in order to obtain planning, environmental or other regulatory approvals during the project period. However, associated fees paid to the Commonwealth, state, territory and local governments are not eligible
- domestic travel, including flights and ground transportation, limited to the reasonable cost of travel and accommodation required to conduct eligible project activities
- contingency costs up to a maximum of 10 per cent of the eligible project costs. Note that we make payments based on actual costs incurred.

Other specific expenditures may be eligible as determined by the program delegate.

Evidence you need to supply can include supplier contracts, purchase orders, invoices and supplier confirmation of payments.

Appendix B. Ineligible expenditure

This section provides guidance on what we consider ineligible expenditure. We may update this guidance from time to time; check you are referring to the most current version from the [business.gov.au](https://www.business.gov.au) website before preparing your application.

The program delegate may impose limitations or exclude expenditure, or further include some ineligible expenditure listed in these guidelines in a grant agreement or otherwise by notice to you.

Examples of ineligible expenditure include:

- energy upgrades using fuels other than electricity and solar thermal
- gas and other fossil fuel efficiency projects
- the purchase of electric vehicles (charging infrastructure is eligible)
- Remote Area Power Supplies
- deemed white certificates (Victorian Energy efficiency Certificates (VEECs) and NSW Energy Savings Certificates (ESCs))
- administration costs
- expenditure that does not relate to the upgrade of existing energy infrastructure, e.g. installing a heating system at an unheated aquatic centre
- research not directly supporting eligible activities, e.g. feasibility studies
- activities, equipment or supplies that are already being funded through other sources
- costs incurred prior to execution of the grant agreement
- any in-kind contributions
- financing costs, including interest
- capital expenditure for the purchase of assets such as office furniture and equipment, motor vehicles, computers, printers or photocopiers and the construction, renovation or extension of facilities such as buildings and laboratories unless required for eligible project activities
- costs involved in the purchase or upgrade/hire of software (including user licences) and ICT hardware (unless it directly relates to the project)
- costs such as rental, renovations and utilities that are not specified under Appendix A
- non-project-related staff training and development costs
- insurance costs (the participants must effect and maintain adequate insurance or similar coverage for any liability arising as a result of its participation in funded activities)
- debt financing
- costs related to obtaining resources used on the project, including interest on loans, job advertising and recruiting, and contract negotiations
- depreciation of plant and equipment beyond the life of the project
- maintenance costs
- costs of purchasing, leasing, depreciation of, or development of land
- routine operating expenses not accounted as labour on-costs – including communications, overheads and consumables, e.g. paper, printer cartridges, office supplies
- ongoing upgrades, updates and maintenance of existing ICT systems and computing facilities, including websites, customer relationship management systems, databases, the cost of

ongoing subscription based software and IT support memberships, and warranties for purchases that are not directly related to the project

- recurring or ongoing operational expenditure (including annual maintenance, rent, water and rates, postage, legal and accounting fees and bank charges)
- costs related to preparing the grant application, preparing any project reports (except costs of independent audit reports we require) and preparing any project variation requests
- projects that don't meet regulatory or planning requirements
- overseas costs (unless approved by the program delegate)
- overseas travel costs.

This list is not exhaustive and applies only to the expenditure of the grant funds. Other costs may be ineligible where we decide that they do not directly support the achievement of the planned outcomes for the project or that they are contrary to the objective of the program.

You must ensure you have adequate funds to meet the costs of any ineligible expenditure associated with the project.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 April 2024
AGENDA BUSINESS ITEM**

Item: 12.3

Responsible Officer: David Waters
Director Environment and Infrastructure
Environment and Infrastructure

Subject: Local Roads Community Infrastructure Program (LRCIP) Phase 3 – Alternate Projects

For: Decision

SUMMARY

Council has a requirement to complete all projects in the Approved Works Schedule of the Local Road Community Infrastructure Program Phase 3 by 30 June 2024. (*Appendix 1*)

There are two projects that for various reasons will not be delivered by 30 June 2024. These are Junction Road Stormwater, Balhannah and Splash Park at the Adelaide Hills War Memorial Swimming Centre.

The Council administration sought extensions for these projects, but the program delegate did not support these requests.

Council has the option to complete the projects by 30 June 2024 or withdraw these projects and submit an alternate project for consideration. Any projects not completed by 30 June 2024 will not be eligible for the funding under a 'use it or lose it' principle.

This report suggests withdrawal of Project #4 and Project #5 from the Approved Works Schedule and submission of three new projects that can be delivered by 30 June 2024. This equates to \$400,000 of available funding.

The alternative projects are:

- CCBF Fire Scare Proactive Tree Management
- Accelerated street furniture upgrades
- Sealing Fidler Hill Road from North East Road

These three projects have been scoped and are considered deliverable before 30 June 2024.

The projects that are being withdrawn from Phase 3 can be reconsidered as submissions into Phase 4 of the Local Road Community Infrastructure Program.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
 - 2. To withdraw Project #4 (Junction Road Stormwater, Balhannah) and Project #5 (ASWMSC Splash Park) from the Approved Works Schedule of Local Roads and Community Infrastructure Program Phase 3.**
 - 3. That the following projects be submitted as a Variation to the Phase 3 Approved Works Schedule for consideration by the program delegate as a project for completion by 30 June 2024:**
 - a. CCBF Fire Scar Proactive Tree Management - \$250,000**
 - b. Accelerated street furniture upgrades - \$75,000**
 - c. Fidlers Hill Road sealing - \$75,000**
 - 4. That the withdrawn projects from Phase 3 be considered by Council for submission in Phase 4 of the Local Roads and Community Infrastructure Program.**
 - 5. That the Chief Executive Officer be authorised to undertake all necessary action, including entering into necessary agreements, to further the Council’s resolution and that the Chief Executive Officer be authorised to submit any necessary alternative proposals to ensure the Council can receive and utilise its full LRCIP Phase 3 funding allocation by 30 June 2024.**
-

1. BACKGROUND

At its meeting of 23 March 2022 Council resolved the following.

12.5 Local Roads and Community Infrastructure Phase 3

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge

55/22

Council resolves:

1. That the report be received and noted
2. To authorise the applications for the following projects to be submitted as the Adelaide Hills Council Local Roads and Infrastructure Program Phase 3 for delivery in 2022/23 and the estimated associated expenditure to undertake those works:
 1. Woodside School Crossing \$ 50,000
 2. Heathfield School Courts (Comets) – Canteen and Storage \$ 240,000
 3. Freedom Camping Infrastructure Establishment \$ 30,000
 4. Junction Road Stormwater, Balhannah \$ 200,000
 5. Adelaide Hills War Memorial Swimming Centre - Splash Park Contribution \$ 200,000
 6. Gumeracha Library Upgrades \$ 115,000
 7. Adelaide 100 Walking Route \$ 60,000
 8. Fire Scars Proactive Tree Management \$ 380,000
 9. Accelerated Bin Renewal Program \$ 30,000
 10. Accelerated Bus Shelter Renewal \$ 35,000
 11. Accelerated Pavement Renewal/Major Patching Maintenance \$ 152,830
 12. Stormwater upgrade Western Side near Childcare - Oakbank \$ 70,000
3. Subject to approval, and in line with the above estimated costs, that the CEO or his delegate be authorised to commit expenditure to undertake the above works with any adjustments to income and expenditure to be incorporated into Council's 2022/23 Annual Business Plan and Budget.
4. That should any projects be unsuccessful, or significant savings achieved, the Council authorises the CEO to reallocate the project funding in line with the alternative projects identified in the report.
5. That the CEO be authorised to write a letter of acknowledgement to the Hon Barnaby Joyce MP, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development thanking the Federal Government for this additional phase of the funding program.

Carried Unanimously

Project #3 Freedom Camping Infrastructure Establishment was not approved by the program delegate as works were to be undertaken on land not under the ownership of Council. This project is shown as Withdrawn on the Approved Works Schedule.

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 matters.
- Goal 5 A progressive Organisation
- Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community.

➤ **Legal Implications**

Not applicable.

➤ **Risk Management Implications**

The nomination of an alternate project and withdrawal of projects that will not be delivered by 30 June 2024 will assist in mitigating the risk of:

Projects not completed by 30 June 2024 leading to loss of available LRCIP funding from Phase3 of the program.

Inherent Risk	Residual Risk	Target Risk
Medium (1A)	Low (1D)	Low

➤ **Financial and Resource Implications**

The delivery of the alternate works can be delivered by existing contractors and managed in line with the current contract management resources.

➤ **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: Department of Infrastructure, Transport and Regional Development
Community: Not Applicable

➤ **Additional Analysis**

In its March 2022 resolution, Council authorised the Chief Executive Officer to reallocate funding, if necessary, to back up projects outlined in the report. This was described in the report as follows:

Alternative Projects

Whilst we have recommended projects that we consider will meet the eligibility criteria of the program the final sign-off and approval by the Department of Infrastructure, Transport and Regional Development is required.

In addition, it may become apparent for current unknown/unknowns that the projects identified will not be able to be delivered. This could be an unforeseen design issue or the scope of the works far exceeds the capacity of the budget to progress.

It should also be noted that the Council will move into caretaker mode in the second half of 2022.

Therefore, given the points above, and that the program has a defined deadline of 30 June 2023 for the funding to be expended, it is considered to be prudent to have back-up projects ready. This will allow the administration to ensure that the full funding available up until 30 June 2023 can be expended.

These alternative (or ‘back-up’) projects would be:

Accelerated Bridge Maintenance Program

Council has identified through its Asset Management Planning process for Bridges that these structures will require additional maintenance works. Future proposed works could be brought forward if required at short notice.

Additional Accelerated Renewal Program Works

The administration could bring forward additional seal or pavement or like renewal programs. This can generally be scoped and delivered very quickly within existing contracts.

Staff considered opportunities for bridge and road renewal work in line with the above. However, as the approval for any substitute projects is unlikely to be gained until, at best, late April, there is only a two-month timeframe, being May and June, to design, procure and deliver any projects.

This essentially rules out any major new capital works projects which, in any case, are difficult to deliver at that time of year due to weather in any case.

The Council administration has identified a significant amount of on-going tree management works within the Cudlee Creek Fire Scar.

The work is largely comprised of the removal or significant reduction pruning of trees which have been directly impacted by the fire and whose health has continued to decline since an initial arboriculture assessment after the fire.

The works present a current budget challenge for Council as they are considered necessary to do over and above normal day to day tree management, but without any provision in the Council's Long Term Financial Plan.

These works have been fully scoped and can be delivered within the timeframes prior to 30 June 2024. They have not previously been budgeted for and would require additional spending if they are to be done in future.

The administration has also recommended bringing forward two projects which were being considered for LRCIP Phase 4, being the installation of a number of pieces of new street furniture (benches, litter bins, etc) and the sealing of Fidlers Hill Road in the vicinity of the junction with North East Road. The latter project has been considered for some years to address dust nuisance and ongoing issues with road material being 'dragged out' onto North East Road. It has been a budget pressure for Council as the Council does not have provision in its Long Term Financial Plan for sealing unsealed roads and, as such, it is considered opportune to utilise Commonwealth funding to undertake this work.

3. OPTIONS

Council has the following options:

- I. Withdraw the two projects from Phase 3 and lodge an alternate project(s) that can be complete by 30 June 2024. (Recommended)
- II. Not withdraw the existing projects. This will result in the loss of \$400,000 in available funding. (Not Recommended)

4. APPENDICES

- (1) LRCIP P3 Approved Work Schedule June 2022

Appendix 1

LRCIP P3 Approved Work Schedule June 2022



Australian Government

Department of Infrastructure, Transport,
Regional Development and Communications

Local Roads and Community Infrastructure Program Phase 3 Approved Work Schedule – June 2022

Declaration

I declare that:

- I have read, understood and agree to abide by the Program Guidelines on the Department's website at <https://investment.infrastructure.gov.au/about/local-initiatives/local-roads-and-community-infrastructure/resources.aspx> as in force at the time of submission
- I have read, understood and agree to the Phase 3 Grant Agreement and a signed copy has been provided to the Department
- The information I have submitted in this form is, to the best of my knowledge, true, accurate and complete. I also understand that giving false or misleading information is a serious offence under the *Criminal Code 1995* (Cth)
- The project is an eligible grant activity
- The project will be physically complete by 30 June 2023 unless otherwise agreed by the Department
- To the best of my knowledge there are no conflicts of interest OR I have separately provided information to the Department on any conflicts of interest
- I understand that a condition of this grant funding is that the Eligible Funding Recipient commits to a minimum level of infrastructure spending in the 2021-22 and 2022-23 Financial Years in accordance with the requirements outlined in the Grant Agreement and Program Guidelines.
- That the Eligible Funding Recipient and its subcontractors and independent contractors will comply with all applicable laws
- I understand that the Local Roads and Community Infrastructure Program is an Australian Government program and that the Department will use the information provided in accordance with the following:
 - Australian Government Public Data Policy Statement
 - Commonwealth Grants Rules and Guidelines
 - Applicable Australian laws.
- I am authorised to complete this form and to sign and submit this declaration on behalf of the Eligible Funding Recipient.

Yes

No

Full name: Andrew Aitken

Position: Chief Executive Officer

Email address: aaiken@ahc.sa.gov.au

Date: 10/05/2022

Local Roads and Community Infrastructure Program Phase 3 – Approved Work Schedule – June 2022

Funding Recipients are required to nominate project(s) they plan to undertake with LRCI Program Phase 3 funding by providing information to the Department of Infrastructure, Transport, Regional Development and Communications ('Department') via emailing LRCIP@infrastructure.gov.au. A separate Project Nomination row must be completed for each project or group of small projects that an Eligible Funding Recipient wishes to undertake. For ease of assessment, and to limit requests for more information, please complete all fields as completely and accurately as possible.

Name		Adelaide Hills Council, South Australia				LRCI Phase 3 Funding Allocation				\$1,562,830				
#	Project Name [Project location or street address: Work category]	Project Description / Problem Being Addressed [Please align project description to project work categories on Page 3 where possible]	Infrastructure Type [Please select one item]	Total Project Cost	LRCI Phase 3 Funding Required	Construction Start Date	Construction Completion Date	Estimated jobs supported		Project Electorate [Please list the Federal Project Electorate]	Project Location Coordinates	Project Land / Asset Owner ** [Please select one item]	Indigenous employment or business use	Recycled materials used
				[\$]	[\$]	[MM/YY]	[MM/YY]	[Numerical figure – refer FAQ instructions]	Council employees				Contractors	Yes/ no
1	Woodside School Crossing	New school crossing adjacent Woodside Primary School to improve traffic and pedestrian safety.	Road	\$50,000	\$50,000	12/22	01/23	0.1	4	Mayo	34°57'09.5"S 138°52'40.9"E	Council	No	No
2	Heathfield School Courts (Comets) – Canteen and Storage	The provision of new community facilities for local sporting group attached to upgraded courts. These will be publically accessible in conjunction with both a number of Club Activities as well as in partnership with Heathfield High School. In addition to these formal arrangements, the courts and associated facilities including canteen and storage will be accessible by casual users who can hire the site at any time they are not in use.	Community	\$240,000	\$240,000	07/22	10/22	0.1	4	Mayo	35°01'19.3"S 138°42'47.8"E	Crown	No	No
3	WITHDRAWN													
4	Junction Road Stormwater , Balhannah	Improve stormwater management (drainage) on Junction Road to reduce flooding risk to residents. This will include the construction of kerb and gutter, side entry pits and pipes between Kurla Road and the railway crossing on Junction Road.	Combination	\$200,000	\$200,000	02/23	05/23	0.1	4.5	Mayo	34°59'42.1"S 138°49'46.1"E	Council	No	Yes

Name		Adelaide Hills Council, South Australia				LRCI Phase 3 Funding Allocation				\$1,562,830				
#	Project Name	Project Description / Problem Being Addressed	Infrastructure Type	Total Project Cost	LRCI Phase 3 Funding Required	Construction Start Date	Construction Completion Date	Estimated jobs supported		Project Electorate	Project Location	Project Land / Asset Owner **	Indigenous employment or business use	Recycled materials used
	[Project location or street address: Work category]	[Please align project description to project work categories on Page 3 where possible]	[Please select one item]	[\$]	[\$]	[MM/YY]	[MM/YY]	[Numerical figure – refer FAQ instructions]		[Please list the Federal Project Electorate]	Coordinates	[Please select one item]	Yes/ no	Yes/ no
				Funding required should not exceed allocation	Construction to be within, 01/22 and 06/23 as per guidelines		Council employees	Contractors						
5	Adelaide Hills War Memorial Swimming Centre - Splash Park Contribution	<p>In partnership with the Swimming Centre committee install a Splash Park facility.</p> <p>The Adelaide Hills Council owns the Adelaide Hills Memorial Swimming Centre. The Centre is managed on behalf of Council by the Adelaide Hills Memorial Swimming Centre Inc (a not for profit community association) and the Centre is jointly maintained under an agreement between the Adelaide Hills Memorial Swimming Centre Inc and Council.</p> <p>The Council is responsible for the asset and capital maintenance and renewal, with the Adelaide Hills Memorial Swimming Centre Inc managing the day to day operations of the site, including maintenance of the components of the facility required to deliver programs such as lap swimming and school holiday programs.</p> <p>The Centre, in conjunction with Council, have been progressing plans for a splash park to meet the growing need and expectation from the community in terms of what facilities they expect to be provided at a community swimming pool. There is significant community support for a splash park at the Centre. The Adelaide Hills Memorial Swimming Centre Inc has undertaken fundraising over a number of years to enable this project to progress and are committed to provide 50% of the required funds to deliver this project.</p>	Community	\$400,000	\$200,000	08/22	06/23	0	5.5	Mayo	34°57'14.6"S 138°52'34.1"E	Council	No	No
6	Gumeracha Library Upgrades	<p>To provide upgrades to the service counter, replace and upgrade shelving, furniture and reconfigure the layout to better integrate with the Community Centre. This will enhance the usability of this important local community asset.</p> <p>The Gumeracha Library is in the Torrens Valley Community Centre that is a Council building. The library is operated by Council.</p>	Community	\$115,000	\$115,000	09/22	12/22	0.1	3.5	Mayo	34°49'20.0"S 138°53'11.3"E	Council	No	No



Australian Government
Department of Infrastructure, Transport,
Regional Development and Communications

Name		Adelaide Hills Council, South Australia				LRCI Phase 3 Funding Allocation				\$1,562,830				
#	Project Name [Project location or street address: Work category]	Project Description / Problem Being Addressed [Please align project description to project work categories on Page 3 where possible]	Infrastructure Type [Please select one item]	Total Project Cost	LRCI Phase 3 Funding Required	Construction Start Date	Construction Completion Date	Estimated jobs supported		Project Electorate [Please list the Federal Project Electorate]	Project Location Coordinates	Project Land / Asset Owner ** [Please select one item]	Indigenous employment or business use	Recycled materials used
				[\$]	[\$]	[MM/YY]	[MM/YY]	[Numerical figure – refer FAQ instructions]	Council employees				Contractors	Yes/ no
7	Adelaide 100 Walking Route	Assessment work on walking trail that creates a 100 km plus walking loop around Adelaide. The physical installation components will be signage and trail marker posts.	Combination	\$60,000	\$60,000	07/22	06/23	0.2	1	Mayo	Southern End of Route – near 155 Upper Sturt Road - 35.021530, 138.679832 Mid point – Carey Gully Road near Waters Road - 34.999835, 138.767438 Mid Point – Lobethal and Hunters Road intersection - 34.939853, 138.769353 Northern End – Montacute Road between Morialta CP and Black Hill CP - 34.889352, 138.723783	Council	No	No
8	Fire Scars Proactive Tree Management	Undertake proactive vegetation clearance of dead wood in road reserve corridors to reduce future safety risk to road users	Road	\$380,000	\$380,000	07/22	06/23	0.3	6	Mayo	34°56'01.4"S 138°56'04.1"E (Kings Road) 34°55'55.4"S 138°53'45.7"E (Quarry Road) 34°55'11.4"S 138°55'49.3"E (Five Lanes Road) 34°55'48.3"S 138°56'20.7"E (Teakles Road)	Council	No	No

Name		Adelaide Hills Council, South Australia				LRCI Phase 3 Funding Allocation				\$1,562,830				
#	Project Name [Project location or street address: Work category]	Project Description / Problem Being Addressed [Please align project description to project work categories on Page 3 where possible]	Infrastructure Type [Please select one item]	Total Project Cost	LRCI Phase 3 Funding Required	Construction Start Date	Construction Completion Date	Estimated jobs supported		Project Electorate [Please list the Federal Project Electorate]	Project Location Coordinates	Project Land / Asset Owner ** [Please select one item]	Indigenous employment or business use	Recycled materials used
				[\$]	[\$]	[MM/YY]	[MM/YY]	[Numerical figure – refer FAQ instructions]	Council employees				Contractors	Yes/ no
9	Accelerated Bin Renewal/ Upgrade Program	Construction of new bin cages for parks and main street environments that will make a greater impact on the visual amenity of the street scape and to assist promote Council has a contemporary and well maintained destination.	Community	\$40,000	\$30,000	08/22	02/23	0.1	1	Mayo	Main Streets of Stirling, Woodside, Lobethal and Birdwood 35°00'17.0"S 138°42'58.9"E 34°57'01.3"S 138°52'33.6"E 34°54'11.3"S 138°52'29.2"E 34°49'13.7"S 138°57'13.3"E	Council	No	No
10	Accelerated Bus Shelter Renewal	Replacement of bus shelters to improve public transport facilities and provide improve roadside amenity.	Community	\$50,000	\$35,000	08/22	03/23	0.2	3	Mayo	Upper Sturt Road, Upper Sturt -35.019678692, 138.6845951815 Crafers Main St, Crafers -34.9974600606 138.7038563874 Range View Drive, Carey Gully -34.9759006345 138.7548173876 Strathalbyn Rd Mylor -35.02958159 138.7661229651	Council	No	No
11	Accelerated Pavement Renewal/ Major Patching Maintenance	Undertake additional road pavement rehabilitation works. Works to be undertaken on Hill Road and Bird in Hand Road. Works will include major patching of Bird in Hand Road, Woodside and rehabilitation of a section of Hill Road to remove bad road rutting.	Road	\$170,000	\$152,830	01/23	03/23	0.1	6	Mayo	34°56'52.9"S 138°57'23.5"E And 34°46'27.6"S 138°52'28.0"E	Council	No	Yes

Name		Adelaide Hills Council, South Australia				LRCI Phase 3 Funding Allocation				\$1,562,830				
#	Project Name	Project Description / Problem Being Addressed	Infrastructure Type	Total Project Cost	LRCI Phase 3 Funding Required	Construction Start Date	Construction Completion Date	Estimated jobs supported		Project Electorate	Project Location	Project Land / Asset Owner **	Indigenous employment or business use	Recycled materials used
	[Project location or street address: Work category]	[Please align project description to project work categories on Page 3 where possible]	[Please select one item]	[\$]	[\$]	[MM/YY]	[MM/YY]	[Numerical figure – refer FAQ instructions]		[Please list the Federal Project Electorate]	Coordinates	[Please select one item]	Yes/ no	Yes/ no
				Funding required should not exceed allocation	Construction to be within, 01/22 and 06/23 as per guidelines		Council employees	Contractors						
12	Stormwater upgrade Western Side near Childcare - Oakbank	Improve stormwater management (drainage) on Onkaparinga Valley Road in Oakbank to reduce flooding risk to residents and business. The works will include additional side entry pits and pipe network on Pike Street and Onkaparinga Valley Road for connection to the existing underground stormwater network. This work is proposed to reduce the flooding on properties on the low side (western side) of Onkaparinga Valley Road in Oakbank.	Combination	\$100,000	\$100,000	02/23	04/23	0.1	4	Mayo	34°59'04.6"S 138°50'32.3"E	Council	No	No
11	Total			\$1,805,000	\$1,562,830			2	46					

Has the availability of funding under the Local Roads and Community Infrastructure Program required you to hire additional Council staff?	Choose an item.	Number
		Nil

#	* If project is not fully funded by LRCI, state details of Council or other contribution	** If Project Land or Asset Owner is not Council, please indicate nature of permission	If applicable, details of any recycled materials used on the project
2		<i>Council has partnered with the Department for Education to upgrade the Heathfield Oval and Courts Precinct for broader Community benefit, with an agreement in place.</i>	
4			Recycled concrete to be used in the subbase under the kerb and gutter
5	Adelaide Hills War Memorial Swimming Centre – \$200,000		
9	Council – \$10,000		
10	Council – \$15,000		
11	Council – \$17,170		Recycled asphalt will be used in the mix for the major patching works

Project Work Categories

Work Category	Description
General Road Maintenance	Pothole repairs, vegetation clearing, minor crack sealing and grading (unless new gravel is being added) are all considered to be general maintenance.
Construction of a new road	Construction of a road where no road existed on that alignment before.
Reconstruction	Rebuilding a road that already exists (can include upgrading)
Rehabilitation	Work to return a road to its original standard
Widening	Work to make the surface or pavement of a road wider
Sheeting / Re-sheeting	Where additional gravel etc. is added on top of an existing road
Sealing	Putting a seal on an unsealed road.
Resealing	Second or subsequent sealing of roads
Bridge works	Any work involving bridges or culverts
Tunnel works	A tunnel to enable the building an underground road
Drainage	Culverts, kerb and guttering and related activities where the purpose of the works is to improve drainage only.
Traffic improvement	Works involving traffic calming devices, traffic lights, pedestrian islands, lighting, warning signs and roundabouts
Street lighting equipment	Works related to vehicle traffic and pedestrian lighting
Closed Circuit TV (CCTV)	Works associated with installing a fixed mobile CCTV system
Bicycle and Walking Paths	Works involving cycling and pedestrian infrastructure
Painting/Improvements to community facilities	Community facilities include community centres, community halls, childcare centres, educational establishment, club houses, and entertainment facilities
Repairs/Replacement of fencing	Works relating to building a new fence or repairs/replacement of existing fences
Improved Accessibility of Community Facilities and Areas	Works could include pedestrian bridges, ramps, accessible public toilets, and designated car parking for individuals with a disability
Landscaping Improvements	Works could include tree planting to increase shade, creation of green spaces, and beautification of roundabouts
Picnic Shelters or Barbeque Facilities at Community Parks	Self-explanatory
Playgrounds and Skate parks (including all ability playgrounds)	Self-explanatory
Toilet Blocks	Works relating to construction or maintenance of public toilet block amenities
Replacement of Light Bulbs in Street Lights	Self-explanatory
Noise and Vibration Mitigation Measures	Works related to reducing and mitigating noise and vibrations, such as quieter pavement surfaces and noise barriers
Off-road Car Parks	Such as off-road car parks at sporting grounds or parks
Sporting and recreation facilities	Works to upgrade, repair or maintain sporting ovals, courts, swimming pools etc
Other	Works that do not fall into the above categories

Confidential Items

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 April 2024
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.1

Responsible Officer: Zoë Gill
Governance and Risk Coordinator
Office for the Chief Executive

Subject: CEO Performance Review Panel – Minutes of Special Meeting
28 March 2024

For: Decision

1. CEO Performance Review Panel – Minutes of Special Meeting 28 March 2024 – Exclusion of the Public

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

- Chief Executive Officer, Greg Georgopoulos
- Governance and Risk Coordinator, Zoë Gill
- Governance Support, Tracy Riddle, Kelledy Jones Lawyers
- Minute Secretary, Rebekah Lyons

be excluded from attendance at the meeting for Agenda Item 19.1: CEO Performance Review Panel – Minutes of Special Meeting 28 March 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:

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.

2. CEO Performance Review Panel – Minutes of Special Meeting 28 March 2024 – Confidential Item

3. CEO Performance Review Panel – Minutes of Special Meeting 28 March 2024 – Duration of Confidentiality

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council’s decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 19.1 in confidence under sections 90(2) and 90(3) (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.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 April 2024
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.2

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

Subject: CEO Performance Review Panel Report - CEO – Setting of KPIs

For: Decision

1. CEO Performance Review Panel Report - CEO – Setting of KPIs – Exclusion of the Public

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

- Chief Executive Officer, Greg Georgopoulos
- Governance and Risk Coordinator, Zoë Gill
- Governance Support, Kelledy Jones Lawyers
- Minute Secretary, Rebekah Lyons

be excluded from attendance at the meeting for Agenda Item 19.2: 1.CEO Performance Review Panel Report - CEO – Setting of KPIs – Exclusion of the Public 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 the Panel 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.

2. CEO Performance Review Panel Report - CEO – Setting of KPIs – Confidential Item

3. CEO Performance Review Panel Report - CEO – Setting of KPIs – Duration of Confidentiality

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council’s decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 19.2 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* 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 the KPIs have been endorsed by Council
Related Attachments	Until the KPIs have been endorsed by Council
Minutes	Until the KPIs have been endorsed by Council
Other (presentation, documents, or similar)	Until the KPIs have been endorsed by Council

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
ORDINARY COUNCIL MEETING
Tuesday 4 April 2024
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.3

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

Subject: CEO Performance Review Panel Report – Chief Executive Officer’s Performance Review 2024/25

For: Decision

1. CEO Performance Review Panel Report – Chief Executive Officer’s Performance Review 2024/25 – Exclusion of the Public

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

- Chief Executive Officer, Greg Georgopoulos
- Governance and Risk Coordinator, Zoë Gill
- Minute Secretary, Rebekah Lyons

be excluded from attendance at the meeting for Agenda Item 19.3: (CEO Performance Review Panel Report – Chief Executive Officer’s Performance Review 2024/25) in confidence.

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

Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Section 90(3)(b) of the *Local Government Act 1999*, information the disclosure of which (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and (ii) would, on balance, be contrary to the public interest.

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

2. CEO Performance Review Panel Report – Chief Executive Officer’s Performance Review 2024/25 – Confidential Item

3. CEO Performance Review Panel Report – Chief Executive Officer’s Performance Review 2024/25– Duration of Confidentiality

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council’s decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 19.3 in confidence under sections 90(2) and 90(3)(a) and (b) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	28 March 2027
Related Attachments	28 March 2027
Minutes	28 March 2027
Other (presentation, documents, or similar)	28 March 2027

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
ORDINARY COUNCIL MEETING
Tuesday 9 April 2024
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.4

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

Subject: CEO Performance Review Panel report – Chief Executive Officer’s Development Plan 2024

For: Decision/Information

1. CEO Performance Review Panel report – Chief Executive Officer’s Development Plan 2024– Exclusion of the Public

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

- Chief Executive Officer, Greg Georgopoulos
- Governance and Risk Coordinator, Zoë Gill
- Governance Support, Kelledy Jones Lawyers
- Minute Secretary, Rebekah Lyons

be excluded from attendance at the meeting for Agenda Item 19.4 (CEO Performance Review Panel report – Chief Executive Officer’s Development Plan 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:

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.

2. CEO Performance Review Panel report – Chief Executive Officer’s Development Plan 2024– Confidential Item

**3. CEO Performance Review Panel report – Chief Executive Officer’s Development Plan 2024
– Duration of Confidentiality**

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council’s decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 19.4 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* 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	4 April 2027
Related Attachments	4 April 2027
Minutes	4 April 2027
Other (presentation, documents, or similar)	4 April 2027

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
ORDINARY COUNCIL MEETING
Tuesday 9 April 2024
AGENDA BUSINESS ITEM**

Item: 19.5

Responsible Officer: Zoë Gill
Governance & Risk Coordinator
Office of the Chief Executive

Subject: Appointment of Gawler River Floodplain Management Authority Chairperson

For: Decision

1. Appointment of Gawler River Floodplain Management Authority Chairperson – Exclusion of the Public

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

- Chief Executive Officer, Greg Georgopoulos
- Acting Director Corporate Services, Ashley Curtis
- Director Community & Development, Natalie Armstrong
- Director Environment & Infrastructure, David Waters
- Governance & Risk Coordinator, Zoe Gill
- Governance Support, Kelledy Jones Lawyers
- Minute Secretary, Rebekah Lyons
- IT Support,

be excluded from attendance at the meeting for Agenda Item 19.5: Appointment of Gawler River Floodplain Management Authority Chairperson in confidence.

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

Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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

2. Gawler River Floodplain Management Authority Chairperson – Confidential Item

3. Appointment of Gawler River Floodplain Management Authority Chairperson – Duration of Confidentiality

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council’s decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 18.1 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* 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 the appointment has been confirmed
Related Attachments	until the appointment has been confirmed
Minutes	until the appointment has been confirmed
Other (presentation, documents, or similar)	N/A

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.