



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

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

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

Tuesday 25 February 2025

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', is written over a horizontal line.

Greg Georgopoulos
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 25 February 2025
6.30pm
63 Mt Barker Road Stirling

ORDER OF BUSINESS

1. COMMENCEMENT

2. OPENING STATEMENT

2.1. *Acknowledgement of Country*

Council acknowledges that we meet on the traditional Country of the Peramangk and Kurna people. We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land.

2.2. Together we will care for this place for the generations to come and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children's ability to live on this land.

3. APOLOGIES/LEAVE OF ABSENCE

3.1. Apology
Apologies were received from

3.2. Leave of Absence
Cr Pauline Gill – 14 February 2025 to 25 February 2025
Cr Lucy Huxter – 24 February 2025 to 27 February 2025

3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 11 February 2025
That the minutes of the ordinary meeting held on 11 February 2025 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
 - 7.1.1. MON – Policy – Code of Practice for Council Meeting Procedures – Cr Mark Osterstock
- 7.2. Questions Lying on the Table
 - Nil

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

- 8.1. Petitions
 - 8.1.1. Petition to restore safe access to Woorabinda Bushland Reserve from Branch Road.
- 8.2. Deputations
 - 8.2.1. Lenswood and Forest Range Community Association – Mr Steve Smith
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

10. QUESTIONS ON NOTICE

- 10.1. Progress Updates – Mayor Jan-Claire Wisdom
 - 1. *World Heritage joint project with Adelaide City Council : It has been some ten years since this project commenced. A great deal of work was done on this with other Councils and with AHC as the lead Council. About two years ago a change of direction was initiated and AHC joined with Adelaide City Council to further this project. Our Economic Development Team was the project coordinator on behalf of AHC. That team has now left our organisation. What is the current status of the project?*
 - 2. *Partnership with Green Industries organisation: This was an initiative announced over a year ago to further our environmental objectives. Has anything developed from this and what is the progress to date?*
 - 3. *Economic Development Team initiatives: this team used our disaster response criteria to assist with downturns in our local industry sectors (such as the Pome Fest initiative for the agricultural sector and retail assistance subsequent to the Woolworths Mall fire). Given the Stirling Business Association’s recent request for assistance is there a plan to re-establish the Economic Development Team to continue these kinds of response initiatives?*
 - 4. *Elected Members have had presentations/discussions on the development of ‘Green Tourism’ initiatives. What programmes or initiatives are we progressing either in-house or with other agencies such as Adelaide Hills Tourism?*
 - 5. *The Champions Initiative: About 18 months ago this in-house programme was established to connect Elected Members with selected Directorates and*

Projects so that these projects could indirectly benefit from community engagement via Councillors. What is the status of this initiative?

11. MOTIONS ON NOTICE

11.1. Textile Recycling – Cr Melanie Selwood

1. *The CEO or his delegate request AHRWMA to consider textile waste streams and opportunities to provide options for residents to recycle textiles, including the provision of a textile recycling collection point at the Heathfield Resource Recovery Centre or other suitable locations within the Adelaide Hills Council area;*
2. *That AHRWMA’s response be reported to Council for consideration.*

11.2. Lenswood Main Street Beautification Project – Cr Chris Grant

1. *Council acknowledges the Deputation made to Council by Mr Steve Smith on behalf of the Lenswood and Forest Range Community Association proposing works to improve the amenity, beauty and safety of the Lenswood precinct, the Lenswood Beautification Project, including:*
 - a. *footpath widening and paving in the vicinity of the post office;*
 - b. *passive traffic calming measures to slow traffic and improve safety such as tree planting, hard and soft landscaping, planter boxes and/or signage;*
 - c. *reduction of the speed limit in Lenswood from 60kph to 50kph;*
 - d. *pedestrian access on the north side of Lobethal Road between Lenswood Centennial Park and the Lenswood general store;*
 - e. *construction of a pedestrian crossing point of some sort on Lobethal Road to increase the safety of children crossing the main road;*
 - f. *plantings to beautify the Lenswood main street precinct and screen Lobethal road from unsightly properties;*
 - g. *alter the geometry of the intersection of Lobethal and Swamp Road to better guide and smooth heavy traffic flow and discourage heavy vehicles cutting the corner;*
 - h. *demarcate parking along Lobethal Road to accommodate a school bus stop, car parking and a heavy vehicle stopping point;*
 - i. *provision of a bike lane or widened shoulder on the north side of Lobethal Road between the Post Office and Lenswood Cold Store to separate cyclists from heavy vehicle traffic.*
2. *That the CEO prepare a report (with costings) into the Lenswood beautification project, addressing the usual legislative and DIT requirements.*
3. *That the report be presented at the ABP and LTFP workshop on the 22nd of March 2025 for consideration for inclusion of at least the project design component into the 2025-26 Annual Business Plan.*

12. ADMINISTRATION REPORTS – DECISION ITEMS

12.1. Review of Grant Giving Policy and Grant Programs

1. *That the report and Community Grants Review and Response 2025 in Appendix 1 be received and noted.*
 2. *With an effective date of 11 March 2025, to revoke the 27 April 2021 Grant Giving Policy and to adopt the 25 February 2025 Grant Giving Policy as per Appendix 2.*
 3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 25 February 2025 Grant Giving Policy as per Appendix 2.*
- 12.2. Reconciliation Action Plan
1. *That the Innovate Reconciliation Action Plan report be received and noted.*
 2. *That Council adopt the Innovate Reconciliation Action Plan 2025 - 2026 as contained in Appendix 1*
- 12.3. 22 Wright Road Stirling Licence to Save our Wildlife Foundation Inc
1. *That the report be received and noted.*
- See options section of the report for further potential resolutions*
- 12.4. CFS Review into Bushfire Safer Places and Last Resort Refuges
1. *That the report be received and noted.*
 2. *To adopt AHC's response to the CFS Survey into Bushfire Safer Places and Last Resort Refuges as contained in Appendix 1.*
- 12.5. Road Safety Analysis Lobethal
1. *That the report be received and noted.*
 2. *To consider funding the installation of traffic control and calming devices, at an approximate cost of \$57,000, as indicated in Appendix 2 as part of the 2025-26 Annual Business Plan and Budget development.*
 3. *To consider funding the installation of an emu school crossing at School Road, Lobethal, at an approximate cost of \$42,000, to improve safety within Mill Road vicinity as part of the 2025-26 Annual Business Plan and Budget development.*
- 12.6. Confidential Items Review (deferred decision 3)
To receive and note the report titled "Confidential Items Review (deferred decision 3)" (Agenda item 12.6, 25 February 2025 Council Meeting).
- 12.7. Adelaide Hills Tourism Agreement
- Decision 1:*
1. *To acknowledge the disclosure of interests contained in this report and to authorise the Chief Executive Officer, Mr Greg Georgopoulos, to act in the course of his official duties in relation to Adelaide Hills Tourism.*
- Decision 2:*
2. *That the report be received and noted.*

3. *That the one-year funding agreement, as contained in Appendix 1 including a contribution of \$115,669, with the Adelaide Hills Tourism be approved and that the Chief Executive Officer be authorised to make any minor changes or variations to the Agreement before execution by both parties or during the life of the Agreement.*
 4. *That the Chief Executive Officer be authorised to execute the Agreement on behalf of Council.*
- 12.8. Procurement Policy
1. *That the Procurement Policy update be received and noted.*
 2. *With an effective date of 1 March 2025, to adopt the amendments as presented in the Procurement Policy as per Appendix 1.*
 3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Policy as per Appendix 1.*
- 12.9. Budget Review 2
1. *That the Budget Review 2 report be received and noted.*
 2. *To note that the Audit Committee considers that the Budget Review 2 has been prepared with appropriate due diligence, legislative compliance and reference to risk management.*
 3. *To note that the Audit Committee has considered and discussed the Budget Review 2 report and acknowledges that the adjustments are expected corrections as a result of previously identified accounting assumptions.*
 4. *To approve the proposed budget adjustments presented in Budget Review 2 which result in:*
 - a. *An increase in the Operating Deficit from \$1.728m to \$3.013m for the 2024-25 financial year due primarily to depreciation, interest expenses and legal fees.*
 - b. *Changes to the Capital Works budget increasing capital expenditure by \$60,000 for the 2024-25 financial year resulting in a revised capital expenditure budget of \$20.648 million.*
 - c. *A net borrowing result of \$34m.*
 - d. *An Operating Surplus/(Deficit) Ratio of (4.9%) compared to the 2024-25 target of 1-5% and BR1 of (2.8%).*
 - e. *A Net Financial Liabilities Ratio of 55% compared to the 2024-25 target of 25-75% and BR1 of 56%.*
 - f. *An Asset Renewal Funding Ratio of 132% compared to the 2024-25 target of 95-105% and BR1 of 133%.*
- 12.10. Review of Policies Referencing the Mayor
1. *To receive and note the report.*
 4. *With an effective date of 4 March 2025, to revoke the Code of Practice for Access to Council Policy and to adopt the revised Code of Practice for Access to Council Policy at Appendix 2.*
 5. *With an effective date of 4 March 2025, to revoke the Complaint Handling Policy and to adopt the revised Complaint Handling Policy at Appendix 3.*

6. *With an effective date of 4 March 2025, to revoke the Council Members Allowance and Support Policy and to adopt the revised Council Member Allowance and Support Policy at Appendix 4.*
7. *With an effective date of 4 March 2025, to revoke the Council Member Training and Development Policy and to adopt the revised Council Member Training and Development Policy at Appendix 5.*
8. *With an effective date of 4 March 2025, to revoke the Council Member Training and Development Approval Form and to adopt the revised Council Member Training and Development Approval Form at Appendix 5.*
9. *With an effective date of 4 March 2025, to revoke the Caretaker Policy and to adopt the revised Caretaker Policy at Appendix 6.*
10. *With an effective date of 4 March 2025, to revoke the Internal Review of Council Decision Policy and to adopt the revised Internal Review of Council Decision Policy at Appendix 7.*
11. *With an effective date of 4 March 2025, to revoke the Internal Audit Policy and to adopt the revised Internal Audit Policy at Appendix 8.*
12. *With an effective date of 4 March 2025, to revoke the Behavioural Management Policy and to adopt the revised Behavioural Management Policy at Appendix 9.*
13. *With an effective date of 4 March 2025, to revoke the Advisory Group Operation Conduct Policy and to adopt the revised Advisory Group Operation Conduct Policy at Appendix 10.*
14. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the above policies.*

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

Nil

14. CORRESPONDENCE FOR NOTING

- 14.1. Recognition Letter to organisers and community groups who supported Australia Day long weekend celebrations (*NB: 1 letter included as an example, 4 sent total*)

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 - 17 February 2025
Item to be considered in the Confidential Items.
- 18.3. CEO Performance Review Panel
Nil
- 18.4. Boundary Change Committee
Nil

19. CONFIDENTIAL ITEMS

- 19.1. Audit Committee Confidential Minutes (17 February 2025)
- 19.2. Policy Amendments – Elected Members Access to Legal Advice Policy
- 19.3. Ashton Landfill

20. NEXT MEETING

Tuesday 11 March 2025, 6.30pm, 63 Mt Barker Road, Stirling

21. CLOSE MEETING

Council Meetings, Information and Briefing Sessions, CAP and Committee Meetings for 2025

DATE	TYPE	LOCATION	MINUTE TAKER
JANUARY 2025			
Wednesday 15 January	CAP	Stirling	TBA
Tuesday 28 January	Ordinary Council	Stirling	Skye Ludzay
FEBRUARY 2025			
Monday 3 February	Workshop	Woodside	N/A
Tuesday 11 February	Ordinary Council	Stirling	Rebekah Lyons
Wednesday 12 February	CAP	Stirling	TBA
Monday 17 February	Audit Committee	Stirling	Lauren Jak
Tuesday 18 February	Professional Development	Stirling	N/A
Tuesday 25 February	Ordinary Council	Stirling	Skye Ludzay
MARCH 2025			
Monday 3 March	Workshop	Woodside	N/A
Tuesday 11 March	Ordinary Council	Stirling	Rebekah Lyons
Wednesday 12 March	CAP	Stirling	TBA
Tuesday 18 March	Professional Development	Stirling	N/A
Saturday 22 March	Workshop	Stirling	N/A
Tuesday 25 March	Ordinary Council	Stirling	Skye Ludzay
Wednesday 26 March	CEO PRP	Stirling	Zoë Gill
APRIL 2025			
Wednesday 2 April	CEO PRP	Stirling	Zoë Gill
Monday 7 April	Workshop	Woodside	N/A
Tuesday 8 April	Ordinary Council	Stirling	Rebekah Lyons
Wednesday 9 April	CAP	Stirling	TBA
Monday 14 April	Audit Committee	Stirling	Lauren Jak
Tuesday 15 April	Professional Development	Stirling	N/A
Wednesday 16 April	CEO PRP	Stirling	Zoë Gill
Tuesday 22 April	Ordinary Council	Stirling	Skye Ludzay
MAY 2025			
Monday 5 May	Workshop	Woodside	N/A
Tuesday 13 May	Ordinary Council	Stirling	Rebekah Lyons
Wednesday 14 May	CAP	Stirling	TBA
Monday 19 May	Audit Committee	Stirling	Lauren Jak
Tuesday 20 May	Professional Development	Stirling	N/A
Tuesday 27 May	Ordinary Council	Stirling	Skye Ludzay
JUNE 2025			
Monday 2 June	Workshop	Woodside	N/A
Tuesday 10 June	Ordinary Council	Stirling	Rebekah Lyons
Wednesday 11 June	CAP	Stirling	TBA
Tuesday 17 June	Professional Development	Stirling	N/A
Tuesday 24 June	Ordinary Council	Stirling	Skye Ludzay
Wednesday 25 June	CEO PRP	Stirling	Zoë Gill
JULY 2025			
Monday 7 July	Workshop	Woodside	N/A
Tuesday 8 July	Ordinary Council	Stirling	Rebekah Lyons
Wednesday 9 July	CAP	Stirling	TBA
Tuesday 15 July	Professional Development	Stirling	N/A

DATE	TYPE	LOCATION	MINUTE TAKER
Tuesday 22 July	Ordinary Council	Stirling	Skye Ludzay
AUGUST 2025			
Monday 4 August	Workshop	Woodside	N/A
Tuesday 12 August	Ordinary Council	Stirling	Rebekah Lyons
Wednesday 13 August	CAP	Stirling	TBA
Monday 18 August	Audit Committee	Stirling	Lauren Jak
Tuesday 19 August	Professional Development	Stirling	N/A
Tuesday 26 August	Ordinary Council	Stirling	Skye Ludzay
SEPTEMBER 2025			
Monday 1 September	Workshop	Woodside	N/A
Tuesday 9 September	Ordinary Council	Stirling	Rebekah Lyons
Wednesday 10 September	CAP	Stirling	TBA
Tuesday 16 September	Professional Development	Stirling	N/A
Tuesday 23 September	Ordinary Council	Stirling	Skye Ludzay
OCTOBER 2025			
Tuesday 7 October (Public Holiday)	Workshop	Woodside	N/A
Wednesday 8 October	CAP	Stirling	TBA
Tuesday 14 October	Ordinary Council	Stirling	Rebekah Lyons
Monday 20 October	Audit Committee	Stirling	Lauren Jak
Tuesday 21 October	Professional Development	Stirling	N/A
Tuesday 28 October	Ordinary Council	Stirling	Skye Ludzay
NOVEMBER 2025			
Monday 3 November	Workshop	Woodside	N/A
Tuesday 11 November	Ordinary Council	Stirling	Rebekah Lyons
Wednesday 12 November	CAP	Stirling	TBA
Monday 17 November	Audit Committee	Stirling	Lauren Jak
Tuesday 18 November	Professional Development	Stirling	N/A
Tuesday 25 November	Ordinary Council	Stirling	Skye Ludzay
DECEMBER 2025			
Monday 1 December	Workshop	Woodside	N/A
Tuesday 9 December	Ordinary Council	Stirling	Rebekah Lyons
Wednesday 10 December	CAP	Stirling	TBA

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 2025

6.00 for 6.30pm

(dates and venues to be confirmed)

DATE	LOCATION

Council Member Attendance 2025

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
3 Feb 25 (WS)	F	AP	F	F	AP	F	AP	F	F	F	F	AP	F
18 Feb 25 (WS)	P	AP	F	F	F	P	AP	F	LOA	F	F	F	F

Council Member Attendance 2025

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
28 Jan 25	AP	F	AP	AP	F	LOA	F	AP	F	F	F	F	F
11 Feb 25	F	AP	LOA	F	F	F	F	F	AP	F	F	F	LOA

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 11 February 2025
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom

Members:

Councillor Nathan Daniell
Councillor Chris Grant
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Gary Lewis	Director Corporate Services
Jess Charlton	Director Community and Development
David Waters	Director Environment and Infrastructure
Michael Kelledey	Governance Support Kelledey Jones Lawyers
Rebekah Lyons	Minute Secretary
Tom Portas	Technical Support

1. COMMENCEMENT

The meeting commenced at 6:30pm.

2. OPENING STATEMENT

Council acknowledges that we meet on the traditional Country of the Peramangk and Kurna people. We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land. Together we will care for this place for the generations to come and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children's ability to live on this land.

3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

Cr Kirrilee Boyd
Cr Pauline Gill
Cr Adrian Cheater

Mayor _____

25 February 2025

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3.2 Leave of Absence

Cr Melanie Selwood, 9 February 2025 – 14 February 2025, approved at Council 28 January 2025.

Moved Cr Nathan Daniell

S/- Cr Kirsty Parkin

43/25

- 1 That a Leave of Absence from all duties of office be granted to Cr Adrian Cheater from 11 February 2025 to 17 February 2025.**
- 2 That any committee or panel membership currently held by Cr Adrian Cheater 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 – 28 January 2025**

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

44/25

Council resolves that the minutes of the Ordinary Council meeting held on 28 January 2025 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

Nil

6. PRESIDING MEMBER'S OPENING REMARKS

The Mayor thanked Cr Malcolm Herrmann for chairing the meeting in her absence on 28 January. Following the announcement that Mr David Waters, Director Environment and Infrastructure had tendered his resignation, the Mayor gave a vote of thanks to Mr Waters for his commitment to Council and the community during his 14 years of service.

7. QUESTIONS ADJOURNED/LYING ON THE TABLE**7.1 Questions Adjourned**

Nil

Mayor _____

25 February 2025

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7.2 Questions Lying on the Table

Nil

8. PETITIONS/DEPUTATIONS/PUBLIC FORUM

8.1 Petitions

8.1.1 Proposed names for Adelaide Hills Council wards

Moved Cr Malcolm Herrmann

S/- Cr Kirsty Parkin

45/25

- 1. Council resolves that the petitions signed by 413 signatories requesting that in regard to the Representation Review, that Council assigns the names of the wards as follows:**

- **North Ward – to be named Torrens Ward**
- **Central Ward - to be named Onkaparinga Ward**
- **South Ward - to be named Cox Ward**

be received and noted.

Carried Unanimously

8.1.2 Speed limit on Silver Lake Road, Mylor

Moved Cr Leith Mudge

S/- Cr Kirsty Parkin

46/25

Council resolves:

- 1. That the petition signed by 43 signatories requesting to reduce the speed limit on Silver Lake Road from 80kph to 60 kph to improve the safety for residents and pedestrians due to increased road traffic be received and noted.**
- 2. That the Chief Executive Officer commission a review of the current speed limit along Silver Lake Road, Mylor, by an appropriately qualified external practitioner, at the Council's cost.**
- 3. Should the review suggest a lower speed limit to that which exists at present, an application be made to the Department for Infrastructure and Transport for consideration, noting that the Department for Infrastructure and Transport is responsible for determining speed limits on South Australian roads.**

**ADELAIDE HILLS COUNCIL
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- 4. That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.**

Carried Unanimously

8.2 Deputations

Nil

8.3 Public Forum

Nil

9. PRESENTATIONS

Nil

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

Nil

12. OFFICER REPORTS – DECISION ITEMS

12.1 Ashton/Norton Summit CFS Site Lease Proposal

Moved Cr Louise Pascale
S/- Cr Leith Mudge

Council resolves:

1. That the report be received and noted.
2. That Council approves commencement of public consultation on the proposed twenty-one (21) year lease with the CFS, with a further option to renew for an additional twenty-one (21) years at the Ashton/Norton Summit CFS site situated at 5 Colonial Drive, Norton Summit SA 5136. The Land is contained within Certificate of Title Volume 5624 Folio 6.
3. That this report forms part of the Community Consultation report.

**ADELAIDE HILLS COUNCIL
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4. That the following community consultation is in accordance with Council's Community Consultation Policy:
 - a. That if there is substantive community objections to the proposed Lease, a further report will be submitted to Council providing information on the outcomes of the consultation and proposed process to deal with the proposal moving forward.
 - b. That if there are no substantive community objections, Council approves the signing of the twenty-one (21) year Lease.
5. That in the event that 4(b) applies, the Mayor and/or Chief Executive Officer or his delegate be authorised to sign all documents necessary, including affixation of the common seal if necessary, to give effect to this resolution.

VARIATION

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

Council resolves:

1. That the report be received and noted.
2. That Council approves commencement of public consultation on the proposed twenty-one (21) year lease with the CFS, **at a rental of \$1 per annum if demanded** with a further option to renew for an additional twenty-one (21) years at the Ashton/Norton Summit CFS site situated at 5 Colonial Drive, Norton Summit SA 5136. The Land is contained within Certificate of Title Volume 5624 Folio 6.
3. That this report forms part of the Community Consultation report.
4. That the following community consultation is in accordance with Council's Community Consultation Policy:
 - a. That if there is substantive community objections to the proposed Lease, a further report will be submitted to Council providing information on the outcomes of the consultation and proposed process to deal with the proposal moving forward.
 - b. That if there are no substantive community objections, Council approves the signing of the twenty-one (21) year Lease.
5. That in the event that 4(b) applies, the Mayor and/or Chief Executive Officer or his delegate be authorised to sign all documents necessary, including affixation of the common seal if necessary, to give effect to this resolution.

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Carried Unanimously

MOTION AS VARIED

Moved Cr Louise Pascale
S/- Cr Leith Mudge

47/25

Council resolves:

1. That the report be received and noted.
2. That Council approves commencement of public consultation on the proposed twenty-one (21) year lease with the CFS, at a rental of \$1 per annum if demanded with a further option to renew for an additional twenty-one (21) years at the Ashton/Norton Summit CFS site situated at 5 Colonial Drive, Norton Summit SA 5136. The Land is contained within Certificate of Title Volume 5624 Folio 6.
3. That this report forms part of the Community Consultation report.
4. That the following community consultation is in accordance with Council's Community Consultation Policy:
 - a. That if there is substantive community objections to the proposed Lease, a further report will be submitted to Council providing information on the outcomes of the consultation and proposed process to deal with the proposal moving forward.
 - b. That if there are no substantive community objections, Council approves the signing of the twenty-one (21) year Lease.
5. That in the event that 4(b) applies, the Mayor and/or Chief Executive Officer or his delegate be authorised to sign all documents necessary, including affixation of the common seal if necessary, to give effect to this resolution.

Carried Unanimously

12.2 Woodside CFS Site Lease Proposal

Moved Cr Malcolm Herrmann
S/- Cr Chris Grant

48/25

Council resolves:

1. That the report be received and noted.

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2. That Council approves commencement of public consultation on the proposed twenty-one (21) year lease with the CFS, at a rental of \$1 per annum if demanded with a further option to renew for an additional twenty-one (21) years at the Woodside CFS site situated at 8 Nairne Road, Woodside SA 5244. The land is described as the portion of the land contained within the Certificate of Title Volume 5624 Folio 6.
3. That this report forms part of the Community Consultation report.
4. That following community consultation in accordance with Council's Community Consultation Policy:
 - a. That if there are substantive community objections to the proposed Lease, a further report will be submitted to Council providing information on the outcomes of the consultation and proposed process to deal with the proposal moving forward.
 - b. That if there are no substantive community objections, Council approves the signing of the twenty-one (21) year Lease.
5. That in the event that 4(b) applies, the Mayor and/or Chief Executive Officer or his delegate be authorised to sign all documents necessary, including affixation of the common seal of necessary, to give effect to this resolution.

Carried Unanimously

12.3 Confidential Items Review

Moved Cr Nathan Daniell
S/- Cr Leith Mudge

49/25

DECISION 1

Council resolves:

1. To receive and note the report titled "Confidential Items Review" (Agenda item 12.3, 11 February 2025 Council Meeting).
2. To note the items held as confidential in the Confidential Items Register (*Appendix 1* of Agenda item 12.3, 11 February 2025 Council Meeting).

Carried Unanimously

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DECISION 2 – Resolution 52/24 – Recovery of Unpaid Rates

Moved Cr Louise Pascale

S/- Cr Mark Osterstock

50/25

Council resolves:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(i) of the Act:
 - The report, related attachments and minutes of 27 February 2024, Item No. 19.1, Recovery of Unpaid Rates, 52/24 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months.

On the grounds that the document(s) (or part) relates to information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;

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

Carried Unanimously

DECISION 3 – Resolution 74/24 – CEO PRP Minutes – 8 February 2024

Moved Cr Louise Pascale

S/- Cr Lucy Huxter

51/25

Council resolves to defer Decision 3 to the Ordinary Council meeting of 25 February 2025 in order for the CEO to provide the Chamber with our policy and process on how we may text redact elements of the minutes which disclose the affairs of any person (living or dead) or information which is commercial in confidence so that the items may be released to the public.

Carried

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DECISION 4 – Resolution 86/22 – Property Lobethal Road - Lenswood

Moved Cr Lucy Huxter
S/- Cr Mark Osterstock

52/25

Council resolves:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:

- The report and related attachments of 26 April 2022, Item No. 11.1.2, Property Lobethal Road - Lenswood, 86/22 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months.

On the grounds that the document(s) (or part) relates to:

- 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 a person;
 - Section 90(3)(h) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would waive privilege to legal advice received by the Council; and
 - Section 90(3)(i) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information relating to actual litigation, or litigation that the council believes on reasonable grounds will take place, involving the council.
2. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.

Carried Unanimously

DECISION 5 – Resolution 105/21 – Multi-Year Road Rally Proposal

Moved Cr Mark Osterstock
S/- Cr Leith Mudge

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Council resolves:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(d) of the Act:

- The report and related attachments of 25 May 2021, Item No. 11.1.2, Multi-Year Road Rally Proposal, 105/21 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months.

On the grounds that the document(s) (or part) relates to commercial information of a confidential nature (not being a trade secret) the disclosure of which— (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest;

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

Motion lost The Mayor used her casting vote
--

DIVISION

Cr Leith Mudge called a division.

The Mayor set aside the ruling.

In the affirmative (4)

Councillors Huxter, Mudge, Osterstock, Parkin

In the negative (5)

Councillors Herrmann, Grant, Pascale, Daniell, Mayor Wisdom

On the basis of the results of the division, the Mayor declared the motion **lost**.

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DECISION 6 – Resolution 85/14 – AHRWMA

Moved Cr Malcolm Herrmann

S/- Cr Kirsty Parkin

53/25

Council resolves:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b)(d) and (i) of the Act:

- The report and related attachments of 22 April 2014, Item No. 18.2.1, AHRWMA, 85/14 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months.

On the grounds that the document(s) (or part) relates to:

- 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;
 - commercial information of a confidential nature (not being a trade secret) the disclosure of which— (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest
 - information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;
2. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.

Carried Unanimously

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DECISION 7 – Resolution 100/24 – Special CEO PRP Minutes of Meeting – 21 March 2024

Moved Cr Leith Mudge

S/- Cr Kirsty Parkin

54/25

Council resolves:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:
 - The report, related attachments and minutes of 26 March 2024 Item No. 19.3, Special CEO PRP Minutes of Meeting, 100/24 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months.

On the grounds that the document(s) (or part) relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

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

Carried Unanimously

DECISION 8 – Resolution 97/24 – Trans Tasman Energy Group

Moved Cr Malcolm Herrmann

S/- Cr Chris Grant

55/25

Council resolves:

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(h) and (i) of the Act:
 - The report and related attachments of 26 March 2024, Item No. 19.2, Trans Tasman Energy Group, 97/24 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months.

On the grounds that the document(s) (or part) relates to:

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- Legal advice
 - Information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;
2. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

13.1 Annual Investment Performance 2023-24

Moved Cr Malcolm Herrmann
S/- Cr Nathan Daniell

56/25

Council resolves that the Annual Investment Performance 2023-24 report be received and noted.

Carried Unanimously

14. CORRESPONDENCE FOR INFORMATION

Nil

15. QUESTIONS WITHOUT NOTICE

Cr Malcolm Herrmann asked a question about the installation of AED's in Council buildings.

Cr Malcolm Herrmann asked for an update regarding progress with the Department for Infrastructure and Transport surrounding stormwater issues at Junction Road, Balhannah.

Cr Malcolm Herrmann asked for an update regarding the number of representations that have been received as part of the Representation Review and asked a follow up question about when the analysis be provided to Council.

Cr Chris Grant asked for an update regarding the establishment of the Community Bushfire Reference Group.

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16. MOTIONS WITHOUT NOTICE

16.1 Confidential Items Register

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

**Moved Cr Nathan Daniell
S/- Cr Kirsty Parkin**

57/25

That the CEO undertake a process that enables elected members to proactively review items currently listed on our 'Confidential Items Register'.

That a workshop be held by May 2025 to:

- **provide feedback in relation to the questions raised through this process.**
- **Consider any improvements that can be made to procedures for elected members to review items in confidence.**

Carried Unanimously

16.2 Vote of Thanks – Director Environment and Infrastructure, Mr David Waters

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

**Moved Cr Malcolm Herrmann
S/- Cr Louise Pascale**

58/25

That Council acknowledges Mr David Waters' highly valued service provided to Council and the community over the past 14 Years.

He has filled senior leadership positions in the Administration in an exemplary manner. Council extends its best wishes to David and his family for the future.

Carried Unanimously

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16.3 Proposed names for the Adelaide Hills Council Wards Petitions

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

Moved Cr Malcolm Herrmann
S/- Cr Lucy Huxter

That the Council refer the Petitions regarding the Representation Review be referred to CL Rowe and Associates Pty Ltd for consideration and advice to Council along with the other representations received.

Carried

17. REPORTS

17.1 Council Member Function or Activity on the Business of Council

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

Cr Malcolm Herrmann – Monday 3 February 2025, GRFMA Audit Committee

17.3 CEO Report

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

- An update regarding a recent meeting with Leyton Property regarding the Stirling Mall rebuild.
- Recent correspondence received from the Boundaries Commission advising that the community engagement component of the inquiry will commence in the near future.

18. REPORTS OF COMMITTEES

18.1 Council Assessment Panel

Nil

18.2 Audit Committee

Nil

18.3 CEO Performance Review Panel

Nil

18.4 Boundary Change Committee

Nil

**ADELAIDE HILLS COUNCIL
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19. CONFIDENTIAL ITEMS

Nil

20. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 25 February from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 8:09pm

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 7.1.1 Adjourned Motion on Notice

Originating from: Cr Mark Osterstock

Subject: Council Policy – Code of Practice for Council Meeting Procedures

1. Summary

At the Ordinary Council meeting on 28 January 2025, a Motion of Notice to amend the *Code of Practice of Meeting Procedures* was moved by Cr Osterstock and seconded by Cr Mudge. The motion was debated, with contributions from Cr Huxter, Cr Grant, and Cr Selwood. During the discussion, Cr Osterstock proposed a variation. However, the debate was halted when Cr Gill moved a formal motion to adjourn the item to the next meeting. This motion, seconded by Cr Huxter, was carried.

Under Regulation 19 and Clause 3.9 of the *Code of Practice for Meeting Procedures*, when a motion is adjourned, the debate resumes from the point of interruption. In this case, discussion should continue from the proposed variation as recorded in the Minutes of the 28 January meeting.

Additionally, Regulation 12 of the Regulations and Clause 4.2 of the *Code of Practice for Meeting Procedures* stipulate that a member may speak only once to a motion and cannot later move or second an amendment. As a result, Cr Huxter, Cr Grant, and Cr Selwood will be unable to contribute further to the debate. However, Cr Osterstock retains the right of reply.

A snip of the relevant section of the Minutes from 28 January 2025 is provided below.

11.3 Policy – Code of Practice for Council Meeting Procedures - Cr Mark Osterstock

Moved Cr Mark Osterstock
S/- Cr Leith Mudge

I move that:

1. Council receives and notes the Code of Practice for Council Meeting Procedures [the Policy], Appendix 1.
2. Effective forthwith, Council

- a) amends clause 3.8.1 [Mayor's Opening Remarks] of the Policy:

FROM - "At each ordinary Council, the Mayor may present opening remarks which will be generally related to matters regarding the conduct of the meeting (e.g. acknowledging members of the gallery, advising break times, proposals to reorder the agenda) or to acknowledge a significant civic, cultural or other event. A brief summary of these remarks will be minuted."

TO - "At each ordinary Council, the Mayor may present opening remarks which will be ~~generally related~~ confined to matters regarding the conduct of the meeting (e.g. acknowledging members of the gallery, advising break times, proposals to reorder the agenda) or to acknowledge a significant civic, cultural or other event. A brief summary of these remarks will be minuted."

- b) Adds clauses 3.8.2-3.8.3 as follows:

- i) 3.8.2 The Mayor will not use the Mayor's Opening remarks to make a personal explanation to Council
- ii) 3.8.3 Should the Mayor wish to make a personal explanation to Council, the Mayor should seek leave of Council in accordance with regulation 15 and section 4.6 of this Code of Practice.

3. Effective forthwith, Council amends clause 4.6.1 [Addresses by Members] of the Policy:
-

- FROM – “A personal explanation should provide the member’s account of the reasons or factors regarding an event or situation in which they had an involvement. The explanation should not: (a) make imputations of improper motives or contain personal opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions.”

- TO – “ A personal explanation should:
 - a) provide the member’s account of the reasons or factors regarding an event or situation in which they had an involvement, or
 - b) address a requirement of Council or satisfy a Council resolution

The explanation will not, under any circumstances, either directly or indirectly, make imputations of improper motives or conduct, or contain personal opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions (except where the personal explanation is to satisfy clause (b) above).”

VARIATION

Through the Presiding Member, with the consent of the Mover and Seconder, leave of the meeting was sought and granted to vary the motion as follows:

1. Council receives and notes the Code of Practice for Council Meeting Procedures [the Policy], Appendix 1.
2. Effective forthwith, Council
 - c) amends clause 3.8.1 [Mayor’s Opening Remarks] of the Policy:

FROM - “At each ordinary Council, the Mayor may present opening remarks which will be generally related to matters regarding the conduct of the meeting (e.g. acknowledging members of the gallery, advising break times, proposals to reorder the agenda) or to acknowledge a significant civic, cultural or other event. A brief summary of these remarks will be minuted.”

TO - "At each ordinary Council, the Mayor may present opening remarks which will be ~~generally related~~ confined to matters regarding the conduct of the meeting (e.g. acknowledging members of the gallery, advising break times, proposals to reorder the agenda) or to acknowledge a significant civic, cultural or other event. A brief summary of these remarks will be minuted."

d) Adds clauses 3.8.2-3.8.3 as follows:

- iii) 3.8.2 The Mayor will not use the Mayor's Opening remarks to make a personal explanation to Council
- iv) 3.8.3 Should the Mayor wish to make a personal explanation to Council, the Mayor should seek leave of Council in accordance with regulation 15 and section 4.6 of this Code of Practice.

3. Effective forthwith, Council amends clause 4.6.1 [Addresses by Members] of the Policy:

➤ FROM – "A personal explanation should provide the member's account of the reasons or factors regarding an event or situation in which they had an involvement. The explanation should not: (a) make imputations of improper motives or contain personal opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions."

➤ TO – " A personal explanation should:

- a) provide the member's account of the reasons or factors regarding an event or situation in which they had an involvement, or
- b) address a requirement of Council or satisfy a Council resolution

The explanation will not, under any circumstances, either directly or indirectly, make imputations of improper motives or conduct, or contain personal opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions (except where the personal explanation is to satisfy clause (b) above)."

4. That the CEO prepare a report for councils' consideration as to the merits of retaining the mayors opening remarks as an agenda item.

FORMAL MOTION

Moved Cr Pauline Gill
S/- Cr Lucy Huxter

8/25

That agenda item 11.3 is adjourned until the 25 February 2025 Council meeting.

Carried

2. OFFICER'S RESPONSE – Zoë Gill, Executive Governance Officer

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

See **Appendix 1**

➤ **Legal Implications**

The rules and procedures for all meetings of Council and its Committees are outlined in the:

- a. *Local Government Act 1999* (the Act)
- b. *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations)
- c. Council's Code of Practice for Meeting Procedures

Regulation 19 of the Regulations and clause 3.9 of the *Code of Practice for Meeting Procedures* specifies the action to be taken when a motion is adjourned – which is that the debate on the question will continue at the point of interruption.

3.9. Questions Adjourned/Lying on the Table

- 3.9.1 Sometimes 'questions'⁴ being debated in the Chamber may need to be adjourned for reasons such as required information not being available at that time. In these cases a 'formal motion'⁵ can be resolved to adjourn the matter for a later time.

Questions Adjourned

Legislation – Regulation 19
<p>(1) <i>If a formal motion for a substantive motion to be adjourned is carried:</i></p> <p>(a) <i>The adjournment may either be to a later hour of the same day, to another day, or to another place; and</i></p> <p>(b) <i>The debate, will, on resumption, continue at the point at which it was adjourned.</i></p> <p>(2) <i>If debate was interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was adjourned.</i></p> <p>(3) <i>Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting</i></p>

- 3.9.2 The resolution to adjourn a question will nominate the time and place that debate on the question will continue and therefore they do not require a resolution for debate to resume (at the point of interruption) however these questions must be considered prior to any new business being dealt with.

Questions Lying on the Table

- 3.9.3 Questions Lying on the Table require a resolution for the question to be retrieved (and debate resumed at the point of interruption).

Legislation – Regulation 12
<p>(19) <i>Any question that lies on the table as a result of a successful formal motion under subregulation (14)(c) lapses at the next general election.</i></p> <p>(20) <i>The chief executive must report on each question that lapses under subregulation (19) to the council at the first ordinary meeting of the council after the general election.</i></p>

In this instance, the point of continuance will be the variation as per the minutes from the Ordinary Council Meeting on 28 January 2025.

Regulation 12 of the Regulations and clause 4.2 of the *Code of Practice for Meeting Procedures* specifies that a member may only speak once to a motion and a member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion. In the continuance of the debate Cr Huxter, Cr Grant, and Cr Selwood will be prevented from speaking to the motion. Cr Osterstock may make a right of reply.

4.2. Motions in General, Speaking to Motions and Rights of Reply

Legislation – Regulation 12
<i>(5) Subject to the Act and these regulations, a Member may also bring forward any business by way of a motion without notice.</i>
<i>(6) The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.</i>
<i>(7) The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council or council committee (as the case may be)</i>
<i>(8) A motion will lapse if it is not seconded at the appropriate time.</i>
<i>(9) A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion.</i>
<i>(10) A member may only speak once to a motion except-</i> <i>(a) to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or</i> <i>(b) with leave of the meeting ; or</i> <i>(c) as the mover in reply.</i>
<i>(11) A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion</i>
<i>(21) Subregulations (9), (10) and (11) may be varied at the discretion of the council pursuant to regulation 6.</i>

See **Appendix 1** for legal implications regarding the Motion on Notice.

➤ **Risk Management Implications**

See **Appendix 1**

➤ **Financial and Resource Implications**

Not applicable.

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

Not applicable.

➤ **Sustainability Implications**

Not applicable.

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

Not applicable.

3. APPENDICES

- (1) Agenda item 11.3 from Ordinary Council meeting on 28 January 2025 (Motion of Notice: Council Policy – Code of Practice for Council Meeting Procedures)

Appendix 1

*Agenda item 11.3 from Ordinary Council meeting on
28 January 2025 (Motion of Notice: Council Policy -
Code of Practice for Council Meeting Procedures)*

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 January 2025
AGENDA BUSINESS ITEM**

Item: 11.3 Motion on Notice

Originating from: Cr Mark Osterstock

Subject: Council Policy – Code of Practice for Council Meeting Procedures

1. MOTION

I move that:

1. Council receives and notes the Code of Practice for Council Meeting Procedures [the Policy], Appendix 1.
2. Effective forthwith, Council
 - a) amends clause 3.8.1 [Mayor's Opening Remarks] of the Policy:

FROM - "At each ordinary Council, the Mayor may present opening remarks which will be generally related to matters regarding the conduct of the meeting (e.g. acknowledging members of the gallery, advising break times, proposals to reorder the agenda) or to acknowledge a significant civic, cultural or other event. A brief summary of these remarks will be minuted."

TO - "At each ordinary Council, the Mayor may present opening remarks which will be ~~generally related~~ **confined** to matters regarding the conduct of the meeting (e.g. acknowledging members of the gallery, advising break times, proposals to reorder the agenda) or to acknowledge a significant civic, cultural or other event. A brief summary of these remarks will be minuted."

- b) Adds clauses 3.8.2-3.8.3 as follows:
 - i) 3.8.2 The Mayor will not use the Mayor's Opening remarks to make a personal explanation to Council
 - ii) 3.8.3 Should the Mayor wish to make a personal explanation to Council, the Mayor should seek leave of Council in accordance with regulation 15 and section 4.6 of this Code of Practice.
3. Effective forthwith, Council amends clause 4.6.1 [Addresses by Members] of the Policy:
 - **FROM** – "A personal explanation should provide the member's account of the reasons or factors regarding an event or situation in which they had an

involvement. The explanation should not: (a) make imputations of improper motives or contain personal opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions.”

- **TO – “ A personal explanation should:**
- **a) provide the member’s account of the reasons or factors regarding an event or situation in which they had an involvement, or**
 - **b) address a requirement of Council or satisfy a Council resolution**

The explanation will not, under any circumstances, either directly or indirectly, make imputations of improper motives or conduct, or contain personal opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions (except where the personal explanation is to satisfy clause (b) above).”

2. BACKGROUND

Mayor’s Opening Remarks 3.8

The current Council policy position regarding Mayor’s Opening Remarks requires, in my opinion, clarity to prevent this agenda item being used for a purpose other than what it has been, or indeed, is intended. This statement is not intended to be a criticism of how this agenda item has been utilised in the past, quite simply, technically, in my view, clause 3.8.1 provides the Mayor with scope to make personal statements and or raise matters of urgency. This, quite clearly, is not what this agenda item is intended for, given the making of personal statements and the raising of matters of urgency are provided for pursuant to the provisions of Section 15 of the *Local Government (Procedures at Meetings) Regulations 2013* and clause 4.6 of the Policy.

Addresses by Members 4.6

The current Council policy position regarding Addresses by Members requires, in my opinion, clarity to prevent this agenda item being used for a purpose or purposes other than what is intended. The wording of the current policy position, “The explanation should not: (a) make imputations of improper motives or contain private opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions.”, does not prevent a member making, either directly or indirectly, imputations of improper motives or contain personal opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions. The purpose of this amendment is to remove the words ‘should not’ [which, in my view, provides the member with a discretion] and make it crystal clear, and unambiguous, that such contributions by members will not be permitted by Council.

3. OFFICER’S RESPONSE – Zoe Gill, Executive Governance Officer

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your place, your space

Goal	Organisation
Objective O2	Operate with integrity using best practice governance processes.
Priority 02.3	Enhance governance structures and systems to be agile and support our legislative obligations.

This motion aligns with the Strategic Plan 2024 - *Your place, your space*, specifically supporting the goal of fostering an effective and transparent organisation. The proposed amendments to the Code of Practice for Council Meeting Procedures directly contribute to Objective O2 by promoting integrity and ensuring that governance processes are clear, consistent, and reflective of best practices. By refining the Mayor’s Opening Remarks and the section on Addresses by Members, the motion supports Council’s commitment to accountability and clarity.

➤ Legal Implications

The rules and procedures for all meetings of Council and its Committees are outlined in the:

- a. *Local Government Act 1999* (the Act)
- b. *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations)
- c. Council’s Code of Practice for Meeting Procedures

Section 59 of the Act outlines the role and responsibilities of the principal member (Mayor), including providing leadership and ensuring the proper conduct of Council meetings.

Regulation 15 of the Regulations and clause 4.6 of the Code of Practice for Meeting Procedures specify the requirements for members to seek leave of the Council to make personal explanations during meetings.

Legislation – Regulation 15
<i>(1) A member must not speak for longer than 5 minutes at any 1 time without leave of the meeting</i>
<i>(2) A member may, with leave of the meeting, raise a matter of urgency</i>
<i>(3) A member may, with leave of the meeting, make a personal explanation</i>
<i>(4) The subject matter of a personal explanation may not be debated</i>
<i>(5) The contribution of a member must be relevant to the subject matter of the debate</i>
<i>(6) Subregulations (1) and (2) may be varied at the discretion of the council pursuant to regulation 6.</i>

The proposed amendments to the Code of Practice for Council Meeting Procedures have been reviewed and are consistent with the provisions of both the Act and the Regulations. Nothing in the amendments contravenes the legislative requirements.

➤ **Risk Management Implications**

The proposed amendments to the Code of Practice for Council Meeting Procedures aim to mitigate the risk of:

Poor governance practices leading to a loss of stakeholder confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (SC)	Low (3E)	Low

The recommendation involves the creation of a mitigation action, specifically through the clarification and reinforcement of procedural rules in the Code of Practice. This will serve as a control measure to ensure consistency, compliance with legislative requirements, and the maintenance of public trust in Council's governance processes.

➤ **Financial and Resource Implications**

Not applicable.

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

Not applicable.

➤ **Sustainability Implications**

Not applicable.

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

Not applicable.

4. ANALYSIS

The proposed amendments to the Code of Practice for Council Meeting Procedures aim to enhance clarity and consistency in the application of meeting procedures. Specifically:

Mayor's Opening Remarks (Clause 3.8):

The amendments refine the scope of the Mayor's Opening Remarks to ensure they are limited to meeting conduct and significant civic or cultural events. This change eliminates ambiguity and reinforces the intent of this agenda item, clarifying that personal explanations or urgent matters should be raised in accordance with Regulation 15 of the Regulations.

Addresses by Members (Clause 4.6):

The proposed changes clarify the conditions under which personal explanations can be made by members, ensuring these explanations remain professional and focused. By removing the discretionary language ("should not") and replacing it with definitive wording ("will not"), the amendments provide a stronger safeguard against improper use.

5. APPENDICES

- (1) Code of Practice for Council Meeting Procedures (with proposed amendments in track changes)

Appendix 1


*Code of Practice for Council Meeting Procedures (with
proposed amendments in track changes)*

Council Policy

Code of Practice for Council Meeting Procedures



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2 style="margin: 0;">CODE OF PRACTICE FOR COUNCIL MEETING PROCEDURES</h2>
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Policy Number:	GOV-14
Responsible Department(s):	Governance & Performance
Relevant Delegations:	As per the delegations schedule and as included in this Code
Other Relevant Policies:	<i>Acknowledgement and Welcome to Country Policy</i> <i>Council Member Conduct Policy</i> <i>Code of Practice for Access to Council and Council Committee and Information or Briefing Sessions Meetings & Documents</i> <i>Petitions Policy</i> <i>Information or Briefing Sessions Policy</i> <i>One Team – Communication Protocols for Council Members and the Administration</i>
Relevant Procedure(s):	None
Relevant Legislation:	<i>Local Government Act 1999</i> <i>Local Government (Procedures at Meetings) Regulations 2013</i>
Policies and Procedures Superseded by this policy on its Adoption:	Code of Practice for Council Meeting Procedures, 22 March 2022, 65/22
Adoption Authority:	Council
Date of Adoption:	11 July 2023
Effective From:	17 July 2023
Minute Reference for Adoption:	187/23
Next Review:	No later than July 2024 or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	28/1/2020	Code adopted	Council – Res 17/20
1.1	25/2/2020	Amendments to clause 3.10 to provide consistency with changes to Council <i>Petitions Policy</i>	Council - Res 47/20
1.2	21/4/2020	Amendments to provide consistency with <i>Electronic Participation in Council Meetings Notice (No 1) 2020</i>	Council - Res 63/20
1.3	22/9/2020	Amendments to provide for the broadcasting of Council meetings	Council – Res 198/20
1.4	31/1/2021	Amendment to provide consistency with the <i>Acknowledgement and Welcome to Country Policy</i>	Council – Res 295/20
1.5	10/11/2021	Consequential amendments from adoption of Information or Briefing Sessions Policy and changes to Local Government Act regarding question and motion notice periods.	Council – Res 226/21
1.6	11/11/2021	Updated legislative references relating to publication of <i>Electronic Participation in Council Meetings Notice (No 5) 2021</i>	N/A
2.0	5/4/2022	Multiple amendment to Sections 3 and 4	Council – Res 65/22
2.1	21/6/22	Provisions relating to Notice No 5 (electronic participation) removed following 28 day elapsed period after Public Health Emergency Declaration cessation	Council – Res 65/22
2.2a	17/7/23	Removed all electronic meetings provisions regarding for Council Members, updated the conflict of interest provision references and the leave of the meeting definition, inserted reference to the Behavioural Standards for Council Members and provisions regarding suspension of Members	Council – Res 187/23

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CODE OF PRACTICE FOR COUNCIL MEETING PROCEDURES

1. INTRODUCTION

- 1.0.1 Adelaide Hills Council (AHC) is committed to the principle of honest, open and transparent governance and encourages community participation in the business of Council. The rules and procedures for all meetings of Council and its Committees are outlined in the:
- a. *Local Government Act 1999* (the Act)
 - b. *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations)
- 1.0.2 These Regulations provide that a council may develop and adopt a Code of Practice for its own meetings of Council and Committees that add to, or vary certain aspects of, these provisions. Committees, in this regard, refer to committees established under section 41 of the Act.
- 1.0.3 The purpose of this Code is to establish a consistent approach and provide clear expectations to Council Members, staff, residents, ratepayers and guests for the order of business, procedures and etiquette of AHC Council meetings.
- 1.0.4 This Code supplements the legislation, with any procedures that are required by legislation inserted into the document with reference to the relevant regulation (provided in boxes, with wording in italics). This enables the Code to be read in conjunction with AHC's meeting procedure requirements. Please note that this only applies to procedures at the meeting, rather than those aspects that relate to frequency, timing, and notice of meetings, where reference has only been made to the relevant section within the Act.

1.1. Application of the Code of Practice

- 1.1.1 This Code applies to all ordinary and special meetings of Council.
- 1.1.2 The section 41 committees of Council will be guided by the Act and Regulations as applicable to those committees and any provisions set out in the committee terms of reference. For clarity, Parts 1, 3 and 4 of the Regulations will apply to the committee but not the provisions of Part 2 of the Regulations.
- 1.1.3 References to the Mayor also include the acting Presiding Member in the Mayor's absence.

1.2. Guiding Principles

- 1.2.1 Regulation 4 of the Regulations prescribes guiding principles that should be applied with respect to the procedures to be observed at a meeting of a council of council committee.
- 1.2.2 In determining a matter of meeting procedure, the Mayor should consider the extent to which the proposed action upholds the following principles:

Legislation – Regulation 4

The following principles (the Guiding Principles) should be applied with respect to the procedures to be observed at a meeting of a Council or Council Committee.

- a) *procedures should be fair and contribute to open, transparent and informed decision making.*
- b) *procedures should encourage appropriate community participation in the affairs of the Council.*
- c) *procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting.*
- d) *procedures should be sufficiently certain to give the community and decision makers confidence in the deliberations undertaken at the meeting.*

1.2.3 These Guiding Principles underpin the details documented in this Code of Practice.

2. OPERATING PROCEDURES – BEFORE THE MEETING

2.1. Calling Meetings

Ordinary Meetings

2.1.1 Section 81 of the Act prescribes the legislative requirements for the frequency and timing of Ordinary Council Meetings.

2.1.2 The schedules for Ordinary Council Meetings are resolved in advance and are maintained on the Council website.

Special Meetings

2.1.3 Section 82 of the Act prescribes the legislative requirements for the calling of Special Meetings of council.

2.1.4 Details of Special meetings of Council will be placed on the Council website as soon as possible after the decision to call the meeting.

2.2. Notice and Agendas for Meetings

Ordinary Meetings

2.2.1 Sections 83 and 84 of the Act prescribe the legislative requirements for providing Council Members and the public with notice for Council meetings.

2.2.2 At least three (3) clear days¹ before the Council meeting the Chief Executive Officer (CEO) must give written notice of the meeting to all Council Members setting out the date, time and place of the meeting.

¹ 'clear days' means that the time between the giving of the notice and the day of the meeting, but excluding both the day on which the notice was given and the day of the meeting, (e.g. notice is given on a Thursday for a following Monday meeting, the clear days are Friday, Saturday and Sunday). If a notice is given after 5 p.m. on a day, the notice will be taken to have been given on the next day

- 2.2.3 The notice must contain or be accompanied by the agenda² and, as far as practicable, the documents and reports that are to be considered at the meeting. Council's practice, whenever possible, is to provide the notice four (4) clear days before the meeting (i.e. by 5.00pm Thursday for a Tuesday evening meeting).
- 2.2.4 Each Council Member may indicate their preference for delivery of the notice of meeting, agenda and reports for all Council meetings. Any changes to the delivery arrangements must be requested in writing.
- 2.2.5 For members of the public, a copy of the notice of meeting, agenda and reports (with the exception of confidential items) will be displayed for viewing on Council's website www.ahc.sa.gov.au and on public display at the principal office as soon as practicable after the time when the document or report is supplied to members of the Council³.
- 2.2.6 The notice will remain on the website and on public display until the completion of the meeting. In practice these notices remain available indefinitely.

Special Meetings

- 2.2.7 For Special Meetings, the CEO must ensure that each Member of the Council is given at least four (4) hours' notice of a special meeting of the Council.
- 2.2.8 Notices of special meetings will be distributed by email to the Council-provided email address for each Member, and will be displayed on Council's website for viewing by members of the public. Where notice of Special Meetings is provided with less than 24 hours' notice, best endeavours will be used to bring the notice to the attention of each Member by making contact by phone, message service or similar.

2.3. Public Access to Meetings

- 2.3.1 Council has adopted a *Code of Practice for Access to Council, Council Committee and Information or Briefing Sessions Meetings & Documents* which outlines the arrangements for public access to Council meetings.

2.4. Questions for Clarification Prior to the Meetings

- 2.4.1 To facilitate efficient and effective meetings, Council Members are encouraged to contact the CEO or nominated delegate prior to Council meetings to clarify matters appearing on the agenda. For Administration Reports, the nominated delegate is the Council Officer whose name is listed as the Responsible Officer.

² 'agenda' under s4(1) of the Act means a list of items of business to be considered in a meeting. For clarity, reports and documents that accompany those business items are not considered to be the 'agenda'.

³ For more information on public access to the Council agenda, please see the *Code of Practice for Access to Council and Council Committee and Designated Informal Gatherings Meetings & Documents*

3. OPERATING PROCEDURES – THE ORDER OF BUSINESS

3.1. Commencement of Meetings and Quorums

Legislation – Regulation 7

- (1) *A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.*
- (2) *If the number of apologies received by the chief executive officer indicates that a quorum will not be present at a meeting, the chief executive officer may adjourn the meeting to a specified day and time.*
- (3) *If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the presiding member or, in the absence of a presiding member, the chief executive officer, will adjourn the meeting to a specified day and time.*
- (4) *If a meeting is adjourned for want of a quorum, the chief executive officer will record in the minute book the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.*
- (5) *If a meeting is adjourned to another day, the chief executive officer must-*
 - (a) *give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and*
 - (b) *give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be published on a website determined by the chief executive officer.*

3.1.1 A quorum for Council is determined under s85(1) of the Act by ‘dividing the total number of members of the council for the time being in office by 2, ignoring any fraction resulting from the division, and adding one’. For the purposes of s85(1) the members of council in office used to calculate the quorum does not include a member of council who is suspended from office or a member of council who has taken a leave of absence under s55 (to contest a state election) – see s85(2).

3.1.2 In the normal course of events, AHC’s quorum is seven (7) Council Members (this includes the Mayor).

3.2. Order of Business

3.2.1 The order of business for Council meetings will generally be in accordance with the attached agenda template – refer **Appendix A**. However the Mayor at their own initiative or at the request of a Member of Council may bring forward items, with the leave of the meeting, for debate and resolution where:

- a. a large contingent of interested parties is present in the gallery
- b. contractors or consultants are present to make presentations; or
- c. it may otherwise be considered expedient or appropriate.

3.3. Length of Council Meetings

3.3.1 Council meetings will commence upon a quorum being present at the time set down in the Notice of Meeting.

- 3.3.2 Council meetings will conclude at or before 10.00pm, or 3.5 hours after the commencement, whichever is the earlier, unless the meeting formally resolves on each specific occasion to continue beyond that time.
- 3.3.3 Where the business of a meeting is unlikely to be completed before 10.00pm, or within 3.5 hours of the commencement, a motion is to be put to the meeting whether to continue or adjourn to another date and time. Extensions of the meeting will normally be in 30 minute blocks.
- 3.3.4 During the course of a Council meeting, a motion may be put to adjourn the meeting for a specified period (e.g. for 10 minutes).

3.4. Opening Statement

- 3.4.1 After calling a Council meeting to order, the meeting shall be opened with an Acknowledgement of Country consistent with the Council's *Acknowledgement and Welcome to Country Policy*, as amended from time to time.

3.5. Attendees, Apologies and Absences

- 3.5.1 If a Member expects to be late or unable to attend a meeting, the Governance & Performance Department (governanceandperformance@ahc.sa.gov.au) is to be advised prior to the commencement of the meeting or as soon as possible.
- 3.5.2 If a Member intends to seek a leave of absence, the request must be made in writing via the Governance & Performance Department, specifying the period of leave that is being requested, prior to the commencement of the meeting.
- 3.5.3 A leave of absence will only be granted by a resolution of the Council and will involve leave from all Council duties (including roles on council committees, panels and advisory groups).
- 3.5.4 Where a Member is intending to be interstate, overseas or otherwise not able to attend to the full range of duties, they should seek a leave of absence at the preceding meeting.
- 3.5.5 Where a Member recommences duties prior to the expiry of the approved period, the leave of absence will cease. For the sake of clarity, the leave of absence does not recommence without a new resolution of the Council to grant leave.
- 3.5.6 A leave of absence will not be retrospective.
- 3.5.7 All apologies and leaves of absence will be listed in the Minutes for each Council meeting that it relates to.
- 3.5.8 If no apology has been received by the commencement of the meeting and there is no leave of absence and the Member is not present, they will be recorded in the Minutes as being absent.
- 3.5.9 If a Member arrives after the meeting commences, the time of arrival will be included in the Minutes.

- 3.5.10 If a Member has to leave a meeting (for longer than a comfort break), the Member should draw their impending departure to the attention of the Mayor to ensure that the presence of a quorum can be monitored.
- 3.5.11 Council Officers who address the Council meeting will be recorded in the Minutes as being in attendance.
- 3.5.12 The number of members of the public or representation of any other organisations will not be recorded in the minutes, unless presenting on a specific item in the agenda.

3.6. Confirmation of Minutes

Legislation – Regulation 8
<i>(1) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting</i>
<i>(2) No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.</i>
<i>(3) On the confirmation of the minutes, the presiding member will-</i>
<i>(a) initial each page of the minutes, which pages are to be consecutively numbered; and</i>
<i>(b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.</i>

- 3.6.1 The Minutes included in an Ordinary meeting agenda will be those unconfirmed minutes of any previous meetings less any information that is subject to an order under section 90 of the Act.

3.7. Declaration of Interest

- 3.7.1 The provisions in relation to a Council Member's interests are set out in sections 73, 74, 75 and 75A-C of the Act and Reg 8AAA in the *Local Government (General) Regulations 2013*.
- 3.7.2 It is a Council Member's responsibility to ensure they are aware of, and understand, the legislative provisions relating to declarations of interest.
- 3.7.3 A Council Member who has an interest in a matter, as defined under sections 74 and 75 of the Act, must disclose the interest to the Council in accordance with the provisions of sections 75B and 75C of the Act. Disclosures will be recorded in the Minutes in accordance with the relevant provisions of the Act and Regulations.
- 3.7.4 Council Members may seek advice about a possible interest before a meeting by contacting the CEO or the Governance & Performance Department. If necessary, the Governance & Performance Department will facilitate the Member to contact the Council's lawyers directly for advice, at Council's expense.

3.8. Mayor's Opening Remarks

3.8.1 At each ordinary Council, the Mayor may present opening remarks which will be confined ~~generally related~~ to matters regarding the conduct of the meeting (e.g. acknowledging members of the gallery, advising break times, proposals to reorder the agenda) or to acknowledge a significant civic, cultural or other event. A brief summary of these remarks will be minuted.

3.8.2 The Mayor will not use the Mayor's Opening Remarks to make a personal explanation to Council.

3.8.3 Should the Mayor wish to make a personal explanation to Council, the Mayor should seek leave of Council in accordance with regulation 15 and section 4.6 of this Code of Practice.

3.9. Questions Adjourned/Lying on the Table

3.9.1 Sometimes 'questions'⁴ being debated in the Chamber may need to be adjourned for reasons such as required information not being available at that time. In these cases a 'formal motion'⁵ can be resolved to adjourn the matter for a later time.

Questions Adjourned

Legislation – Regulation 19

- (1) *If a formal motion for a substantive motion to be adjourned is carried:*
- (a) *The adjournment may either be to a later hour of the same day, to another day, or to another place; and*
 - (b) *The debate, will, on resumption, continue at the point at which it was adjourned.*
- (2) *If debate was interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was adjourned.*
- (3) *Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting*

3.9.2 The resolution to adjourn a question will nominate the time and place that debate on the question will continue and therefore they do not require a resolution for debate to resume (at the point of interruption) however these questions must be considered prior to any new business being dealt with.

Questions Lying on the Table

3.9.3 Questions Lying on the Table require a resolution for the question to be retrieved (and debate resumed at the point of interruption).

Legislation – Regulation 12

- (19) *Any question that lies on the table as a result of a successful formal motion under subregulation (14)(c) lapses at the next general election.*
- (20) *The chief executive must report on each question that lapses under subregulation (19) to the council at the first ordinary meeting of the council after the general election.*

⁴ Regulation 12 (14) refers to a motion that has been moved and seconded as a 'question'.

⁵ For more information on formal motions see clause 4.3 of this Code.

3.10. Petitions

- 3.10.1 Petitions may be submitted to Council in line with Council's *Petition Policy*. If the petition is a compliant petition for the purposes of the Act and the *Petition Policy*, it will be placed on the agenda for the next scheduled meeting of Council.
- 3.10.2 The Council agenda will contain a report regarding petition(s) received. The report will contain the nature of the request or submission, the name and locality of the Principal Signatory, a brief statement as to the nature of the request or submissions, the number of signatories and an Officer's Response providing a brief commentary on the relationship/relevance of the petition topic to Council services/activities/plans/strategies/ resolutions and options available to Council to address the petition request. Further the report will recommend, as a minimum, that:
- a. The report be received and noted; and
 - b. The CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter
 - c. The recommendation may also include further actions for the Council to consider taking in relation to the matter
- 3.10.3 A full copy of the petition will not be included in the agenda to protect the privacy of individuals. Council Members may request a copy of the petition and it is the Members' responsibility not to distribute or publish a copy of the full petition.
- 3.10.4 If, in consideration of a petition, a Council Member determines to move a Motion Without Notice, the Council will deal with the motion at that point in the agenda, subject to the compliance with the applicable requirements of legislation/policy.

3.11. Deputations

- 3.11.1 A deputation is a formal opportunity to address the Council on a particular matter during a meeting.

Legislation – Regulation 11
<p><i>Deputation means a person or group of persons who wish to appear personally before a council or council committee in order to address the council or committee (as the case may be) on a particular matter.</i></p> <p><i>(1) A person or persons wishing to appear as a deputation at a meeting must deliver) a written request to the council.</i></p> <p><i>(2) The chief executive officer must transmit a request received under subregulation (1) to the presiding member.</i></p>

Making a Deputation Request

- 3.11.2 A person or persons wishing to appear as a deputation at a Council meeting must forward a written request to the CEO, indicating the reasons for the deputation. Deputations will be limited ordinarily to a maximum of two (2) per Ordinary Council meeting.
- 3.11.3 In the normal course of events, the deputation request must be received no less than seven (7) clear days prior to the Council meeting, for inclusion in the Agenda. Details of Council meeting dates are contained on the Council website.

- 3.11.4 If however the matter relates to an item of business on the Agenda and there are not two (2) deputations already approved for the meeting, the Deputation Request Form may be lodged up to 5.00pm on the day prior to the Council meeting.
- 3.11.5 A request to make a deputation should be made by submitting a *Deputation Request Form*, which is available on Council's website. The Form, which must be completed in full, includes an acknowledgment of the deputation obligations and procedures to be observed at the meeting.
- 3.11.6 A deputation may comprise one (1) or a number of persons. When a deputation appears at a meeting up to two (2) members of the deputation (e.g. deputees) will be allowed to speak, and to reply to questions from Council Members.
- 3.11.7 Should a deputee be speaking on behalf of an association, organisation or other body, they may be required to provide a copy of the constitution and rules of that organisation, association or other body, and evidence, such as committee meeting minutes, that they are authorised to make a deputation of behalf of the body prior to the deputee's address.

Processing a Deputation Request

Legislation – Regulation 11

<i>(3) The presiding member may refuse to allow the deputation to appear at a meeting.</i>
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- 3.11.8 Whether or not a deputation may appear is to be determined on a case-by-case basis by the Mayor. In determining whether a deputation request is granted the following considerations will be taken into account:
- a. the subject matter of the proposed deputation;
 - b. relevance to the Council agenda nominated – and if not, relevance to the Council's powers or purpose;
 - c. the integrity of the request (i.e. whether it is considered to be frivolous and/or vexatious);
 - d. the size and extent of the agenda for the particular meeting; and
 - e. 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.
- 3.11.9 Upon the expiration of seven (7) clear days prior to the Council meeting, the Mayor will consider the Deputation requests received and determine, as per clause 3.11.8, the requests that will be granted.
- 3.11.10 Notwithstanding clause 3.11.2, the Mayor has the delegation to accept one (1) additional deputation if it is determined that the matter of sufficient importance and urgency that it must be heard at that meeting.

Legislation – Regulation 11 (cont.)
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<i>(4) The chief executive officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.</i>

3.11.11 Written notification will be forwarded to the person who made the request for a deputation notifying them of the outcome of the deputation request. If approved they will be notified of the date and time of the meeting at which the deputation will be heard and the method by which the person or persons are to appear at the meeting. For deputation requests received in accordance with clause 3.11.4, phone/email contact will be made with the depute.

Legislation – Regulation 11 (cont.)
(5) <i>If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the council or council committee (as the case may be).</i>
(6) <i>The council or council committee may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.</i>
(7) <i>A council may refer the hearing of a deputation to a council committee.</i>

Presenting a Deputation at a Council Meeting

3.11.12 If the depute wishes for notes or other documents are to be distributed for the deputation, these are to be provided to the Minute Secretary up to 5.00pm on the day prior to the Council meeting to distribute electronically to the Council Members. The depute will remain legally liable for the content of any documents distributed.

3.11.13 The depute(s) microphone will be unmuted and they will be invited by the Mayor to make the deputation on the topic or issue which has been nominated. The depute must state their name and locality, which will be recorded in the minutes to the meeting (which is a public document).

3.11.14 Powerpoint (or similar) presentations are to be lodged up to 5.00pm on the day prior to the Council meeting for the purposes of confirming software compatibility and content suitability. The depute will remain legally liable for the content of any presentation.

3.11.15 Deputies may address questions to the Council. The Mayor will determine if an answer is to be provided.

3.11.16 In the interests of fairness, each deputation is to be no longer than ten (10) minutes in duration. Deputies may address questions to the Council which must be accommodated within the 10 minute allocation. The Mayor will determine if an answer is to be provided to any questions asked.

3.11.17 Following the Deputation, a maximum of five (5) minutes will be allocated for Members to direct questions to the depute(s) if required. Members of Council may ask questions of the depute(s) presenting. Care should be exercised in framing questions to ensure they clearly relate to the subject of the deputation. The Mayor will use their best endeavours to manage this process fairly.

3.11.18 Notes or presentation material provided as part of the deputation will be referenced in the minutes of the meeting.

Deputation Conduct

3.11.19 All deputations are to be conducted in an orderly manner. Deputations should reflect levels of formality appropriate to the nature and scope of the Council meeting. Any

comments that may amount to a criticism of individual Council Members or Officers must not be made during the deputees' address. If this conduct occurs the Mayor will warn the deputees, if the conduct is repeated the deputation will be ceased. Any such criticism or comments should properly be directed in writing to the CEO outside of the meeting.

3.11.20 Council meetings are also open to the public including being livestreamed/broadcast and there is unlikely to be any legal protection or other privilege attached to any statements made during a deputation in this forum. This means that anything said during the deputees' address is subject to the normal laws of defamation. Consequently all deputees should take care in the statements they make and how they make their address.

3.11.21 An 'Information Sheet – Deputations and Public Forums – How to Address Council or Council Committees on Issues of Concern' provides a summary of the above requirements and is available on the Council website.

3.12. Public Forums

3.12.1 The Public Forum is a less formal opportunity to address Council on a particular matter during the meeting.

3.12.2 The guidelines which apply to Public Forum are:

- a. The total time allocation for the Public Forum will be ten (10) minutes, except with leave from the Council, in which case the time allocation can be increased.
- b. Each speaker in the Public Forum will have no longer than five (5) minutes (including questions), except with leave from the Council.
- c. If a large number of presentations have been requested, with leave from the Council, the time allocation of five (5) minutes per speaker may be reduced.
- d. People wishing to speak in the public forum (speakers) must advise the Mayor of their intention at the beginning of this section of the meeting. Those who do not flag their desire to speak at this time will only be permitted to speak at the discretion of the Mayor.
- e. Where an intending speaker has made a deputation at the same meeting of Council they will not be permitted to speak in the public forum on the same or similar subject matter at that meeting.
- f. Upon being requested to come forward to address the Council, the Mayor will ask the speaker to state their name and locality of residence and the subject matter they wish to speak on.
- g. These details will be recorded in the minutes of the meeting (which is a public document).
- h. The speaker will then wait for the Mayor to invite them to commence their speech.
- i. The speaker may address questions to the Council which must be accommodated within the five (5) minute allocation. The Mayor will determine if an answer is to be provided to any questions asked.
- j. Where a number of speakers are speaking on the same topic, the Mayor may encourage subsequent speakers to avoid repeating previous points and to focus on new points.

- k. Members may ask questions of all speakers appearing relating to the subject of their presentation.

Public Forum Conduct

- 3.12.3 All public forum presentations are to be conducted in an orderly manner. These should reflect levels of formality appropriate to the nature and scope of the Council meeting. Any comments that may amount to a criticism of individual Council Members or Officers must not be made during the presentation. If this conduct occurs, the Mayor will warn the depute, if the conduct is repeated the deputation will be ceased. Any such criticism or comments should properly be directed in writing to the CEO outside of the meeting.
- 3.12.4 Council meetings are also open to the public including being livestreamed/broadcast and there is unlikely to be any legal protection or other privilege attached to any statements made during a presentation in this forum. This means that anything said during the speaker's address is subject to the normal laws of defamation. Consequently all speakers should take care in the statements they make and how they make their address.

3.13. Presentations

- 3.13.1 Presentations are defined as an opportunity for an organisation, community group, Council Officer(s) or member of the public to address Council to provide information relevant to the Council at the invitation of Council.
- 3.13.2 Such presentations do not include deputations or representations under the *Planning, Development and Infrastructure Act 2016*.
- 3.13.3 The duration of each presentation is to be no longer than fifteen (15) minutes plus five (5) minutes for questions, if required. There is to be a limit of two (2) presentations per scheduled meeting, except with the leave of the meeting.
- 3.13.4 If notes or other documents are to be distributed for the presentation, these are to be provided to the Minute Secretary up to 5.00pm on the day prior to the Council meeting to distribute electronically to the Council Members
- 3.13.5 Powerpoint (or similar) presentations are to be lodged up to 5.00pm on the day prior to the Council meeting for the purposes of confirming software compatibility and content suitability. The presenter will remain legally liable for the content of any presentation.
- 3.13.6 Notes or presentation material referred to as part of the presentation will be referenced in the minutes of the meeting.

3.14. Questions on Notice

Legislation – Regulation 9
(1) A member may ask a question on notice by giving the chief executive officer written notice of the question at least 7 clear days before the date of the meeting at which the question is to be asked.
(2) If notice of a question is given under subregulation (1) -

- (a) *the chief executive officer must ensure that the question is placed on the agenda for the meeting at which the question is to be asked; and*
- (b) *the question and the reply must be entered in the minutes of the relevant meeting.*
- (6) *The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.*

3.14.1 When sending the questions to the CEO, the Member asking the question should provide a brief history, context, or reason why the question is being asked. This preamble will be included in the agenda with the question(s). Subject to the provisions of the Act, the Member submitting the information is legally liable for its content

3.14.2 On receipt of the questions the CEO will forward the questions to Mayor. The Mayor will inform the CEO on one of the following processes:

- Request that the CEO (or delegate) respond to the questions; or
- Respond to the questions themselves; or
- Make a determination at the nominated meeting regarding the response.

Process 1

3.14.3 If the Mayor opts that the CEO (or delegate) responds to the questions and there is sufficient time to consider and respond to the questions, the questions and answers will appear in the Agenda and would then be replicated in the minutes in accordance with Regulation 9.

3.14.4 If the referral to the CEO (or delegate) does not allow for sufficient time to consider and respond to the questions and include the answers in the agenda, the CEO (or delegate) will arrange for answers to be tabled at the relevant meeting. The questions and answers will be included in the minutes in accordance with Regulation 9.

OR

Process 2

3.14.5 If the Mayor opts to respond to the questions they can either:

- Provide the response to the CEO and, if these answers are provided in sufficient time, the questions and answers will be included in the Agenda and would be replicated in the minutes in accordance with Regulation 9.
- Table at the meeting the written responses to the questions on the night of the nominated meeting and the questions and answers will be included in the minutes in accordance with Regulation 9.

OR

Process 3

3.14.6 If the Mayor opts to make a determination at the nominated meeting regarding a response, the questions will appear in the Agenda and these questions and the answers will be included in the minutes in accordance with Regulation 9.

3.14.7 This could include the Mayor answering the questions, referring it to the CEO (or delegate) for a response on the night or rule not to accept the questions in accordance with Regulation 9(6).

3.14.8 If a Mayor makes a determination that a question shall not be answered as per Regulation 9(6) the question and the reason for the determination shall be stated and recorded in the minutes.

3.15. Motions on Notice

Legislation – Regulation 12
(1) <i>A member may bring forward any business in the form of a written notice of motion.</i>
(2) <i>The notice of motion must be given to the chief executive officer at least 7 clear days before the date of the meeting at which the motion is to be moved.</i>
(3) <i>A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the council must be brought by written notice of motion.</i>
(4) <i>If a motion under subregulation (3) is lost, a motion to the same effect cannot be brought-</i> <i>(a) until after the expiration of 12 months; or</i> <i>(b) until after the next general election, whichever is sooner</i>

3.15.1 Prior to lodging a motion, Members should liaise with the CEO (or nominated delegates) and may consult with the Mayor on the content of the proposed motion to explore options and implications.

3.15.2 In circumstances where a Motion on Notice has been placed on the Agenda and the Member who placed the Motion on Notice is not in attendance at the meeting, another Member may move the motion in their stead.

3.15.3 The following are desirable characteristics when framing a motion⁶:

- a. *Form* – a motion should be in a positive, affirmative form. It should not be in a negative form, unless it achieves some specific advantage or value;
- b. *Content* – a motion should be complete and plain, so that a resultant resolution when read in the future, identifies with certainty its object and substance;
- c. *Wording* – It should be in precise and definite language. Its intention and import should be clear; and
- d. *Drafting* – a motion should be framed and phrased in a way to enable persons to vote in favour of or against the proposal, and thus facilitate the ability of the meeting to make a decision,

3.15.4 The attached proforma should be used when framing Notices of Motion – refer **Appendix B**.

3.16. Administration Reports

3.16.1 Each Council agenda includes report items prepared by the Council Administration, which may include recommendations. These recommendations are not a motion, and have no status until moved by a Member. Alternatively Members may move a completely different motion.

⁶ A. D. Lang (2015) *Horsley's Meetings procedure, Law and Practice* (7th ed.), 119.

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- 3.16.2 Administration Reports to Council will be prepared using the standard format – refer **Appendix C**.
- 3.16.3 Administration Reports in the Order of Business will be grouped into the following categories:
- a. **Decision Items** – these are agenda items that are seeking the Council’s resolution in relation to a course of action in relation to the matter; and
 - b. **Information Items** – these are agenda items that are informing the Council of the status of the matter. Generally, the recommendation in these reports will be for the receiving and noting of the item.
- 3.16.4 Where additional information is required this may be included as attachments to the report which will be inserted in the agenda papers immediately following the report.
- 3.16.5 In order to contain the number of reports going before Council, report writers should consider any subsequent steps and, wherever practical, include them in the initial report and set of recommendations. Examples of these subsequent steps that should be included in the initial report include:
- a. the authorisation for the Mayor and/or CEO to sign and seal documents
 - b. authorising the Chief Executive Officer or relevant Director to make minor amendments to an associated document
 - c. if a working party or sub-committee is required, to indicate that in the report and include a recommendation seeking nominations for Membership of the working party, etc.
 - d. indicating a price or value range within which a delegated staff member can negotiate rather than a single fixed price.
- 3.16.6 Reports are to be prepared so as to communicate the required information in a clear and succinct way. The information presented should be impartial, balanced and evidence-based (where reasonably possible).
- 3.16.7 As per clause 2.4, to facilitate efficient and effective meetings, Council Members are encouraged to contact the CEO or nominated delegate as early as possible prior to Council meetings to clarify matters appearing on the agenda. The nominated delegate is the Council Officer whose name is listed as the Responsible Officer.
- 3.16.8 In the normal course of business, report authors will not introduce their report unless requested by the Mayor. However the Mayor will ask the author whether there are any updates to be provided based on queries received or recent events since agenda distribution.
- 3.16.9 Where practicable, Council Officers may utilise online meeting functionality to provide information to the Council meeting rather than physically attending the meeting.
- Status Report – Council and Committee Resolutions Update**
- 3.16.10 A report will be provided monthly for noting, setting out the status of each resolution from Council meetings until the item is completed.

3.17. Questions Without Notice

Legislation – Regulation 9
(3) <i>A member may ask a question without notice at a meeting.</i>
(4) <i>The presiding member may allow the reply to a question without notice to be given at the next meeting.</i>
(5) <i>A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.</i>
(6) <i>The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.</i>

3.17.1 To facilitate the efficiency of meetings, Members are encouraged to use the availability of the CEO or nominated delegates prior to the meetings to clarify issues of concern.

3.17.2 Questions Without Notice can be asked at a meeting and the Mayor has the discretion to accept the questions in accordance with Regulation 9(6).

3.17.3 If the question is accepted, the Mayor will make the determination to choose to answer the questions or refer them to the CEO (or delegate) for a response. Where an answer is not possible at the meeting, the questions may be taken “on notice” and a response provided by email to all Council Members within 14 days.

3.17.4 In accordance with Regulation 9(5) Questions Without Notice and the reply will not be included in the minutes unless the Council meeting resolves to do so.

3.18. Motions Without Notice

Legislation – Regulation 12
(5) <i>Subject to the Act and these regulations, a Member may also bring forward any business by way of a motion without notice.</i>
(6) <i>The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.</i>
(7) <i>The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council or council committee (as the case may be)</i>

3.18.1 As they have not been foreshadowed to Members or the broader community and do not have an accompanying analysis (as do Motions On Notice and Administration Reports), it is not considered to be in the interests of good governance practice, and is a denial of natural justice, to consider Motions Without Notice other than those that meet the criteria set out in clause 3.18.2.

- 3.18.2 In general, Motions Without Notice should be restricted to:
- a. A request that a report on a particular topic be presented at a future meeting;
 - b. A simple matter, requiring little information to be considered, and the impact of which on Council is deemed to be minor;
 - c. A matter arising from an item before Council that has been considered in detail at that meeting, and where a Motion Without Notice is seen as the best way to resolve or progress the matter in a timely manner; and/or
 - d. A matter of such urgency and importance that failure to consider it at the meeting would be likely to result in detriment to the Council or community.
- 3.18.3 Wherever practicable, Members wishing to move a Motion Without Notice (including a motion different from a report recommendation) are encouraged to make available a written copy of their motion to assist the Mayor in the conduct of the meeting and in the subsequent preparation of the minutes of the meeting.
- 3.18.4 Following the moving of a Motion Without Notice and prior to the seeking of a seconder, the Mayor will seek advice from the CEO or nominated delegate regarding the perceived implications of the motion.
- 3.18.5 The Mayor may refuse to accept the Motion Without Notice if, after taking into account the Guiding Principles (Regulation 4 and clause 1.2 of this Code), it is considered that the motion should be dealt with by way of a written Motion On Notice.
- 3.18.6 Any Motions Without Notice which, in the opinion of the Mayor, require action involving the expenditure of unbudgeted resources should be on the basis of a Motion On Notice.

3.19. Council Member Reports

- 3.19.1 At each ordinary Council meeting, Council Members may present a written or verbal report detailing those functions or activities on the business of Council.
- 3.19.2 Council Members are encouraged to submit their written reports seven (7) clear business days before the date of the meeting to enable the report to be incorporated into the Agenda.
- 3.19.3 Reports will be recorded in the minutes in summary form and will not include commentary on the activities or functions reported or the attendance of other Council Members or the personal details of residents/ratepayers.

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

- 3.20.1 At each Ordinary Council meeting, Members or Officers who are appointed as Council representatives on external organisations (e.g. regional subsidiaries) may provide a verbal or written report on their involvement in activities associated with that organisation.
- 3.20.2 Members and Officers are encouraged to submit their written reports seven (7) clear days before the date of the meeting to enable the report to be incorporated into the Agenda.

3.21. CEO Report

- 3.21.1 At each ordinary Council meeting, the CEO will present a verbal report detailing the status of key activities and initiatives and/or other items of importance which the CEO determines should be brought to the Council's attention. A brief record of the items raised will be noted in the minutes.

3.22. Reports of Committees

- 3.22.1 Committees will report to Council in accordance with the reporting requirements detailed in their respective terms of reference.
- 3.22.2 Council Committees will report to Council at the next Council meeting following the Committee meeting. The form of report will be by way of a verbal report from the Presiding Member (or other Member of the Committee should the Presiding Member not being present) in support of the minutes of the Committee meeting.
- 3.22.3 A copy of these minutes will be included in the Agenda of the next Council meeting. All recommendations from the Committee will be considered by Council in the form of an Administration Report.
- 3.22.3 Recommendations to Council arising from a Committee meeting will either be the subject of a separate Administration Report or consolidated in a report under this section accompanying the Committee minutes.

3.23. Confidential Items

- 3.23.1 Before Council orders that the public be excluded to enable the receipt, discussion and consideration of a particular matter, the meeting must, in public, formally determine if this is necessary and appropriate, and then pass a resolution to exclude the public while dealing with that particular matter.
- 3.23.2 This means that all members of the public (including staff), unless exempted by being named in the resolution as entitled to remain, will not be able to view or listen to the meeting proceedings. For the operation of section 90(2) of the Act a member of the public does not include a Member of Council.
- 3.23.3 Once discussion on that particular matter is concluded, the public will be permitted to re-enter the meeting. If there is a further matter that needs to be considered in confidence it is necessary to again undertake the formal determination process and to resolve to exclude the public as above.
- 3.23.4 Additional information of the use of the confidentiality provisions of the Act are contained in Council's *Code of Practice for Access to Council, Council Committee and Information or Briefing Sessions Meetings & Documents*.

4. OPERATING PROCEDURES – CONDUCT AT THE MEETING

4.1. Leave of the Meeting

Legislation – Regulation 3

(4) For the purposes of these regulations, a vote on whether leave of the meeting is granted may be conducted by a show of hands (but nothing in this subregulation prevents a division from being called in relation to the vote)

4.2. Motions in General, Speaking to Motions and Rights of Reply

Legislation – Regulation 12

- (5) Subject to the Act and these regulations, a Member may also bring forward any business by way of a motion without notice.*
- (6) The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.*
- (7) The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council or council committee (as the case may be)*
- (8) A motion will lapse if it is not seconded at the appropriate time.*
- (9) A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion.*
- (10) A member may only speak once to a motion except-*
- (a) to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or*
 - (b) with leave of the meeting; or*
 - (c) as the mover in reply.*
- (11) A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion*
- (21) Subregulations (9), (10) and (11) may be varied at the discretion of the council pursuant to regulation 6.*

Secunder Speaking to a Motion

- 4.2.1 Regulation 12(9) is able to be varied at the discretion of Council and therefore Council has determined that the seconder has the option of reserving their right to speak to the motion at the time of seconding but if they choose to exercise this right it must be done prior to the mover in reply.
- 4.2.2 For clarity, where a Member seconds a motion and reserves their right to speak to it, they will not be considered to have spoken to the motion until they have exercised that right.

Questions Regarding a Motion

- 4.2.3 Council Members may ask questions of the Administration and/or other Members and answer questions directed to them regarding a motion for the purpose of clarification (but not debate) and this will not be considered as speaking to the motion. Members should ensure that it is clearly a question and not used as an opportunity to contribute to the debate.

Contributing to the debate

- 4.2.4 There is no legislative requirement for any or all Members to contribute to the debate (only to vote as per clause 4.7). In considering whether to contribute, particularly where there is a large agenda to be transacted, Members may wish to evaluate whether their contribution will facilitate a more informed and/or progressive debate. Further, Members are not required to advise whether they will/not support the motion as the voting process will reveal their intentions.

Prevention of inaccurate or misleading information during debates

- 4.2.5 If during the course of debate a Council Member or Officer becomes aware that the debate is predicated on incorrect/misleading information and could lead to any erroneous outcome (and may be a breach of the Behavioural Standards for Council Members), they may signal to the Mayor that they wish to advise the meeting to correct the record. It will be at the Mayor's discretion as to whether the Officer is to be heard.
- 4.2.6 If an opportunity to advise the meeting is granted, the Officer will limit their comments, to the best of their knowledge, the factual information related to the matter. For clarity, the Officer will take due care to ensure that they do not enter the debate.

Rights of Reply

- 4.2.7 Only the mover of the original motion will be granted the right to reply (this shall close the debate). This will occur after any or all amendments have been dealt with and immediately prior to the original motion or substantive motion being put to the meeting (i.e. immediately prior to the final vote).
- 4.2.8 The right of reply should be utilised to reinforce the rationale for moving the motion and to respond to issues raised in debate. Where possible, it should not be used to introduce new material into the debate.

4.3. Formal Motions

Legislation – Regulation 12
<i>(12) A member who has not spoken in the debate on a question may move a formal motion.</i>
<i>(13) A formal motion must be in the form of a motion set out in subregulation (14) (and no other formal motion to a different effect will be recognised).</i>
<i>(14) If the formal motion is:-</i>
<i>(a) that the meeting proceed to the next business, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or</i>
<i>(b) that the question be put, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the presiding member without further debate; or</i>
<i>(c) that the question lie on the table, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by</i>

- resolution (and, if so retrieved, debate is then resumed at the point of interruption); or*
- (d) that **the question be adjourned**, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or*
- (e) that **the meeting be adjourned**, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.*
- (15) If seconded, a formal motion takes precedence and will be put by the presiding member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).*
- (16) A formal motion does not constitute an amendment to a substantive motion.*
- (17) If a formal motion is lost-*
- (a) the meeting will be resumed at the point at which it was interrupted ; and*
- (b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (i.e., a motion to the same effect) cannot be put until at least 1 member has spoken on the question.*
- (18) A formal motion for adjournment must include the reason for the adjournment and the details for resumption.*
- (19) Any question that lies on the table as a result of a successful formal motion under subregulation (14)(c) lapses at the next general election.*

- 4.3.1 For clarity, a ‘question’ as referred to Regulation 12 (14)(b-d) is a motion that has been moved and seconded.
- 4.3.2 A formal motion “the question be adjourned” must include the reasons for the adjournment and the details of time and place for the resumption of the debate.
- 4.3.3 If a formal motion that “the question lie on the table” or “the question or meeting be adjourned” as per Regulation 14(c), (d) and (e) is carried, the minutes shall record those that have spoken in the debate. This will ensure that the debate can recommence at the point of the interruption.

4.4. Amendments to Motions

Legislation – Regulation 12
<i>(11) A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion.</i>

Legislation – Regulation 13
<i>(1) A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.</i>
<i>(2) An amendment will lapse if it is not seconded at the appropriate time.</i>
<i>(3) A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.</i>
<i>(4) If an amendment is lost, only 1 further amendment may be moved to the original motion.</i>
<i>(5) If an amendment is carried, only 1 further amendment may be moved to the original motion.</i>

(6) Subregulations (1), (3), (4) and (5) may be varied at the discretion of the council pursuant to regulation 6.

- 4.4.1 The purpose of an amendment is to refine or modify the substantive motion but not to substantially change the intent of the motion or contradict it. The Mayor will not accept a proposed amendment that is direct negative of the motion.
- 4.4.2 For the avoidance of doubt, any Member (including the mover and seconder of the original motion and any other person who has spoken to the original motion at an earlier stage) is entitled to speak to the amendment and, in doing so, is not taken to have spoken to the original motion.
- 4.4.3 Members speaking in a debate on an amendment must confine their remarks to the amendment and not debate the substantive motion.
- 4.4.4 There is no right of reply to an amendment because it is not a motion. Likewise, no division can be called on an amendment because it is not a motion.

4.5. Variations

Legislation – Regulation 14

- (1) The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.*
- (2) The presiding member must immediately put the question for leave to be granted and no debate will be allowed on that question.*

- 4.5.1 The withdrawal of a motion does not preclude another motion on the same matter being moved. Variations, alterations or withdrawal of a motion will be minuted in accordance with Regulation 8(4)(d).

4.6. Addresses by Members

Legislation – Regulation 15

- (1) A member must not speak for longer than 5 minutes at any 1 time without leave of the meeting*
- (2) A member may, with leave of the meeting, raise a matter of urgency*
- (3) A member may, with leave of the meeting, make a personal explanation*
- (4) The subject matter of a personal explanation may not be debated*
- (5) The contribution of a member must be relevant to the subject matter of the debate*
- (6) Subregulations (1) and (2) may be varied at the discretion of the council pursuant to regulation 6.*

4.6.1 A personal explanation should:

- a) provide the Member's account of the reasons or factors regarding an event or situation in which they had an involvement, or
- b) address a requirement of Council or satisfy a Council resolution.

4.6.2 The explanation will should not, under any circumstances, either directly or indirectly, :- (a) make imputations of improper motives or contain personal opinions

on fellow Council Members, the Administration or members of the public; or ~~(b)~~ be used for making statements regarding Council resolutions (except where the personal explanation is to satisfy clause (b) above).

~~4.6-14.6.3~~ If a Member making a personal explanation wishes that the full text of that Personal Explanation be included in the minutes, it may be included by resolution of the Council, if not, only a brief account shall be included.

4.7. Voting

Council Meetings

4.7.1 Voting in Council meetings is applied as follows:

Legislation – Regulation 16
<i>(1) The presiding member, or any other member, may ask the chief executive officer to read out a motion before a vote is taken.</i>
<i>(2) The presiding member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.</i>
<i>3) A person who is not in his or her seat is not permitted to vote.</i>
<i>4) Subregulation (3)–</i>
<i>a) may be varied at the discretion of the council pursuant to regulation 6; and</i>
<i>b) does not apply in relation to a member participating in a council committee meeting by telephone or electronic means approved in accordance with procedures determined by the council or council committee for the purposes of section 89 of the Act.</i>

4.7.2 Each Member present at the meeting of council, must, subject to the provisions of the Act to the contrary, vote on a question arising from that meeting [section 86(4)].

4.7.3 The Mayor, or another member presiding in the absence of the Mayor, at a meeting of council, does not have a deliberative vote on a question arising but has, in the event of an equality of votes, a casting vote [section 86(6)].

4.7.4 In most cases the requirement is a simple majority of the Members present and entitled to vote however there are provisions in both the Act and the Regulations that require either a two-thirds or an absolute majority of the Members of Council for resolutions on specified matters [section 84(5)].

4.7.5 A vote in relation to a question for decision before the Council may be taken a show of hands.

4.7.6 The Mayor, or any other Member, may ask the CEO to read out a motion or amendment before a vote is taken.

4.7.7 In relation to a Member participating in a Council meeting by electronic means, a member is not permitted to vote in circumstances where there has been a disconnection of the electronic means.

Appointments to Positions

4.7.8 Due to the potential implications of the Conflict of Interest provisions under s74 and s75 regarding the appointment of Council Members to positions (particularly those

with potential personal or pecuniary benefits), the Council should adjourn the

meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote (Indicative Voting Process) to determine the preferred person for the positions.

4.7.9 As the Indicative Voting Process involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the Council, it is an Information or Briefing Session that is required to be open to the public under s90A(3) (see the *Information or Briefing Sessions Policy* (the Policy)). As an Information or Briefing Session that is required to be open to the public, the Chief Executive will conduct the meeting in accordance with the Policy.

4.7.10 The Indicative Voting Process is:

- a. The Mayor seeks a motion to adjourn the meeting for the purpose of conducting an Indicative Voting Process.
- b. Once the meeting is adjourned (and the Information or Briefing Session has commenced), the Chief Executive Officer calls for self-nominations for the position(s). If Council Officers or Independent Committee Members are eligible for appointment to the position, they can also self-nominate. If Council Officers are being put forward for consideration by the CEO this will be included in the report.
- c. If the number of nominees is equal to or less than the number of positions, no election will be required. If the number of nominees is greater, an election will be necessary.
- d. The CEO will appoint a Council Officer as the Returning Officer and may enlist other Council Officers to assist with the conduct of the vote and the count.
- e. The method of voting will be by secret ballot utilising the preferential counting system
- f. Each Council Member (including the Mayor) shall have one vote.
- g. Ballot papers will be provided to each Council Member
- h. The nominee's names will be drawn by the Returning Officer to determine the order on the ballot paper.
- i. Each Member will write the nominee's names on the ballot paper in the order they are drawn.
- j. Each nominee will have two (2) minutes to speak to the Information or Briefing Session in support of their candidacy. The speaking order will be as listed on the ballot paper.
- k. Members will cast their votes and the completed ballot papers will be collected by the Returning Officer and the count will be undertaken in a separate room with an observer [another Council Member (not being a nominee for the position being determined) or an Officer] present.
- l. In the event of a tie, the result will be decided by the Returning Officer drawing lots, the candidate first drawn being the candidate excluded.
- m. After all votes have been counted, the Returning Officer shall return to the Gathering and publicly declare the result of the election (i.e. the preferred person).
- n. The ballot papers will be shredded.
- o. With the conclusion of the Indicative Voting Process, the Council meeting will resume in accordance with the adjournment resolution.

- p. Upon resumption, any Council Members who nominated for the positions would be advised to consider their obligations under s75B or s75C of the Act (as applicable).
- q. Council can then consider a motion for the preferred person to be appointed to the position(s)

4.8. Divisions

Legislation – Regulation 17
<p>(1) <i>A division will be taken at the request of a member.</i></p> <p>(2) <i>If a division is called for, it must be taken immediately and the previous decision of the presiding member as to whether the motion was carried or lost is set aside.</i></p> <p>(3) <i>The division will be taken as follows:</i></p> <ul style="list-style-type: none"> (a) <i>subject to subregulation (3a), the members voting in the affirmative will, until the vote is recorded, stand in their places;</i> (b) <i>subject to subregulation (3a), the members voting in the negative will, until the vote is recorded, sit in their seats;</i> (c) <i>the presiding member will count the number of votes and then declare the outcome.</i> <p>(3a) <i>Where a member is participating in a meeting by electronic means which has audio only, the member will provide a verbal indication of voting in the affirmative or voting in the negative.</i></p> <p>(4) <i>The chief executive officer will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).</i></p> <p>(5) <i>Subregulation (3) may be varied at the discretion of the council pursuant to regulation 6</i></p>

4.9. Tabling of Information

Legislation – Regulation 18
<p>(1) <i>A member may require the chief executive officer to table any documents of the council relating to a motion that is before a meeting (and the chief executive officer must then table the documents within a reasonable time, or at a time determined by the presiding member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).</i></p> <p>(2) <i>The chief executive officer may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under section 90 or 91 of the Act.</i></p>

- 4.9.1 A record of any request for documents tabled at the meeting and a record of any documents tabled at the meeting must be made in the minutes of the meeting.
- 4.9.2 If the tabling of documents is crucial to the consideration of the matter and the documents are not able to be tabled in an expeditious manner, the meeting may consider a formal motion to adjourn the question.

4.10. Short-Term Suspension of Proceedings

Legislation – Regulation 20

- (1) *If the presiding member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the presiding member may, with the approval of at least two-thirds of the members present at the meeting, suspend the operation of this Division (or any part of this Division) for a period determined by the presiding member.*
- (2) *The Guiding Principles must be taken into account when considering whether to act under subregulation (1).*
- (3) *If a suspension occurs under subregulation (1)—*
- (a) *a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and*
 - (b) *the meeting may proceed provided that a quorum is maintained but, during the period of suspension—*
 - (i) *the provisions of the Act must continue to be observed; and*
 - (ii) *no act or discussion will have any status or significance under the provisions which have been suspended; and*
 - (iii) *no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and*
 - (c) *the period of suspension should be limited to achieving the purpose for which it was declared; and*
 - (d) *the period of suspension will come to an end if—*
 - (i) *the presiding member determines that the period should be brought to an end; or*
 - (ii) *at least two-thirds of the members present at the meeting resolve that the period should be brought to an end.*

4.10.1 Use of a short term suspension can be useful when Members could benefit from some informal sharing of ideas, opinions without the constraints of speaking to motions.

4.11. Points of Order

Legislation – Regulation 28

- (1) *The presiding member may call to order a member who is in breach of the Act or these regulations*
- (2) *A member may draw to the attention of the presiding member a breach of the Act or these regulations, and must state briefly the nature of the alleged breach*
- (3) *A point of order takes precedence over all other business until determined*
- (4) *The presiding member will rule on a point of order*
- (5) *If an objection is taken to the ruling of the presiding member, a motion that the ruling not be agreed with must be moved immediately*
- (6) *The presiding member is entitled to make a statement in support of the ruling before a motion under subregulation (5) is put*

- (7) *A resolution under subregulation (5) binds the meeting and, if a ruling is not agreed with –*
- (a) *the ruling has no effect; and*
 - (b) *the point of order is annulled*

4.11.1 Points of order are not recorded in the minutes. The only entry in the minutes in relation to a point of order would be to record the process of a motion to disagree with a ruling by the Mayor.

4.12. Exclusion of member from meeting by Presiding Member

Legislation – Regulation 28A
<p>(1) <i>For the purposes of section 86(6b) of the Act, before giving a direction under that subsection, the presiding member must allow the member to make a personal explanation.</i></p> <p>(2) <i>If a member is excluded from a meeting for a contravention of section 86(6a) of the Act, action cannot be taken under regulation 29 in respect of the contravention.</i></p> <p>(3) <i>A member will not be taken to contravene section 86(6a) of the Act merely because the member is—</i></p> <ul style="list-style-type: none"> (a) <i>objecting to words used by a member who is speaking; or</i> (b) <i>calling attention to a point of order; or</i> (c) <i>calling attention to want of a quorum.</i> <p>(4) <i>For the purposes of section 86(6e) of the Act, if a member the subject of a direction excluding them from a meeting under section 86(6b) of the Act refuses to comply with the direction or enters the meeting in contravention of the direction, the remaining members at the meeting may, by resolution—</i></p> <ul style="list-style-type: none"> (a) <i>censure the member; or</i> (b) <i>suspend the member for a part, or for the remainder, of the meeting.</i>

4.12.1 For clarity regulation 28A (1) is entirely at the Presiding Members discretion.

4.12.2 Section 86(6b) provides that any suspension resolved by the Council in accordance with Regulation 28A will be for a period not exceeding 15 minutes as determined by the presiding member. Further, a matter must not be put to the vote while a member is suspended [section 68(6d)].

4.12.3 The suspended member must for the duration of the suspension, leave the meeting room (including any area set aside for the public) such that the member cannot view or hear and discussion at the meeting [section 86(6b)].

4.13. Interruption of Meetings by Members

Legislation – Regulation 29	
(1)	<i>A member of a council or council committee must not, while at a meeting</i>
	<i>(a) behave in an improper or disorderly manner or</i>
	<i>(b) cause an interruption or interrupt another member who is speaking</i>
(2)	<i>Subregulation (1)(b) does not apply to a member who is –</i>
	<i>(a) objecting to words used by a member who is speaking or</i>
	<i>(b) calling attention to a point of order or</i>
	<i>(c) calling attention to want of a quorum</i>
(3)	<i>If the presiding member considers that a member may have acted in contravention of subregulation (1), the member must be allowed to make a personal explanation</i>
(4)	<i>Subject to complying with subregulation (3), the relevant member must leave the meeting while the matter is considered by the meeting</i>
(5)	<i>If the remaining members resolve that a contravention of subregulation (1) has occurred, those members may, by resolution –</i>
	<i>(a) censure the member or</i>
	<i>(b) suspend the member for a part, or for the remainder, of the meeting</i>
(6)	<i>A member who –</i>
	<i>(a) refuses to leave a meeting in contravention of subregulation (4) or</i>
	<i>(b) enters a meeting in contravention of a suspension under subregulation (5)</i>
	<i>is guilty of an offence.</i>

4.12.1 Offences under Regulation 29 carry a financial penalty of \$1,250.

4.12.2 In contrast to Regulation 28A(1) above Regulation 29 (5) requires a resolution of Council

4.14. Interruption of Meetings by Others

Legislation – Regulation 30	
<i>A member of the public who is present at a meeting of a council or council committee must not –</i>	
	<i>(a) behave in a disorderly manner or</i>
	<i>(b) cause an interruption</i>

4.13.1 Offences under Regulation 30 carry a financial penalty of \$500.

4.15. Meeting Protocols

Mobile Phones/Pagers

4.14.1 Mobile phones/pagers should be switched off or silent during Council meetings unless prior approval is granted by the Mayor for the phone/pager to remain active.

Speaking during meetings

4.14.2 Council Members and Council Officers will raise their hand and wait to be invited to speak by the Mayor prior to addressing the Council.

4.14.3 Upon being invited to speak, the Member or Officer will lower their hand, unmute their microphone for the duration of their speech and will mute their microphone when concluded.

4.14.4 When addressing Council, the Member or Officer will speak 'through the chair' (e.g. 'through your Worship').

Forms of Address

4.14.5 The Mayor shall be addressed as Your Worship or Mayor.

4.14.6 Councillors should be referred to as 'Councillor' followed by their surname.

4.14.7 Council Officers should be referred to by the relevant prefix followed by their surname or by their position title (i.e. CEO, Director Community Capacity).

Interaction with the Gallery

4.14.8 The Mayor may speak to members of the Gallery for the purposes of welcoming attendees, arranging Deputies and Public Forum speakers and providing other information related to the functioning of the meeting.

4.14.9 Councillors must not speak to members of the Gallery during the meeting or accept notes from those present in the Gallery. The only exception is when Members of the Gallery are making a Deputation or speaking in the Public Forum.

4.14.10 Council Officers should also minimise discussion with members of the Gallery during the meeting other than to provide guidance regarding meeting logistics.

5. OPERATING PROCEDURES – RECORDING/BROADCASTING OF THE MEETING

5.1. Recording of Meetings

5.1.1 Council meetings will be recorded using the electronic meeting software (i.e. audio and visual).

5.1.2 As a general rule, the recordings will be captured by the Administration of open Council meetings to be used for the purpose of:

- a. assisting in the preparation of minutes
- b. ensuring decisions are accurately recorded
- c. verifying the accuracy of minutes prior to their confirmation.

5.1.3 Recordings will be managed in accordance with the provisions of the *State Records Act 1997*, *Surveillance Devices Act 2016* and the *Freedom of Information Act 1991* (FOI Act).

5.1.4 The recording is an internal working document and is not the official record of the meeting. The official record of the meeting is the meeting minutes which require confirmation by resolution and are signed by the Mayor.

5.1.5 In the absence of any technical difficulties, recordings of Council meetings [with any provisions subject to s90(3) redacted] will be placed on the Council website to coincide with the publication of the Council minutes.

5.2. Livestreaming/broadcasting of Meetings

- 5.2.1 Council meetings will be livestreamed/broadcast using the electronic meeting software (i.e. audio and visual) into social media channels and/or Council's website as determined by the Chief Executive Officer.
- 5.2.2 Details of the livestream/broadcast will be included on the Council website to enable members of the public to observe the meeting. The livestream/broadcast settings will not allow the public to participate in the meeting, other than by deputation.
- 5.2.3 Further information on the public access to Council Meetings can be found in the *Code of Practice for Access to Council, Council Committee and Information or Briefing Session Meetings & Documents*.

5.3. Minutes of Meetings

- 5.3.1 In accordance with section 91 of the *Local Government Act 1999*, the CEO must ensure that minutes are kept of the proceedings at every meeting of Council.
- 5.3.2 If the CEO is excluded from a meeting, the Mayor must ensure the minutes are kept.
- 5.3.3 Each Member of the Council must, within five (5) days after a meeting of a Council, be supplied with a copy of all minutes of the proceedings of the meeting.
- 5.3.4 Minutes of all Council meetings will be posted on Council's website as soon as practicable after they are completed.
- 5.3.5 More information of public access to Council documents is contained in the *Code of Practice for Access to Council, Council Committee and Information or Briefing Session Meetings & Documents*.

Legislation – Regulation 8

- (1) *The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.*
- (2) *No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.*
- (3) *On the confirmation of the minutes, the presiding member will -*
 - (a) *initial each page of the minutes, which pages are to be consecutively numbered; and*
 - (b) *place his or her signature and the date of confirmation at the foot of the last page of the minutes.*
- (3a) *For the purposes of subregulation (3), the presiding member may initial or sign the minutes in hardcopy or electronically.*
- (4) *The minutes of the proceedings of a meeting must include –*
 - (a) *the names of the members present at the meeting; and*
 - (b) *in relation to each member present -*
 - (i) *the time at which the person entered or left the meeting; and*

- (ii) *unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and*
- (c) *each motion or amendment, and the names of the mover and seconder; and*
- (d) *any variation, alteration or withdrawal of a motion or amendment; and*
- (e) *whether a motion or amendment is carried or lost; and*
- (f) *any disclosure of interest made by a member; and*
- (g) *an account of any personal explanation given by a member; and*
- (h) *details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and*
- (i) *a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section; and*
- (j) *details of any adjournment of business; and*
- (k) *a record of any request for documents to be tabled at the meeting; and*
- (l) *a record of any documents tabled at the meeting; and*
- (m) *a description of any oral briefing given to the meeting on a matter of council business; and*
- (n) *any other matter required to be included in the minutes by or under the Act or any regulation.*

5.3.6 As the minutes are a reflection of decisions made by meeting as a whole, minutes of the meeting do not record (with the exception of a Division in accordance with Regulation 17 and as required under section 75B – *Dealing with general conflicts of interest*) the manner in which the Member voted and the manner in which the majority of persons who were entitled to vote at the meeting voted on the matter

5.3.7 Minutes will also not record or reflect specifics of debate of an item.

6. ADMINISTRATIVE ARRANGEMENTS

6.1. Availability of the Code

6.1.1 This Code is available via the Council’s website www.ahc.sa.gov.au.

6.2. Delegation

6.2.1 The CEO has the delegation to:

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

APPENDIX A - AGENDA TEMPLATE FOR ORDINARY COUNCIL MEETINGS

- 1. COMMENCEMENT**
- 2. OPENING STATEMENT**
- 3. APOLOGIES/LEAVE OF ABSENCE**
 - 3.1. Apology**
 - 3.2. Leave of Absence**
 - 3.3. Absent**
- 4. MINUTES OF PREVIOUS MEETINGS**
- 5. DECLARATION OF INTEREST BY MEMBERS**
- 6. MAYOR'S OPENING REMARKS**
- 7. QUESTIONS ADJOURNED/LYING ON THE TABLE**
 - 7.1. Questions Adjourned**
 - 7.2. Questions Lying on the Table**
- 8. PETITIONS / DEPUTATIONS / PUBLIC FORUM**
 - 8.1. Petitions**
 - 8.2. Deputations**
 - 8.3. Public Forum**
- 9. PRESENTATIONS**
- 10. QUESTIONS ON NOTICE**
- 11. MOTIONS ON NOTICE**
- 12. ADMINISTRATION REPORTS – DECISION ITEMS**
- 13. ADMINISTRATION REPORTS – INFORMATION ITEMS**
- 14. QUESTIONS WITHOUT NOTICE**
- 15. MOTIONS WITHOUT NOTICE**
- 16. REPORTS**
 - 16.1. Council Member Reports**
 - 16.2. Reports of Members/Officers as Council Representatives on External Organisations**
 - 16.3. CEO Report**
- 17. REPORTS OF COMMITTEES**
- 18. CONFIDENTIAL ITEMS**
- 19. NEXT MEETING**
- 20. CLOSE MEETING**

APPENDIX B – MOTION ON NOTICE TEMPLATE

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
<day> <date>
AGENDA BUSINESS ITEM**

Item: 12.1 Motion on Notice

Originating from:

Subject:

1. MOTION

I move... <body of motion>

2. BACKGROUND

3. OFFICER'S RESPONSE – Officer Name, Position

ANALYSIS

- **Strategic Management Plan/ Functional Strategy/Council Policy Alignment**
- **Legal Implications**
- **Risk Management Implications**
- **Financial and Resource Implications**
- **Customer Service and Community/Cultural Implications**
- **Sustainability Implications**
- **Engagement/Consultation conducted in the development of the report**
- **Other Matters**

APPENDIX C – ADMINISTRATION REPORT TEMPLATE

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
<day> <date>
AGENDA BUSINESS ITEM**

Item: 12.

Responsible Officer:

Subject:

For: Decision/Information

SUMMARY

RECOMMENDATION

That Council resolves:

1. To receive and note the report
 - 2.
-

1. **BACKGROUND**

2. **ANALYSIS**

- **Strategic Management Plan/ Functional Strategy/Council Policy Alignment**
- **Legal Implications**
- **Risk Management Implications**
- **Financial and Resource Implications**
- **Customer Service and Community/Cultural Implications**
- **Sustainability Implications**
- **Engagement/Consultation conducted in the development of the report**
- **Other Matters**

3. **OPTIONS**

4. **APPENDICES**

Petitions / Deputations / Public Forum

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 8.1.1

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

Subject: Petition – Restore safe access to Woorabinda Bushland Reserve
from Branch Road

For: Decision

SUMMARY

A petition has been received with 43 signatories stating:

Residents of Branch Road and surrounding areas, submit this petition to formally request the Adelaide Hills Council to take urgent action regarding the recent erection of barricade fencing at the end of Branch Road, which has restricted access to Woorabinda Bushland Reserve.

RECOMMENDATION

Council resolves:

- 1. That the petition signed by 43 signatories requesting the Adelaide Hills Council take urgent action regarding the recent erection of barricade fencing at the end of Branch Road, which has restricted access to Woorabinda Bushland Reserve 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 the Residents of Branch Road of Branch Road, Aldgate and signed by 43 signatories.

The Petition states:

Residents of Branch Road and surrounding areas, submit this petition to formally request the Adelaide Hills Council to take urgent action regarding the recent erection of barricade fencing at the end of Branch Road, which has restricted access to Woorabinda Bushland Reserve.

This Petition does not meet the legislative requirements (and therefore Council's *Petitions Policy*) for a compliant petition in that it does not include the name and address of each person who signed or endorsed the petition, or clearly set out the request or submission of the petitioners. Nevertheless, the CEO has exercised his delegation, under 7.4.2 of the Policy, and determined to bring the petition to Council's attention on the basis that the intent of the petition is clear and it is clear the signatories are residents of Branch Road, Aldgate.

2. OFFICER'S RESPONSE – David Waters, Director Environment and Infrastructure

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

The entrance to Woorabinda Bushland Reserves from the end of Branch Road (the subject location of this petition) is steep, partly vegetated and presently unmade.

For many years a set of timber sleeper retaining steps were in place, following the natural gradient of the land, to enable access to the park at this location by people with good levels of mobility. It has always been considered a minor access point and not considered to be part of the primary trail network within the reserves (albeit it is marked on most maps of the reserves as a minor trail).

As part of a larger project to renew a boardwalk and creek crossing in 2024, the steps, which were degrading, were removed.

An alternative, primary access point to the reserve is located 350m further north along Branch Road. When the steps were removed, alterations were made to essentially divert the minor trail leading to the subject location to the primary trail and access point. Engagement with the Friends of Woorabinda Bushland Reserves occurred at that time.

It is evident that there is still a desire from a number of people to access the reserve from Branch Road and the temporary safety fencing that has been installed has been regularly moved aside by persons unknown.

Staff are presently investigating the cost of installing a new set of standards compliant stairs for this location. There is no budget allocation for this work and the matter will need to be considered by Council in either an upcoming budget review, or for the 2025-26 Annual Business Plan and Budget, among other priorities.

➤ Options¹

Council may resolve to receive and note the petition and make any other decisions pertaining to the matter as it sees fit.

¹ Any potential motion arising from the receipt of a petition is a Motion Without Notice and Council has resolved for restrictions on the scope on these types of motions as per clause 3.18 of the *Code of Practice for Council Meeting Procedures*.

The Mayor and Councillors
Adelaide Hills Council
63 Mount Barker Road
Stirling SA 5152



Residents of Branch Road
Branch Road, Aldgate SA 5154
5/02/2025

Subject: Petition to Restore Safe Access to Woorabinda Bushland Reserve from Branch Road

Dear Mayor and Councillors,

We, the undersigned residents of Branch Road and surrounding areas, submit this petition to formally request the Adelaide Hills Council to take urgent action regarding the recent erection of barricade fencing at the end of Branch Road, which has restricted access to Woorabinda Bushland Reserve.

For many years, this entrance has provided vital access to the reserve for local residents, including school children walking to Heathfield High School. The sudden restriction of access has caused significant inconvenience, particularly for those who have relied on this route for daily commuting, recreation, and community engagement with nature.

We find it unusual that the council would opt to remove an additional access point which can give direct access to the trail, in an emergency. Although we appreciate the other entrance is '600 metres up the road,' in an emergency, trekking through native vegetation on a gradual incline together with another 100 metres to get to the road hardly seems practical or reasonable. Further, given Branch road is a cul-de-sac in a high rated bushfire zone, one would have expected that an ability for residents from the cul-de-sac end to have another escape path would be critical.

We were surprised that in or about mid-2024, the council proceeded to remove the stairs/path from that entry point to the trail, without any consultation or discussion with the residents of Branch Road. One would have expected that the council would firstly raise the proposal and take a survey/seek feedback from regular users of that end of the trail. To erect stairs to a halfway point and remove the remaining stairs and blocking off an access point, appears poorly thought out and an unusual step to take against rates payers.

To ensure the continued use of this entry point, we propose the extension of the existing stairs, allowing pedestrians to access the reserve in a secure and safe manner. This solution would not only restore accessibility but also enhance safety, preventing individuals from attempting unsafe alternative routes.

The Woorabinda Bushland Reserve is a cherished community asset, and it is imperative that equitable access is maintained for all residents, particularly given its importance to school children and walkers. We urge the Council to consider this request as a priority and take immediate steps to address the issue.

We appreciate your time and consideration and look forward to your prompt response regarding this matter.

Sincerely,

Residents of Branch Road and concerned community members

Questions on Notice

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 10.1 Question on Notice

Originating from: Mayor Jan-Claire Wisdom

Subject: Progress Updates

1. QUESTION

1. **World Heritage joint project with Adelaide City Council :** It has been some ten years since this project commenced. A great deal of work was done on this with other Councils and with AHC as the lead Council. About two years ago a change of direction was initiated and AHC joined with Adelaide City Council to further this project. Our Economic Development Team was the project coordinator on behalf of AHC. That team has now left our organisation. What is the current status of the project?
2. **Partnership with Green Industries organisation:** This was an initiative announced over a year ago to further our environmental objectives. Has anything developed from this and what is the progress to date?
3. **Economic Development Team initiatives:** this team used our disaster response criteria to assist with downturns in our local industry sectors (such as the Pome Fest initiative for the agricultural sector and retail assistance subsequent to the Woolworths Mall fire). Given the Stirling Business Association's recent request for assistance is there a plan to re-establish the Economic Development Team to continue these kinds of response initiatives?
4. **Elected Members have had presentations/discussions on the development of 'Green Tourism' initiatives.** What programmes or initiatives are we progressing either in-house or with other agencies such as Adelaide Hills Tourism?
5. **The Champions Initiative:** About 18 months ago this in-house programme was established to connect Elected Members with selected Directorates and Projects so that these projects could indirectly benefit from community engagement via Councillors. What is the status of this initiative?

2. BACKGROUND

There are a number of initiatives that are ongoing from previous years and some that have been announced over the past 18 months. These questions seek to get brief status reports on some of these so that Elected Members and the community can understand whether these initiatives are ongoing, continue to fit with our strategic objectives, or have been temporarily halted or cancelled due to changes in personnel, other resources or for other reasons.

3. OFFICER'S RESPONSE – Greg Georgopoulos, Chief Executive Officer

- 1. World Heritage joint project with Adelaide City Council : It has been some ten years since this project commenced. A great deal of work was done on this with other Councils and with AHC as the lead Council. About two years ago a change of direction was initiated and AHC joined with Adelaide City Council to further this project. Our Economic Development Team was the project coordinator on behalf of AHC. That team has now left our organisation. What is the current status of the project?**

The City of Adelaide has determined to lead and fund the bid for UNESCO World Heritage status under the title "Adelaide and its Rural Settlement Landscapes" with the Mount Lofty Consortium Councils becoming stakeholders to the bid rather than bid partners. Adelaide Hills Council is awaiting formal confirmation of this arrangement from the City of Adelaide, which staff understand to be imminent. Once this is received, a report can be provided to Council with further detail providing an update on the World Heritage project.

- 2. Partnership with Green Industries organisation: This was an initiative announced over a year ago to further our environmental objectives. Has anything developed from this and what is the progress to date?**

Green Industries SA (GISA) continues to provide advice and guidance to Council regarding initiatives such as waste reduction and the circular economy. GISA also has available a number of grant programs, to which Council has recently applied in order to support the transition to weekly food organics/green organics collections in township areas. The outcome of those applications is not known at this time.

Council continues to partner with GISA to provide a 7 day a week free chemical drop off facility at the Heathfield Resource Recovery Centre and Council has partnered with GISA in conducting one off campaigns such as textiles collection days.

- 3. Economic Development Team initiatives: this team used our disaster response criteria to assist with downturns in our local industry sectors (such as the Pome Fest initiative for the agricultural sector and retail assistance subsequent to the Woolworths Mall fire). Given the Stirling Business Association's recent request for assistance is there a plan to re-establish the Economic Development Team to continue these kinds of response initiatives?**

The Administration is reviewing resources required to provide economic development services to the community aligned to the strategic priorities in the *Strategic Plan 2024 – Your Place, Your Space*. In the meantime, staff continue to work with businesses and groups, like the Stirling Business Association who are undertaking a number of marketing and activation initiatives in 2024-25. This is supported by Council with the funding agreement aimed at increasing visitation to Stirling through various marketing initiatives such as updated branding and website, digital marketing, activations/events and exploring street beautification.

- 4. Elected Members have had presentations/discussions on the development of 'Green Tourism' initiatives. What programmes or initiatives are we progressing either in-house or with other agencies such as Adelaide Hills Tourism?**

Sustainable tourism is growing in importance, as identified in the 2022 *Future of Global Tourism Demand* report by Tourism Australia. This will be a key consideration for Adelaide Hills Tourism (AHT) when developing the next iteration of its Regional Strategic Tourism Plan. Strategic planning is currently underway and will also be informed by Council's *Strategic Plan 2024 – Your*

Place, Your Space which includes ‘exploring opportunities to support the growth of eco-tourism’ as a strategic priority.

In the meantime, AHT supports sustainable tourism through its three ‘pillars’ of marketing, industry capacity and capability development, and collaboration. Examples include marketing and promotion of local food producers, the natural environment, wildlife, recreation and trails and supporting operators to innovate and develop sustainable tourism experiences.

AHT has also secured the Australian Regional Tourism Conference to be held in the region, with the conference focusing on regenerative tourism and including local sustainable accommodation providers.

- 5. The Champions Initiative: About 18 months ago this in-house programme was established to connect Elected Members with selected Directorates and Projects so that these projects could indirectly benefit from community engagement via Councillors. What is the status of this initiative?**

Now that Council has endorsed the *Strategic Plan 2024 – Your Place, Your Space*, administration will workshop this initiative in the first quarter of 2025.

- 6. APPENDIX**
Nil

Motions on Notice

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 11.1 Motion on Notice

Originating from: Cr Melanie Selwood

Subject: Textile Recycling

1. MOTION

Council resolves that:

- 1. The CEO or his delegate request AHRWMA to consider textile waste streams and opportunities to provide options for residents to recycle textiles, including the provision of a textile recycling collection point at the Heathfield Resource Recovery Centre or other suitable locations within the Adelaide Hills Council area;**
- 2. That AHRWMA's response be reported to Council for consideration.**

2. BACKGROUND

This motion has come after a request from a resident for our Council to do more for textile recycling. As a passionate sewer and recycler, the resident asked why we don't support residents to recycle their textiles.

According to Green Industries SA, 85% of clothing purchased in Australia is sent to landfill at the end of its life.¹ Over half of that is made from polyester which breaks down into microplastics over time. Per capita, Australians generate more clothing waste than the US, UK, China and Japan.²

The Australia Institute surveyed Australians to find out their views on textile recycling. 63% of people were either somewhat concerned or very concerned about the environmental impact of textiles.³

The Adelaide Hills Council has made a commitment in our 2024 Strategic Plan under our Natural Environment Goal as follows:

¹ Source: <https://www.greenindustries.sa.gov.au/circular-textiles#:~:text=South%20Australia's%20Waste%20Strategy%202020,textiles%20in%20a%20responsible%20manner>.

² Source: <https://australiainstitute.org.au/wp-content/uploads/2024/05/The-Australia-Institute-Textiles-Waste-In-Australia-Web.pdf>

³ Ibid

NE2.2 Continue to promote the highest principles in the waste management hierarchy – avoid, reduce, reuse and recycle – through education programs, services and by example.

Residents have indicated that textiles are difficult for them to recycle in our region. Some people end up dumping clothes that are no longer wearable at charity organisations, where volunteers then must sort through the clothing and dispose of anything unsuitable. Otherwise, most of it ends up in landfill.

The AHRWMA spend over \$3 million on the waste levy each year, and while kerbside collection policies are starting to shift the amount of waste diverted to landfill, there is an opportunity for us to address the landfill that comes from textile waste.

An easy way to reduce some of this waste to landfill is to allow residents to drop off textiles for recycling at the Heathfield Resource Recovery Centre.

The East Waste website directs residents to recycle their clothing by⁴:

- Returning them to the retailer (where the retailer has a recycling program)
- Selling or giving away the clothing
- Donating to Boomerang Bags (if clean and unsoiled)
- Donating to animal shelters or mechanics
- Recycling through recycling services

Recycling services are good for clothing that can no longer be worn or is not suitable for donation. Some of the options listed on the East Waste website include:

SCR Group

In South Australia, [SCR Group](#) already have some collection points, with the closest to our region in Golden Grove. There is also a school program collection at Athelstone Primary School. SCR Group collect shoes, clothing, handbags and accessories at their collection points (see picture from their website).



Hackham Recyclers

You can drop off clothing to Hackham Recyclers and they will sort them and give the suitable items to Vinnies. Hackham is not convenient for Adelaide Hills residents, and just transfers the waste to landfill to another council area.

⁴ Source: <https://www.eastwaste.com.au/waste-recycling/tricky-waste-items/>

Upparel

By paying \$35 per 10kg of textile waste, people can package their clothing into a cardboard box and send it to Upparel who will arrange for it to be collected. They then sort what can still be wearable, and recycle the rest into new materials. This is a high-effort option for residents.

Shred-X

An organisation that shreds and recycles corporate-wear or uniforms that have logos or should not be donated due to the type of uniform. They are a solution for organisations and not suitable for residents to use.

If none of the above options are suitable, East-Waste’s recommendation is to include the clothing or textiles in the landfill bin.

All of the options that currently exist for Adelaide Hills residents are high-barrier and so inconvenient that people are unlikely to use them.

By having a single drop off point at Heathfield, we could make it easier for residents to recycle textiles and clothing and reduce the pressure on not-for-profit op-shops who must dispose of unsuitable items.

As AHRWMA is primarily responsible for managing such waste streams, this motion requests the authority to consider how they can support residents who are looking to recycle their textiles.

3. OFFICER’S RESPONSE – David Waters, Director Environment and Infrastructure

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

Goal Natural Environment

Objective NE2 Support the community and businesses to decarbonise and transition to sustainable lifestyle practices (green communities)

Priority NE2.2 Continue to promote the highest principles in the waste management hierarchy – avoid, reduce, reuse and recycle – through education programs, services and by example.

Requesting AHRWMA to undertake this investigation is in line with Council’s priority to promote the best use of resources by acting upon the highest principles of the waste management hierarchy.

➤ Legal Implications

There are no legal implications of requesting AHRWMA to undertake an investigation into additional collection streams at the Heathfield Resource Recovery Centre.

➤ Risk Management Implications

Undertaking an investigation into a textile collection and recycling service will assist in mitigating the risk of:

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

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

➤ **Financial and Resource Implications**

There are no financial and resource implications of requesting AHRWMA to undertake an investigation into additional collection streams at the Heathfield Resource Recovery Centre. There are potential financial implications if the matter results in an additional service. This would be explored in the report that would come back to Council.

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

There are no customer service and community/cultural implications of requesting AHRWMA to undertake an investigation into additional collection streams at the Heathfield Resource Recovery Centre. There are potentially positive community implications should the matter ultimately result in an additional service being provided.

➤ **Sustainability Implications**

There are no sustainability implications of requesting AHRWMA to undertake an investigation into additional collection streams at the Heathfield Resource Recovery Centre. Ultimately, if a textile recycling service is implemented there may be positive sustainability outcomes.

➤ **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

This Motion on Notice is supported as this investigation will uncover valuable information for both the AHRWMA and its constituent councils. Having the AHRWMA undertake the investigation also ensures that this matter is explored regionally, maximising any benefits that may be identified.

There are indications that community members are keen to see more textiles diverted from landfill. In May 2024, Adelaide Hills Council participated in a Green Industries SA led, Adelaide-wide, textile recycling event called 'Give a Sheet'. The Heathfield Resource Recovery Centre (HRRC) was one of eight collection points across metropolitan Adelaide.

Ninety-five households attended the HRRC and dropped off 1,118kg of bedding and towels – the types of textiles accepted by this event. Customer surveys on the day indicated that the opportunity to recycle textiles was enthusiastically embraced by participants.

The textiles collected via ‘Give a Sheet’ were sent to a state-of-the-art facility in Queensland to be broken down into new high-grade recycled materials. The end market for the recycled materials are Australian manufacturers which create a range of products used in construction and agriculture.

Apart from the positive environmental outcomes, local collection of textiles for recycling creates social benefits via opportunities where people are employed to decommission and shred textiles.

However, it should be noted that:

- There is currently limited capacity to process textiles for recycling in Australia. Whilst there is ongoing research and development of new solutions for textile waste, including possibilities for upcycling, downcycling and repurposing, there is no onshore textile-to-textile recycling.
- The Adelaide Hills Council and wider AHRWMA area are well-served by opportunity shops, selling donated clothing for reuse, which is higher on the waste management hierarchy than recycling.
- Whilst many of the textiles donated to opportunity shops are not reusable, charities derive income from textiles which are repurposed domestically as rags.
- Relevant priority actions in [South Australia’s Waste Strategy 2020-2025](#) include *researching opportunities that increase the recovery of textiles and advocating for approaches that motivate individuals to dispose of unwanted textiles in a responsible manner*.
- [Seamless](#), the product stewardship scheme for clothing, began in July 2024. It aims to improve the design, recovery, reuse and recycling of textiles in line with [National Waste Policy Action Plan targets](#). The scheme will place a levy on all clothing sold in Australia, providing funding to drive change across a range of areas, including collection systems and education campaigns.

It is proposed that the AHRWMA be asked to consider the above elements when undertaking the broader investigation.

5. APPENDICES

Nil.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 11.2 Motion on Notice

Originating from: Cr Chris Grant

Subject: Lenswood Main Street Beautification Project

1. MOTION

I move that:

- 1. Council acknowledges the Deputation made to Council by Mr Steve Smith on behalf of the Lenswood and Forest Range Community Association proposing works to improve the amenity, beauty and safety of the Lenswood precinct, the Lenswood Beautification Project, including:**
 - a. footpath widening and paving in the vicinity of the post office;**
 - b. passive traffic calming measures to slow traffic and improve safety such as tree planting, hard and soft landscaping, planter boxes and/or signage;**
 - c. reduction of the speed limit in Lenswood from 60kph to 50kph;**
 - d. pedestrian access on the north side of Lobethal Road between Lenswood Centennial Park and the Lenswood general store;**
 - e. construction of a pedestrian crossing point of some sort on Lobethal Road to increase the safety of children crossing the main road;**
 - f. plantings to beautify the Lenswood main street precinct and screen Lobethal road from unsightly properties;**
 - g. alter the geometry of the intersection of Lobethal and Swamp Road to better guide and smooth heavy traffic flow and discourage heavy vehicles cutting the corner;**
 - h. demarcate parking along Lobethal Road to accommodate a school bus stop, car parking and a heavy vehicle stopping point;**
 - i. provision of a bike lane or widened shoulder on the north side of Lobethal Road between the Post Office and Lenswood Cold Store to separate cyclists from heavy vehicle traffic.**

- 2. That a high-level estimate of costs for further development and implementation of the project (potentially staged over multiple years) be developed for consideration as part of the Long Term Financial Plan and 2025-26 Annual Business Plan and budget setting process.**

2. BACKGROUND

Lenswood is a locality with a general store/post office, church, primary school, hardware and irrigation suppliers, apple packing facilities and farms. It is located on Lobethal Road, a DIT thoroughfare that, amongst other things, carries heavy traffic from the Lenswood Cold store, an industrial-scale apple handling facility.

Each morning children walk between the school and general store for the school bus or to be picked up/dropped off by car. Last year, after a deputation from a student at the Lenswood School, AHC created a gravel footpath to connect Lenswood Primary School with the Lenswood locality. This greatly increased safety as children now do not have to walk on Lobethal Road.

Outside the general store is a short section of foot path which is old and uneven. There is no disabled access to the general store. Children gather outside the general store after school awaiting pickup and locals picking up their mail also gather here. The road is amply wide enough to allow more pedestrian space outside the general store.

Adjacent to the Lenswood general store is a property that for a number of years has been unsightly due to rubbish, junk, building materials, pigs and goats. AHC has taken action against the responsible property owner over the years, and continues to take action. While the property is less unsightly than at times in the past, there is still disquiet amongst locals about the state of the property.

Footpath works

Widening and paving of the pedestrian area outside the general store would make it more pedestrian friendly and aesthetically pleasing, while at the same time retaining the same amount of parking space. Extension of the footpath would allow safe pedestrian access for the short walk from the general store to Lenswood Centennial Park. This would allow visitors to access the park as well as linking to the proposed pedestrian crossing point near the park to complete the safe pedestrian link to the school.

Traffic calming

Lobethal Road through Lenswood is currently a very wide bitumen strip which invites traffic to pass through quickly. Landscaping, tree planting and measures such as planter boxes in the main street would beautify the area and serve to passively calm traffic by occupying some of the width of the greater bitumen area while retaining the current width of Lobethal Road.

Pedestrian crossings

Children between the Lenswood main street to the Lenswood Primary school each morning and evening and have to cross Lobethal Road to do so. They do so without adult supervision. A pedestrian crossing point would facilitate safer crossing, and also indicate to traffic that this is a township and they should slow down and be more careful. A potential crossing point on Lobethal Road between the general store and Centennial Park has been identified as it has good line-of-sight. Installing a crossing point here would direct children to cross at the safest place and serve to alerting traffic that children cross here. Ideally a pedestrian crossing would be installed, but there are other approaches that would substantially achieve the desired objective for a fraction of the cost.

Swamp Road/Lobethal Road intersection

This intersection experiences a lot of heavy vehicle traffic, associated with the Lenswood cold store, the Boral quarry and the agricultural activities in the area. A long standing issue has been large trucks cutting the corner. Changing the geometry of the corner slightly could help alleviate this for relatively little cost.

Parking

Parking is currently not demarcated. Demarcated is needed to identify the school bus stop, individual car spaces and a heavy vehicle stopping area. This would serve to reduce congestion and confusion when different classes of vehicle are using the area.

Bike lane

When exiting the Lenswood precinct, Lobethal Road ascends a hill towards the Lenswood Cold Store. This becomes a pinch-point for traffic congestion when cyclists are ascending the hill due to the slow speed of ascending cyclists, the narrowness of the road and the size of heavy vehicles ascending the same hill with a blind corner at the top. Modification of Lobethal Road with a bike lane, or at the minimum, a wide shoulder, on this section would eliminate the conflict between road users. This is a matter requiring negotiation with DIT and may well be achievable for little of no cost to AHC when DIT upgrade this section of Lobethal Road in the future, but may not be possible to address in the short-term. For more detail see [Lenswood Main Street Beautification Project](#)

3. OFFICER'S RESPONSE – David Waters, Director Environment and Infrastructure

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

Strategic Plan 2024 – Your Place, Your Space

Goal	Built Form and Economy
Objective BFE2	Nurture a distinctive sense of place, support activation activities and recognise and celebrate our rich heritage.
Priority BFE2.2	Develop a strategic framework to town and precinct planning, with prioritisation guidelines to ensure equitable investment in public spaces.

➤ **Legal Implications**

Nil.

➤ **Risk Management Implications**

It is prudent in the management of potential financial risks to properly scope and estimate the cost of a project before making commitments to fund it.

➤ **Financial and Resource Implications**

Existing staff can undertake a high-level review of the Lenswood and Forest Range Community Association's proposal and provide cost estimates based on previous experience delivering comparable work.

The project cost estimate will include cost estimates for further development of the concept into detailed designs and cost estimates for implementation itself. The further development of the concept would also involved a detailed estimate of costs for implementation.

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

It is reasonable to suggest that the local Lenswood, Forest Range and surrounding communities would welcome Council's interest in the proposal.

➤ **Sustainability Implications**

Potential sustainability implications of the proposal can be considered in the work proposed to be done in the motion.

➤ **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.

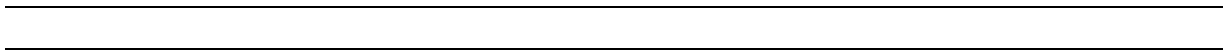
Community: At the time of providing this staff response, it is understood that the Lobethal and Forest Range Community Association was planning to provide a deputation on the proposal to Council.

4. ANALYSIS

Staff can provide a high level estimate of cost of further design and subsequent implementation of the Lenswood Main Street Beautification Project and provide that information as an input to the Council Member workshop planned for 22 March 2025.

5. APPENDICES

Nil.



Administration Reports Decision Items

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 12.1

Responsible Officer: Jess Charlton
Director Community and Development

Subject: Review of Grant Giving Policy and Grant Programs

For: Decision

SUMMARY

Council delivers a range of Grant Giving programs to support eligible community groups and individuals to achieve outcomes that benefit the community and align with its *Strategic Plan 2024 – Your Place Your Space*.

A review has been undertaken of the Grant Giving Policy and current grant programs, including consultation with the Council and the community. The review outcomes are detailed in the *Community Grants Review and Response 2025* provided in **Appendix 1** including the issues raised, responses to feedback and opportunities for improvement.

The revised *Grant Giving Policy (Appendix 2)* is presented for adoption and includes changes to address the feedback provided through the consultation and review process.

This report also seeks consideration of proposed reallocation of funds within the Community Development Grants budget to accommodate proposed improvements, within the existing funding envelope.

RECOMMENDATION

Council resolves:

1. That the report and *Community Grants Review and Response 2025* in **Appendix 1** be received and noted.
 2. With an effective date of 11 March 2025, to revoke the 27 April 2021 Grant Giving Policy and to adopt the 25 February 2025 Grant Giving Policy as per **Appendix 2**.
 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 25 February 2025 Grant Giving Policy as per **Appendix 2**.
-

1. BACKGROUND

At its meeting on 11 June 2024, Council resolved to undertake a review of the *Grant Giving Policy* and current grant programs.

11. MOTIONS ON NOTICE

11.1 Grants Policy – Cr Melanie Selwood

Moved Cr Melanie Selwood
S/- Cr Leith Mudge

195/24

I move that:

1. Council notes that the Grant Giving Policy is due for renewal;
2. The CEO undertakes a review of the Grant Giving Policy and current grant programs;
3. The review includes a workshop for Council Members to provide feedback on the current grant offerings and suggestions for future opportunities.
4. The review consider the following:
 - a. Eligibility criteria is sufficient for the diversity of potential applicants in our communities;
 - b. The level of funding provided per grant type;
 - c. Categories of grants;
 - d. Alignment with strategic objectives;
 - e. Assessment processes;
 - f. Consultation with groups and associations likely to access the grant programs
 - g. Opportunities for additional grant provisions when the applicant is successful in securing state and/or Federal grants
5. Recommendations be provided to Council by the end of January 2025.

Carried Unanimously

A workshop was held with Elected Members on 28 October 2024. A Community Forum with a focus on Community Grants was held at Balhannah Oval on 28 November 2024 and an online Community Survey was also undertaken from November 2024 to January 2025.

The outcomes of this consultation are summarised in **Appendix 1** in the *Community Grants Review and Response 2025*. Opportunities for improvement identified through the review have been taken into account in providing an updated *Grant Giving Policy* for Council consideration in **Appendix 2**. Other procedural documents, such as grant guidelines and communication plans, have also been updated accordingly.

2. ANALYSIS

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

Strategic Plan 2024 – Your Place, Your Space

Goal	A thriving, safe and welcoming community
Objective CW2	Enrich, empower and support connected communities
Priority CW2..2	Support community groups and community-led initiatives that achieve wellbeing outcomes.

Through grant giving, Council supports community groups to initiate and deliver projects that respond to community needs and improve community wellbeing.

Rigour in this space is supported through the *Grant Giving Policy* and *Community and Recreation Facilities Framework*. A robust process, including guidelines and eligibility and assessment criteria, ensure that the awarding of grants is fair and accountable.

➤ **Legal Implications**

Not applicable

➤ **Risk Management Implications**

The area of grant giving attracts a significant level of community scrutiny. There is an expectation that the awarding of these funds will deliver good outcomes and value for money. There is also an expectation that the grant giving process will be fair, transparent and accountable.

The review of the *Grant Giving Policy* assists in mitigating the risk of grant giving that is inappropriate or does not reflect Council’s strategic directions or community expectations.

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

➤ **Financial and Resource Implications**

There is no recommendation to increase the total budget allocation for community grants at this time. The amount of funds allocated to each grant stream is determined on an annual basis as part of the normal budget setting process.

As outlined in the analysis section of this report, the review has identified a number of improvements to maximum grant amounts and the allocation for grant streams within the budget set in the Annual Business Plan.

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

Grant programs provide an opportunity to support and encourage community led initiatives that build capacity and collaboration and facilitate a wide range of beneficial community outcomes.

Council Grant Giving attracts considerable interest and scrutiny and a high priority is placed on ensuring equitable and transparent processes. Council has a number of measures in place to support community groups through this process including the Grant Giving Policy, Grant Guidelines, public information sessions, direct support from Council staff and the Smarty Grants platform for online applications and reporting.

➤ **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>	28 October 2024
<i>Advisory Groups:</i>	Not applicable
<i>External Agencies:</i>	Not applicable
<i>Community:</i>	A Community Forum with a focus on Community Grants was held at Balhannah Oval on 28 November 2024. Consultation was undertaken via an online Community Survey from November 2024 to January 2025.

➤ **Additional Analysis**

The results of the Grant Giving Review are provided in **Appendix 1**. While the contents are not repeated here, the review included feedback across a number of themes including promotion, grant categories, level of funding, eligibility and the assessment process.

Consultation with the Council, community groups and the broader community via the survey, revealed that there is a reasonable level of satisfaction with Council's grant giving program. A relatively low level of survey responses were received (5 responses), with a number of respondents expressing satisfaction with the process. The feedback also indicated that the scope of groups and projects that are eligible for grants may require additional clarification.

As a result, a number of changes to the Policy are proposed, including:

- The Outcome area of the *Grant Giving Policy* 4.1 has been amended to better reflect the priority areas identified through consultation such as tourism and township development, built heritage and history, arts and place-making, Aboriginal recognition and reconciliation and responding to the needs of marginalised communities.
- A list of available grants has been added to the Grant Giving Policy to reflect a commitment to transparency in grant giving.
- The funding clause in 4.5 has been updated to include a commitment to regularly review the funding amounts that can be applied for, to reflect economic changes and the capacity to achieve meaningful outcomes.

Further, Council staff have identified a number of improvements to the Grant Giving Program, including:

- Updated communication and marketing strategies to ensure the community is aware of the amended priority areas in the Grant Giving Policy.
- Ensure that Grant Giving continues to align with Council's strategic planning and is informed by relevant documents such as the *Reconciliation Action Plan* and *Youth Action Plan*.
- Reallocate existing funding within the grant program to better align with current needs, by increasing the allocation for Youth Grants by \$500 and Minor Grants by \$1550, with a corresponding reduction to the Community Development Grant allocation. This will

provide a combined \$5000 allocation for Minor and Youth Grants while maintaining the total funding envelope for community grants in the draft Annual Business Plan 2025-26.

- Allocate budgeted funds for Minor and Youth Incentive Grants across two periods to increase access across the year.
- Increase the maximum amount that can be applied for in the Community Development Grant from \$2,500 – \$3,000, within the existing funding allocation.
- Require youth engagement in accessing Youth Grants by requiring a short, written application.
- More detailed evaluation reports to ensure consistency and greater transparency.

3. OPTIONS

Council has the following options:

- I. To receive and note the report and the *Community Grants Review and Response 2025* provided in **Appendix 1** and adopt the revised *Grant Giving Policy* in **Appendix 2**. (Recommended)
- II. Not to adopt the revised *Grant Giving Policy* (Not Recommended). This option is not recommended as the revised Policy includes changes following the recent review.
- III. To adopt the Grant Giving Policy as per Appendix 2 with amendments. (Not Recommended)

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

4. APPENDICES

- (1) *Community Grants Review and Response 2025*
- (2) *Grant Giving Policy*

Appendix 1

Community Grants Review and Response 2025

Community Grants Review and Response 2025

This document outlines the issues identified through the Community Grants Review undertaken in 2025, which was informed by a workshop with Elected Members and consultation via a Community Forum and Community Survey.

The table below details the issues identified and the actions that will be taken in response to the feedback.

Issue Identified	Response
Promotion / Consultation	
While we provide significant support and information for those wanting to apply for a grant, there may be groups who are unaware of grant opportunities and eligibility.	The Grants Communications Plan has been revised to extend the reach and breadth of promotion, also targeting promotion to stakeholders in identified priority areas.
Categories	
There is an opportunity to recognise and include Tourism and Township development in grant giving	<p>We have added an additional dot point to the Grant Giving Policy under clause 4.1:</p> <p>Grant streams will be targeted to achieve outcomes across a range of areas including:</p> <ul style="list-style-type: none"> • <i>Tourism and Township Development</i> <p>Staff will engage with Adelaide Hills Tourism and other relevant stakeholders to inform updated Guidelines</p>
There is an opportunity to recognise and include Built Heritage in grant giving	<p>Dot point included in Grant Giving Policy clause 4.1 Grants</p> <p>Council will provide a suite of grants that:</p> <ul style="list-style-type: none"> • <i>Preserve local heritage and environment</i> <p>Grant streams will be targeted to achieve outcomes across a range of areas including:</p> <ul style="list-style-type: none"> • <i>Built Heritage and History</i> <p>The Local Heritage Grant is an existing grant program. It may not be offered every year, depending on funding allocation in the Annual Business Plan.</p>
There is an opportunity to recognise and include Sustainability in grant giving	<p>Dot point included in Grant Giving Policy clause 4.1:</p> <p>Grant streams will be targeted to achieve outcomes across a range of areas including:</p> <ul style="list-style-type: none"> • <i>Sustainability and biodiversity</i>
There is an opportunity to recognise and include Arts in grant giving	<p>Dot point included in Grant Giving Policy clause 4.1:</p> <p>Grant streams will be targeted to achieve outcomes across a range of areas including:</p> <ul style="list-style-type: none"> • <i>Arts and Place-making</i>
There is an opportunity to recognise and include Reconciliation in grant giving	<p>Dot point included in Grant Giving Policy clause 4.1:</p> <p>Grant streams will be targeted to achieve outcomes across a range of areas including:</p>

	<ul style="list-style-type: none"> • <i>Aboriginal recognition and Reconciliation</i> <p>Councils Innovate Reconciliation Action Plan will inform priorities in this area.</p>
Community development grants could be targeted to provide services to marginalised communities such as homeless, this could expose a need that we haven't identified.	<p>Dot point added to Grant Giving Policy under clause 4.1:</p> <p>Council will provide a suite of grants that:</p> <ul style="list-style-type: none"> • <i>Identify and respond to the needs of marginalised communities</i> <p>Staff will continue to engage with agencies working with marginalised communities to identify gaps and criteria that can inform the assessment of grants.</p>
Level of Funding	
The current budget allocation of \$2000 for Youth Incentive Grants is inadequate and quickly expended	Propose a budget allocation for Youth of \$2,500 (from within existing total budget allocation for Community Grants)
The current budget allocation of \$950 for Minor Grants is inadequate and quickly expended	Propose a budget allocation for Minor Grants of \$2,500 (from within existing total budget allocation for Community Grants)
The budget allocation for Minor Grants and Youth Grants is quickly oversubscribed on a "first in" basis resulting in those whose activities occur later in the year missing out	Allocate budgeted funds across two periods. July – December (First half funds available) January – June (second half of funds available)
The Community Development grant of up to \$2,500 limits meaningful outcomes in the current economy. It should be increased to \$3,000	Increase Community Development Grants to (up to) \$3,000 per grant. Should some applicants apply for a lesser amount, this will increase the number of grants awarded. The overall allocation for Community Development Grants will be reduced by \$2050 to allow for the increase of Minor and Youth Grants to \$5000
Given changing needs and the proposed introduction of new grant priorities aligning with Council's strategic objectives, the current budget allocations need to be considered	<p>Grant Giving Policy includes 4.5 Funding:</p> <p><i>The amount of funds allocated to each grant stream will be determined on an annual basis as part of the normal budget setting process.</i></p> <p>We have also added:</p> <p><i>The Grant amounts that can be applied for will be regularly reviewed to reflect economic change and the capacity to achieve meaningful outcomes.</i></p>
Eligibility	
Minor Grants should align with Council's strategic plan Eligibility Criteria, and Guidelines should ensure reasonable co-contribution	Under the Guidelines for Minor Grants applicants can apply for up to 50% of the project cost up to \$300 ensuring a level of co-contribution
There was a general consensus that Council Members would like Youth grants to continue but with some additional requirement from applicants.	Future applicants (being the young person) will be required to write 150 words about the activity/ event they will be participating in and why the grant would assist them.
Community feedback requests grants to support operational expenses (bus trips, speaker fees, venue hire) and that Groups should be able to apply for	Funding to support general operational costs, such as utilities, are excluded from grant giving as it is considered that groups should be sustainable.

<p>Community Development Grants every year (as opposed to every second year)</p>	<p>To ensure that groups are not dependent on Council funding to be sustainable at an operational level groups can only apply every second year.</p> <p>Expenses associated with once-off projects or events, such as venue hire, are currently considered eligible for grants as these are not ongoing operational costs.</p>
<p>Community groups would benefit from more clarity around eligibility</p>	<p>The Grants Communications Plan has been revised to better promote eligibility.</p> <p>Guidelines are in place for each grant stream that clearly outline the eligibility of both the Applicant and the potential project.</p>
<p>Assessment Process</p>	
<p>Preference should be given to those that have not applied in the last three years.</p>	<p>Assessment Criteria includes consideration of the Applicants Grant history.</p>
<p>It should be clear that people should only apply for what they need rather than the full amount.</p>	<p>The online application form asks if the applicant would accept part funding.</p> <p>Guidelines and application form will be revised to better reflect this.</p>
<p>A desire for more consistency in the grant evaluation reports with additional transparency regarding the evaluation of grant applications.</p>	<p>Internal documents will be updated so that the evaluation report includes detail on the assessment panel, the criteria for assessment and the evaluation of each grant against the criteria.</p>
<p>Other</p>	
<p>Co-contribution, State Govt – some groups have limited capacity to take up – can we be more proactive in advocacy on this to LGA or Minister</p>	<p>Administration will explore opportunities to advocate for community groups.</p>

Appendix 2

Grant Giving Policy

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2>GRANT GIVING</h2>
--	-----------------------

Policy Number:	The Governance team will allocate the policy number.
Responsible Department(s):	Community Development
Relevant Delegations:	As per the Delegations Register
Other Relevant Policies:	Community and Recreation Facilities Framework and Policy
Relevant Procedure(s):	Grant Application Guidelines Eligibility and Assessment Criteria
Relevant Legislation:	<i>Local Government Act 1999</i>
Policies and Procedures Superseded by this policy on its Adoption:	Grant Giving Policy 23/07/19 Item 12.6 192/19 Grant Giving Policy 31/05/21
Adoption Authority:	Council
Date of Adoption:	<i>To be entered administratively</i>
Effective From:	<i>To be entered administratively</i>
Minute Reference for Adoption:	<i>To be entered administratively</i>
Next Review:	No later than February 2027 or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
<i>1.1</i>	<i>25/2/2020</i>	<i>Amendments to clause 3.10 to provide consistency with changes to Council Petitions Policy</i>	<i>Council - Res 47/20</i>
1.0	23 June 2019	Amended Grant Giving Policy	Council
2.0	31 May 2021	Policy Review	Council
3.0	27/04/24	Grant Giving Policy	Council

GRANT GIVING POLICY

1. INTRODUCTION

Through Grant Giving Council actively pursues opportunities to share resources and partner with others for better community outcomes. Council recognises the role that Grant Giving provides in building capacity and supporting innovative, community lead projects that contribute to achieving strategic goals.

This policy is to be read in conjunction with other relevant Council policies. [Procedural documents including](#) eligibility criteria, assessment criteria and guidelines [will be developed](#) for each grant [by Council Administration](#).

2. SCOPE

This policy provides Council and the administration with principles and guidance for awarding grants to groups and individuals.

[This policy applies to the application, assessment and awarding of grant funds, irrespective of amount, to eligible groups and individuals](#) –and applies to all areas of Council funded grant giving.

[This policy does not apply to reimbursements and contributions related to lease agreements or pre-existing arrangements with Council.](#)

2.3. OBJECTIVES

The objectives of this Policy are:

- To deliver grant giving that reflects strategic objectives
- To ensure a consistent approach to all areas of grant giving
- To deliver- grant giving that is accountable, fair and equitable
- To maximise community outcomes through the investment of public monies

3.4. DEFINITIONS

“Approval” refers to the authority by which a grant is awarded

“Assessment Criteria” refers to a pre-determined set of criteria against which applications are considered

“Community Group” a group formed of community members and / or relevant stakeholders that is formally incorporated [or has legal status](#)

“Eligibility Criteria” means the requirements that must be met in order for a group or individual to be eligible to apply for a grant

“Grant” means a dedicated and specified amount of funds that may be applied for by an eligible group or individual [in order to be considered](#)

“Grant giving” refers to any occasion where Council awards a grant through an application process

“Guidelines” means information provided to assist potential applicants to navigate the application process

“Not for Profit Organisation” means an organisation that does not operate for profit, personal gain or other benefits of particular people

POLICY STATEMENT

The purpose of Grant Giving is to assist community groups, not for profit organisations and individuals within the Council area to establish and undertake innovative projects or activities that are beneficial to the community and align with Council’s Strategic Plan.

4.1 GRANTS

Council will provide a suite of grants that:

- reflect Council’s strategic [objectives](#)
- facilitate collaborative community-led projects that benefit the Adelaide Hills
- improve community assets and facilities
- [preserve local heritage and environment](#)
- [build community capacity](#)
- [identify and respond to the needs of marginalised communities](#)

Grant streams will be targeted to achieve outcomes across a range of areas including:

- Community and Recreation Facilities
- [Community Participation and Connection](#)
- [Public Arts](#) and Place-making
- Youth ~~Incentive and support~~
- Sustainability and Biodiversity [Management](#)
- Diversity, Inclusion and Accessibility
- Aboriginal recognition and Reconciliation
- [Built Heritage and History](#)
- [Tourism and Township Development](#)

Council offer the following Grants:

- [Community and Recreation Facilities Grants](#)
- [Community Development Grants](#)
- [Minor Grants](#)
- [Youth Incentive Grants](#)
- [Local Heritage Grants \(in years where budget allocation is allocated through annual business planning process\)](#)

Grant streams, total funding allocation and the maximum amount that may be applied for under each funding stream will be determined through the annual business planning process.

Council ~~reserves the right to may~~ change or vary grant programs to reflect future strategic planning and annual business planning.

4.2 ELIGIBILITY

Applications will be considered from [applicants that are based](#) in the Adelaide Hills or provide a significant benefit to the Adelaide Hills community and meet the eligibility criteria and requirements of the grant for which they are applying.

Applications **will not** be considered for projects or purposes that are deemed to:

- be the responsibility of State or Federal Government
- result in an ongoing dependency on Council
- be religious in nature
- be for political ~~or commercial~~ gain

Eligibility criteria will be in place for all Council grants and determine the eligibility of both the applicant and the project or outcome of the grant application.

Council may fund individuals in instances where that person meets the eligibility criteria and requirements of the grant for which they are applying.

Eligibility criteria will be made readily available to applicants via the Council's website www.ahc.sa.gov.au.

4.3 APPLICATION

All Grant Giving streams will be detailed on the Council website.

Grant funding rounds will be widely advertised. Information, application requirements and guidelines to assist with the application process will be made readily available to potential applicants via the Council website www.ahc.sa.gov.au.

Guidelines will be in place to guide and support applicants through eligibility requirements and the application process for all grants.

4.4 ASSESSMENT AND APPROVAL

Procedures will be in place for:

- promoting competitive grant giving opportunities in a broad and open manner
- a fair and widely accessible application process
- a robust and transparent assessment process
- ~~acquiring~~ acquitting approved grants and
- ensuring acknowledgement of the Council as a grant provider

Grant applications will be assessed and grants awarded ~~by the delegated authority and/or through Council endorsement~~ in accordance with the requirements of each grant program and ~~in accordance with~~ predetermined Eligibility and Assessment Criteria. The process for decision making may vary across grant streams and may include Council resolution based on the recommendations of an assessment panel or by decision of the administration staff vested with the authority to do so.

Assessment Criteria will be in place for all Council grants.

In the case of grants requiring assessment by a panel the selection of the panel members will:

- Deliver the knowledge and expertise to inform assessment
- Manage conflicts of interest in accordance with the provisions of the Local Government Act

Details of successful applicants will be made available on the Council website.

4.5 FUNDING

Council Grant Giving is targeted to reflect Council's role as a Local Government and address costs that sit outside of funding that is the primary responsibility of State or Federal Government or other key stakeholders.

The amount of funds allocated to each grant stream will be determined on an annual basis as part of the normal budget setting process.

[The Grant amounts that can be applied for will be regularly reviewed to reflect economic change and the capacity to achieve meaningful outcomes.](#)

4.6 DISASTER RELATED GRANT GIVING

In response to disaster related events such as bushfire or extreme weather, Council may offer dedicated funding grants to support recovery. These grants will be subject to the same rigor as all other grants.

4.7 EXCEPTIONS

Council reserves the right to make donations to, or in other ways financially support, groups and projects that benefit the community and reflect strategic objectives as part of normal budget setting and program management processes [or by Council resolution.](#)

4.8 CONFLICT OF INTEREST

Staff and Elected Members involved in the assessment and / or approval process are required to declare any [real or perceived general or material](#) conflict of interest in relation to any grant application.

4.5. DELEGATION

5.1 The Chief Executive Officer has the delegation to:

- Approve, amend and review any procedures, [guidelines or associated documents](#) ~~that shall be~~ consistent with this Policy; and
- Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

5.6. AVAILABILITY OF THE POLICY

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

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 12.2

Responsible Officer: Jess Charlton
Director Community and Development
Community and Development

Subject: Innovate Reconciliation Action Plan

For: Decision

SUMMARY

To promote and support reconciliation is Objective CW1 in Council's *Strategic Plan 2024 – Your Place Your Space*, with a priority to develop and implement our Innovate Reconciliation Action Plan (RAP) with the support of the Adelaide Hills Reconciliation Working Group (CW1.1).

Council has developed an Innovate level Reconciliation Action Plan 2025 – 2026 which is now endorsed by Reconciliation Australia. This process has been complex and undertaken by an internal working group of key Council staff in collaboration with the regional Adelaide Hills Reconciliation Working Group, and directed by Reconciliation Australia guidelines and requirements. The Reconciliation Action Plan format is the intellectual property of Reconciliation Australia.

This report seeks Council adoption of the ***Innovate Reconciliation Action Plan 2025 – 2026 (Appendix 1)*** as endorsed by Reconciliation Australia on 10 February 2025.

RECOMMENDATION

Council resolves:

1. That the Innovate Reconciliation Action Plan report be received and noted.
 2. That Council adopt the Innovate Reconciliation Action Plan 2025 - 2026 as contained in Appendix 1
-

1. BACKGROUND

Council developed and implemented a *Reflect Reconciliation Action Plan (RAP) 2016*. This RAP, whilst adopted by Council, was not formally endorsed by Reconciliation Australia.

Aligning with Councils ongoing commitment to Reconciliation and to developing an Innovate level Reconciliation Action Plan, the Adelaide Hills Reconciliation Working Group (AHRWG) was established in July 2019.

The AHRWG was established in partnership with the Mount Barker District Council. Forming a Working Group to advise on reconciliation at a regional level encompassing both Adelaide Hills Council (AHC) and the Mount Barker District Council (MBDC) areas was deemed appropriate as the Adelaide Hills is generally recognised as a region and this approach fosters a sharing of learnings, initiatives and resources for the region.

Under the Terms of Reference the role of the AHRWG is to:

- assist AHC and MBDC with the implementation of current RAPs
- assist AHC and MBDC with the development of next level RAPs
- advise Council staff on matters that impact the local Aboriginal and Torres Strait Islander Community

An Adelaide Hills Council internal reconciliation working group was established to write Council's RAP with representatives from Councils key areas of business; Open Space, Finance, Property, Development and Regulatory Services, Economic Development, Communications Engagement and Events, People and Culture and Community Development.

The development of the Innovate RAP was undertaken with reference to and engagement with the AHRWG and in accordance with the requirements of Reconciliation Australia. Council submitted the Draft RAP to Reconciliation Australia on five occasions, which involved responding to feedback and requested changes and resubmission for endorsement.

On the 10 February 2025, Reconciliation Australia formally endorsed the Adelaide Hills Council ***Innovate Reconciliation Action Plan 2025 – 2026*** (Innovate RAP) which is provided in ***Appendix 1***.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

Our Guiding Principles

First Nations We recognise Peramangk and Kurna people as the traditional custodians of our region and are committed to working with Aboriginal and Torres Strait Islander people on the reconciliation journey

Goal 2 Community Wellbeing

Objective CW1 Promote and support reconciliation

Priority CW1.1 Develop and implement our Innovate Reconciliation Action Plan (RAP) with the support of the Adelaide Hills Reconciliation Working Group

➤ Legal Implications

Not Applicable

➤ Risk Management Implications

The Draft Innovate RAP has been developed based on collaboration and engagement with key stakeholders including Aboriginal and Torres Strait Islander community members and with Reconciliation Australia.

Developing and implementing the Innovate RAP and a considerable commitment to Reconciliation is detailed in Council's *Strategic Plan 2024 – Your Place Your Space*. Achieving Reconciliation Australia's endorsement has been the result of a lengthy process. To not adopt this Innovate RAP risks considerable damage to Council's reputation and ability to work in the Reconciliation space.

Adopting the Innovate RAP as endorsed by Reconciliation Australia will assist in mitigating the risk of reputational damage and diminished relationships with community.

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

➤ **Financial and Resource Implications**

The actions described in the Innovate RAP will be undertaken through existing resources and will embed a reconciliation approach into the organisational culture. Should an action require the consideration of additional funds this will be determined on an annual basis as part of the normal budget setting process.

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

The process of developing the Innovate RAP has been lengthy with considerable input and involvement from stakeholders from both the Aboriginal and Torres Strait Islander community and non-Aboriginal community. Council's commitment to Reconciliation and First Nations recognition as expressed in the *Strategic Plan 2024 – Your Place Your Space*, has generated a significant level of community expectation.

It is worth noting that, following the Referendum, there has been the establishment of three community led Friends of Reconciliation groups who are actively exploring allyship and the celebration of the First Nations culture of the Adelaide Hills.

➤ **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>	Internal Reconciliation working group
<i>Council Workshops:</i>	Workshop 1 May 2023
<i>Advisory Groups:</i>	Adelaide Hills Reconciliation Working Group, including several former members
<i>External Agencies:</i>	Reconciliation Australia
<i>Community:</i>	Not applicable

Staff presented the draft Innovate RAP to Council at a workshop on 1 May, 2023, outlining the key objectives and the process required to receive endorsement from Reconciliation Australia.

➤ **Additional Analysis**

The term of the Innovate RAP is two years, covering the calendar years from 2025 to 2026. At the end of this term, a review will be undertaken of the impact and effectiveness of the RAP and Council will be asked to consider next steps in relation to future RAPs and initiatives in the Reconciliation space.

3. OPTIONS

Council has the following options:

- I. To adopt the *Innovate Reconciliation Action Plan 2025 – 2026* provided in **Appendix 1** (Recommended)
- II. To not adopt the *Innovate Reconciliation Action Plan 2025 – 2026* (Not Recommended)

4. APPENDICES

- (1) *Innovate Reconciliation Action Plan 2025 – 2026*

Appendix 1

Innovate Reconciliation Action Plan 2025 - 2026

Adelaide Hills Council Innovate

Reconciliation Action Plan

1 JANUARY 2025 to
31 DECEMBER 2026

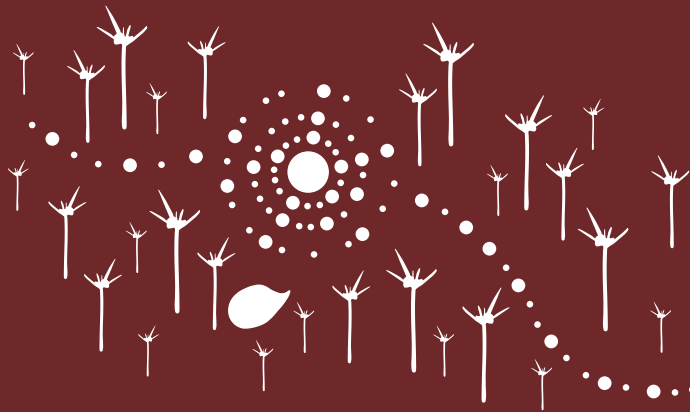


RECONCILIATION
ACTION PLAN

INNOVATE



Adelaide Hills
COUNCIL



Acknowledgement of country

Council acknowledges that we undertake our business on the traditional Country of the Peramangk and Kaurna people.

We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land for they hold the memories, traditions, spiritual relationships, culture and hopes of the First Nations of Australia.

We are committed to working together to ensure that Peramangk and Kaurna culture and traditions are sustained, valued and continuing.

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Adopted January 2025



Cover: Smoking ceremony at an event in the Adelaide Hills Council area.

This page: Morialta Conservation Park in Woodforde, South Australia.



View out to sea from Norton Summit in the Adelaide Hills.

Statement from the CEO of Reconciliation Australia

First Innovate RAP

Reconciliation Australia commends Adelaide Hills Council on the formal endorsement of its inaugural Innovate Reconciliation Action Plan (RAP).

Commencing an Innovate RAP is a crucial and rewarding period in an organisation's reconciliation journey. It is a time to build strong foundations and relationships, ensuring sustainable, thoughtful, and impactful RAP outcomes into the future.

Since 2006, RAPs have provided a framework for organisations to leverage their structures and diverse spheres of influence to support the national reconciliation movement.

This Innovate RAP is both an opportunity and an invitation for Adelaide Hills Council to expand its understanding of its core strengths and deepen its relationship with its community, staff, and stakeholders.

By investigating and understanding the integral role it plays across its sphere of influence, Adelaide Hills Council will create dynamic reconciliation outcomes, supported by and aligned with its business objectives.

An Innovate RAP is the time to strengthen and develop the connections that form the lifeblood of all RAP commitments. The RAP program's framework of relationships, respect, and opportunities emphasises not only the importance of fostering consultation and

collaboration with Aboriginal and Torres Strait Islander peoples and communities, but also empowering and enabling staff to contribute to this process, as well.

With close to 3 million people now either working or studying in an organisation with a RAP, the program's potential for impact is greater than ever. Adelaide Hills Council is part of a strong network of more than 3,000 corporate, government, and not-for-profit organisations that have taken goodwill and intention, and transformed it into action.

Implementing an Innovate RAP signals Adelaide Hills Council's readiness to develop and strengthen relationships, engage staff and stakeholders in reconciliation, and pilot innovative strategies to ensure effective outcomes.

Getting these steps right will ensure the sustainability of future RAPs and reconciliation initiatives, and provide meaningful impact toward Australia's reconciliation journey.

Congratulations Adelaide Hills Council on your Innovate RAP and I look forward to following your ongoing reconciliation journey.

Karen Mundine
Chief Executive Officer
Reconciliation Australia

Message from the Adelaide Hills Reconciliation Working Group

The Adelaide Hills Reconciliation Working Group (AHRWG) is proud to support the Adelaide Hills Council Innovate Reconciliation Action Plan (RAP).

The AHRWG has worked closely with both Adelaide Hills Council and Mount Barker District Council to create a synergy around reconciliation across the Hills areas through a consultative, collective process.

This unified approach aims to align goals and expectations. This makes reconciliation sense, and business sense, and communicates that we're all in this together.

Our aspiration for this RAP is to progress reconciliation in a respectful and informed manner and to increase the visibility, recognition, and awareness of Aboriginal and Torres Strait Islander communities in the Adelaide Hills region.

Reconciliation invites non-Indigenous people to learn more about Aboriginal and Torres Strait Islander histories and cultures. Aboriginal and Torres Strait Islander people have already learnt about non-Indigenous perspectives of Australia. A benefit of this shared understanding is the opportunity for authenticity in Truth-telling. We want our children to grow up in a country that has pride based on mutual respect.

We hope that through reconciliation there is the opportunity to reduce the incidence of community accepted racism and local Aboriginal and Torres Strait Islander businesses being engaged more freely.

With collective understanding and shared commitment reconciliation becomes a reality.



Image: Adelaide Hills Council Elected Members.

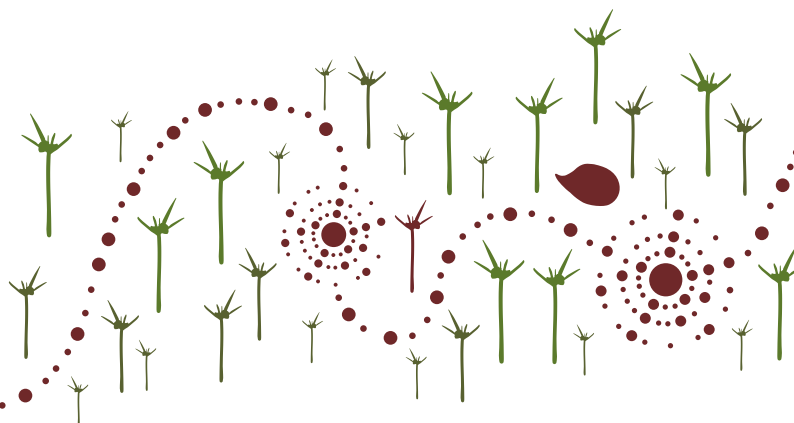
Our Commitment

It is with great pleasure that we introduce Adelaide Hills Council's Innovate Reconciliation Action Plan. Council has a role to play in showing strong and authentic leadership in achieving reconciliation with the Aboriginal and Torres Strait Islander and non-Indigenous community of the Adelaide Hills. Reconciliation is for everyone. We see reconciliation as part of the everyday life of the Adelaide Hills community and as a commitment that staff deliver across our organisation and all areas of business through their daily work.

The Adelaide Hills are the traditional lands of the Peramangk and Kurna peoples. We respect and value the relationship that Traditional Custodians have with this area and we value highly Councils relationship with existing and emerging leaders. A significant number of Adelaide Hills residents identify as Aboriginal and/or Torres Strait Islander people and live, work and raise their families here. Through our Reconciliation Action Plan we have a road map to travel this reconciliation journey together.

Through this Reconciliation Action Plan we have clear and measurable actions that will result in meaningful outcomes for everyone.

Adelaide Hills Council





Woorabinda Bushland Reserve
in Stirling, South Australia.

Our Vision and Aspirations

Our vision for reconciliation is an Australia that is based in mutual respect, truth-telling and a journey towards a common understanding of our shared past and future.

In the context of our organisation and the Adelaide Hills community Adelaide Hills Council will show strong leadership in the area of reconciliation. Our community expects it of us and we recognise it is our responsibility to do so.

We will strive to build enduring relationships with Peramangk and Kaurna Traditional Custodians and Aboriginal and Torres Strait Islander community members who live, work, or have strong connections to this area. Through these relationships we will work with Aboriginal and Torres Strait Islander and non-Indigenous people in our community as equal partners towards a shared vision for our future based on trust, respect, understanding and open, honest dialogue and actions.

Adelaide Hills Council is committed to embedding reconciliation within our organisation so that reconciliation, recognition and celebration of

Aboriginal and Torres Strait Islander cultures are part of the everyday operations of Council's business at all levels, and this is the norm rather than the exception.

We will demonstrate strong leadership within our circle of influence, positively promoting and encouraging healing and reconciliation through truth-telling about our shared histories.

We value diversity in our community and in our workplace and the richness and opportunities that this brings in building community pride in our unique Adelaide Hills identity. We will foster awareness and pride in the Aboriginal heritage and cultures of our area.

We will endeavour to develop and maintain mutually beneficial relationships at all levels of Council and throughout our community with Aboriginal and Torres Strait Islander stakeholders, including the area of business, procurement, and supply.

We will have a Reconciliation Action Plan that is based on shared values with Aboriginal and Torres Strait Islander and non-Indigenous communities delivering meaningful, achievable actions that are owned and championed across the organisation.

Our Shared History

For millennia Aboriginal peoples have called the area we now know as the Adelaide Hills, home. Generations of people have lived in the area and made a life for themselves and their families.

The Hills provided shelter and sustenance to Aboriginal people and the land and the resources it provided people with were carefully managed to ensure that the area could provide a living for generations to come.

The Aboriginal peoples we now know as Peramangk and Kurna, called the Hills their home and their stories that have survived, tell of the creation of the Hills and some of the geological features we are familiar with. There are numerous campsites, ceremonial sites, and burial sites throughout the Hills. The Yurebulla story has the Peramangk as Border Watchers and Peacekeepers although they were also known to be fierce warriors and possessed of strong magic.

The Aboriginal Custodians welcomed people from other Aboriginal groups to ceremonies and afforded them safe passage through the area especially as people travelled from the lakes and river areas to the plains and the sea for purposes of trade or Ceremony.

Warki, Portalaun and Jarildekalde people from the Lake Alexandrina area maintained contact with the Peramangk peoples and traded large redgum bark sheets for their canoes. As these were in short supply along the Lower Murray, these groups needed to get them from their neighbours. They would trade mallee spears for the bark.

The Peramangk people also traded fire making 'kits' with the Kurna people as well as others as far away as Lake Victoria in New South Wales. Peramangk people have shared stories of their interactions with the Wiradjuri people of New South Wales and shared songlines and trading routes between country have been recorded.

In the Hills there are Aboriginal place names that still survive including Brukunga, Uraidla, Gumeracha, Onkaparinga, Echunga and Cudlee Creek although they are often different to the original names recorded by the early European settlers.

With no written Aboriginal language, the names were recorded by Europeans who would have been writing them in a way that fitted with their own linguistic knowledge. The Peramangk and Kurna languages are very similar however, there are some differences in pronunciation. Given the trade routes and interaction with other groups including those of the Ngarrindjeri Nation, it is clear that some of the people were bilingual allowing them safe passage to other country for ceremonial and trading purposes.

Peramangk children learnt to swim at Bokati-illa in the permanent waterhole on the Onkaparinga River near Hahndorf. Mount Barker Summit is important to both Peramangk and Ngarrindjeri people and features in stories and it is likely that both groups would have used the nearby semi-permanent campsite at Lartingga parri.

Early European settlers documented stories of large Aboriginal camps throughout the Ranges, and it is thought that several thousand Aboriginal people were living in semi-permanent camps at European settlement. People were known to camp near where the RSL Hall at Aldgate is and in the evenings of the warmer months they would sometimes perform ceremonies which early white settlers documented. Other camps were located at Stanley Bridge on the Onkaparinga River, Mylor, the site of the Bridgewater Oval and Days Road at Uraidla. People still visited these areas on their way to Adelaide at times when the Europeans distributed rations.

Many of these people were displaced by the mid 1850's as agriculture started to expand in the district and there was competition for water as well as free passage across the Hills as many areas were fenced for stock, especially sheep. With the coming of Europeans, many of the trees were cut for building in Adelaide and other areas and land was settled with fences and stock, displacing the original peoples.

Confrontations were recorded as Aboriginal people availed themselves of these new food sources, especially as the traditional routes of some of their usual foods had been disrupted by fences and the competition for food.

Aboriginal people did work for some of the early settlers including John Bull of Mt Barker who used Peramangk people as labourers and paid them in wheat and potatoes for their work. However, with access to water and food becoming more difficult by the late 19th Century there were few of the original inhabitants still living on their traditional lands, although they would still visit at certain times of the year to fulfil traditional obligations. Some Peramangk peoples moved closer to the Murray River, others were taken to Missions stations including Raukkan, Swan Reach and Poonindie.

By the early 1900's it was erroneously believed that there were no Peramangk people still alive, however, this was not the case, and a number of people now know that they have Peramangk ancestry as well as other Aboriginal ancestry and can identify as living descendants of the original Hills people.

Many Kurna people were also relocated to mission stations including Raukkan, Point Pearce and Poonindie. As many people are now able to access Government records on their families, they are discovering that their ancestors were Kurna people who were displaced in the early days of European Settlement. Kurna language is being revitalized with many people learning to speak the language and some areas have adopted either dual names for a place, a building or an area ie Kurna/English and other places have reverted to their documented Kurna names.

In 2018, after 18 years of legal proceedings, the Kurna people were recognised as native title holders of the lands around Adelaide (including a large area of the Adelaide Hills). Hence we now recognise both Peramangk and Kurna ancestors in our Welcomes to, and Acknowledgment of Country.

The Adelaide Hills have inherited a rich legacy from the original inhabitants, and we should be proud of that history and heritage and preserve it for generations to come. A Reconciliation Action Plan is a first step in a shared journey to care for this special area that so many now call home.

Deanne Hanchant-Nichols

Tanganekald/Ramindjeri
(Ngarrindjeri Nation);
Barkindji Nation

Ass.Dip., BA, MA
(Aboriginal Studies/
Archaeology/SA History)

Member of the Adelaide Hills
Reconciliation Working Group



Smoking ceremony by Senior Kurna Man, Mickey Kumatpi O'Brien for the opening of Fabrik Arts + Heritage in Lobethal, South Australia.



Our Council People and Places

The Adelaide Hills Council area is located between 10 and 40 kilometres from the Adelaide CBD in the beautiful natural environs of the Adelaide Hills. The district spans 795 square kilometres with an estimated resident population of 39,977 people living across 57 townships/localities and 18,035 households. The district has an expanding economy with high growth potential in food, wine, tourism, retail and light industry.

The geographic coverage of Adelaide Hills Council extends from the hills face including Rostrevor and Teringie up to Kersbrook and Gumeracha in the north, west to Woodside and Oakbank and South to Scott Creek and Mylor. Council has offices at Stirling and Woodside with libraries, Council service centres and community centres at Stirling, Woodside, Gumeracha and Norton Summit.

According to the 2021 Census 281 people in the Adelaide Hills Council area identify as being Aboriginal and/or Torres Strait Islander people. The region's First Peoples are the Peramangk and Kaurna peoples and we recognise that there are many Traditional Custodians with a strong connection to Country who live outside the region. We also know that the recognition of Aboriginal and Torres Strait Islander cultures and heritage is important to people in our region.

Adelaide Hills Council currently employs 202 people in roles including administrative, works crews, management, community development, property development and biodiversity management. Staff are either office based or out in the field or a combination of both. Information regarding the number of staff who identify as Aboriginal and/or Torres Strait Islander people is collected as part of the employee on-boarding process. Currently 1 person identifies as an Aboriginal and/or Torres Strait Islander person, 15 responded "unsure" and 30 responded "prefer not to say"

As a keeper of community resources, our core business is to engage, understand and work with, and on behalf of, the people of the Adelaide Hills to improve community well-being. This includes the well-being of Aboriginal and/or Torres Strait Islander people who live in the hills or who have an ongoing and strong connection with the hills area.

Council delivers services to residents, visitors and businesses that support the distinctive culture, creativity and accessibility of the Adelaide Hills community and region. We aspire to support our community to prosper, while maintaining and enhancing the unique environment, character and liveability of the area.

Residents enjoying Morialta Conservation Park in Woodforde, South Australia.



Regional Adelaide Hills Reconciliation Working Group.

Our RAP

Working together towards our vision

Through our RAP we aim to establish Council's commitment to reconciliation through clearly identified actions across all areas of our business. This commitment reflects an authentic desire to recognise and respect the Aboriginal heritage of our area, the shared history and to work towards a promising future together. We aim to do this in collaboration and consultation with both Traditional Custodians and Aboriginal and Torres Strait Islander people who live, work or are connected to our area. Through this RAP, Council also has the opportunity to demonstrate leadership to the Adelaide Hills Community in promoting and facilitating reconciliation.

Regional Adelaide Hills Reconciliation Working Group (AHRWG)

The Adelaide Hills Region is made up of Adelaide Hills Council and Mount Barker District Council both of whom are working towards their independent RAPs. The Adelaide Hills Reconciliation Working Group represents a collaboration between Adelaide Hills Council, Mount Barker District Council, and the community to provide a reference point for advice and direction.

There are 610 residents in the Adelaide Hills region (Adelaide Hills Council and Mount Barker District Council areas) who identified as an Aboriginal and/or Torres Strait Islander person in the last census (2021 Census, 281 Adelaide Hills Council, 329 Mount Barker District Council). The Councils of this region recognise that the heritage and living cultures of Aboriginal and Torres Strait Islander Peoples is a fundamental part of our district.

Established in May 2019 the Adelaide Hills Reconciliation Working Group (AHRWG) is a regional reference group that assists both the Adelaide Hills Council and Mount Barker District Council to develop and implement their respective Reconciliation Action Plans. It also provides general advice on matters that impact Aboriginal and Torres Strait Islander communities.

Forming a Working Group to advise on reconciliation at a regional level encompassing both Adelaide Hills Council (AHC) and Mount Barker District Council (MBDC) areas is deemed appropriate for the following reasons:

- The Adelaide Hills is recognised as a region.
- This approach fosters a sharing of learnings, initiatives, and resources for the region.

Under the Terms of Reference, the role of the Adelaide Hills Reconciliation Working Group is to:

- Assist AHC and MBDC with the implementation of current RAPs.
- Assist AHC and MBDC with the development of future RAPs.
- Advise Council staff on matters that impact the local Aboriginal and Torres Strait Islander Community.

This group is made up of eight community members, an Elected Member from each Council and is supported by a designated staff member from each Council, with current membership (2023 – 2025) being five members who identify as Aboriginal people, and two members who are non-Indigenous and one member who resigned due to personal reasons.

Photo: Regional Adelaide Hills Reconciliation Working Group, Lou Turner, Andrew McNichol, Ros Cameron, Jane Longbottom, Jade Brook, Hayley Willis, absent: Deanne Hanchant-Nichols.

Adelaide Hills Council Reconciliation Action Plan Working Group

In addition to the Regional Adelaide Hills Reconciliation Working Group, Council has an internal Reconciliation Action Plan Working Group whose role is to develop this and future Reconciliation Action Plans and champion reconciliation initiatives throughout the organisation. In determining the membership of this group, the aim was to have representation from core areas of business and people who have roles in the organisation that are well placed to champion our RAP. One member of this group identifies as an Aboriginal person, there is a strong reference back to the Adelaide Hills Reconciliation Working Group (AHRWG) whose membership is predominantly Aboriginal identified.

The Executive RAP Champion for Adelaide Hills Council is the Director of Community and Development.

This group is made up of staff representing the following areas of Council business:

- **Biodiversity Management**
Biodiversity Officer
- **Finance**
Procurement Project Officer
- **Property**
Coordinator of Property Projects and Maintenance
- **Development and Regulatory services**
Senior Strategic and Policy Planner
- **Economic Development**
Economic Development Officer
- **Communications, Engagement and Events**
Manager of Communications Engagement and Events
- **Organisational Development**
Manager of People and Culture
- **Community Development**
Community and Cultural Development Officer

This Group operates in consultation and collaboration with the Adelaide Hills Reconciliation Working Group.



Cultural art displayed at Fabrik Arts + Heritage in Lobethal, South Australia.

Our Reconciliation Journey

Adelaide Hills Council has a building commitment to reconciliation.

2007

Participated in the Adelaide Hills Aboriginal Community Forum and its successor the Adelaide Hills Aboriginal Services and Community Initiatives forum from 2007 to 2016.

Council held its first NAIDOC Week event and continues to recognise and celebrate NAIDOC Week

2009

Council provides funding support to the Koori Kids NAIDOC Week Schools Initiative.

Participated in regional collaborative National Reconciliation Week events.

2011

The Aboriginal flag is flown at all Council Service Centres being Stirling, Woodside and Gumeracha. This is embedded in Council's Flags Policy.

2012

Adelaide Hills Council in partnership with District Council of Mount Barker delivered the Just Too Deadly Awards recognising Aboriginal and Torres Strait Islander school students' achievements. This event ran annually until 2019.

2018

Appropriate use of the Aboriginal flag included in the Council's Flags Policy adopted July 2018

2019

In partnership with District Council of Mount Barker established the regional Adelaide Hills Reconciliation Working Group to advise on the development of RAPs and matters that relate to reconciliation. This group includes an Elected Member from each Council and 8 Community members.

An internal Reconciliation Working Group was established including staff from across Council's key areas of business to develop and champion this and future RAPs.

In partnership with Reconciliation SA and Act Now Theatre delivered the program Generation of Change interactive anti-racism training for secondary school students across the Adelaide Hills.

Cultural Awareness Training held for Elected Members and key staff with a developing schedule to promote ongoing and evolving training.

Established a comprehensive and dedicated work hub on Council's intranet to support staff from across all areas of Council business, including resources, information, and website links.

A strong program of activities and events offered recognising and celebrating National Reconciliation Week and NAIDOC Week.

2020

Acknowledgement and Welcome to Country Policy adopted.

Protocols for Acknowledgement of Country and Welcome to Country are in practice and provided to our community via the Council website.

Ran a series of Aboriginal and Torres Strait Islander radio programs in partnership with Hills Radio and producer Chris Crebbin

Mural "Shared Country" by artist Paul Mantirri-Munaitya Herzich installed in Gumeracha.

NAIDOC Art Project working with high school students creating work for an exhibition at Top of the Torrens Gallery

Our Reconciliation Journey

2021

Implemented staff training on Acknowledgement and Welcome to Country Policy.

A strong program of activities and events offered recognising and celebrating National Reconciliation Week and NAIDOC Week.

Activities to celebrate Indigenous Literacy Day through Council Libraries.

Council Community Centres and Libraries regularly offer workshops and activities for all ages that recognise and celebrate Aboriginal and Torres Strait Islander cultures including storytelling around the campfire, weaving, bush tucker, cultural workshops, and performance.

Developed a distinctive reconciliation sub-branding based on the artwork of Paul Mantirri-Munaitya Herzich.

Business sized Acknowledgement of Country card for all staff with reconciliation branding.

2022

Developed the Aboriginal Place Naming Strategy relating to the use of Peramangk and Kurna language in naming, interpretive signage, and use of language in public art and place making.

Installation of Crafers Gateway sign including words "Kurna Country".

Cultural Awareness Training on "Introduction to Kurna Culture and Languages" presented by Jack Buckskin for Elected Members and Executive Leadership.

A strong program of activities and events offered recognising and celebrating National Reconciliation Week and NAIDOC Week.

Community Forum on the Uluru Statement From The Heart with Parry Agius.

Activities to celebrate Indigenous Literacy Day through Council Libraries.

Increased level of procurement from Aboriginal and Torres Strait Islander businesses including cultural services, workshop presentation, artists, toilet paper and hand sanitiser products.

Staff attendance at Indigenous Business Expo.

2023

Council passed a resolution to no longer hold citizenship and Council award ceremonies on 26 January.

In Collaboration with the Circle, Mount Barker District Council and Alexandrina Council held a First Nations Business Networking and Information Session.

Undertook significant engagement event with Traditional Custodians and First Nations artists and stakeholders to inform the planning of cultural content at Fabrik Arts and Heritage. This was conducted by Ochre Dawn, an Aboriginal owned and operated business on behalf of Council.

Installed signage with Kurna language place naming at Hamilton Hill in accordance with Aboriginal Place Naming Strategy. Engaged Aboriginal film maker to develop a video for use on Council website and socials.

In July 2023 Council resolved to not undertake Citizenship Ceremonies, confer awards or support events on 26 January, Australia Day, in recognition of the difficulties of the date 26 January for First Nations Peoples.

2024

Cultural Awareness training delivered to Elected Members.

Kurna language naming of natural burial ground at Kersbrook Cemetery.

Yarning Circle held with members of local community Reconciliation groups.

Programs and workshops celebrating National Reconciliation Week and NAIDOC through community centres and libraries.

First Nations Business Event held in partnership with Mount Barker District Council, Alexandrina Council, The Circle and Many Rivers.



Relationships

Adelaide Hills Council places a high value on developing and maintaining respectful relationships with Peramangk and Kaurna peoples as the Traditional Custodians of the area and Aboriginal and Torres Strait Islander peoples who live, work, and have a strong connection to our area.

We are committed to building positive, collaborative partnerships that recognise and celebrate the Aboriginal heritage, history, and ongoing contribution to the Adelaide Hills.

Council is committed to anti discrimination as per the Fair Treatment Policy.

Sunset viewed from Mount Lofty
in the Adelaide Hills.

Relationships

Action	Deliverable	Timeline for Deliverables	Responsibilities
Consultation / Engagement			
1. Promote reconciliation through our sphere of influence.	1.1. Develop and implement a staff engagement strategy to raise awareness of reconciliation across our workforce.	January 2025, 2026	Lead: Manager of People and Culture Support: Executive Manager Governance and Performance, Volunteering Co-ordinator
	1.2. Maintain an Internal Reconciliation page for staff education, reference and use including links to various websites and contact details for members of the Internal RAP Working Group.	January 2025, 2026	Community and Cultural Development Officer
	1.3. Communicate our commitment to reconciliation publicly through: <ul style="list-style-type: none"> • Strategic Plan • Annual Business Plan • Social media 	March 2025, 2026	Manager Communications, Engagement and Events
	1.4. Maintain a dedicated page on Council's website for reconciliation including reference to AHRWG and its members and links to Reconciliation Australia and other resources.	July 2025, 2026	Corporate Planning and Performance Coordinator
	1.5. Explore opportunities to positively influence our external stakeholders to drive reconciliation outcomes.	January 2025, 2026	Community and Cultural Development Officer
	1.6. Collaborate with RAP Organisations and other like-minded organisations to develop ways to advance reconciliation.	July 2025, 2026	Community and Cultural Development Officer
	1.7. Maintain a partnership with Mount Barker District Council to support reconciliation at a regional level through the AHRWG, resource development and events.	June 2025, 2026	Community and Cultural Development Officer



Relationships

<p>2. Promote positive race relations through anti-discrimination strategies.</p>	<p>2.1. Review and communicate to staff the Council's Fair Treatment Policy to ensure racism and discrimination are identified and addressed and diversity is valued and celebrated.</p>	<p>July 2025</p>	<p>Manager People and Culture</p>
	<p>2.2. Develop guidelines that reflect Council's Fair Treatment Policy objectives and identify specific actions that facilitate anti-discrimination and diversity commitments for our organisation.</p>	<p>December 2025</p>	<p>Manager People and Culture</p>
	<p>2.3. Deliver training to senior leaders on the effects of racism.</p>	<p>September 2025</p>	<p>Community and Cultural Development Officer</p>
	<p>2.4. Conduct a review of policies and procedures (internal and external facing) to identify existing anti-discrimination, fair treatment and diversity provisions, and future needs including the resources required to do so.</p>	<p>July 2025, 2026</p>	<p>Governance and Risk Coordinator</p>
	<p>2.5. Engage with Aboriginal and Torres Strait Islander stakeholders including the Regional Adelaide Hills Reconciliation Working Group, to inform the development of positive race relations through anti-discrimination strategies.</p>	<p>January 2026</p>	<p>Community and Cultural Development Officer</p>



Relationships

3. Establish and maintain mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations.	3.1. Meet with local Aboriginal and Torres Strait Islander stakeholders and organisations to develop guiding principles for future engagement.	December 2025	Community Engagement Co-ordinator
	3.2. Develop and implement an engagement plan to work with Aboriginal and Torres Strait Islander stakeholders and organisations.	October 2025	Community and Cultural Development Officer
	3.3. Identify potential partnerships that build community capacity to build relationships with Council staff and to work collaboratively on projects across Council area.	July 2025	Community and Cultural Development Officer
	3.4. Explore opportunities for Truth-telling events and initiatives through our relationships and partnerships with Aboriginal and Torres Strait Islander stakeholders and communities.	December 2025, 2026	Community and Cultural Development Officer
4. Build relationships through celebrating National Reconciliation Week (NRW).	4.1. Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff.	27 May – 3June 2025, 2026	Community and Cultural Development Officer
	4.2. Organise at least one NRW event each year.	27 May – 3June 2025, 2026	Community and Cultural Development Officer
	4.3. Council RAP Working Group members to participate in an external NRW event.	27 May – 3June 2025, 2026	Community and Cultural Development Officer
	4.4. Encourage and support staff and senior leaders to participate in the recognition and celebration of NRW.	27 May – 3June 2025, 2026	Community and Cultural Development Officer
	4.5. Continue to offer a program of NRW activities through Community Centres, Libraries and across Council.	27 May – 3June 2025, 2026	Community and Cultural Development Officer
	4.6. Engage Aboriginal and Torres Strait Islander peoples in NRW event planning and investigate partnership opportunities.	27 May – 3June 2025, 2026	Community and Cultural Development Officer
	4.7. Register NRW events on Reconciliation Australia's website.	27 May – 3June 2025, 2026	Community and Cultural Development Officer
	4.8. Encourage local community groups to participate in or deliver NRW activities.	27 May – 3June 2025, 2026	Community and Cultural Development Officer
	4.9. Promote NRW via the Council website and social media.	27 May – 3June 2025, 2026	Manager Communications, Engagement and Events



Respect

Adelaide Hills Council recognises and respects the ongoing relationship that Peramangk and Kaurna peoples have with this Country as Traditional lands. As community leaders we will recognise and respect the contribution that Aboriginal and Torres Strait Islander peoples make to the Adelaide Hills community.



Koala in Morialta Conservation Park
Woodforde, South Australia

Respect

Action	Deliverable	Timeline for Deliverables	Responsibilities
Acknowledgement of Country and Cultural Protocols			
5. Demonstrate respect for Aboriginal and Torres Strait Islander peoples by flying the Aboriginal and Torres Strait Islander flags.	5.1. Fly the Aboriginal flag at Council offices in Stirling, Woodside, and Gumeracha.	January 2025	Designated Flags Officer
	5.2. Review the Council Flag Policy to ensure appropriate use of the Aboriginal and Torres Strait Islander flags.	May 2025	Designated Flags Officer
6. Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols.	6.1. Continue to implement Council's policy on Acknowledgement and Welcome to Country including: <ul style="list-style-type: none"> Acknowledgement of Country conducted at all formal Council meetings. Traditional Custodians engaged to perform a Welcome to Country at all significant community events. 	January 2025, 2026	Community and Cultural Development Officer
	6.2. Provide information to staff and community members via Council website on the understanding and appropriate use of Welcome to Country and Acknowledgement of Country including links to Reconciliation SA and Reconciliation Australia websites.	January 2025	Manager Communications, Engagement and Events
	6.3. In consultation with the Regional AHRWG Investigate providing a register of contact details (with permission) of appropriate Peramangk and Kurna Peoples to conduct Welcome to Country and Aboriginal and Torres Strait Islander providers of other cultural services.	June 2025, 2026	Community and Cultural Development Officer
	6.4. Include a written Acknowledgement of Country in all significant Council documents including the Strategic Plan and Annual Business Plan.	January 2025, 2026	Manager Communications, Engagement and Events
	6.5. Include an Acknowledgement of Country on the "home page" of Council's website.	January 2025, 2026	Manager Communications, Engagement and Events
	7. Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge, and rights through cultural learning.	7.1. Conduct a review of cultural learning needs for staff, Elected Members and volunteers.	June 2025	Community and Cultural Development Officer

Respect

	7.2. Consult local Traditional Custodians and/or AHRWG on the development and implementation of a cultural learning strategy.	August 2025	Community and Cultural Development Officer
	7.3. Develop, Implement and communicate the cultural learning strategy for our staff.	December 2025, 2026	Manager of People and Culture
	7.4. Provide training on SA Aboriginal Heritage Act 1988 administered by Department of Aboriginal Affairs and Reconciliation to appropriate staff, (ie: field staff and operations on Council reserves and road reserves in respect to Aboriginal cultural artefacts, remains and sacred sites).	July 2025, 2026	Manager Development Services
	7.5. Provide opportunities for RAP Working Group members, and other key leadership staff to participate in formal and structured cultural learning.	September 2025, 2026	Manager of People and Culture
8. Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week.	8.1. Promote NAIDOC Week via the Council website and social media.	First week in July 2025, 2026	Manager Communications, Engagement and Events
	8.2. AHRWG and Council RWG supported and encouraged to participate in an external NAIDOC Week event.	First week in July 2025, 2026	Community and Cultural Development Officer
	8.3. Review People and Culture policies and procedures to remove barriers to staff participating in NAIDOC Week.	June 2025	Manager of People and Culture
	8.4. Promote and encourage participation in external NAIDOC events to all staff.	First week in July 2025, 2026	Manager of People and Culture
	8.5. Support community groups and Aboriginal and Torres Strait Islander stakeholders to participate in NAIDOC Week events and activities.	First week in July 2025, 2026	Community and Cultural Development Officer
9. Build respect for Aboriginal and Torres Strait Islander cultures, histories by recognising significant dates.	9.1. Identify significant dates such as Anniversary of the National Apology, Close the Gap Day, Mabo Day both externally and internally.	December 2025	Manager Communications, Engagement and Events
	9.2. Promote significant dates to community members and staff via digital and social media channels and the website events calendar.	January 2025, 2026	Manager Communications, Engagement and Events
10. Support Aboriginal and Torres Strait Islander artists both established and emerging through Fabrik Arts + Heritage.	10.1. Develop a strategy for supporting and showcasing Aboriginal and Torres Strait Islander artists through Fabrik Lobethal.	August 2025	Director Fabrik Lobethal
	10.2. Develop a strategy for showcasing and recognising Aboriginal and Torres Strait Islander histories and heritage through Fabrik Lobethal and Council libraries.	August 2025	Director Fabrik Lobethal



Opportunities

Adelaide Hills Council will explore opportunities to embed reconciliation in the everyday operations of Council's business at all levels, so that this is the norm rather than the exception.



Opening ceremony by Senior Kaurna Man, Mickey Kumatpi O'Brien for the launch of Fabrik Arts + Heritage in Lobethal, South Australia.

Opportunities

Action	Deliverable	Timeline for Deliverables	Responsibilities
Employment and Vocational (training volunteering)			
11. Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention, and professional development.	11.1. Develop and implement an Aboriginal and Torres Strait Islander recruitment, retention and professional development strategy.	July 20226	Manager of People and Culture
	11.2. Engage with Aboriginal and Torres Strait Islander staff and volunteers to consult on our recruitment, retention and professional development strategy.	October 2025	Manager of People and Culture
	11.3. Review HR and recruitment procedures and policies to remove barriers to Aboriginal and Torres Strait Islander participation in our workplace.	April 2025	Manager of People and Culture
	11.4. Provide all staff and volunteers the opportunity to identify as Aboriginal and/or Torres Strait Islander through the implementation of a Diversity and Inclusion Survey for the purpose of improved and holistic engagement.	December 2025	Manager of People and Culture
	11.5. Identify positions and/or individuals within Council where cultural mentoring would be beneficial and investigate opportunities for mentoring relationships.	June 2025	Manager of People and Culture
	11.6. Develop a strategy to promote and advertise job vacancies and vocational opportunities to effectively reach Aboriginal and Torres Strait Islander stakeholders with the intention to increase the percentage of Aboriginal and Torres Strait Islander staff employed in our workforce.	September 2025	Manager of People and Culture
	11.7. Explore opportunities to partner with Tertiary education institutions to develop pathways for Aboriginal and Torres Strait Islander student placements.	June 2026	Youth Development Officer
	11.8. Build relationships with Aboriginal and Torres Strait Islander students at local high schools promoting career paths in local government.	January 2026	Youth Development Officer
	11.9. Explore opportunities for Aboriginal and Torres Strait Islander traineeships at Council.	March 2026	Manager of People and Culture

Opportunities

12. Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.	12.1. Develop and implement an Aboriginal and Torres Strait Islander Procurement Strategy.	March 2025	Manager Financial Services
	12.2. Develop and communicate opportunities for procurement of goods and services from Aboriginal and Torres Strait Islander businesses to staff.	March 2025	Procurement Officer
	12.3. Review and update procurement practices to remove barriers to procuring goods and services from Aboriginal and Torres Strait Islander businesses.	December 2025	Procurement Officer
	12.4. Develop commercial relationships with Aboriginal and/or Torres Strait Islander businesses.	August 2025	Procurement Officer
	12.5. Investigate Supply Nation Membership.	March 2025	Procurement Officer
13. Assist Aboriginal and Torres Strait Islander businesses or those employing Aboriginal and Torres Strait Islander staff to identify and engage with relevant programs services to take advantage of economic growth opportunities.	13.1. Investigate funding and resourcing opportunities for projects that support Aboriginal and Torres Strait Islander business.	December 2025	Manager Economic Development
	13.2. Engage with The Circle First Nations Entrepreneur Hub at Lot 14 to connect with Aboriginal and Torres Strait Islander business in South Australia.	July 2025	Manager Economic Development
	13.3. Foster relationships with Aboriginal and Torres Strait Islander businesses that could lead to collaboration and / or partnerships with Council.	July 2025	Manager Economic Development
	13.4. Investigate events and programs to support Aboriginal and Torres Strait Islander businesses in the Adelaide Hills.	July 2025	Manager Economic Development
	13.5. Identify Aboriginal businesses seeking to supply goods and services to Government and facilitate this connection.	June 2025	Manager Economic Development
	13.6. Explore strategies to involve Aboriginal and Torres Strait Islander businesses in professional and business development activities.	September 2025	Manager Economic Development
14. Investigate opportunities to embed Aboriginal and Torres Strait Islander engagement in Council's open space and public realm planning.	14.1. Explore opportunities for engagement with Aboriginal and Torres Strait Islander stakeholders to plan and facilitate cultural tourism opportunities.	June 2025	Manager Economic Development
	14.2. Explore opportunities to engage with Aboriginal and Torres Strait Islander stakeholders in the delivery of strategic planning projects that involve open space and the public realm.	October 2026	Manager of Open Space

Opportunities

15. Increase understanding and recognition of Aboriginal and Torres Strait Islander cultures and heritage within the region through placemaking.	15.1. Engage with local Traditional Custodians to undertake Aboriginal place naming including naming and interpretive signage in reserves and significant places.	July 2025	Community and Cultural Development Officer
	15.2. Explore opportunities for public art that reflects Aboriginal cultures of both a permanent or temporary nature.	December 2025	Community and Cultural Development Officer
	15.3. Embed cultural engagement in any place-making projects through the engagement of the AHRWG and other stakeholders and in accordance with relevant Council documents (eg Aboriginal Place Naming Action Plan).	December 2026	Senior Strategic and Policy Officer
	15.4. Ensure appropriate budget consideration to achieve deliverables in place-making.	July 2025, 2026	Manager Finance
	15.5. Recognise Aboriginal and Torres Strait Islander cultures and heritage in Council's Recreation Trails Strategy by incorporating interpretive signage (including language) and website content. Do so in consultation with Traditional Custodians and language authorities as per Council's Aboriginal Placemaking Action Plan.	July 2025, 2026	Manager Open Space
16. Investigate embedding cultural engagement into bushfire planning and response policies/program.	16.1. Investigate means of incorporating Aboriginal and Torres Strait Islander peoples land management practices and bushfire prevention measures working with Traditional Custodians.	February 2026	Manager Open Space
	16.2. Explore strategies to engage with Traditional Custodians and Aboriginal and Torres Strait Islander stakeholders in planning for bushfire response and recovery.	July 2026	Senior Community Resilience Officer
17. Identify and map sites of cultural significance.	17.1. Investigate opportunities to advocate for cultural mapping of the Adelaide Hills.	April 2026	Community and Cultural Development Officer
	17.2. Undertake Aboriginal heritage surveys including sites of significance, considering any relevant oral history, archaeological and forensic data to inform any Council-led Planning and Design Code Amendments.	June 2026	Senior Strategic and Policy Planner



Opportunities

18. Incorporate recognition of Aboriginal cultures into Natural Resource Management.	18.1. Explore the development of a planting guide for native foods.	December 2025	Manager Open Space
	18.2. Develop a plan to identify and deliver native plantings including traditional foods in or through revegetation initiatives on Council reserves.	December 2025	Biodiversity Officer
	18.3. Explore opportunities to incorporate local cultural information in trails through interpretive signage in consultation with Aboriginal and Torres Strait Islander peoples.	June 2026	Manager Open Space
19. Promote reconciliation in Education throughout the Adelaide Hills Region.	19.1. Promote and encourage reconciliation through schools in particular during NRW exploring the connection between mental health and reconciliation through the lens of popular youth culture.	May 2026	Youth Development Officer
	19.2. Encourage and support schools and early learning services within our sphere of influence to develop their own RAP via the Narragunnawali platform.	June 2026	Youth Development Officer
	19.3. Host a link to Reconciliation Australia's Narragunnawali: Reconciliation in Education program on our website.	March 2025	Manager Communications, Engagement and Events





Governance



Native flower at Woorabinda
Bushland Reserve in Stirling,
South Australia.

Governance

Action	Deliverable	Timeline for Deliverables	Responsibilities
20. Establish and maintain an effective Regional Adelaide Hills Reconciliation Working group (AHRWG) at a regional level and in partnership with Mount Barker District Council to advise on the governance of the Councils respective RAPs.	20.1. Maintain Aboriginal and Torres Strait Islander representation on the AHRWG.	December 2025, 2026	Community and Cultural Development Officer
	20.2. Maintain Elected Member representation on this group.	December 2025, 2026	Executive Manager Governance and Performance
	20.3. Regularly review Terms of Reference for the AHRWG.	January 2025	Community and Cultural Development Officer
	20.4. Meet at least four times per year to monitor and advise on RAP implementation.	February, May, August, November 2025, 2026	Community and Cultural Development Officer
21. Establish an Adelaide Hills Council Reconciliation Working Group (internal) to drive the governance of the RAP across core business areas of Council.	21.1. Ensure that Internal RAP Project Team is representative of core areas of Council business.	January 2025	Community and Cultural Development Officer
	21.2. Meet at least 4 times per year to drive and monitor RAP implementation.	February, May, August and November 2025, 2026	Community and Cultural Development Officer
	21.3. Maintain Aboriginal and Torres Strait Islander staff or representation on this group.	July 2025, 2026	Community and Cultural Development Officer
	21.4. Seek endorsement of RAP activities through establishing regular engagement and meetings with the Regional AHRWG.	February, May, August and November 2025, 2026	Community and Cultural Development Officer
	21.5. Establish and apply a Terms of Reference for the Internal RAP Working Group.	July 2025, 2026	Community and Cultural Development Officer
22. Provide appropriate support for effective implementation of RAP commitments.	22.1. Define and identify resource needs for implementation of RAP actions.	February 2025, 2026	Strategic Leadership Team
	22.2. Engage senior leaders and other staff in the delivery of RAP commitments.	March 2025, 2026	Community and Cultural Development Officer
	22.3. Appoint and maintain an internal RAP Champion from senior leadership to oversee the implementation of the Adelaide Hills Council RAP.	March 2025, 2026	Senior Leadership Team
	22.4. Embed RAP initiatives into budget and business planning annually to ensure adequate resourcing to achieve RAP actions.	September 2025, 2026	Senior Leadership Team
	22.5. Define and maintain appropriate systems to track, measure and report on RAP commitments.	July 2025, 2026	Community and Cultural Development Officer

Governance

23. Build accountability and transparency through reporting RAP achievements, challenges, and learnings both internally and externally.	23.1. Complete and submit the annual RAP Impact Survey to Reconciliation Australia.	30 September, 2025, 2026	Community and Cultural Development Officer
	23.2. Contact Reconciliation Australia to verify that our primary and secondary contact details are up to date, to ensure we do not miss out on important RAP correspondence.	July 2025, 2026	Community and Cultural Development Officer
	23.3. Contact Reconciliation Australia to request our unique link, to access the online RAP Impact Survey.	June 2025, 2026	Community and Cultural Development Officer
	23.4. Submit a traffic light report to Reconciliation Australia at the conclusion of this RAP.	December 2026	Community and Cultural Development Officer
	23.5. Report RAP progress to all staff and senior leaders quarterly.	March , June, September, December 2025, 2026	Community and Cultural Development Officer
	23.6. Report RAP Progress to Council Elected Body through an Information Report annually.	December 2025, 2026	Community and Cultural Development Officer
	23.7. Publicly report our RAP achievements, challenges, and learnings, annually to the community through the Council digital channels.	December 2025, 2026	Manager Communications Engagement and Events
	23.8. Investigate participating in Reconciliation Australia's biennial Workplace RAP Barometer.	May 2026	Community and Cultural Development Officer
24. Plan the development of our next RAP.	24.1. Register via Reconciliation Australia's website to begin developing our next RAP.	December 2026	Community and Cultural Development Officer





Adelaide Hills
COUNCIL



Dam in the Adelaide
Hills near Kersbrook.

Adelaide Hills Council

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**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item:	12.3
Responsible Officer:	David Waters Director Environment and Infrastructure Environment and Infrastructure
Subject:	22 Wright Road Stirling - Licence to Save our Wildlife Foundation Inc
For:	Decision

SUMMARY

The purpose of this report is to provide Council with the outcome of an assessment of the merits of the request by Save our Wildlife Foundation Inc. (SOWFI) to be able to use the house block at Evelyn Halliday Reserve, 22 Wright Road, Stirling.

SOWFI is a not-for-profit organisation, planning to establish a wildlife 'finishing school' at the site.

The land would be used to benefit sick, injured and orphaned wildlife in their final stages of rehabilitation and to provide emergency care for animals that survive bushfire or other emergency events and require ongoing rehabilitation until their release back into the wild. Under the proposal, the house block at Evelyn Halliday Reserve would be managed by volunteers from SOWFI.

The house block and cottage are not currently occupied or available for use. The cottage is in structurally sound condition but requires upgrades to kitchen and bathroom facilities to be suitable for occupation.

RECOMMENDATION

Council resolves:

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

See options section of the report for further potential resolutions

1. BACKGROUND

On 10 December 2024, Council received a presentation from SOWFI for the establishment of a Wildlife Finishing School at 22 Wright Road Stirling. The land would enable SOWFI to build the first 'finishing school' of its kind in South Australia. The project is inspired by the successful Possum Finishing School in Busselton, Western Australia. The project aims to

enhance SOWFI's capacity to rehabilitate wildlife, provide a platform for diverse volunteering opportunities and offer critical support for wildlife following bushfires and other emergency events.

At its meeting held on 28 January 2025, Council considered a Motion on Notice regarding the proposal and resolved as follows:

Save our Wildlife Foundation Inc Project Proposal – Cr Nathan Daniell

**Moved Cr Herrmann
S/- Cr Boyd**

7/25

I move that Council requests the CEO:

- 1. Provide a report to Council by 25 February 2025 assessing the merits of SOWFI's request for support made in their presentation at the 10 December 2024 meeting for 22 Wright Road, Stirling. The report is to include an assessment of the merits of the project and provide options for Council to consider.**
- 2. Consider holding a workshop regarding this item prior to Council considering the report.**

Carried

A Council Member workshop was held on 18 February 2025.

Following the initial approach by representatives from SOWFI seeking a suitable site, Administration undertook a preliminary review of available land that may be suitable, and where the proposed activity is best aligned with the site's Community Land Management Plan (CLMP). A number of sites were discounted due to the distance that their volunteers would need to travel, bushfire concerns, hours of access and proximity to residential premises. The house block at Evelyn Halliday Reserve was considered suitable, in principle.

SOWFI's requirements were for the following in terms of land use and location:

- Peppercorn lease/license over Council land for aviaries and a small storage shed
- Access and parking for a minimum of three vehicles ideally with future scope for more
- Access to mains water for cleaning, cooling (mistifiers) and animal requirements
- Access to mains power (or they will provide solar)
- Additional surrounding land for wildlife food planting/shade (particularly eucalyptus)
- Potential for the facility to grow

SOWFI have provided the following information detailing their needs, the proposed use of the site, including requirements to start the project:

- Five aviaries each measuring 3m in length, 2m wide and 1.8-2m high.
- Ideally situated on a concrete base measuring approximately 11m x 4m
- Constructed from steel and wire
- Security fencing and cameras
- Mistifier/cooling systems in each aviary
- Shade cloth for each aviary

The aviaries would be constructed by a suitable contractor and who will provide the appropriate engineering report for the aviaries, for prior approval.

There is currently a small shed at the Evelyn Halliday Reserve site that may be suitable for storage of cut leaf and other items. As an alternative, SOWFI may seek approval to provide and install a small stock shed being 1125mm (W) x 1700mm (H) x 3240mm (L) in size. It will be used to keep the cut leaf that they require cool, and to store additional items such as rescue carriers etc.

The proposed Wildlife Finishing School would serve as a support for SOWFI's wildlife carers, who have found themselves and their aviaries at capacity during last spring/summer. It would also create opportunities for community volunteers who are enthusiastic about wildlife conservation but are unable to care for wildlife at home to become involved.

SOWFI has provided the following information about itself. Comprehensive information is contained in **Appendix 2**.

Founded in 2018, South Australian-based Save Our Wildlife Foundation Incorporated (SOWFI) is dedicated to the rescue and rehabilitation of wildlife. As a registered charity and Incorporated Association, SOWFI is governed by a skills-based Board that ensures best practice management and provides support for its network of 130 active volunteers. SOWFI operates a 24/7 wildlife rescue hotline and an animal ambulance service that services metropolitan and regional South Australia. It has members permitted to rehabilitate all common South Australian wildlife species.

In the financial year 2023-24, SOWFI responded to 4,835 calls for help, assisting 77 different species.

SOWFI's strategic objectives take a comprehensive, systems-approach to the protection of wildlife, and include rehabilitating native wildlife, educating the community about wildlife conservation and habitat protection, advocating for local fauna, and funding research that benefits wildlife.

SOWFI values long-term environmental stewardship, such as planting native trees for food sources and rehabilitation purposes, conducting educational courses for wildlife volunteers, vets, and vet nurses, and installing nesting boxes across South Australia.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place Your Space

Goal 1	Natural Environment
Objective NE3	Protect, improve, expand and connect habitat
Priority NE3.4	Nurture valuable community and stakeholder partnerships and collaborations to care for country.

Community Land is land held by the Council for the general benefit of the community. Community Land is used to provide places for people to interact, connect and enjoy as well as places for the conservation of native flora and fauna.

It is considered that the proposal will contribute to Council's position on the protection of habitat and nurture of valuable community partnerships and collaborations.

➤ Legal Implications

Land held in Trust

The house block (approximately 2,000 sqm) at 22 Wright Road Stirling sits within a larger parcel (6.53 hectares) of land bequeathed to Council in the will of Ms Evelyn Halliday in 1991. The whole of the land is described as allotment 30 in Deposited Plan 40804, within Certificate of Title reference Volume 5234 Folio 737. The land was accepted by Council in October 1991 via an *Acknowledgement of Trust*.

The land proposed by SOWFI for the Wildlife Finishing School is only the area immediately surrounding the house. The area is already surrounded by a low fence.

The Trust requires that the land is to be held in Trust for use as “a Recreation Reserve for the general benefit of the Community forever.” A copy of the Acknowledgement of Trust and details of the Trust are provided as **Appendix 3**.

Advice was sought on the Trust in 2023 as Council had budgeted for the upgrade of the dwelling to rent out for private purposes at that time. Advice received was that Property held under Trust for a specific charitable purpose can only lawfully be used for that purpose or a purpose incidental to that specified purpose. Letting part of the land for use as a private residence for example would not be consistent with or incidental to the purposes of the Trust.

It could be argued that using even a small part of the land for wildlife rescue is not considered a recreation activity in and of itself. It could also be argued however that wildlife rescue is ancillary to a recreation purpose.

The wording in the original Trust did not contemplate future uses for the dwelling itself, however it is reasonable to infer that it was not intended to sit idle and should be used for community purposes in line with the Trust over the land.

The advice also included that leasing a portion of the site to a not-for-profit, community group, for example for the purposes of a club room, would be in line with the Trust as it would be for the ‘benefit of the public generally, or a section of the public.’

It is considered that SOWFI’s proposal is in line with the Trust obligations, being a not-for-profit which will provide diverse volunteering opportunities for the community.

National Parks and Wildlife Act 1972

The *National Parks and Wildlife Act 1972* provides for the conservation of wildlife in a natural environment and for other purposes. Most native animals in South Australia are protected under the Act. The Act is administered by the department for Environment and Water.

Under Schedule 9 of the Act, Brushtail Possums are defined as a rare species, with higher levels of protection under the Act. Brushtail Possums are one species taken in and rehabilitated by SOWFI.

➤ **Risk Management Implications**

The property being occupied by a community organisation will assist in mitigating the risk of further break ins and a community asset being left underutilised.

The property being unoccupied leading to further vandalism and deterioration.

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

➤ **Financial and Resource Implications**

Existing staff resources have been used for the initial investigation into assessing suitable locations and the merits of the current proposal.

SOWFI has advised that the total cost of setting up the Wildlife Finishing School would be approximately \$50,000. SOWFI relies on donations from various parties to run. SOWFI is not seeking a financial contribution from Council towards the setting up of the facility. They are however seeking Council to provide the land at nil cost. Details of the financial model for the proposal is provided in **Appendix 4**. A summary of SOWFI’s financial assessment is provided below.

The total cost to build and establish the Wildlife Finishing School is \$49,709.

School-specific donation funding remaining after the build is estimated at \$17,500.

The ongoing annual cost to run the School is estimated at \$3,000. These annual operating costs can be entirely covered by Terra Artemis donation funds for at least 5 years.

Table 1 - Wildlife Finishing School financial summary

Funding Source	Funding amount	Cost to build	Remaining funds
Terra Artemis donation	\$ 60,000	\$ 42,474	\$ 17,526
WIRES grant	\$ 7,234	\$ 7,234	\$ (0)
Total	\$ 67,234	\$ 49,709	\$ 17,525

Ongoing expenditure	Annual cost
Utilities	\$ 1,545
Consumables	\$ 738
Food	\$ 741
Total	\$ 3,024

The site does require an upgrade to the existing waste water system, which is an old basic septic and soakage style system. It would likely be replaced with an aerobic system with part of the house block garden devoted to effluent irrigation. This upgrade needs to be undertaken by Council in any event, should any form of occupancy of the building occur in future. The estimated cost of this is \$10,000 - \$15,000 and would be undertaken in 2025-26 as an asset renewal capital project. There may be additional costs associated with landlord obligations up to \$10,000.

It is reasonable to suggest that SOWFI, as the tenant, fund any necessary building fit outs, including kitchen and bathroom fit outs, required to suit their use of the land. This will be subject to further negotiation with SOWFI should Council wish to proceed with the proposal. It is important to note that SOWFI’s initial priority is to establish the aviaries.

SOWFI have also provided details of the last 3 years finances for the organisation which is provided as **Appendix 5**.

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

There has been a trend over some years now of increased community effort in rescuing and rehabilitating sick and injured wildlife. Indeed, it would appear that community expectations have increased in regard to the availability and responsiveness of wildlife rescue organisations.

There is an expectation that the Council's decision will be in accordance with its Community Land Management Plan (CLMP) for Halliday Reserve. Compliance with CLMP's assists in facilitating good customer service and community outcomes.

➤ **Sustainability Implications**

One of the objectives of wildlife rescue and rehabilitation is to support threatened species and continued security of the native wildlife population.

➤ **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>	Save our Wildlife Foundation Inc.
<i>Community:</i>	Not Applicable

➤ **Additional Analysis**

The House block at Halliday Reserve was previously rented to a private resident. The resident vacated the property in 2018 and it has since been unoccupied. The front four rooms of the cottage have been cleaned, painted, floors repaired and polished. Lighting and air-conditioning upgrades have also been made and the roof was replaced. The kitchen and bathroom areas are functional but would require upgrades if the site was to be used as a dwelling.

Noting the existence of the Trust, advice was sought and received in 2023 that renting the premises for private/residential purposes is inconsistent with the intent of the Trust. Staff consider that the proposed use by SOWFI is broadly within the intent of the Trust.

The approach by SOWFI to Council for a suitable premises, and their interest in 22 Wright Road Stirling, constitutes an unsolicited proposal in that an external party has made an approach to Council to use its premises without Council seeking proposals. Council does not have a policy position on unsolicited proposals to use Council land and thus, the matter needs to be dealt with on its merits.

Any decision for Council to proceed with a lease or license over portion of 22 Wright Road Stirling would be at Council's discretion. General principles of probity and good governance should apply including consideration of:

- Relevant policy positions and strategies, including LTFP and Annual Business Plan
- Community/Council needs;
- Relevant legislative obligations and constraints;

- The advantages and disadvantages of accepting the unsolicited proposal as opposed to engaging in an open and competitive process;
- Any potential interest of third parties in the 22 Wright Road Stirling asset;
- The capacity/experience of the Applicant.

The following discussion explores these matters and the merits of the proposal.

Relevant policy positions and strategies

This is discussed in greater detail in the relevant section of this report. In short, the proposal appears to support Council's environmental objectives and volunteering objectives.

In terms of LTFP, the proposal does not materially affect the Council's financial position in that the proponent is not seeking funding from Council for any start-up or ongoing costs. Indeed, it is likely that having an active tenant at the site may reduce some costs to Council in maintaining the building and land.

Relevant legislative considerations

An extract from Council's Community Land Management Plan showing the various portions of land within the Halliday Reserve is shown as **Appendix 1**.

Whilst the current proposal is for the aviaries to house the wildlife finishing school, the availability of the house provides additional opportunities for a possible future education place for conservation groups and the wider community to learn about the rehabilitation of our wildlife.

The Evelyn Halliday Reserve is classified as a 'Multi-Purpose Site' in Council's Community Land Management Plans. The Community Land Management plan contemplates informal recreation, conservation and community uses as shown on the Plan in **Appendix 1**. The land (house block) subject to the SOWFI proposal contemplates community uses. The proposed use by SOWFI is considered consistent with the Community Land Management Plan in that it would be used by a community group supporting community and conservation initiatives in the Council district.

In terms of planning legislation, preliminary advice suggests that the proposal would constitute a 'change of use' requiring a development application to be lodged for that change of use. The application would likely trigger public consultation in accordance with relevant planning legislation. This would provide the opportunity for representations on the proposal, but only within the framework of the planning legislation.

The development application and approval process would also clarify if there is any upgrade to the building required from a fire safety or other Building Code perspective. This would be explored by SOWFI in conjunction with Council as the landowner as part of the proposed change of use and development application process.

In terms of the Council's legislative ability to lease and licence the land, as the proposed use is considered consistent with the existing Community Land Management Plan for the site and the proposed license term arrangements are for less than five (5) years, public consultation on the proposal is not be required under the *Local Government Act 1999*, but Council does have discretion to do so.

Embarking on an open/competitive process and other interests in the site

One option available to Council would be to embark on open process seeking Expressions of Interest from community groups/organisations for use of the site that are consistent with the Trust and Community Land Management Plan.

An advantage of this would be that Council would become aware of any other groups in the community that may have a suitable community use for the site that Council has not considered. A disadvantage of this is that there may be no interest consistent with the Trust and Community Land Management Plan, thus delaying the process of entering into arrangements with the current proponent, SOWFI. The additional process would also require Council to commit resources which are currently occupied in delivering other existing priorities.

At present, there are no known other parties with serious interest in the site.

Other considerations

Council Members should consider the business case submitted by SOWFI, which is contained in **Appendix 2**. For the sake of brevity, much of the content is not repeated in this report.

Dog access and recreational trails will not be impacted by the proposed use. Within Evelyn Halliday Reserve, there is a large fenced off-lead dog exercise area approximately 100m from the house block. The remainder of Evelyn Halliday Reserve, including the area around the house, is signed for on-lead dog walking only. The house block itself, which is the area proposed to be used by SOWFI, is already fenced and no trails run through it.

As mentioned earlier in this report, SOWFI may look to expand its use of the building should the operations of the aviaries prove successful. At that time, it may develop proposals for upgrades to, and expanded use of, the building for educational and other purposes. It is reasonable to expect SOWFI to fund such upgrades at the time.

3. OPTIONS

It is considered that there are four primary options available to Council at this stage.

Option 1 - not move forward with the proposal

Option 2 – accept the proposal

Should Council choose this option, it is suggested that a short-term arrangement be entered into in the first instance, in order to test and prove the concept while providing flexibility should insurmountable concerns be raised. This would involve say a 12 month lease over the cottage, with monthly extensions if not terminated, and a two (2) year licence over the land immediately surrounding the cottage.

Should this option be preferred, the following resolution is recommended:

1. *That the report be received and noted.*
2. *That, subject to confirmation of the suitability of the building in its present condition, the Council approve the issuing of a Lease not exceeding twelve (12) months to Save our Wildlife Foundation Inc. for the dwelling located upon 22 Wright Road, Stirling within Evelyn Halliday Reserve, being portion of the land contained within Certificate of Title Volume 5324 Folio 737, on the following terms and conditions:*
 - *No right of renewal;*

- *That the lease have a holding over clause where upon expiry the Lessee can continue to occupy the dwelling on a month-by-month basis until the Lease is terminated by either party or a new lease is issued*
 - *A peppercorn lease fee of \$1.00 per annum, if demanded*
 - *The lease holder to meet all costs associated with the planning, development, fit out, maintenance, and operation of the Wildlife Finishing School on the site*
 - *The lease holder to practice sustainable principles in the relation to the operation of the Wildlife Finishing School*
3. *That the Council approve the issuing of a License for a term of up to two (2) years to Save our Wildlife Foundation Inc. for the land surrounding the dwelling located upon 22 Wright Road, Stirling, within Evelyn Halliday Reserve, being a portion of the land contained within Certificate of Title Volume 5324 Folio 737, on the following terms and conditions:*
- *The license area is within the “Community Use” portion of the Community Land Management Plan*
 - *The license is to be for a period of no more than two (2) years;*
 - *A license fee of \$1.00 per annum, if demanded.*
 - *The licence holder to meet all costs associated with the planning, development, fit out, maintenance, and operation of the Wildlife Finishing School on the site*
 - *The license holder to practice sustainable principles in the relation to the operation of the Wildlife Finishing School*
4. *That the lease and the licence be subject to any other conditions that the Chief Executive Officer or his delegate see fit.*
5. *That if, in finalising the lease and licence arrangements, it becomes apparent that there are unavoidable costs to Council in upgrading the building that cannot be accommodated in normal operating budgets, the matter be returned to the Council for further consideration.*
6. *That the Chief Executive Officer or his delegate be authorised to execute any necessary documents to bring this resolution into effect.*

Option 3 – undertake community engagement

This option provides the opportunity to test likely community acceptance and address any community concerns prior to making a final decision. Council would need to undertake this process with Council resources.

Should this option be preferred, the following resolution is recommended:

1. *That the report be received and noted.*
2. *That Council undertakes community consultation on the SOWFI proposal to establish a wildlife finishing school at 22 Wright Road, Stirling, being a portion of the Evelyn Halliday Reserve including the existing dwelling and immediate surrounds. The consultation should include updating the community land management plan for the site to include this use.*
3. *That the outcome of the consultation be reported back to Council in order for a decision to be made concerning leases and licences applicable to the proposal.*

Option 4 – seek other expressions of interest for the site

This option would put the SOWFI proposal on hold and would involve undertaking a wider Expression of Interest process to seek other interest in the use of the site. Council would need to undertake this process with Council resources. While SOWFI would be able to express interest along with other parties, this option does not provide SOWFI with certainty regarding their short-term needs and SOWFI may look for other opportunities.

An appropriate resolution would be:

1. *That the report be received and noted.*
2. *That the Chief Executive Officer conduct an 'expression of interest' process for the use of the house block at 22 Wright Road, Stirling for community uses.*

4. APPENDICES

- (1) Extract from Community Land Management Plan showing map of the site.
- (2) Business Case proposal from Save our Wildlife Foundation Inc.
- (3) Details of Trust held over the Land
- (4) Financial analysis provided by SOWFI
- (5) Last three years financials reports for SOWFI

Appendix 1

*Extract from Community Land Management Plan
showing map of the site.*

Extract from AHC Community Land Management Plan

Evelyn Halliday Reserve

CT 5324/737



-  Boundary of Evelyn Halliday Reserve
-  Informal Recreation
-  Conservation
-  Community Use

The section subject to the SOWFI proposal is the area described as “community use.”

Appendix 2

*Business Case proposal from Save our Wildlife
Foundation Inc.*

19 November 2024

Business Case: Wildlife Finishing School at 22 Wright Rd Stirling

Executive Summary

Save Our Wildlife Foundation Incorporated (SOWFI) is committed to the protection and preservation of Australian wildlife. Our vision is to be recognised as the leading organisation in the wildlife rescue and rehabilitation sector in South Australia, and we are seeking Council's support to enable a game-changing project, building on our great history of collaboration.

SOWFI is seeking approval to construct South Australia's first "Wildlife Finishing School" on Council land at 22 Wright Road Stirling, with a view to also establishing a Wildlife Education Hub on the site in the medium term.

This Wildlife Finishing School will securely house possums undergoing rehabilitation during their critical pre-release phase. During this phase possums must gain fitness and experience navigating various environments to improve their chances of survival post-release by ensuring they have the strength, speed and agility to avoid predation and navigate the wild environment. Following graduation, possums will be returned to the area where they were found for release. Possums will not be released on the Finishing School site.

This project will address key challenges facing the wildlife rehabilitation sector, including limited aviary capacity, bushfire preparedness, and the need for bespoke education and engagement opportunities. It will be ideally situated in a wildlife rescue hotspot, with the Adelaide Hills accounting for 10% of our total rescues.

We propose constructing an aviary complex of 5 aviaries suitable for pre-release housing of possums at the rear of the site, creating capacity to rehabilitate up to 130 possums annually. The site will be managed in accordance with a detailed operational plan, by our experienced team of volunteers.

This Wildlife Finishing School will provide significant benefits to sick, injured, and orphaned wildlife in their final stages of rehabilitation, provide emergency treatment and rehabilitation capacity for wildlife during bushfire events, and offer diverse volunteering and educational opportunities for the wildlife sector and public.

Request to Council

SOWFI requests that Adelaide Hills Council:

1. Execute a peppercorn lease or licence with SOWFI for SOWFI's exclusive use of the house and land surrounded by the existing garden fence at 22 Wright Road Stirling for the purposes of establishing a Wildlife Finishing School, including access to mains power and water.
2. Approve the construction of an aviary complex on the land at 22 Wright Road Stirling, as set out in this Business Case.
3. Provide guidance on any improvements and extensions which Council would consider funding, or co-funding, to the house at 22 Wright Road Stirling, with the view of establishing a Wildlife Education Hub in the medium-to-long term. Also that the Council provide guidance on whether it will undertake essential repair work to the biocycle system.

About SOWFI

Founded in 2018, South Australian-based Save Our Wildlife Foundation Incorporated (SOWFI) is dedicated to the rescue and rehabilitation of wildlife. As a registered charity and Incorporated Association, SOWFI is governed by a skills-based Board that ensures best practice management and provides support for its network of 130 active volunteers. SOWFI operates a 24/7 wildlife rescue hotline and an animal ambulance service that services metropolitan and regional South Australia. It has members permitted to rehabilitate all common South Australian wildlife species.

In the financial year 2023-24, SOWFI responded to 4,835 calls for help, assisting 77 different species.

SOWFI's strategic objectives take a comprehensive, systems-approach to the protection of wildlife, and include rehabilitating native wildlife, educating the community about wildlife conservation and habitat protection, advocating for local fauna, and funding research that benefits wildlife.

SOWFI values long-term environmental stewardship, such as planting native trees for food sources and rehabilitation purposes, conducting educational courses for wildlife volunteers, vets, and vet nurses, and installing nesting boxes across South Australia.

The Case for Change

Aviary capacity in high demand

SOWFI carers currently rehabilitate wildlife in their own homes, with aviaries built at their own expense. Demand for aviary capacity over the busy Spring/Summer period continues to increase year on year, and SOWFI's carers are repeatedly finding it difficult to meet demand due to aviaries being at capacity. Furthermore, the cost and time associated with establishing a suitable aviary can be a significant barrier to entry for new carers.

The proposed Wildlife Finishing School will offer a complex of 5 aviaries, with an annual rehabilitation capacity of up to 130 possums. It will also support the onboarding of new carers by reducing the upfront investment in essential equipment.

Bushfire preparedness

The South Australian wildlife rescue sector is not financially supported by State Government and is under-prepared for rehabilitation capacity in the case of bushfires like those experienced during the Black Summer fires of 2019-2020.

The benefit of a central location during emergencies is that animals in care (generally koalas during bushfires) do not need to be transported daily to a vet clinic for dressing changes, which is extremely stressful for them and detrimental to their recovery. It also allows the more efficient management of resources and skilled personnel during emergency events.

Our initial communication with the new RSPCA Wildlife Hospital suggests they plan to provide a "roving vet" during emergencies, who will have the capability to visit centres such as this.

Education & engagement

The Wildlife Finishing School will create opportunities for volunteers who are passionate about wildlife conservation but are unable to care for wildlife at home.

There is also need for additional wildlife education opportunities within South Australia, for the veterinary sector, wildlife carers, school-aged students and the public. The school curriculum does not include content on local wildlife, their importance and practical ways to protect and help them – a gap SOWFI believes should be addressed.

Hills are a wildlife hotspot

The Adelaide Hills is home to a large variety of wildlife, offering a unique attraction to visitors to the area, and resident alike. Our data shows however that the Adelaide Hills is also a wildlife rescue hotspot, making up 10% of all SOWFI rescues, with over 1400 callouts between 2020 and 2024 (Figure 1). Stirling, Aldgate, Bridgewater and Belair constitute 42% of these rescues.

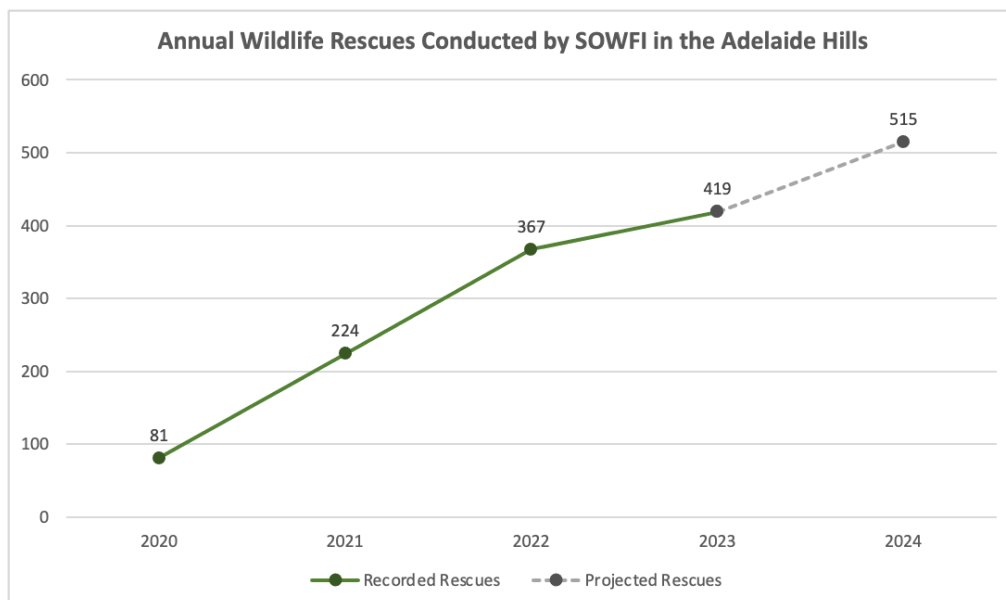


Figure 1 - Annual Wildlife Rescues Conducted by SOWFI in the Adelaide Hills

Project Overview

SOWFI is seeking approval to construct South Australia's first "Wildlife Finishing School" at 22 Wright Road Stirling. This project is inspired by the successful Possum Finishing School in Busselton, Western Australia, managed by FAWNA.¹

The Wildlife Finishing School will consist of a custom-designed and built aviary complex:

- Measuring 10.5m in length, 3m deep and 2m high
- Containing 5 aviaries, suitable for the pre-release housing of possums
- Situated on a concrete foundation measuring approximately 12m x 5m
- Constructed from steel and wire mesh
- Aviaries will be installed onsite by the chosen company
- Security cameras

¹ More details about FAWNA's Possum Finishing School can be found at <https://www.fawna.com.au/projects/#finishingschool>

- All internal aviary structures
- Mist cooling systems in each aviary
- Shade cloth for each aviary

SOWFI has obtained two quotes for the construction and installation of the aviary complex.

Engineering approval and assurance of structural adequacy will be provided by the chosen construction and installation company. One of the quotes under consideration provides a 25-year structural warranty.

Figure 2 shows the proposed aviary complex design.

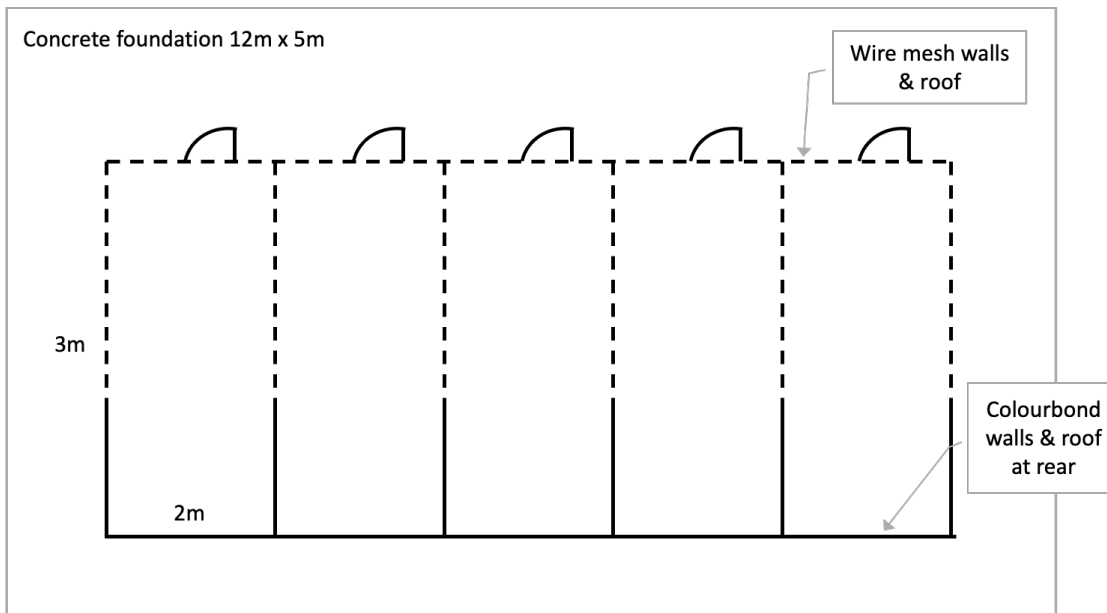


Figure 2 - Proposed aviary complex design

Figure 3 shows the style of aviary for which quotes are being considered.



Figure 3 - Style of aviary being considered

Elevation Drawings for the style of aviary complex being proposed are shown in Figure 4.

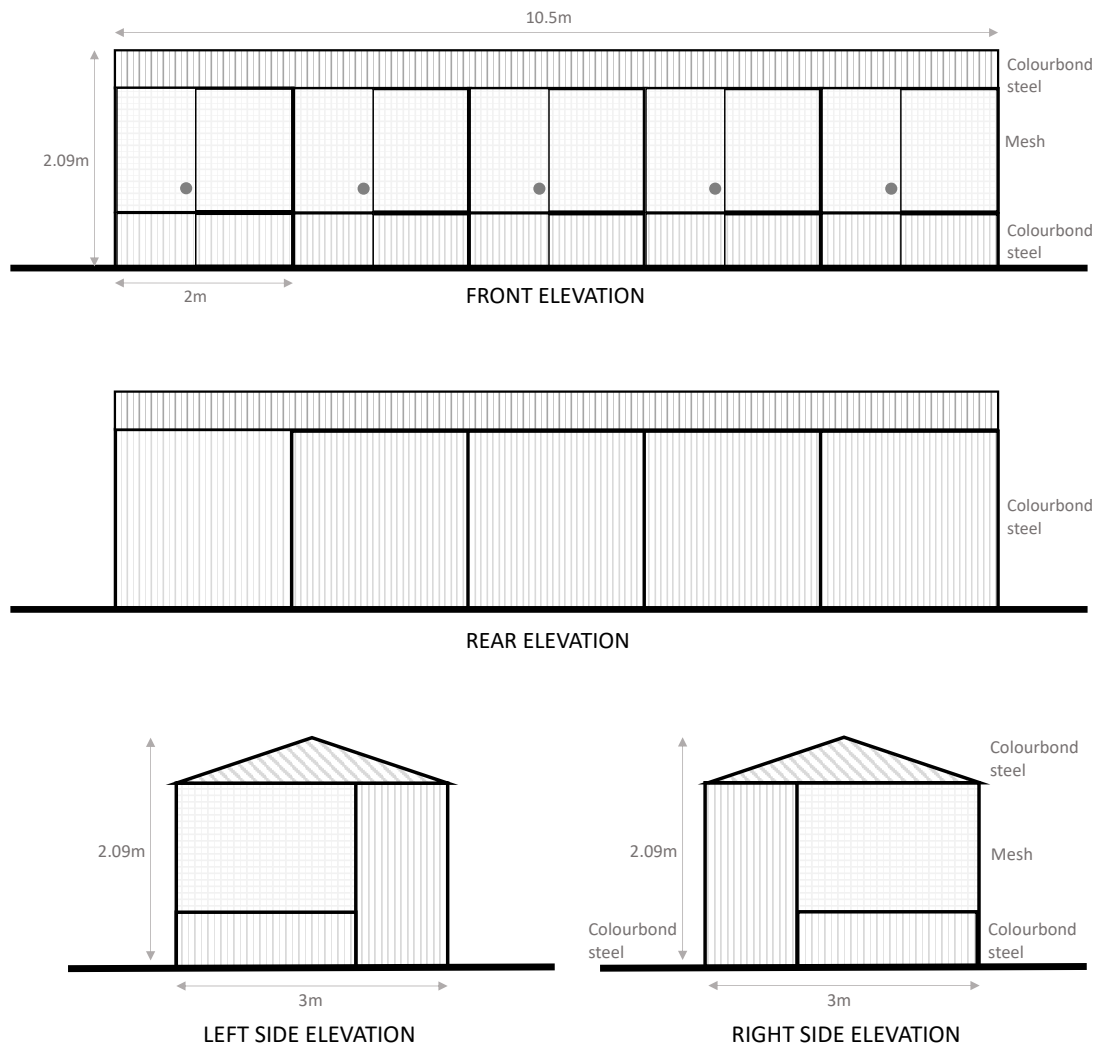


Figure 4 - Elevation Diagrams of proposed aviary complex

Other rehabilitation with facilities similar to this are located in Onkaparinga Hills (SKER), Cherry Gardens (Minton Farm), Adelaide Koala & Wildlife Centre (Plympton), and the RSPCA Wildlife Hospital (O'Halloran Hill).

Facilities in the Adelaide Hills would be hugely beneficial, due to the Hills being a wildlife hotspot, and the larger number of SOWFI wildlife carers in the region.

Wildlife Education Hub – Vision for the medium term

Following the successful installation and operation of the Wildlife Finishing School, it is our vision to further engage with Council to work towards establishing a Wildlife Education Hub on the site, making use of the existing house. It is envisaged that the house could be set up to host:

- educational sessions for small school groups
- educational sessions for veterinary staff and wildlife carers
- outreach programs for senior citizen and people living with a disability
- engagement activities for the community, such as wildlife art classes

- networking and collaboration opportunities, both within SOWFI and with other wildlife rehabilitation groups
- a central point for essential rehabilitation supplies for SOWFI's volunteers

The Wildlife Education Hub will not only give more people the opportunity to participate in wildlife rehabilitation but would also become the first operational base for SOWFI in the state.

Suitability Assessment of 22 Wright Rd Stirling

The SOWFI Board and operational management team has assessed the site at 22 Wright Rd Stirling, and is confident it meets all the suitability requirements for a Wildlife Finishing School:

- Sufficient land area to build the Wildlife Finishing School aviary complex
- Tree shade for afternoon sun
- Access to mains power and water
- Surrounding land for wildlife food planting/ shade (particularly eucalypt for bushfire victims – koalas)
- Vehicle access and parking
- Aviary complex site not highly visible to the public
- House is of a sufficient size to potentially host future educational sessions
- Air conditioning in the house will assist with keeping native browse fresh for wildlife during summer
- Space for the facility to grow in the future, subject to council approval

Site Plan

Figure 5 shows the proposed location of the aviary complex.

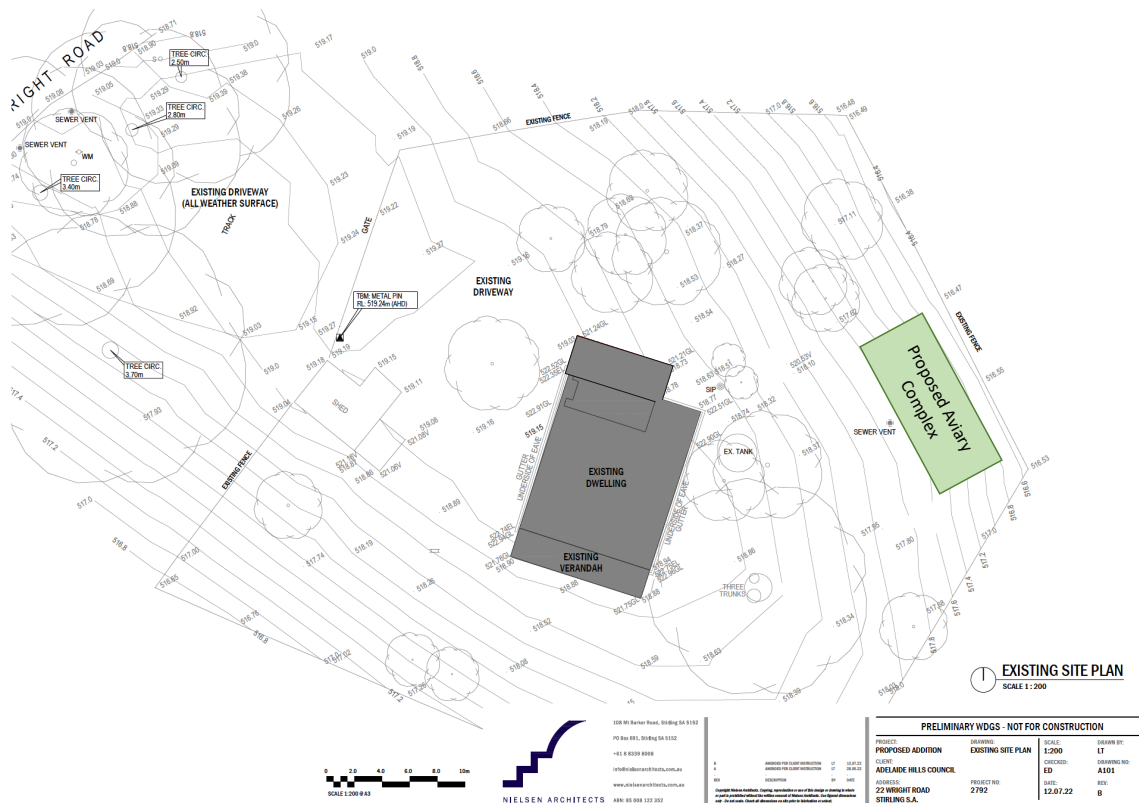


Figure 5 - Site Plan with proposed location of Wildlife Finishing School

Figure 6 shows a satellite image with the proposed location of the aviary complex, at the rear of the property, away from the road and neighbouring houses.



Figure 6 - Satellite image with proposed Wildlife Finishing School location and existing garden fence overlay

Operational Plan

Staffing

SOWFI will establish a new team of volunteers within our organisational structure to manage the site and provide daily care for the possums housed in the finishing school. This team will be managed by a Site Manager, reporting to our Operations Sub-Committee.

A roster system will be implemented, with two volunteers attending the aviary complex daily to conduct welfare checks, feed the possums and clean the aviaries.

Volunteers responsible for site maintenance will also be appointed.

It is anticipated that up to three SOWFI volunteers may be on site on a regular basis, with occasional working bees and training sessions.

Hours of Operation

Regular volunteer attendance will occur between 3pm and 6pm daily, usually for up to 2 hours at a time.

Occasional attendance during daylight hours by other SOWFI volunteers for site maintenance activities and training sessions may also occur.

Capacity

SOWFI cares for possums in small creches, as this improves social and welfare outcomes for the possums and is more resource efficient.

Each aviary will house up to two brushtail possums, or three ringtail possums, generally for four to six weeks prior to release. The maximum site capacity is thus 10 brushtail possums, or 15 ringtail possums at any one time.

Waste Management

The site already receives regular council bin collection. Waste will be managed as follows:

- Used native browse that has been fed to the possums will be mulched on site using a garden mulcher, as part of daily volunteer tasks. The mulch will be used to mulch the existing gardens.
- Possum excrement will be cleaned daily, and placed in the green bin.
- Any excess green waste will be placed in the green bin. SOWFI will purchase an additional green bin service for the site, if it is found that mulching and the one existing bin is inadequate.

Wastewater Management

It is our understanding that the house requires a new biocycle for the toilet to be functional.

Car Parking

An all-weather driveway already exists on the property and will provide adequate space for the parking of up to three vehicles for SOWFI volunteers attending the site. Ample on-road parking also exists for the occasional instance where more volunteers are attending the site.

Light & Noise Pollution

In most instances, volunteers will attend the site during daylight hours, creating minimal to no light pollution. No lights will be installed on the aviaries, to encourage normal nocturnal behaviour in the possums.

It is our experience that possums tend to be quiet when housed in aviaries, with the sound of possums climbing along the mesh being the most noticeable noise during the night. This does not tend to be loud or significant.

The small number of volunteers attending the site on a regular basis will generate minimal noise. The use of the garden mulcher will likely be the largest contributor to noise pollution. Its use will be limited to prior to 6pm to minimise any impact on neighbours.

DEW permit requirements

Under existing regulations, Wildlife Rehabilitation facilities, such as this, operate under an individual's Wildlife Carer permit. In this case it would be the permit held by Marian MacLucas, a local resident of Mount Barker, founding member and current Board member of SOWFI.

Bushfire Plan

The proposed site falls into a High Bushfire Risk Protection Area (see Figure 7).

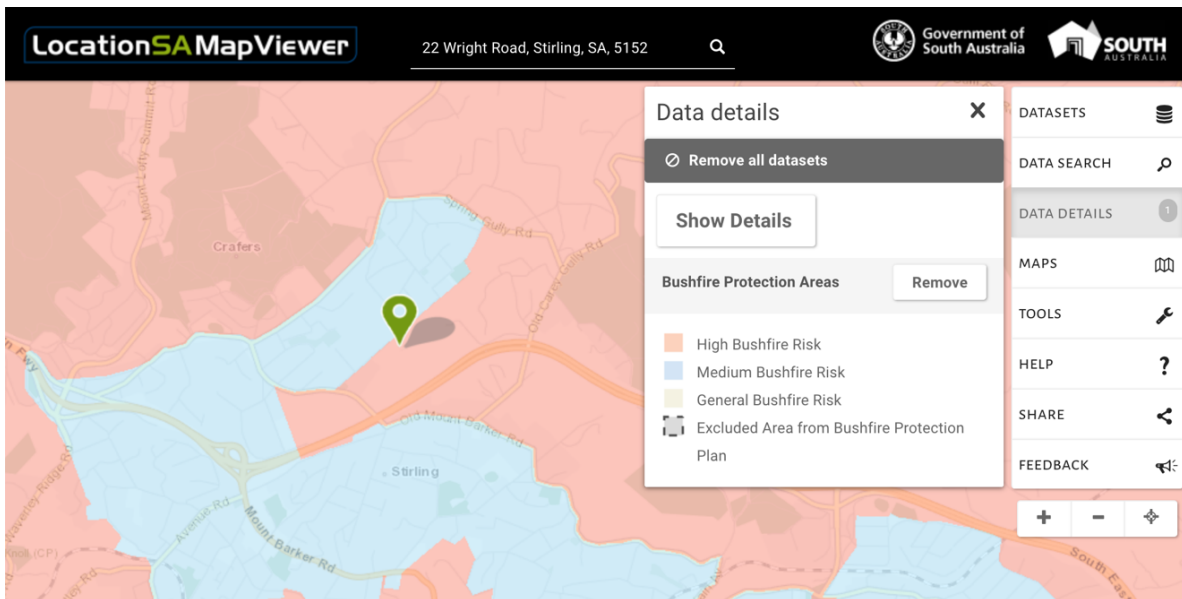


Figure 7 - Bushfire Protection Areas Map (Source: Location SA Map Viewer, Government of South Australia)

The nearest recorded fire occurred in Crafrers in 2019, approximately 900m from the site. Figure 8 shows all recorded fires in the surrounding area in the past 10 years. No fires have been recorded in immediate region around the proposed site in the past 10 years.

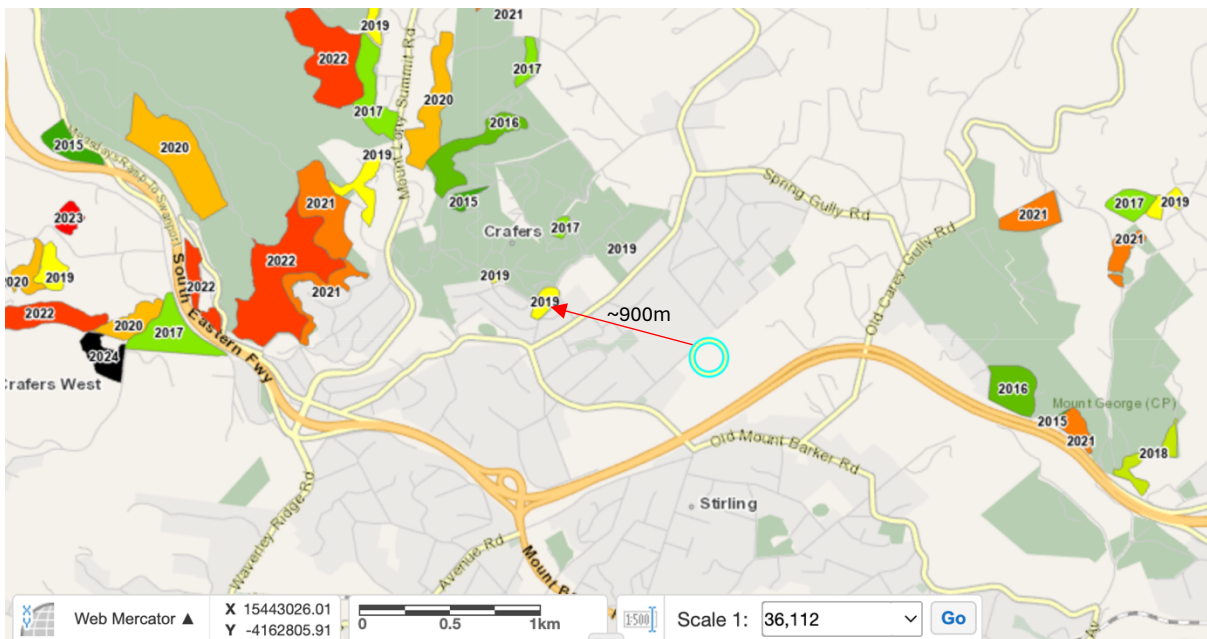


Figure 8 - Recorded fires in the last 10 years (Source: Nature Maps)

SOWFI will consult with Stirling Country Fire Service to develop a Bushfire Readiness Plan for the site. This will include exploring potential on-site fire-fighting options, activities for reducing bushfire risk, and an evacuation plan for the possums.

In the event that possums need to be evacuated from the Wildlife Finishing School, SOWFI Carers will be able to provide temporary care and housing. SOWFI has Carers across a wide geographical area, including Adelaide and its surrounding regional areas, ensuring that Carers unaffected by a major bushfire event will be available.

Alignment to Council's 2024 Strategic Plan

SOWFI is delighted that the Adelaide Hills Council's Strategic Plan 2024 names the Natural Environment and Community Wellbeing as its top two goals. We believe that the establishment of this Wildlife Finishing School, and the potential future development of a Wildlife Education Hub, will materially contribute to these goals.

Natural Environment

Most of the impact on wildlife in towns and suburbs is human related – cars, power lines, pets, poisons and most importantly habitat destruction, removal, and fragmentation. Wildlife rescue and rehabilitation is at the frontlines of addressing these human-caused impacts, by giving injured, sick and orphaned wildlife a second chance at survival in the wild.

The Wildlife Finishing School directly supports Council's strategic objectives through the rehabilitation of wildlife for their safe return to their natural habitats. The project's focus on bushfire preparedness and emergency wildlife rehabilitation also enhances the region's ability to adapt to climate and environmental challenges.

Low-impact and sustainable practices will be implemented, for example, the on-site mulching of used native browse, aligning with Council's commitment to sustainability and climate change mitigation.

Our Wildlife Food Plantings, of which we now have nine across South Australia, and our first in Woorabinda Bushland Reserve kindly organised and maintained by the Adelaide Hills Council, are an important source of native food for wildlife carers to harvest for their birds and animals in care. They also provide additional biodiversity and food for the local native species. We envisage planting more native species around the Wildlife Finishing School to provide shade and an emergency food source.

There is huge community support for wildlife rescue and rehabilitation, and a physical presence, while not a centre for visitors, will be viewed favourably by the local population as a town that is "doing their bit" to help wildlife.

Community Wellbeing

The Wildlife Finishing School will provide volunteering opportunities for members of the local community that want to help but cannot make the full-time commitment required to be a licenced Wildlife Carer. Research clearly shows that volunteering is associated with better perceived mental health and quality of life, and increased psychological and social capital².

There will be numerous roles and shifts where people can commit to as little as 2 hours a week to attend to animals - feed, clean and record information. Particularly in times of crisis, such as a major bushfire, people find emotional and mental relief by helping, particularly when it comes to helping other creatures.

Our 24/7 Wildlife Rescue hotline also provides emotional and mental relief when a SOWFI phone operator answers the phone and provides advice and assistance to the member of public who is already invested in helping a creature in distress. Our online reviews are a testament to this: [Google](#), [Facebook](#) and [Trustpilot](#).

² Volunteering Australia, "Evidence Insights: Volunteering and Mental Health", October 2021

Built Form and Economy

SOWFI are aware of the need to build a sustainable commercial income stream and hope in the medium to longer term to be able to provide a small number of paid operational positions. Our colleagues at Wildlife Welfare Organisation have achieved this in under ten years of operating two Op Shops. The proposed exploration of a future Wildlife Education Hub on the site will offer SOWFI an opportunity to derive an income from specialist wildlife education, particularly to small school groups. It will also create opportunities for eco-tourism and environmental education, supporting creative industries and enhancing the region's reputation as a destination for nature-based learning.

Project Plan

Project planning – commenced

SOWFI is well progressed with the project planning phase, including the design of the aviary complex, team org structure and roles, assessment of quotes, etc. A Project Coordinator will be recruited to manage the project through to go-live, at which point a Site Manager will be appointed for ongoing management of the Education Hub and Finishing School.

Build & implementation – estimated 10 weeks

A contractor will be engaged to prepare and lay the concrete foundations. The aviaries will be installed by the fabrication company. The internal aviary fit-out will be done by volunteer working bees.

Simultaneously, SOWFI's membership team will advertise, recruit and commence training the team of volunteers who will operate the site.

Minor updates to the house to a minimum usable standard will be conducted during this time by contractors and volunteers, as appropriate.

Go-live

The Wildlife Finishing School will start accepting possums, managed by a team of trained volunteers. The Education Hub will commence designing and running education sessions on site. Site and team management will be passed to the Site Manager.

Post implementation review – 3 to 4 months after go-live

The SOWFI Board will conduct a post implementation review, to assess site effectiveness, any areas for improvement, further areas for investment and growth, and learnings for future projects.

Funding

We are extremely lucky to have partnered with the Terra Artemis Foundation, who have provided us with an unconditional donation of \$60,000 to build the Wildlife Finishing School. They are supportive of the suitability of the site at 22 Wright Rd Stirling.

Future funding from this Foundation is likely to be dependent on our ability to deliver this project, and we hope this is an ongoing long-term relationship to benefit the wildlife of South Australia.

Community and Stakeholder Engagement Strategy

SOWFI values fostering strong community and stakeholder relationships and aims to build a sense of shared ownership and support for the Wildlife Finishing School.

Local Community Engagement

SOWFI will keep the community informed about the project through regular newsletters to local residents, a social media campaign, and the hosting of an annual Open Day. Community feedback and input may be sought through surveys.

New volunteering opportunities will also be made available to the community, including ongoing roles, and working bees.

SOWFI will also explore innovative initiatives such as collaborating with local artists for wildlife-themed art classes, community tree planting days, and citizen science initiatives.

Stakeholder Collaboration

SOWFI has a long-standing relationship with the Adelaide Hills Council, built upon open communication around our aligned values and goals. This project will build on that solid foundation, and we will continue to seek feedback from council, incorporate suggestions into operational plans, and promote the integral role of Council in protecting local habitats and wildlife conservation.

SOWFI will also seek to collaborate with educational institutions and the veterinary sector to promote the integration of wildlife conservation into educational programs. This would be enabled by our vision for the establishment of a Wildlife Education Hub in the medium term.

We will work with local veterinarians to ensure we can mobilise a trained team for emergency responses. Local business will be also invited to participate in events and initiatives, to our mutual benefit.

Wider public engagement

As part of our comprehensive approach to wildlife conservation, SOWFI will continue to conduct wildlife education workshops and tailored community outreach programs. We also utilise our digital presence to educate and inform on the value of biodiversity, conservation, and basic wildlife triage skills.

Thank you for your consideration and we hope to further strengthen the great relationship between SOWFI and the Adelaide Hills Council and community.

Kind regards

Marian

Marian MacLucas

Board Member | Deputy Chair

Save Our Wildlife Foundation Inc (SOWFI)

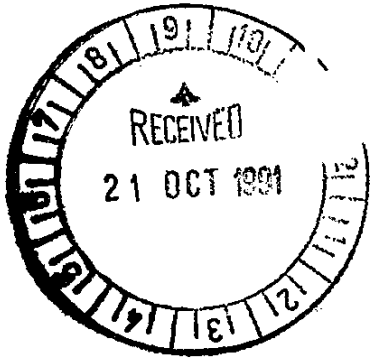
m: +61 408 613 749

t: **+61 8 7120 6610 – 24/7 Emergency Rescue**

SOWFI | www.save-our-wildlife.org.au | ABN [88 647 047 563](http://www.88647047563)

Appendix 3

Details of Trust held over the Land



FOLIO
27

N O R M A N
W A T E R H O U S E
▲
S O L I C I T O R S

DEPARTMENT		DM
FILE NUMBER		2-1519-004
COPY TO		
REPLY		

The District Clerk
District Council of Stirling
63 Mount Barker Road
STIRLING SA 5152
Attention: Mr R Drobrynski

Our ref: PGF/LTR.001:bf

17 October 1991

Dear Sir

Re: Estate of E.M. Halliday Deceased

We refer to our discussions this morning and now enclose a copy of the proposed Trust Deed together with a copy of the Will of the deceased.

With respect to the Acknowledgement of Trust, would you please advise us if you have any comments on its terms. You will see that in the Acknowledgement of Trust we have done our best to follow the terms of the Will.

As discussed, the Trust Deed itself does not impose any specific obligations or restrictions upon Council leasing out the whole or portion of the land the subject of the Trust. Instead, it imposes an obligation on the Council to hold the same as a recreation reserve for the general benefit of the community. Therefore, so long as any leasing out of the land could be arguably for the general benefit of the community and for recreation purposes, then no-one could object that the Council had breached the terms of its obligations as contained in the Acknowledgement of Trust. We therefore suggest that leasing portion of the land to a sporting club for the purposes of their clubrooms would clearly be within the power of the Council. On the other hand, leasing out the whole of the land to a private individual to use as a residence would clearly not be for the use of the land as a recreation reserve for the benefit of the general community and would be beyond the power of the Council.

We remind you that if portion of the land is leased out then the income accrued from such leasing must be used for the purposes of the Trust and not included in general revenue. The circumstances if rent or other income accrues from the land those funds ought to be held in a separate account and expended solely for the purposes of maintaining or improving the recreation reserve the subject of

the Trust. Should you require further advice on this point, please advise the writer.

Finally, as advised in our discussions, the legal position as to the status of the Halliday Reserve and the implications of the provisions of the Local Government Act with respect to reserves is far from clear. As explained, it is the writer's view that the Halliday Reserve is not covered by the provisions contained in the Local Government Act restricting the leasing of land, requiring approval etc, however there is a total absence of legal authority on this point. We will contact you again in the near future when research being conducted by one of these partners on this very point is concluded in the hope that as a result of that research, we will be able to give you a better idea of the procedures that ought to be adopted by the Council should it wish to lease the land or portion of it to a sporting club etc.

In the meantime, should you have any further queries, please do not hesitate to contact the writer.

Yours faithfully
Norman Waterhouse

Per: 

P.G.R. Fisher
Partner

THIS ACKNOWLEDGEMENT OF TRUST is made this day of
1991 by DISTRICT COUNCIL OF STIRLING of Mount Barker Road, Stirling
South Australia 5152 (hereinafter called "the Council")

WHEREAS:

- A. By her Will dated 8th January 1982 EVELYN MAVIS HALLIDAY devised and bequeathed to the Council all such estate and interest as she should die possessed of in her freehold property at Wrights Road, Stirling (hereinafter called "the Land") to hold the same upon trust to use the Land as a recreation reserve for the general benefit of the community.
- B. The said EVELYN MAVIS HALLIDAY died on 30 September 1990 and her said Will was proved and registered in the Supreme Court of South Australia on 10th December 1990.
- C. The executor of the said Will being desirous of transferring the Land to the Council, it appears desirable to declare the trusts and powers upon which the Land shall be held by the Council.

NOW THIS DEED WITNESSES as follows:

1. The Council hereby declares that forthwith after the transfer of the Land to the Council it will hold the same upon trust to use the same as a recreation reserve for the general benefit of the community forever.
2. The Council further declares that the Land shall be known as "The Evelyn Halliday Reserve" in memory of the benefactor of the Land.
3. The Council shall have power to make such rules and regulations as it thinks fit for the management and good order of the Land so far as the same are consistent with the foregoing provisions of this Deed.

4. Where the context so admits the term "the Council" includes its successors and assigns.

Appendix 4

Financial analysis provided by SOWFI

9 January 2025

Financials: Wildlife Finishing School at 22 Wright Rd Stirling

Executive Summary

SOWFI is seeking approval to construct South Australia’s first “Wildlife Finishing School” on Adelaide Hills Council land at 22 Wright Road Stirling, with a view to also establishing a Wildlife Education Hub on the site in the medium term.

SOWFI has received an unconditional donation of \$60,000 from Terra Artemis, a philanthropic foundation, for the construction of the Wildlife Finishing School.

SOWFI has also received a \$7,234 grant from WIRES’ National Grants Program, for essential equipment for the Wildlife Finishing School.

The total cost to build and establish the Wildlife Finishing School is \$49,709.

School-specific donation funding remaining after the build is estimated at \$17,500.

The ongoing annual cost to run the School is estimated at \$3,000. These annual operating costs can be entirely covered by Terra Artemis donation funds for at least 5 years.

Table 1 - Wildlife Finishing School financial summary

Funding Source	Funding amount	Cost to build	Remaining funds
Terra Artemis donation	\$ 60,000	\$ 42,474	\$ 17,526
WIRES grant	\$ 7,234	\$ 7,234	\$ (0)
Total	\$ 67,234	\$ 49,709	\$ 17,525

Ongoing expenditure	Annual cost
Utilities	\$ 1,545
Consumables	\$ 738
Food	\$ 741
Total	\$ 3,024

Kind regards

Sheree

Sheree Venter
Wildlife Finishing School Project Coordinator
 Save Our Wildlife Foundation Inc (SOWFI)
 0400 492 528
www.save-our-wildlife.org.au

Build & Establishment Costs

The cost to build the Wildlife Finishing School is based upon quotes received from potential vendors, and current listed prices of goods.

SOWFI is confident that this cost estimate is robust and indicative of the total final cost.

Table 2 - Detailed list of costs associated with the build & establishment of the Wildlife Finishing School

Item	Unit cost	Qty	Total cost	Funding Source
Development application fees - may be reducible for a charity organisation				
Public Notification Fee for Development Application	\$ 742	1	\$ 742	Terra Artemis
Certificate of Title Search Fee	\$ 49	1	\$ 49	Terra Artemis
Sign on Land Fee	\$ 427	1	\$ 427	Terra Artemis
Aviary complex infrastructure				
Preparation of site & concrete slab	\$ 13,500	1	\$ 13,500	Terra Artemis
Aviary complex - build and install	\$ 22,310	1	\$ 22,310	Terra Artemis
Misting system - 7m Holman	\$ 30	6	\$ 180	WIRES grant
Aviary leaf pots	\$ 15	12	\$ 180	WIRES grant
Shade cloth - 70% UV Coolaroo 3.6m wide	\$ 30	20	\$ 596	WIRES grant
Natural sisal rope - 16mm x 10m	\$ 35	4	\$ 139	Terra Artemis
Temperature monitors - wireless weather station	\$ 24	5	\$ 118	Terra Artemis
Internal fittings hardware	\$ 50	5	\$ 250	Terra Artemis
Gravel for drainage - 5 cubic meters (9 tonnes) plus delivery	\$ 927	1	\$ 927	Terra Artemis
Labour to install drainage	\$ 900	1	\$ 900	Terra Artemis
Cleaning equipment				
Ryobi 36V 40mm Crushing Shredder for mulching	\$ 699	1	\$ 699	WIRES grant
Ryobi 36V 4Ah battery	\$ 249	1	\$ 249	WIRES grant
160L Compost bin	\$ 99	2	\$ 198	Terra Artemis
Gerni High pressure washer 1800W	\$ 329	1	\$ 329	Terra Artemis
Yarm brooms - Sabco	\$ 14	2	\$ 27	WIRES grant
Dustpan set - Oates extra large	\$ 21	2	\$ 43	WIRES grant
Spray bottles (for disinfectant)	\$ 8	5	\$ 40	WIRES grant
Toilet brush (to be used to clean leaf pots)	\$ 11	5	\$ 55	WIRES grant
20m Extension cord	\$ 40	1	\$ 40	Terra Artemis
15m Garden hose	\$ 65	2	\$ 130	Terra Artemis
Garden hose trigger nozzle	\$ 32	1	\$ 32	Terra Artemis
F10 veterinary disinfectant 1L	\$ 90	1	\$ 90	WIRES grant
Household bucket 9L	\$ 6	1	\$ 6	Terra Artemis
Household mop - Sabco spray mop	\$ 48	1	\$ 48	Terra Artemis

Toilet brush for toilet cleaning	\$ 11	1	\$ 11	Terra Artemis
Vacuum cleaner for house - cordless and bagless	\$ 379	1	\$ 379	Terra Artemis
Waterproof covers for electrical fittings and equipment	\$ 30	2	\$ 60	Terra Artemis
Outdoor power kit	\$ 45	1	\$ 45	Terra Artemis
Waterproof covers for electrical fittings and equipment	\$ 30	2	\$ 60	Terra Artemis

Rescue equipment

Koala Rescue Poles - hoops	\$ 70	6	\$ 420	WIRES grant
Koala Rescue Poles - extension poles	\$ 61	6	\$ 366	WIRES grant
Crates - emergency transport & extreme heat housing	\$ 99	5	\$ 495	Terra Artemis

Care equipment

Portable Incubator - Brinsea TLC30 ECO	\$ 629	1	\$ 629	WIRES grant
Possum Nesting Box Kits	\$ 39	50	\$ 1,929	WIRES grant
Food bowls	\$ 4	15	\$ 67	Terra Artemis
Fridge	N/A	N/A	\$ -	Private donation
60L bins to hold browse during day	\$ 16	10	\$ 160	Terra Artemis
Mobile whiteboard 120x90cm	\$ 170	1	\$ 170	Terra Artemis
Baby scales	\$ 104	1	\$ 104	Terra Artemis
Kitchen scales	\$ 25	1	\$ 25	Terra Artemis
Chopping boards	\$ 23	3	\$ 69	Terra Artemis
Knives	\$ 40	3	\$ 120	Terra Artemis
Ledlensor Core Headlamp	\$ 260	2	\$ 520	Terra Artemis

Security

Live streaming 4G trail cameras with solar kit	\$ 346	5	\$ 1,731	WIRES grant
Signage - "Authorised personnel only" etc	\$ 13	6	\$ 75	Terra Artemis

Annual Operating Costs

Sufficient School-specific donation funds will remain after building the Wildlife Finishing School to cover its annual operating costs for more than 6 years.

During this time, SOWFI will explore the potential to further expand the site into a Wildlife Education Hub. This Hub would provide an income stream to cover its operating costs.

Furthermore, SOWFI has sufficient annual donation income and capital reserves to fund the School's annual operating costs in the event that an income stream cannot be derived from an Education Hub.

Table 3 - Detailed list of annual operating costs

Item	Unit cost	Annual Qty	Annual cost
Utilities			
Electricity	\$ 50	12	\$ 605
Water supply charge	\$ 314	1	\$ 314
Water usage charge	\$ 0.4	365	\$ 156
Insurance	\$ 300	1	\$ 300
Additional 240L green bin	\$ 70	1	\$ 70
Annual test and tagging of electrical equipment	\$ 100	1	\$ 100
Consumables			
Dishwashing liquid 5L	\$ 22	1	\$ 22
Hand sanitiser 5L	\$ 81	1	\$ 81
Nitrile gloves 100 pack	\$ 20	15	\$ 299
F10 veterinary disinfectant 1L	\$ 90	1	\$ 90
Wash clothes	\$ 5	6	\$ 30
Cleaning clothes	\$ 8	2	\$ 16
Dishwashing brushes	\$ 3	6	\$ 18
Hand wash 1L	\$ 9	2	\$ 18
Toilet paper - box of 48 rolls	\$ 60	1	\$ 60
Toilet cleaner 1L	\$ 4	3	\$ 12
Household disinfectant spray	\$ 4	6	\$ 24
Household floor cleaner 1L	\$ 3	6	\$ 20
Sabco mop refills	\$ 12	4	\$ 48
Animal food			
Possum high protein supplement 5kg bag	\$ 103	3	\$ 309
Fruit & vegetables for brushtail possums	\$ 15	26	\$ 390
Monkey nuts for brushtail possums 500g bag	\$ 7	6	\$ 42

Appendix 5

Last three years financials reports for SOWFI

Save Our Wildlife Foundation

Profit and Loss

July 2023 - June 2024

	TOTAL
Income	
Bunnings Sausage Sizzle Income	4,234.56
Donations	71,602.23
Grants & Sponsorship	5,730.00
Mount Barker District Council	2,418.18
Sponsorship Garden Master	1,340.91
Total Grants & Sponsorship	9,489.09
Hi Vis Vests Income	229.05
Membership Subscriptions	
Friends of SOWFI Membership	373.79
Memberships	6,960.00
Total Membership Subscriptions	7,333.79
Rescue Basket & Start Up Kits	172.72
Sales of Product Income	2,814.95
Services - Attendance Tree Felling	1,271.65
Training and Events	6,276.98
Less New Member fee included	-770.00
Total Training and Events	5,506.98
Walk 4 Wildlife	12,630.74
Total Income	A\$115,285.76
Cost of Sales	
Bunnings Sausage Sizzle Expenses	2,863.84
Freight & Delivery - COS	215.45
Giftup Card Fees	6.51
Total Cost of Sales	A\$3,085.80
GROSS PROFIT	A\$112,199.96
Other Income	
Interest income	4.63
Total Other Income	A\$4.63
Expenses	
Accounting and bookkeeping	500.00
Advertising and marketing	5,855.59
Advertising Merchandise	615.92
Bank charges and fees	290.50
Depreciable Items < \$1000	715.45
General Expenses	110.00
Gifts and donations	300.00
Grants & Sponsorships	2,054.55
City of Campbelltown Grant Expense	
Food and Equipment	654.55
Total City of Campbelltown Grant Expense	654.55

Save Our Wildlife Foundation

Profit and Loss

July 2023 - June 2024

	TOTAL
City of Onkaparinga Grant Expense	
Food and Equipment	1,454.47
Total City of Onkaparinga Grant Expense	1,454.47
Total Grants & Sponsorships	4,163.57
Hi Vis Vests	364.55
Insurance	656.38
Meals and entertainment	31.63
AGM Expenses	298.18
Volunteer Picnic Expenses	965.46
Total Meals and entertainment	1,295.27
Motor vehicle expenses	0.00
Vehicle Fuel & Oil	2,832.45
Vehicle Maintenance	3,584.89
Vehicle Rescue Equipment	70.90
Vehicles Registration and Insurance	2,818.81
Total Motor vehicle expenses	9,307.05
Possum Boxes	3,479.23
Postage & shipping	50.36
Printing, stationery & supplies	592.90
Rent Post Box	234.31
Subscriptions	612.52
Telephone & Internet expenses	4,274.27
Training Expenses	3,856.34
Tree Climbing Equipment	195.51
Volunteer Subsidy Program	9,409.77
Total Expenses	A\$46,879.49
NET EARNINGS	A\$65,325.10

Save Our Wildlife Foundation

Balance Sheet

As of June 30, 2024

	TOTAL
Assets	
Current Assets	
Accounts receivable	
Accounts Receivable (A/R)	915.00
Total Accounts receivable	A\$915.00
PayPal	7,180.54
Statement Account (0202)	97,793.28
Total Current Assets	A\$105,888.82
Long-term assets	
Motor vehicles at cost	5,340.00
Total long-term assets	5,340.00
Total Assets	A\$111,228.82
Liabilities and shareholder's equity	
Current liabilities:	
Closing Value of Volunteer Subsidy Points	12,974.60
GST Liabilities Payable	-3,556.84
Loan from Kate	2,770.31
Wildlife Research Fund	1,257.40
Total current liabilities	A\$13,445.47
Shareholders' equity:	
Net Income	65,325.10
Retained Earnings	32,458.25
Total shareholders' equity	A\$97,783.35
Total liabilities and equity	A\$111,228.82

Save Our Wildlife Foundation

Statement of Profit and Loss

For the year ended 30 June 2023

Income	2023	2022
	\$	\$
Donations	26,175	14,203
Goods & services	1,712	3,603
Government Grants	5,111	2,500
Investments	4	2
Memberships	4,769	4,434
Other Grants	4,545	1,400
Sponsorships	894	610
Training program	3,824	5,028
Total income	47,036	31,780
Expenses		
Consultancy	4,542	2,000
Entertainment	1,424	829
Food & equipment	5,708	3,281
Insurance	1,073	1,224
Marketing	2,853	2,374
Other	747	8,035
Telephone	3,814	520
Volunteer Subsidy Program	12,461	3,922
Training course expense	1,252	2,802
Total expenses	33,874	24,986
Net income	13,162	6,793

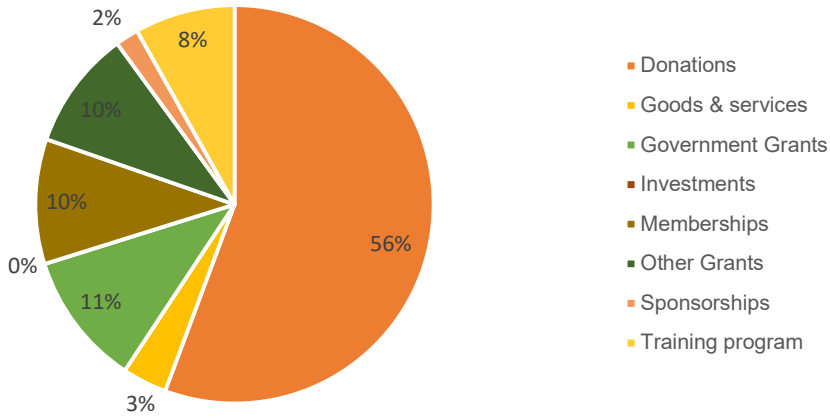
Save Our Wildlife Foundation

Balance Sheet

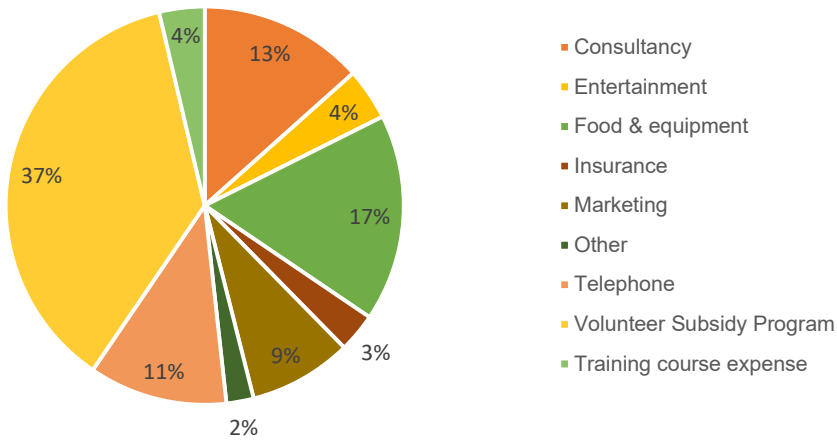
As at 30 June 2023

	2023	2022
	\$	\$
Assets		
Cash and cash equivalents	51,707	31,171
Total Current Assets	51,707	31,171
Total Assets	51,707	31,171
Liabilities		
Current liabilities		
Closing Value of Volunteer Subsidy Points	11,108	6,000
Grants received in advance	3,000	0
GST	-693	42
Loan	2,770	2,770
Wildlife Research Fund	1,152	1,152
Total current liabilities	17,338	9,965
Total Liabilities	17,338	9,965
Equity		
Retained earnings	34,369	21,207
Total equity	34,369	21,207

Income Analysis FY 2023



Expense Analysis FY 2023



Save Our Wildlife Foundation

Profit and Loss

July 2021 - June 2022

	TOTAL
Income	
Donations	5,451.03
Giftp Cards	87.63
Grants & Sponsorship	
Ecological Society of Australia Grant	1,400.00
Mount Barker District Council	2,500.00
Sponsorship Garden Master	610.00
Total Grants & Sponsorship	4,510.00
Hi Vis Vests Income	586.56
Lottery income	2,370.00
May Quiz Night Income	6,293.97
Membership Subscriptions	
Friends of SOWFI Membership	163.79
Memberships	4,410.00
Total Membership Subscriptions	4,573.79
Rescue Basket & Start Up Kits	698.16
Services	2,318.18
Start Up Rescue Kit Sales	0.00
Training and Events	5,028.20
Total Income	A\$31,917.52
Cost of Sales	
Giftp Card Fees	16.33
May Quiz Night Expenses	4,234.72
Rescue Baskets and Start Up Kits Expenses	1,199.80
Total Cost of Sales	A\$5,450.85
GROSS PROFIT	A\$26,466.67
Other Income	
Interest income	2.28
Total Other Income	A\$2.28
Expenses	
Accounting and bookkeeping	381.84
Advertising and marketing	2,374.35
Walk for Wildlife Challenge	2,000.00
Total Advertising and marketing	4,374.35
Bank charges and fees	60.50
Gifts and donations	1,400.00
Hi Vis Vests	1,300.41
Insurance	609.08
Meals and entertainment	
Volunteer picnic day	0.00
Volunteer Picnic Expenses	828.82
Total Meals and entertainment	828.82
Office expenses	519.30
Possum Boxes	2,081.58

Save Our Wildlife Foundation

Profit and Loss

July 2021 - June 2022

	TOTAL
Printing, stationery & supplies	340.00
Shipping, Freight, and Delivery Postage & Handling	121.64
Subscriptions	0.00
Telephone & Internet expenses	520.38
Trailer Registration and Insurance	614.55
Training Expenses	2,461.58
Volunteer Subsidy Program	3,921.60
Volunteer Supplies	0.00
Total Expenses	A\$19,535.63
NET EARNINGS	A\$6,933.32

Save Our Wildlife Foundation

Balance Sheet As of June 30, 2022

	TOTAL
Assets	
Current Assets	
Accounts receivable	
Accounts Receivable (A/R)	140.00
Total Accounts receivable	A\$140.00
PayPal	15.00
Statement Account (0202)	31,211.46
Statement Account (0384)	0.00
Total Current Assets	A\$31,366.46
Total Assets	A\$31,366.46
Liabilities and shareholder's equity	
Current liabilities:	
ATO Clearing Account	0.00
Closing Value of Volunteer Subsidy Points	5,999.80
GST Liabilities Payable	42.25
Loan from Jane	0.00
Loan from Kate	2,770.31
Loan from Marian	0.00
PAYG Instalment Liabilities	0.00
PAYG Withholdings Payable	0.00
Wildlife Research Fund	1,152.20
Total current liabilities	A\$9,964.56
Shareholders' equity:	
Net Income	6,933.32
Retained Earnings	14,468.58
Total shareholders' equity	A\$21,401.90
Total liabilities and equity	A\$31,366.46

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item:	12.4
Responsible Officer:	David Waters Director Environment and Infrastructure
Subject:	CFS Review into Bushfire Safer Places and Last Resort Refuges
For:	Decision

SUMMARY

Bushfire Safer Places (BSPs) and Last Resort Refuges (LRRs) are an important component of bushfire management arrangements in South Australia, and aim to support individual decision making around where to take shelter during a bushfire.

BSPs and LRRs are identified and mapped by the SA Country Fire Service (CFS) based on investigations that consider factors including vegetation, topography and settlement patterns. According to the CFS, BSPs offer a greater level of protection, while LRRs offer little protection and should only be used if someone's bushfire survival plan has failed and they cannot reach a BSP.

The CFS is conducting a review of BSPs and LRRs, and has invited councils, including AHC, to provide comment via a survey.

The purpose of this report is to provide background information about the review, and seek Council's endorsement of AHC's response to the survey.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
 - 2. To adopt AHC's response to the CFS Survey into Bushfire Safer Places and Last Resort Refuges as contained in Appendix 1.**
-

1. BACKGROUND

The SA Country Fire Service (CFS) introduced a system of Bushfire Safer Places (BSPs) and Last Resort Refuges (LRRs) to help inform individual decision making about where to take shelter during a bushfire. They were introduced in response to inquiries into Victoria's devastating 2009 Black Saturday fires.

According to the CFS:

“Bushfire Safer Places are suitable for use during bad fire weather or during bushfire. They are built up areas that have:

- lots of buildings that can provide protection
- roads that provide fuel breaks and multiple access points
- dispersed vegetation, such as short grass and maintained landscaping, that makes the spread of fire more difficult.”

“A Bushfire Last Resort Refuge is a space or building which you could go to during a bushfire in your area. It is an area that may provide a minimum, temporary level of protection from the immediate life threatening effects of radiant heat and direct flame contact in a bushfire.

A Bushfire Last Resort Refuge is intended to provide a place that offers some level of protection if there is nowhere else to go during a bushfire. It does not guarantee the survival of those who assemble there. You should only use a Bushfire Last Resort Refuge when your Bushfire Survival Plan has failed and you cannot safely relocate to a Bushfire Safer Place.”

Much of the Adelaide Hills Council area is classified as high bushfire risk due to topography, difficult access and higher fuel loads from vegetation. This means that understanding the intent behind, and operation of BSPs and LRRs is a matter of interest and concern to our communities. Of the 57 townships and suburbs within the Adelaide Hills Council area, there are 6 BSPs, located in the townships of:

- Balhannah
- Lobethal
- Oakbank
- Stirling
- Uraidla
- Woodside.

In addition, LRRs are located at:

- Birdwood Oval
- Gumeracha Oval
- Houghton Oval
- Kersbrook Oval
- Mount Torrens Oval
- Mylor Oval.

The purpose and operation of BSPs and LRRs has been the topic of considerable discussion at the community level, as well as amongst agencies involved in emergency management. Inquiries resulting from the SA 2015 Pinery fire found that the 3-tiered system initially implemented in SA was confusing to the community, leading to a transition to a 2-tiered system of BSPs and LRRs (removing a third category of Bushfire Safer Precincts). Along with this change came funding from the State Government to install signage at all LRRs so the community could easily identify these locations in times of need. BSPs are not signed.

Since completing the signage of LRRs in 2016, only minor amendments to the system of BSPs and LRRs has been completed by the CFS. There is no ongoing assessment program that considers changes to the sites or boundaries.

The CFS has initiated a review of BSPs and LRRs given the unknown risk that exists at these locations and in recognising that community profiles and land uses are constantly changing.

The CFS review project comprises three phases:

- Phase One: Rapid assessment of BSPs and LRRs in the Adelaide Mount Lofty Ranges, and the Lower and Upper South East
- Phase Two: Rapid assessment of BSPs and LRRs in the remainder of the State.
- Phase Three (unconfirmed/unfunded): A comprehensive statewide review that includes updating policy, governance for maintenance of sites and their signage, and working with councils on improved and updated public education about the use of these sites.

AHC, along with other councils, received an invitation to provide feedback on the review through a survey on 24 January 2025, and was asked to respond by the end of February.

In preparing a draft response to the survey, the Administration sought feedback from officers with responsibility for emergency management, fire prevention, and community resilience, as well as members of the Executive Leadership Team. Community feedback received on the topic over recent years has been incorporated into the response. Council Members were also invited to provide written feedback for consideration.

The draft response to the survey is provided in **Appendix 1**.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

Goal 2 Community Wellbeing

Objective CW4 Build community resilience for the future

Priority CW4.4 Promote disaster preparedness as a shared responsibility by collaborating with relevant partners, including emergency services, government agencies, non-governmental organisations and the community.

By engaging in the CFS Review of BSPs and LRRs, AHC is supporting the emergency services, which demonstrates the 'shared responsibility' approach to emergency management. In addition, by elevating community issues and concerns about BSPs and LRRs, AHC can promote positive improvements in how communities are informed and engaged around disaster preparedness.

Emergency Management Policy

Section 5.1 of the Council Emergency Management Policy states that "Adelaide Hills Council will contribute to disaster risk reduction by... Representing community interests in

emergency management to other spheres of government and contributing to decision-making processes”.

Providing feedback to the CFS on BSPs and LRRs via this survey provides an opportunity to represent community interests in emergency management to other spheres of government.

➤ **Legal Implications**

The identification and promotion of BSPs and LRRs is the responsibility of CFS. There are no legal implications to AHC from providing feedback to the CFS via the survey instrument.

➤ **Risk Management Implications**

Providing a response to the CFS review of Bushfire Safer Places and Last Resort Refuges will assist in mitigating the risk of:

Not providing a response to the CFS review of Bushfire Safer Places and Last Resort Refuges leading to Council's feedback not being considered.

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

This report recommendation will result in the requirement to forward the survey response to the CFS.

➤ **Financial and Resource Implications**

The system of BSPs and LRRs does have resourcing implications to AHC in terms of additional activities undertaken by Council’s fire prevention and biodiversity programs. These functions are resourced through operational budgets.

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

The survey response highlights a number of customer service and community implications of BSPs and LRRs, generally around the need for AHC customer service and community service staff to answer questions from the community about the intent and operations of these spaces.

➤ **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: The CFS timelines for responding to the survey did not allow for a Council Workshop. Notwithstanding, Council Members were invited to provide written feedback to inform AHC’s draft response to the survey.

<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	Not Applicable
<i>Community:</i>	Feedback provided by the Community to AHC in relation to BSP and LRRs over many years was considered in the preparation of AHC's draft response to the survey.

➤ **Additional Analysis**

Feedback on the survey questions was sought from Officers and Council Members. Feedback obtained has been used to develop the draft survey responses provided in **Appendix 1**.

By providing feedback to the CFS, Council can proactively manage any potential reputational or liability risks to Council associated with BSPs and LRRs. In particular, the survey response highlights a number of risks for the CFS to consider, including:

- How CFS is responsible for identifying BSPs and LRRs, communicating their purpose, and ensuring they are being maintained appropriately
- Low or inaccurate understanding of the purpose of BSP and LRRs may increase community safety risks, and/or lead to poor decision making by individuals during a bushfire or periods of heightened fire danger
- There is a need to consider the practical operations of some of the currently identified BSPs and LRRs to manage community safety in the event of a bushfire

3. OPTIONS

Council has the following options:

- I. Engage with the CFS review by providing feedback through the survey (Recommended)

This option is recommended as the CFS has proactively sought our feedback. This provides us with an opportunity to share and elevate issues and concerns with the system of BSPs and LRRs that our communities have raised with AHC over many years.

- II. Choose not to engage with the project (Not Recommended)

4. APPENDICES

- (1) Draft responses to CFS Survey

Appendix 1

Draft responses to CFS Survey

CFS Review into Bushfire Safer Places and Last Resort Refuges

Survey response from Adelaide Hills Council (AHC)

Bushfire Safer Places

Please share any issues or concerns you have with the current Bushfire Safer Places in your Council area (if you have multiple locations please start your answer with the location).

Balhannah

AHC is not aware of any issues or concerns with the Balhannah BSP.

Lobethal

AHC notes that the Lobethal BSP performed as expected during the Cudlee Creek bushfire.

AHC holds concern around Bundarra Reserve, which is a vegetated reserve to the east of Lobethal Recreation Ground (oval). While both Oval and Bundarra Reserve are outside of the boundary of the BSP, AHC is concerned that the oval may become a gathering point during a bushfire, and that the community may not understand the level of risk presented by the regenerating pines and vegetation in Bundarra Reserve. AHC is actively managing vegetation fuel loads in Bundarra Reserve.

Oakbank

AHC is not aware of any issues or concerns with the Oakbank BSP.

AHC notes that this BSP is small in area, and located close to the Balhannah BSP where there is a greater range of facilities available. If the CFS was wanting to reduce the number of BSPs in the Adelaide Hills Council district, the need for the Oakbank BSP could be considered.

Stirling

AHC holds concern about the capacity of the Stirling BSP to manage a large volume of people and vehicle movements in the event of a bushfire in the area.

AHC notes that the Stirling BSP is small in area, and there are limited car parking and access/egress opportunities through the town centre. Given population density of Stirling and its broader catchment, the risk of congestion in Stirling in the event of a major fire is material. Use of Stirling as a BSP exacerbates this concern.

The identification of Stirling as a BSP may raise expectations of a level of service provision in the town centre that cannot be met (as is the case for any township), and undermine other bushfire preparedness messaging around the need to leave the district early on days of heightened fire danger and/or in the event of a bushfire.

This is not to say that the Council does not support Stirling being a BSP, but rather that it should be carefully considered in the review.

Uraidla

AHC holds concern about the capacity of the Uraidla BSP to manage a large volume of people and vehicle movements in the event of a bushfire in the area. AHC understands that Uraidla is one of the only places in that part of the hills that has sufficient space for animals, and this could exacerbate congestion in the event of a bushfire.

The Uraidla BSP is not a large area, and AHC understands that the Uraidla Oval may be used by the CFS as a staging area during a bushfire. This may undermine its ability to be used by people wanting to bring themselves, and potentially their animals, to a place of relative safety – unless done in a coordinated manner.

AHC is aware of concerns from members of the Uraidla community about how Uraidla is identified as a BSP, but that the community was discouraged by the CFS for promoting it as such. The Uraidla community has previously sought CFS endorsement to install signage of the BSP, and to activate the Uraidla Show Hall as place where people could gather during days of heightened bushfire risk and/or a bushfire in the district.

Council understands and appreciates that the CFS concern was related to the fact that BSPs are not normally signed (as opposed to LRRs which are signed). Notwithstanding, the matter has caused some confusion in the community about their ability to rely on Uraidla township as a BSP.

Woodside

AHC is not aware of significant concerns with the Woodside BSP, but notes that dividing the BSP into two portions may create unnecessary confusion with the community.

AHC is also aware that the development pattern, land use and vegetation coverage in and around the Woodside township is changing and thus is it important that there is a process to modify the spatial extent of the Woodside BSP as these changes continue. AHC also notes that some properties within the BSP were impacted during the Cudlee Creek fire, emphasising the need to communicate the relative rather than absolute safety offered by BSPs.

Please list any additional locations that you would like to be assessed as a Bushfire Safer Place if the project is extended, accompanied with a suitable reason (eg increased tourist numbers or population at risk in the area).

AHC supports a reassessment of all the BSPs given the changes in vegetation, development patterns and the like. AHC would appreciate the opportunity to review the outcome of any reassessments, and better understand the methodology used to identify BSPs and their boundaries. This will assist in AHCs ongoing ability to support the designations.

In terms of additional locations, AHC notes that there is no BSP place north of Lobethal, despite significant populations, meaning that residents in these areas may have limited options available to them.

AHC notes that residential development is occurring in Inverbrakie (former defence housing precinct in Woodside), and thus this site should be re-evaluated to determine its suitability.

AHC notes that Gumeracha and Birdwood appear to have some similar characteristics to other BSPs, and thus should be reevaluated.

AHC notes that there is a mixture of views about the potential suitability of Bridgewater as a BSP. It is noted that the township contains an oval, areas of open space, some facilities and services and close proximity the freeway with a large and open interchange. It is however relatively heavily treed with large tracts of native vegetation.

It is noted that an additional BSP in Bridgewater might alleviate congestion in Stirling in the event of a bushfire.

To help us understand general awareness and understanding levels across local councils, can you please tell us your understanding of the purpose of Bushfire Safer Places:

AHC staff generally have a good working knowledge of the purpose of Bushfire Safer Places and the greater level of protection that they provide. Staff understand that they are intended for people wanting to relocate early or for use when bad fire weather is forecast and that there is a level of services and facilities available.

AHC considers that there is not a high level of awareness and understanding across the broader community (discussed elsewhere in this survey).

How does your Council share information to the community about Bushfire Safer Places? Please list as many promotion activities and/or sources as possible.

AHC's website has a detailed suite of pages dedicated to bushfires and emergency management. See <https://www.ahc.sa.gov.au/community/bushfires-and-other-emergencies>. The content on preparedness contains direct link to the CFS Bushfire Safer Places website as the source of truth on BSPs.

AHC provides general bushfire preparedness materials, including CFS collateral, at its service centres, libraries and community centres. This content does not contain specific details or mapping about BSPs.

Through grant funded community-led emergency resilience projects, AHC staff have been supporting community members in understand the intent of BSP through community resilience workshops and events.

What concerns, issues or Frequently Asked Questions have the community raised about Bushfire Safer Places?

AHC regularly receives questions and feedback from its community in relation to BSPs.

The most common feedback and/or questions relate to understanding what exactly is a BSP. Through these questions, it has become apparent that there is confusion between BSPs and many other places people gather on days of heightened fire danger, and/or during and after emergencies. These include LRRs, Emergency Relief Centres, Recovery Centres, places for overnight evacuation (noting that this isn't a formal component of SA's emergency management arrangements), places to bring animals in emergencies, and more recently, the growing number of community-initiated Community Support Hubs.

In addition, for the six identified BSPs in the AHC area, members of the public regularly inquire about where they can find information about the services and facilities that are on offer. These questions highlight that many people expect or assume that the identification of a BSP is associated with some form of service response. For example, some residents have enquired about whether BSPs provide cool spaces to spend a day, facilities for animals, water and/or NGOs services.

AHC has received feedback from local disability advocates that providing a base level of information about the services/facilities available in a BSP, and their accessibility, is critical in supporting people living with a disability to prepare their own personal plans.

AHC notes that the facilities on offer within BSPs within AHC are very different from those in larger urban areas such as Mount Barker or metropolitan Adelaide. Given this, AHC considers it important that CFS communications about BSPs clearly state that the designation of a BSP does not trigger a service response, and regular public or private buildings and services may not be open during times of heightened bushfire danger due to enactment of their own bushfire plan or in line with their normal opening hours.

Community members have provided feedback that the presence of BSP sends the signal that it is safe to be in the hills during a bushfire or period of heightened risk. This appears inconsistent with other preparedness messaging that it's best to leave the hills entirely during bushfires / times of heightened fire danger.

Community members are often interested in understanding the criteria used by the CFS in determining a BSP, and the spatial boundaries of the current BSPs. AHC notes that many individuals, businesses and organisations across the community, including Council itself, use BSPs in making decisions around activities on days of heightened fire danger.

It is noted that following the Cuddlee Creek fire, AHC heard community feedback questioning why relief centres were located well outside of the district rather than within the BSPs closer to impacted communities.

Council has received feedback from some in the community that it would be preferable to have a smaller number of safer places, limited to larger urban areas with a wide range of services and with a lower level of bushfire risk. Other community members express the desire for a larger number of BSPs to support the safety of those people who choose to remain in an area during times of heightened fire danger.

Some community members have shared feedback that it would be preferable to sign BSPs as these are the locations where we want the public to gather, compared with LRRs which offer a lower level of protection.

In terms of the mapping of BSPs on the CFS website, community members have provided feedback that the BSPs only appear on the online mapping tool when zooming in and that the yellow may not be the right colour, especially when compared with LRRs, which are noted on the mapping with a green icon.

Last Resort Refuges

Please raise any issues or concerns you have with the current Bushfire Last Resort Refuges in your Council area (if you have multiple locations please start your answer with the location).

Birdwood Oval

Birdwood Oval is Council owned and managed. AHC is not aware of any issues or concerns as it relates to the LRR.

Gumeracha Oval

Gumeracha Oval is Council owned and managed. AHC is not aware of any significant issues or concerns as it relates to the LRR, although notes that there are large gas bottles present outside the clubrooms adjoining the oval that may not have been there during the initial assessment.

Houghton Oval

Houghton Oval is not Council owned nor managed.

Whilst AHC defers to the CFS in terms of the investigations that support the identification of LRRs, it notes that this site appears to have risk factors owing to the surrounding vegetation and terrain, and access points. It is also noted that this site is not far from safer places in metropolitan Adelaide.

Kersbrook Oval

Kersbrook Oval is not Council owned nor managed. AHC is not aware of any issues or concerns as it relates to the LRR.

Mount Torrens Oval

Mount Torrens Oval is not council owned nor managed.

Whilst AHC defers to the CFS in terms of the investigations that support the identification of LRRs, AHC is aware that this site might be exposed to a level of risk from ember spotting due to topography/vegetation, and location of the oval relative to the nearby ridgeline.

Mylor Oval

Mylor Oval is not council owned nor managed – it is managed by the Mylor community.

This site was not initially identified as a LRR, but was added following advocacy from the Mylor community, and vegetation management works undertaken by AHC and private landowners.

AHC understands that Mylor Oval only meets the criteria for a LRR if regular fuel load reduction work is undertaken by landowners surrounding the Oval. This has required AHC to actively manage a buffer area around the oval of some 36 meters, with Council land thereafter managed for conservation in a way that reduces fuel loads while also achieving biodiversity purposes. AHC has provided time-limited funding for this work to be delivered through its biodiversity program.

In addition, fuel load management is also needed on some privately owned land around the oval, requiring AHCs Fire Prevention Officers to actively engage with the landowner. Whilst the current landowner is supportive, it represents a risk if future landowners are less willing to undertake work to manage fuel loads.

AHC also notes that a plastic picket fence has recently been erected around the Mylor Oval. This structure may impact public access or create a risk for people who are assembled on the oval (from a flammability perspective).

Given this, AHC is concerned about Mylor Oval's future sustainability, given that its ability to safely exist as an LRR depends upon active action by AHC and private landowners.

Please list any additional locations that you would like to be assessed as a Bushfire Last Resort Refuge if the project is extended, accompanied with a suitable reason (eg increased tourist numbers or population at risk in the area).

AHC is not proposing any additional locations for assessment as LRRs.

AHC suggests that the number of LRRs should not be expanded unless there is a significant increase in public education and engagement around their purpose. AHC also considers that it is important that maintenance responsibilities, and oversight of changes to fixtures and improvements on these sites, are clearly defined for any future LRRs.

To help us understand general awareness and understanding levels across local councils, can you please tell us your understanding of the purpose of Bushfire Last Resort Refuge:

AHC staff generally hold a good working knowledge of the purpose of LRRs, and the lower level of protection that they provide. Staff understand that they are not somewhere that people should plan to go or that provides services and facilities, but for emergency use when no other option is available.

AHC considers that there is not a high level of awareness and understanding across the broader community (discussed elsewhere in this survey).

How does your Council share information to the community about Bushfire Last Resort Refuges? Please list as many promotion activities and/or sources as possible.

AHC's website has a detailed suite of pages dedicated to bushfires and emergency management. See <https://www.ahc.sa.gov.au/community/bushfires-and-other-emergencies>. These pages do not specifically mention LRRs, but it does contain a link to CFS web content on BSPs.

AHC provide general bushfire preparedness materials, including CFS collateral, at its service centres, libraries and community centres. This content does not contain specific details or mapping about LRRs.

Through grant funded community led emergency resilience projects, AHC staff have been supporting community members to understand the intent of LRRs through community resilience workshops and events.

What concerns, issues or Frequently Asked Questions have the community raised about Bushfire Last Resort Refuges?

As with BSPs, AHC receives regular questions and comments from its residents regarding LRRs.

In general, it appears that there is an even lower understanding of the intent and operation of LRRs compared with BSPs. The language of “refuge” is seen as comforting, and perhaps misinterpreted with terms like relief or evacuation, and with this comes the expectation of a level of servicing. AHC are aware of instances of members of the community arriving at a LRR expecting toilets, open buildings, food, water and other supports.

As previously noted, some members of the community have asked questions or provided feedback that indicates that LRRs and BSP are seen as the same, and that the nuanced messaging about the difference between the two spaces is not getting through to the broader community.

As with BSPs, AHC has received feedback from its community wanting to better understand the science and process used to identify LRRs. Similarly, AHC has fielded questions regarding how the CFS ensures that LRRs, and the land surrounding them, are being maintained and managed in ways that ensure that they provide the expected level of protection in the event of a bushfire.

AHC notes that the iconography for LRRs, which is green (a colour typically associated with safety) and shows people gathering may not accurately convey the message that the LRR provides only limited protection during bushfire, and is only somewhere to go when there is no other option.



Last Resort Refuge Signage

Signage has been installed to assist the community in easily identifying the location of Bushfire Last Resort Refuges. As part of this review, the project team include a preliminary assessment to ensure all signs are present, the condition and visibility of each. Please list any issues or concerns you have with the signs used for the current Bushfire Last Resort Refuge sites (if you have multiple locations please start your answer with the locations).

AHC does not have any specific feedback in relation to the signage of each of the six LRRs.

AHC submits that, despite the signage, there remains a low level of understanding across the community of the purpose of the LRR, and when and how they should be used. Given this, any review into the signage should look holistically at the overall public messaging and engagement around LRRs.

AHC understands that LRR signage is meant to be targeted at people who may find themselves on the road during a bushfire, or where other plans have failed. If this is the intent, consideration should be given to whether one sign is enough and/or if advance road signage is required.

Another perspective that warrants consideration is whether signage of LRRs might send the wrong message that these are desirable places to go during a bushfire, and/or raise expectations of a service response. In this context, AHC notes that this signage may conflict with other preparedness messaging that encourages people to leave higher risk areas.

Are you aware of or know where to obtain information regarding the number and location of signs for each Bushfire Last Resort Refuge sites in your council area?

AHC would seek this information from the CFS.

DRAFT

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 12.5

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

Subject: Road Safety Analysis Lobethal

For: Decision

SUMMARY

The purpose of this report is to provide Council with the findings of a road safety and traffic assessment of Ridge Road and Mill Road, Lobethal.

Two key actions were for staff, if deemed necessary, to engage an external party to review options to combat speed at these locations, and engage with the Department of Education regarding the road usage along Mill Road which affects the primary school.

This report highlights the findings of the consultant and subsequent options to mitigate speeding and the perception of 'rat running' along the subject roads.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
 - 2. To consider funding the installation of traffic control and calming devices, at an approximate cost of \$57,000, as indicated in *Appendix 2* as part of the 2025-26 Annual Business Plan and Budget development.**
 - 3. To consider funding the installation of an emu school crossing at School Road, Lobethal, at an approximate cost of \$42,000, to improve safety within Mill Road vicinity as part of the 2025-26 Annual Business Plan and Budget development.**
-

1. BACKGROUND

At the 25 July 2023 Council meeting, Council considered a motion on notice regarding road safety and traffic conditions on Mill Road and Ridge Road, Lobethal. Following consideration of the matter, Council resolved as follows:

11.2 Road Safety Analysis Lobethal

Moved Cr Malcolm Herrmann
S/- Cr Pauline Gill

196/23

I move that:

1. The Chief Executive Officer arranges for staff to undertake an in-house road safety assessment into speeding and increased road use on Ridge Road and Mill Road, Lobethal, both of which are becoming used as a thoroughfare for road users attempting to avoid traffic on Main Street.
2. If the outcomes of the road safety assessment deem it necessary, that options to discourage road users from choosing these roads instead of the Main Street and combat speeding be explored using an external professional (including but not limited to the installation/construction of chicanes, speed bumps or additional signage).
3. The Chief Executive engages with the Department for Education and Child Development regarding increased road usage and speeding vehicles on Mill Road, which affects all traffic and pedestrians to and from the primary school.
4. A report be prepared detailing the outcomes of this assessment for Council's consideration at the ordinary meeting scheduled for 24 October 2023.

Carried Unanimously

Following an initial in-house review, staff determined to engage a suitably qualified traffic engineer to conduct a review of Mill Road and Range Road, Lobethal, using new traffic count data.

The consultant's report is contained in **Appendix 1**.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your place, your space

Goal 3 Built Form and Economy

Objective BFE3 Develop and maintain infrastructure to support livability and sustainable economic activity

Priority BFE3.1 Continue to pursue co-funding for community infrastructure and road safety improvement projects

Priority BFE3.5 Prioritise planning for new footpath, trail and cycling infrastructure where it will foster better health, wellbeing, economic and transport outcomes

➤ Legal Implications

There are no legal implications from receiving and noting this report, but there may be legislative requirements as well as Australian Standards that need to be complied with should Council choose to pursue any recommendation or options outlined in the report.

➤ Risk Management Implications

Providing a report to Council once the local road network has been monitored and implementation of recommendations from attached report to reduce traffic speed and improve pedestrian safety will assist in mitigating the risk of:

Decisions regarding investment in infrastructure not being adequately informed, leading to a loss in community confidence in Council.

Inherent Risk	Residual Risk	Target Risk
Low (2D)	Low (2D)	Low (2D)

Aside from the risks associated with prudent financial management, the objectives of any work would be about reducing road safety risks.

➤ **Financial and Resource Implications**

Funding to undertake any works arising from this matter would need to be considered for funding against other capital works priorities.

Two proposed packages of work are recommended, with costs as follows, assuming both packages are undertaken together:

Mill Road and Ridge Road traffic calming devices	\$57,000
Emu Crossing at Lobethal Primary School	\$42,000

It is possible that Council could source a contribution toward the Emu Crossing through the Department for Education's Way2Go Program.

If only one of the packages of work are pursued, a cost premium of say 5-10% should be expected on that particular package.

➤ **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: Mr Mark Tucker (Principal) – Lobethal Primary School

Community: Not Applicable

➤ **Additional Analysis**

The road safety assessment indicated, based on traffic counts provided to the consultant, the following summary:

- Mill Road – Across the two survey locations for traffic counts for a one month period, that 40% to 55% of vehicles were travelling at a speed higher than the posted speed limit. The 85th percentile speed was 55km/h.
- Ridge Road – Across the three survey locations for traffic counts for a one month period, that 40% to 60% of vehicles were travelling at a speed higher than the posted speed limit. The 85th percentile speed varied between 55km/h and 60km/h.

In summary, while prevailing speeds tend to be above the speed limit of 50km/h, they are not at the extreme end of excessive and as such, relatively low impact measures should be considered for calming traffic.

Further analysis of the ‘rat running’ across the two locations indicated that there is little to no benefit in terms of travel time utilising Ridge Road or Mill Road, unless drivers exceed the speed limit. The route review did indicate that Mill Road did shorten the travel distance by up to 600m, depending on the ultimate destination.

A previous traffic impact statement for the T&R Pastoral (now Thomas Foods) abattoir indicates a particular peak of traffic associated with the facility, i.e. staff and visitors, in the morning and afternoon peak hours. This accounts for around 30% of the traffic generated along Ridge Road daily.

Including the traffic generation report from the “Roads and Maritime Services Trip Generation Survey Schools Analysis Report”, and the information provided for T & R Pastoral traffic impact statement, the traffic generated along Mill Road and Ridge Road are 17% and 18% respectively of the total volume of traffic traversing the Main Street of Lobethal. The largest generators of these movements on Mill Road and Ridge Road are from Lobethal Primary School and T & R Pastoral.

The assessment from the road safety assessment concluded that vehicles undertaking ‘rat running’ are not considered high compared to the existing traffic currently travelling the main throughfare of Main Street.

In light of the above, it is suggested that any actions taken to change the road environment should be focussed on reducing speeds rather than reducing ‘rat running.’

Subsequently, based on the recommendations of the road safety assessment, potential mitigation measures to reduce the observed driver speeds were investigated. The consultant’s report (**Appendix 1**) contains a number of concept options developed by the consultant. These included installing a series of chicane arrangements, median blisters and speed humps. Staff experience suggests that there is limited community acceptance of high impact devices such as speed humps and severe chicanes. Indeed, these devices often result in increased noise (acceleration/deceleration, movement of loads) and the need for

increased street lighting. The report also contains a concept restricting movements into Mill Road. This is considered highly unlikely to be supported by the community, but would be the most effective option if there was a strong desire to address any 'rat running'.

Staff subsequently developed a proposal for the installation of relatively low impact and lower cost devices that will provide a moderate level of traffic calming. This is shown in **Appendix 2**. This proposal includes the installation of 'safety bars', protuberances and centre medians.

Engagement with the Lobethal Primary School over the last 12 months based on item 3 from the resolution from the 25 July 2023 meeting has resulted in the proposal for an Emu Crossing on School Road, to direct pedestrians from the primary school to the existing crossing on Mill Road. Emu Crossings, which feature red and white posts, with flags placed at peak use times requiring vehicles to give way to pedestrians, are commonplace on local roads around schools. This solution is estimated at a cost of \$42,000 if delivered in conjunction with the other initiatives contained within this report. Staff have engaged the Department of Education for co-funding options through their Way2Go Program.

3. OPTIONS

Council has the following options:

1. Consider funding for either or both of the initiatives proposed in this report.
2. Not fund mitigation measures.

4. APPENDICES

- (1) MODUS Report -Road Safety Analysis - April 2024
- (2) Preliminary Design - Traffic Safety Improvements – Mill Road & Ridge Road, Lobethal

Appendix 1

MODUS Report -Road Safety Analysis

April 2024

Technical Memorandum

To	David Collins, Manager Strategic Assets Adelaide Hills Council	Date	26 April 2024
Prepared by	Emily Gallagher, Graduate Traffic Engineer	Approved by	Tetteh Anang, Senior Traffic Engineer
Location	Ridge Road and Mill Road, Lobethal, SA		
Subject	Traffic Engineering Report – Road Safety Assessment		
Status	Final	Attachments	Appendix A: Speed Survey and Traffic Results Appendix B: Concept Plans

1 Introduction

1.1 Overview

Modus Transport and Traffic Engineering (Modus) has been commissioned by Adelaide Hills Council, to provide traffic and transport advice in relation to the existing traffic conditions along Ridge Road and Mill Road, Lobethal, SA.

This Road Safety Assessment has been completed along Mill Road and Ridge Road to determine alleged speeding and increased traffic volumes with motorists avoiding the Main Street in Lobethal.

Lobethal is a town in the Adelaide Hills area of South Australia nestled on the banks of a creek between the hills and up the sides of a valley with Main Street running through the middle of the town, which is classed as a sub-arterial road under the care, control and management of the Department for Infrastructure and Transport (DIT).

Speed surveys have been undertaken at Ridge Road and Mill Road to assist Modus in understanding the existing traffic conditions. The raw survey data has been provided at **Appendix A**.

1.2 References

The following references have been utilised in the following assessment:

- ▶ Speed Survey Data
- ▶ Traffic survey Data

1.3 Limitations

Modus has completed this road safety assessment report in accordance with the usual care and thoroughness of the consulting profession. The assessment is based on accepted traffic engineering practises and standards applicable at the time of undertaking the assessment. Modus disclaims responsibility for any changes to project planning or road conditions that may occur after completion of the assessment.

2 Existing Conditions

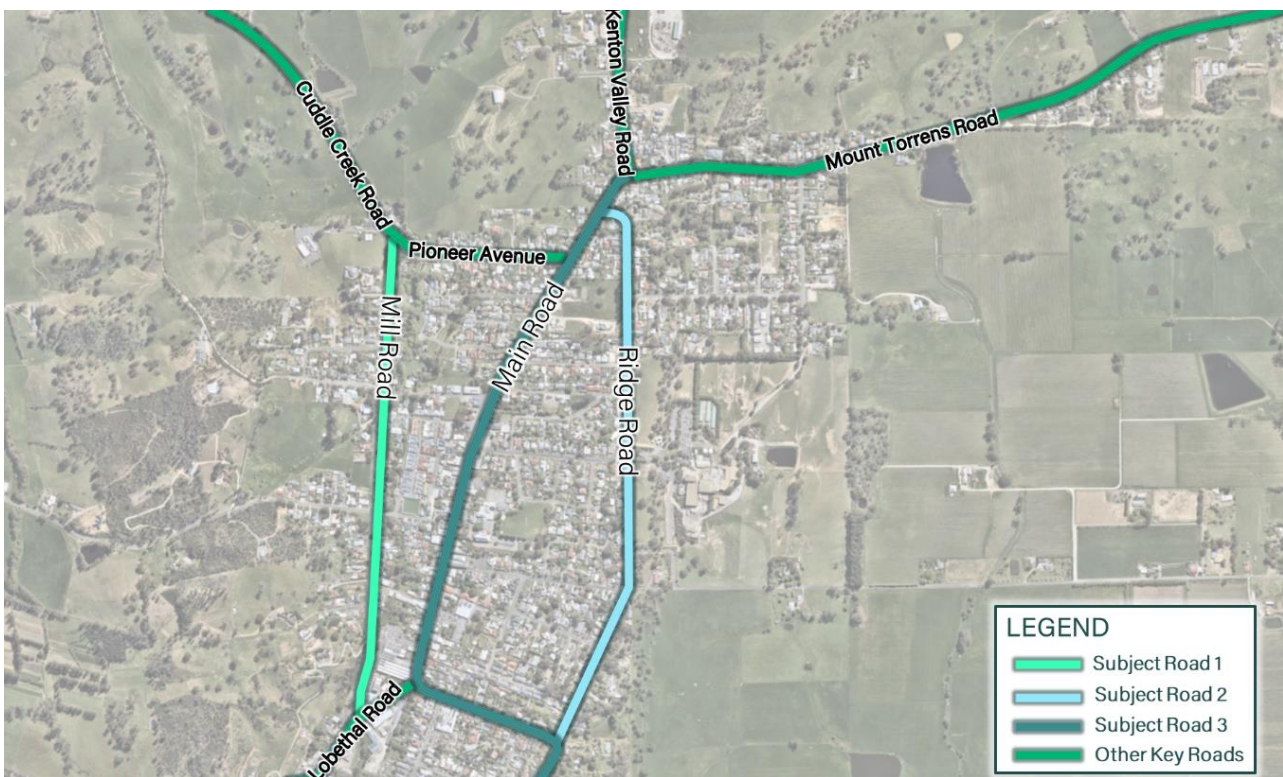
2.1 Surrounding Road Network

Adelaide Hills Council (AHC) advised Modus that motorists are utilising Mill Road and Ridge Road to short-cut or 'rat running' and avoid the congestion along the Main Street in Lobethal.

Modus has additionally been advised that motorists are travelling at higher speeds along these roads.

Figure 2-1 illustrates the road network in proximity to the subject roads.

Figure 2-1 Surrounding Road Network



2.2 Subject Roads

Table 2-1 outlines the characteristics of the subject roads.

Table 2-1 Key Road Characteristics

Identification	Road Name	Speed	Hierarchy	Typical Form
Subject Road 1	Mill Road	50 km/h	Collector Road	Undivided, sealed, two-way carriageway with one lane in each direction
Subject Road 2	Ridge Road	50 km/h	Collector Road	Undivided, sealed, two-way carriageway with one lane in each direction
Subject Road 3	Main Road	50 km/h	Sub-Arterial	Undivided, sealed, two-way carriageway with one lane in each direction

2.3 Future Network Planning

Adelaide Hills Council released a Project update of the Adelaide Hills Productivity and Road Safety Package, in March 2023.

The project updated states:

“The Department for Infrastructure and Transport (DIT) is delivering the Adelaide Hills Productivity and Road Safety (PRS) Package, which aims to upgrade some of the region’s key strategic arterial roads. The \$150 million initiative, jointly funded by the Australian and South Australian governments (80:20), includes a range of road improvements to support economic growth, improve road safety and increase fire resilience in the Adelaide Hills area.”

Main Road, Lobethal is included in this project. The project is still in the early stages, where community engagement is being sought. It should be noted that there are no plans on the future upgrades available to the public at the time of writing.

3 Road Safety Assessment

3.1 Overview

A review has been conducted of Mill Road (**Subject Road 1**) and Ridge Road (**Subject Road 2**) as both roads are becoming utilised as a thoroughfare for road users attempting to avoid traffic along Main Street.

It is noted that the above stated is likely as a result of Ridge Road and Mill Road being designed as straight, undivided, two-way, two-lane roads with minimal speed control and no traffic signals. Where in comparison, Main Street has several commercial tenancies, bus routes, on-street car parking with additional vehicle manoeuvring, and traffic signals which Modus is of the understanding that this in fact slows the general traffic flow considerably.

Traffic Volume Surveys and Speed Surveys were undertaken at two (2) locations along Mill Road, three (3) locations along Ridge Road. The locations are demonstrated in **Figure 3-1**, with further details provided in **Table 3-1**. It is noted that AHC has provided Modus estimated AADT along Main Road for the assessment, which is illustrated in **Figure 3-1**.

Figure 3-1 Survey Locations

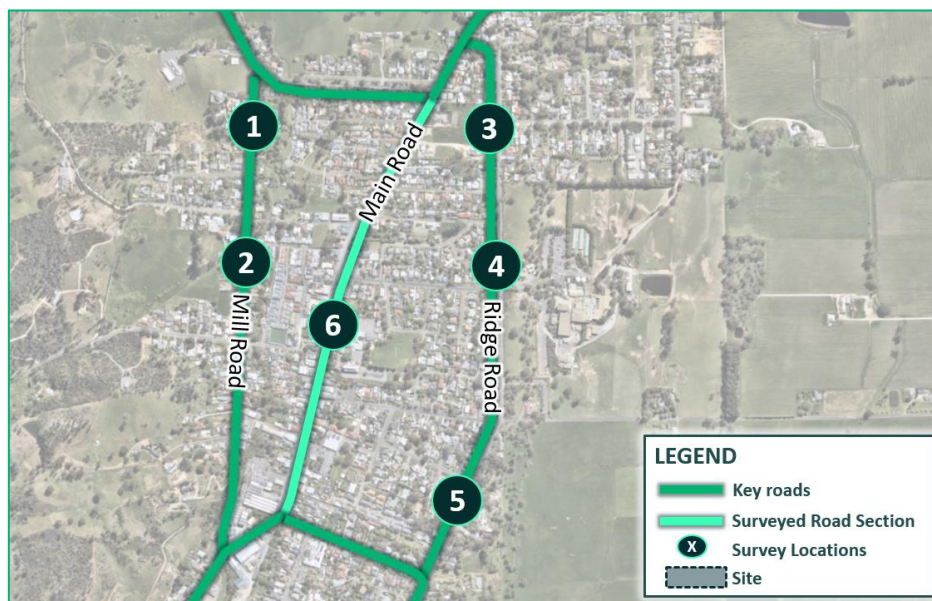


Table 3-1 Survey Locations

Survey Location	Location	Speed Limit
1	51 Mill Road, Lobethal	50 km/h
2	35 Mill Road, Lobethal	50 km/h
3	17 Ridge Road, Lobethal	50 km/h
4	36 Ridge Road, Lobethal	50 km/h

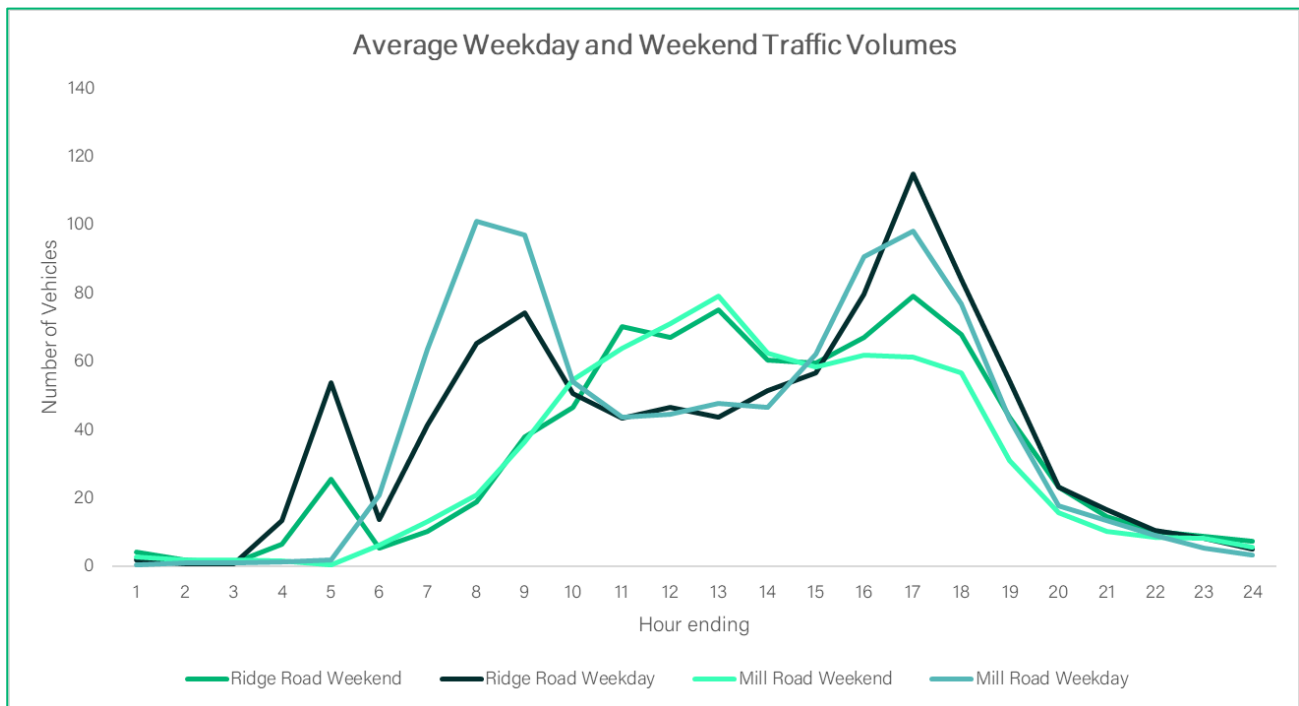
5	76 Ridge Road, Lobethal	50 km/h
6 (Main Street)	Main Street from Pioneer Avenue to Woodside Street	50 km/h

3.2 Traffic Survey Results

The speed surveys and traffic surveys along Mill Road and Ridge Road were undertaken at the six (5) survey locations outlined in **Table 3-1**, from 12:00AM Saturday 26 August 2023 to 12:00AM Monday 18 September 2023.

As illustrated in **Figure 3-2**, the vehicles travelling along both Mill Road and Ridge Road are higher during the peak periods. It should be noted that higher volumes are expected during these periods and therefore, this is not conclusive of 'rat running'.

Figure 3-2 Average Weekday and Weekend Traffic Volumes



Average Annual Daily Traffic (AADT) data from 2015 has also been sourced from the Road Asset Management department of Government of South Australia (GSA) for Main Street. It is acknowledged this data is outdated and only provides an estimate for traffic along the length of road from Woodside Road to Pioneer Avenue. Nonetheless, to provide a reference for traffic volumes collected along both Mill Road and Ridge Road, the Main Street AADT and Heavy Vehicle (HV) percentage has been outlined in Table 3-2 along with the survey sites.

Table 3-2 Main Street AADT Volumes

Survey Location	AADT	HV %
1 -51 Mill Road	744 vpd	43 vpd (5.8%)
2- 35 Mill Road, Lobethal	865 vpd	89 vpd (10.2%)
3 -17 Ridge Road, Lobethal	814 vpd	69 vpd (7.9%)
4 -36 Ridge Road, Lobethal	908 vpd	120 vpd (13.1%)
5 -76 Ridge Road, Lobethal	826 vpd	63 vpd (7.6%)
Main Street	4,800 vpd	340 vpd (7%)

3.3 Speed Survey Results

3.3.1 Mill Road

Table 3-3 details the 85th percentile speed of vehicles travelling along Mill Road during the survey period, as well as the percentage of vehicles travelling above the speed limit at each survey location.

Table 3-3 Mill Road Survey Data Results

Survey Location	Location	85 th Percentile Speed	% Travelling above Speed Limit (50 km/h)
1	51 Mill Road, Lobethal	55 km/h	40.1%
2	35 Mill Road, Lobethal	55 km/h	53.8%

As detailed in **Table 3-3**, the 85th percentile speed of vehicles travelling along Mill Road is 55 km/h, which is 5 km/h above the posted speed limit of 50 km/h.

Furthermore, at each of the survey locations, 40% to 55% of vehicles are travelling at a speed higher than the posted speed limit (50 km/h).

3.3.2 Ridge Road

Table 3-4 details the 85th percentile speed of vehicles travelling along Ridge Road during the survey period, as well as the percentage of vehicles travelling above the speed limit at each survey location.

Table 3-4 Ridge Road Survey Data Results

Survey Location	Location	85 th Percentile Speed	% Travelling above Speed Limit (50 km/h)
4	17 Ridge Road, Lobethal	55 km/h	32.6%
5	36 Ridge Road, Lobethal	60 km/h	63.3%
6	76 Ridge Road, Lobethal	55 km/h	41.6%

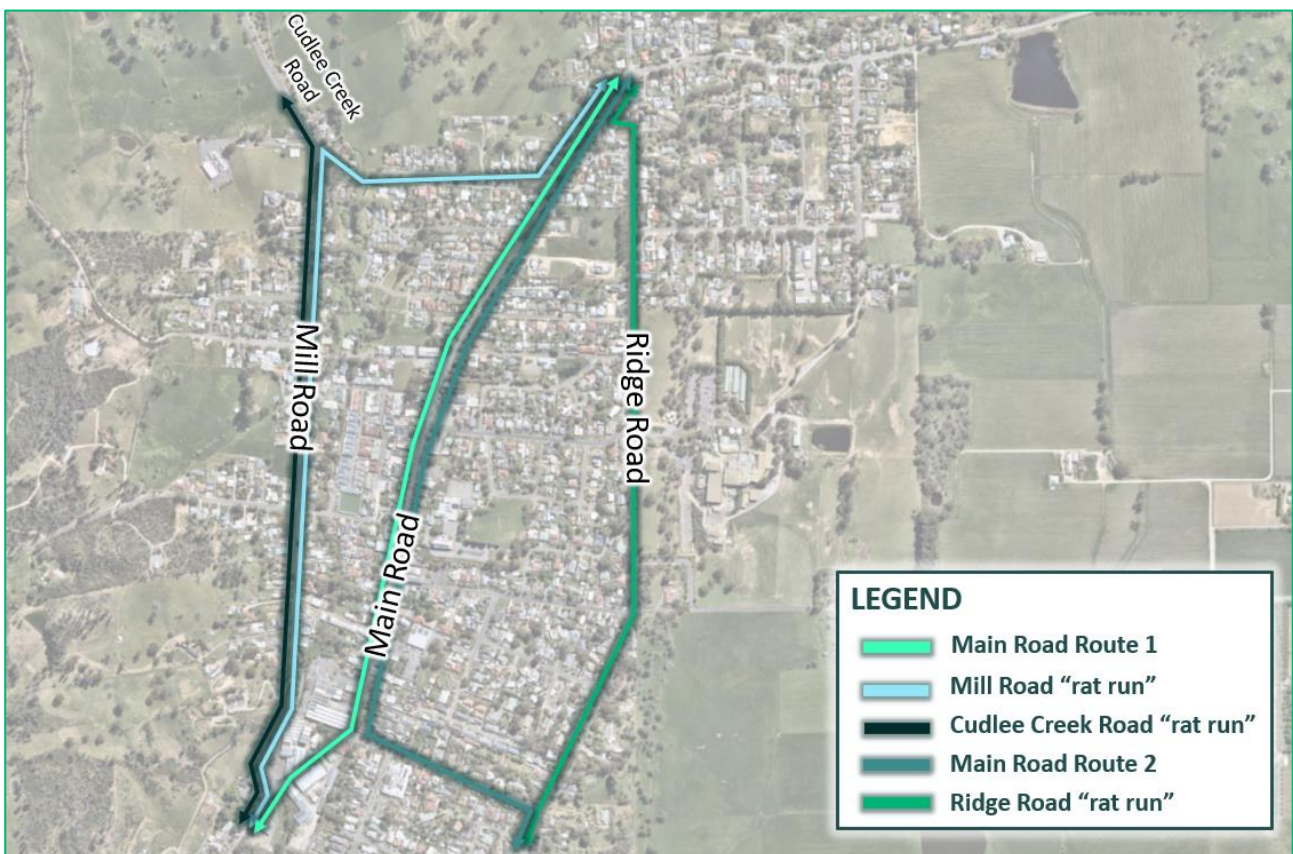
As detailed in **Table 3-4**, the 85th percentile speed of vehicles travelling along Ridge Road is 55-60 km/h, which is 5 km/h to 10 km/h above the posted speed limit of 50 km/h.

Furthermore, at each of the survey locations, 30% to 65% of vehicles are travelling at a speed higher than the posted speed limit of 50 km/h, where two (2) vehicles were surveyed driving at speeds of 150-160 km/h at Survey Location 4. These speeds are typically attributed to dangerous driving activities i.e. hooning. However, of the daily traffic recorded at the location where this occurred (17 Ridge Road, Lobethal) these speed recordings only correlate to 0.246% of the total traffic (814 vpd). Nonetheless, Modus believes the high vehicles speeds at this location should be investigated and potential mitigation measures proposed.

3.4 Route Allocation

Modus has reviewed google data to determine the difference in travel time between the Main Road route, and the 'rat running' routes along Mill Road and Ridge Road, as illustrated in **Figure 3-3** below.

Figure 3-3 Main Route vs Rat Running Route



The difference in time between the routes identified in **Figure 3-3** is detailed in **Table 3-5**, **Table 3-6** and **Table 3-7**.

Table 3-5 Difference in travel time between Ridge Road and Main Road

Day/Time	Main Road Route	Ridge Road Route
Weekday Peak (5pm)	3 minutes	4 minutes
Weekend Peak (1pm)	3 minutes	3 minutes

Table 3-6 Difference in travel time between Mill Road and Main Road

Day/Time	Main Road Route	Mill Road Route
Weekday Peak (5pm)	3 minutes	3 minutes
Weekend Peak (1pm)	3 Minutes	3 minutes

Table 3-7 Difference in travel time of Cudlee Creek Road to Main Street or Cudlee Creek to Mill Road

Day/Time	Main Road Route	Mill Road Route
Weekday Peak (5pm)	3 minutes	2 minutes
Weekend Peak (1pm)	3 Minutes	2 minutes

The results of **Table 3-5**, **Table 3-6** and **Table 3-7** indicate that the difference in travel time between Main Road and either Ridge or Mill Road is negligible. Although, travel time is increased most when Mill Road is taken instead of Main Street when travelling from Cudlee Creek Road. This indicates that drivers are able to utilise either Mill Road or Ridge Road to circumvent the Main Road route with little to no delay to their trip with the exception of from Cudlee Creek Road where 'rat running' is much more incentivised as this route reduces the overall travel distance by approx. 600m.

Depending on driver origin / destination, this can result in vehicles travelling along Ridge Road or Mill Road to avoid the interrupted traffic flow along Main Road. Although it is also noted that there is little to no benefit in terms of travel time to utilising Ridge Road or Mill Road unless drivers exceed the speed limit or travel from or towards Cudlee Creek Road.

Considering Mill Road and Ridge Road are currently experiencing drivers who are exceeding the speed limit, it is recommended that measures are investigated to reduce the enticement of alternative routes to the Main Road route.

3.5 Traffic Generation

The traffic volumes anticipated to be generated by various large land uses along both Mill Road and Ridge Road have been considered to understand a holistic perspective of the vehicle traffic and 'rat running' occurring along these roads.

3.5.3 T & R Pastoral Abattoir

The T & R Pastoral Abattoir is located at 40 Ridge Road and is a major industrial business with several access locations and on-street parking facilities for staff/visitors. The access along Ridge Road services the staff private vehicles and small courier deliveries, all heavy vehicle movements such as livestock transport utilise the access along Frick Street.

To estimate the traffic generation of the existing site, a Traffic Impact Study (2011) undertaken by i3 Consultants for Northern Australia Beef Ltd.'s proposed Abattoir in Livingston. An estimated breakdown of vehicle trips per day per operational activity were provided. The traffic expected to be generated by the Livingston Abattoir was 272.6 vpd.

Modus has undertaken a high-level, conservative assessment to approximate the peak hourly traffic of the T & R Pastoral Abattoir, using the daily traffic expected at the Abattoir in Livingston. To provide a conservative approach, the 272.6 vpd has been assumed to evenly occur during the peak hours (136.3 vph in the AM and PM peak hours respectively.)

It can be assumed that traffic from the staff vehicles will typically enter during the AM and depart in the PM, whereas the light courier vehicles are more likely to enter and exit throughout the day. However, to be conservative, all traffic has assumed to follow the staff vehicle arrangements. The directional distribution and subsequent directional traffic generation are detailed in Table 3-8.

Table 3-8 Directional Distribution

Land Use	AM		PM	
	IN	OUT	IN	OUT
Directional Distribution	70%	30%	30%	70%
Directional Traffic Generation	95.4 vph	40.9 vph	40.9 vph	95.4 vph

It is acknowledged that the traffic generation detailed within Table 3-8 provides an estimate only, it is however expected to be a conservative approach based on the assumptions.

The abattoir is expected to generate 95vph entering and 41vph exiting in the AM peak hour and 41vph entering and 95vph exiting in the PM peak hour.

The vehicle survey counter at 36 Ridge Road (adjacent the Abattoir) recorded 908 vpd. As such, it is estimated that 30% of the daily traffic along Ridge Road (272.6 vph) is generated by the Abattoir.

3.5.4 Lobethal Primary School

Lobethal Primary School is located at the intersection of Mill Road and School Road. As of Term 3 2023, the school has 131 active enrolments.

Reference has been made to the Roads and Maritime Services Trip Generation Surveys Schools Analysis Report. The traffic generation rates and expected traffic generation has been summarised in Table 3-9.

Table 3-9 Traffic Generation

Land Use	Yield (Additional day scholars)	Peak Hour Rate		Peak Hour Demand (vph)			
		AM PEAK	PM PEAK	AM PEAK		PM PEAK	
				IN (50%)	OUT (50%)	IN (50%)	OUT (50%)
Primary School	131	0.67 vph per student	0.53 vph per student	43.9vph	43.9vph	34.7vph	34.7vph
Total Traffic Generation				87.8vph		69.4vph	

As detailed in Table 3-9, 88vph (87.8vph) are expected to either enter or exit the site during the AM peak period and 69vph (69.4vph) are expected to either enter or exit the site during the PM peak periods.

3.5.5 Main Street

As detailed in section 3.2, AADT data including HV % for Main Street was sourced from GSA. To contrast the traffic experienced along both Mill Road and Ridge Road with respect to the volumes experienced along Main Street, an assessment has been conducted to determine the percentage of Main Street traffic each alternative route corresponds to. This is detailed in Table 3-10.

Table 3-10 Main Street AADT Volumes Comparison

Survey Location	AADT	AADT as a % of Main St	HV	HV as a % of Main St
1 -51 Mill Road	744 vpd	16%	43 vpd	13%
2- 35 Mill Road, Lobethal	865 vpd	18%	89 vpd	26%
Mill Road Average	804.5 vpd	17%	66 vpd	19%
3 -17 Ridge Road, Lobethal	814 vpd	17%	69 vpd	20%
4 -36 Ridge Road, Lobethal	908 vpd	19%	120 vpd	35%
5 -76 Ridge Road, Lobethal	826 vpd	17%	63 vpd	19%
Ridge Road Average	867 vpd	18%	91.5 vpd	27%
Main Street	4,800 vpd	N/A	340 vpd	N/A

As detailed in Table 3-10, on average only 17% and 18% of the traffic experienced along Mill Road and Ridge Road respectively, make up the total daily traffic present along Main Street. The traffic surveys along the alternative routes are also inclusive of the traffic volumes expected to be generated by both the T & R Pastoral Abattoir and Lobethal Primary School, these are anticipated to be the largest generators present along each route.

Based on the above, the presence of vehicles undertaking 'rat running' activities are not considered high compared with the existing traffic that is currently travelling along the main thoroughfare of Main Street.

It is also noted that the Main Street AADT data was collected in 2015 and the corresponding AADT is expected to have grown by at least 1.0% p.a. As such, the disparity between surveyed volumes along both Mill Road and Ridge Road compared with Main Street is anticipated to be even greater. For contextual purposes, if a conservative 1.00% growth rate were to be applied to the 2015 survey (4,800 vpd), the expected background AADT along Main Street in 2023 would be 5,198 vpd, an increase in 398 vpd (8.3% increase).

4 Recommendations

Modus has conducted a Road Safety Assessment of Mill Road and Ridge Road to determine alleged speeding and increased traffic volumes with motorists avoiding the Main Street in Lobethal, SA.

Based on the survey data we have been provided, it remains unclear whether individuals are utilising Mill Road and Ridge Road as a 'rat running' route to avoid congestion along Main Street. However, based on traffic engineering experience and judgement, 'rat running' is likely as a result of Ridge Road and Mill Road being designed as straight, two-way, two-lane roads with minimal speed control and no traffic lights. Where in comparison, Main Street having several commercial tenancies, bus routes, on-street parking with additional vehicle manoeuvres and traffic signals, which Modus considers these factors slows traffic flow along Main Street.

A traffic volume comparison has also been undertaken for the alternative routes and Main Street which indicates that the traffic experienced along both Mill Road and Ridge Road constitutes to less than 20% of the traffic surveyed along Main Street. Given the large traffic generators along Mill Road and Ridge Road, this is considered low and potentially indicates that 'rat running' activity is low.

Notwithstanding the above, the results have clearly identified that vehicles are travelling along Ridge Road and Mill Road at speeds that are higher than the posted speed limit of 50 km/h, and in certain instances, significantly exceeding the speed limit.

Therefore, Modus is of the view that the speed along both Mill Road and Ridge Road requires mitigation measures in order to reduce observed driver speeds. It is recommended that Mill Road and Ridge Road be investigated to determine suitable mitigation measures to reduce 'rat running' on the existing road network.

Modus is able to investigate measures as part of the next phase of the assessment where the following will be considered:

- ▶ Chicanes and lane shifts
- ▶ Lane closures and access restrictions using traffic islands
- ▶ Speed humps
- ▶ Signage
- ▶ Pinch points
- ▶ Intersection arrangements
- ▶ Amendments in road geometry
- ▶ Amendments to road alignment

5 Mitigation Measures

Upon receipt of approval from Council regarding the proposed recommendations detailed above, Modus have prepared concept plans detailing mitigation measures which are shown in Appendix B. The proposed measures include installing chicanes, modifying intersection geometry, providing speed humps and installing traffic islands. The changes are hard measures which generally have greater success compared with soft measures such as signage.

At a high level, these traffic management measures are intended to reduce vehicle speeds along Ridge Road and Mill Road while ensuring heavy vehicle routes are not impeded. Thus, the routes will offer greater safety outcomes for the local community and reduce the incentive for 'rat running' activities to occur.

Modus believes the proposed mitigation measures utilise best practice design principles and are expected to be effective in disincentivising 'rat running' behaviours through Lobethal.

Should there be any issue with the above, please contact the undersigned.

Yours sincerely,



Tetteh Anang
Senior Traffic Engineer

MODUS TRANSPORT & TRAFFIC ENGINEERING

We See It, We Solve It.



tetteh.anang@moduseng.com.au



0417 953 140

APPENDIX A

Speed and Traffic Survey Results

Site: [Lobethal] 17 Ridge Road, Lobethal
Attribute: 50 Km/h
Input A: 7 - North bound A>B, South bound B>A. - Lane= 2, Added to totals. (/2.000)
Input B: 0 - Unused or unknown. - Lane= 3, Excluded from totals.
Survey Duration: 0:00 Saturday, 26 August 2023 => 9:30 Thursday, 21 September 2023,
Zone:
File: Lobethal 0 2023-09-21 0930.EC2 (Plus)
Identifier: CP7981AD MC56-L5 [MC55] (c)Microcom 19Oct04
Algorithm: Event Count (v5.08)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:
Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Tuesday, 19 September 2023 (24)
Separation: GapX > 0 sec
Name: Default Profile
Scheme: Count events divided by setup divisor
Units: Metric (metre, kilometre, m/s, km/h, kg, tonne)
In profile: Events = 42061 / 42061 (100.00%)

*** Saturday, 26 August 2023=885, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
1	0	1	12	49	6	19	30	47	43	60	58	64	61	60	63	98	81	63	25	12	12	9	13	
1	0	1	1	8	1	2	7	9	9	13	14	19	17	19	20	22	20	17	7	7	3	3	4	2
0	0	0	2	11	1	6	4	11	9	13	14	8	14	17	14	25	27	16	9	0	4	0	2	0
0	0	0	4	20	3	7	7	15	15	15	18	20	16	15	10	24	20	15	6	2	4	5	1	0
0	0	0	5	10	1	4	12	12	10	19	12	17	15	10	20	27	15	15	3	3	1	1	6	1

AM Peak 1045 - 1145 (65), AM PHF=0.85 PM Peak 1600 - 1700 (98), PM PHF=0.91

*** Sunday, 27 August 2023=643, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
3	4	0	0	0	4	5	13	40	46	62	56	68	49	51	75	60	44	37	11	7	3	3	5	
2	0	0	0	0	0	1	3	5	4	24	11	19	16	12	19	16	11	13	2	3	0	1	2	1
0	1	0	0	0	1	1	5	19	16	8	19	25	8	13	18	19	8	13	3	2	2	1	1	1
0	0	0	0	0	2	3	2	7	15	15	10	16	15	10	21	15	9	7	4	1	1	0	0	0
1	3	0	0	0	1	0	3	9	11	15	16	8	10	16	17	10	16	4	2	1	0	1	2	0

AM Peak 1145 - 1245 (76), AM PHF=0.76 PM Peak 1500 - 1600 (75), PM PHF=0.91

*** Monday, 28 August 2023=946, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
2	0	3	13	52	10	39	77	78	46	33	47	51	48	57	85	117	73	52	22	20	13	7	4	
1	0	0	2	5	1	14	21	25	7	11	14	12	10	23	18	36	24	17	8	7	4	1	1	1
1	0	0	2	15	2	6	23	20	12	10	10	16	12	10	21	35	17	15	3	2	2	2	1	1
0	0	1	4	23	2	11	15	13	18	4	11	10	14	12	13	28	16	10	5	7	1	3	2	0
0	0	2	5	9	5	8	19	20	9	8	12	14	12	12	33	18	16	10	6	4	6	1	0	0

AM Peak 0715 - 0815 (82), AM PHF=0.81 PM Peak 1545 - 1645 (132), PM PHF=0.92

*** Tuesday, 29 August 2023=1801, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
2	1	1	16	49	14	47	74	115	86	104	106	109	103	117	207	284	132	98	45	37	35	8	14	
1	0	0	3	9	4	11	10	18	24	28	26	44	31	29	48	71	39	30	29	16	4	6	2	0
1	0	1	1	10	4	9	20	30	32	24	21	26	27	20	63	73	27	24	3	9	10	0	3	2
0	0	0	5	16	1	14	21	31	14	18	35	20	15	44	42	88	36	7	7	6	11	0	4	0
0	1	0	7	14	5	13	24	37	17	34	26	19	31	25	55	54	30	37	6	6	10	3	5	0

AM Peak 1130 - 1230 (130), AM PHF=0.74 PM Peak 1545 - 1645 (285), PM PHF=0.81

*** Wednesday, 30 August 2023=1075, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
2	4	0	30	94	29	65	114	153	92	64	45	35	36	58	65	71	46	43	18	10	2	0	3	
0	4	0	6	10	8	13	22	36	33	21	17	4	17	23	13	22	10	14	7	3	0	0	0	1
2	0	0	2	26	6	12	26	37	23	14	9	19	5	4	22	32	12	15	3	5	0	0	0	0
0	0	0	8	36	6	19	37	34	14	15	13	9	10	16	26	11	15	8	5	0	1	0	1	0
0	0	0	14	22	9	21	31	46	23	15	7	4	4	16	5	7	10	7	3	2	1	0	2	0

AM Peak 0800 - 0900 (153), AM PHF=0.83 PM Peak 1530 - 1630 (83), PM PHF=0.66

*** Thursday, 31 August 2023=672, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
1	0	0	29	64	11	32	59	80	53	32	31	25	34	32	38	66	44	23	15	4	2	1	0	
1	0	0	4	9	2	7	16	12	16	7	7	8	5	7	12	20	12	6	7	0	0	1	0	0
0	0	0	6	17	4	9	14	27	10	12	13	5	13	7	3	12	8	8	3	1	1	0	0	0
0	0	0	6	20	1	11	11	29	9	9	5	6	5	9	11	21	9	5	2	0	1	0	0	0
0	0	0	13	18	4	5	19	13	19	5	6	6	12	9	12	14	15	4	3	3	0	0	0	0

AM Peak 0745 - 0845 (86), AM PHF=0.75 PM Peak 1600 - 1700 (66), PM PHF=0.80

* Friday, 1 September 2023=1012, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 49. Includes a final column with values 2, 0, 0, 0, 2.

AM Peak 1130 - 1230 (74), AM PHF=0.82 PM Peak 1615 - 1715 (117), PM PHF=0.79

* Saturday, 2 September 2023=886, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 23. Includes a final column with values 1, 0, 0, 1, 1.

AM Peak 1115 - 1215 (88), AM PHF=0.93 PM Peak 1615 - 1715 (110), PM PHF=0.82

* Sunday, 3 September 2023=731, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 25. Includes a final column with values 0, 0, 0, 0, 1.

AM Peak 1145 - 1245 (95), AM PHF=0.91 PM Peak 1200 - 1300 (89), PM PHF=0.86

* Monday, 4 September 2023=943, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 35. Includes a final column with values 0, 1, 0, 0, 0.

AM Peak 0745 - 0845 (79), AM PHF=0.84 PM Peak 1600 - 1700 (110), PM PHF=0.92

* Tuesday, 5 September 2023=1052, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 55. Includes a final column with values 0, 1, 0, 0, 0.

AM Peak 0845 - 0945 (76), AM PHF=0.81 PM Peak 1600 - 1700 (130), PM PHF=0.72

* Wednesday, 6 September 2023=943, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 58. Includes a final column with values 1, 0, 0, 0, 0.

AM Peak 0800 - 0900 (74), AM PHF=0.88 PM Peak 1630 - 1730 (103), PM PHF=0.86

* Thursday, 7 September 2023=867, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 48. Includes a final column with values 0, 0, 0, 0, 0.

AM Peak 0800 - 0900 (80), AM PHF=0.81 PM Peak 1630 - 1730 (127), PM PHF=0.69

* Friday, 8 September 2023=897, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 55. Includes a final column with values 1, 2, 0, 0, 0.

AM Peak 0800 - 0900 (63), AM PHF=0.87 PM Peak 1615 - 1715 (112), PM PHF=0.77

* Saturday, 9 September 2023=799, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 43. Includes a final column with values 4, 2, 3, 1, 1.

AM Peak 1015 - 1115 (73), AM PHF=0.78 PM Peak 1615 - 1715 (99), PM PHF=0.82

* Sunday, 10 September 2023=661, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Sunday, 10 September 2023. Values range from 0 to 27.

AM Peak 1145 - 1245 (78), AM PHF=0.89 PM Peak 1200 - 1300 (85), PM PHF=0.80

* Monday, 11 September 2023=892, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Monday, 11 September 2023. Values range from 0 to 22.

AM Peak 0800 - 0900 (80), AM PHF=0.91 PM Peak 1600 - 1700 (131), PM PHF=0.87

* Tuesday, 12 September 2023=968, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Tuesday, 12 September 2023. Values range from 0 to 25.

AM Peak 0815 - 0915 (74), AM PHF=0.74 PM Peak 1615 - 1715 (133), PM PHF=0.87

* Wednesday, 13 September 2023=998, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Wednesday, 13 September 2023. Values range from 0 to 25.

AM Peak 0800 - 0900 (81), AM PHF=0.81 PM Peak 1630 - 1730 (138), PM PHF=0.90

* Thursday, 14 September 2023=943, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Thursday, 14 September 2023. Values range from 0 to 27.

AM Peak 0800 - 0900 (91), AM PHF=0.85 PM Peak 1615 - 1715 (110), PM PHF=0.88

* Friday, 15 September 2023=953, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Friday, 15 September 2023. Values range from 0 to 22.

AM Peak 0800 - 0900 (80), AM PHF=0.87 PM Peak 1615 - 1715 (119), PM PHF=0.93

* Saturday, 16 September 2023=870, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Saturday, 16 September 2023. Values range from 0 to 22.

AM Peak 1000 - 1100 (78), AM PHF=0.90 PM Peak 1600 - 1700 (91), PM PHF=0.73

* Sunday, 17 September 2023=657, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Sunday, 17 September 2023. Values range from 0 to 23.

AM Peak 1145 - 1245 (74), AM PHF=0.80 PM Peak 1215 - 1315 (69), PM PHF=0.74

* Monday, 18 September 2023=249, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Monday, 18 September 2023. Values range from 0 to 19.

AM Peak 0730 - 0830 (71), AM PHF=0.72

230918 – CNT - 17 Ridge Road, Lobethal - PDF
MetroCount Traffic Executive
Class Speed Matrix

ClassMatrix-190 -- English (ENA)

Datasets:

Site: [Lobethal] 17 Ridge Road, Lobethal
Attribute: 50 Km/h
Direction: 7 - North bound A>B, South bound B>A. **Lane:** 2
Survey Duration: 0:00 Saturday, 26 August 2023 => 9:30 Thursday, 21 September 2023,
Zone:
File: Lobethal 0 2023-09-21 0930.EC2 (Plus)
Identifier: CP7981AD MC56-L5 [MC55] (c)Microcom 19Oct04
Algorithm: Factory default axle (v5.08)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time: **0:00 Saturday, 26 August 2023 => 0:00 Monday, 18 September 2023 (23 Days)**
Included classes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Speed range: 10 - 160 km/h.
Direction: North, East, South, West (bound), P = North, Lane = 0-16
Separation: Headway > 0 sec, Span 0 - 100 metre
Name: Default Profile
Scheme: Vehicle classification (AustRoads94)
Units: Metric (metre, kilometre, m/s, km/h, kg, tonne)
In profile: Vehicles = 18727 / 19162 (97.73%)

Class Speed Matrix

ClassMatrix-190

Site: Lobethal.2.3NS
Description: 17 Ridge Road, Lobethal
Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Monday, 18 September 2023
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

km/h	Class												Total	
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12		
10- 20	804	3	20	7	11	.	1	.	1	.	.	.	847	4.5%
20- 30	1327	65	93	22	4	3	3	.	1	.	.	.	1518	8.1%
30- 40	5145	116	453	3	7	7	17	.	.	.	.	.	5748	30.7%
40- 50	4013	62	404	4	3	12	4	.	1	.	.	.	4503	24.0%
50- 60	4006	56	275	2	.	5	6	.	.	.	.	.	4350	23.2%
60- 70	1277	8	122	.	.	2	1	.	.	.	.	.	1410	7.5%
70- 80	168	.	30	.	.	.	1	.	.	.	.	.	199	1.1%
80- 90	19	.	26	2	.	1	.	.	.	.	.	.	48	0.3%
90-100	5	.	9	.	.	.	.	.	.	.	.	.	14	0.1%
100-110	5	.	7	.	.	.	.	.	.	.	.	.	12	0.1%
110-120	52	.	6	.	.	.	.	.	.	.	.	.	58	0.3%
120-130	.	.	5	.	.	.	.	.	.	.	.	.	5	0.0%
130-140	2	.	7	.	.	.	.	.	.	.	.	.	9	0.0%
140-150	1	.	3	.	.	.	.	.	.	.	.	.	4	0.0%
150-160	.	.	2	.	.	.	.	.	.	.	.	.	2	0.0%
Total	16824	310	1462	40	25	30	33	0	3	0	0	0	18727	
	89.8%	1.7%	7.8%	0.2%	0.1%	0.2%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%		

VPD - 814

CV - 7.9%

CV/Day - 69.2

230918 – CNT - 35 Mill Road, Lobethal - PDF
MetroCount Traffic Executive
Class Speed Matrix

ClassMatrix-189 -- English (ENA)

Datasets:

Site: [Lobethal] 35 Mill Road, Lobethal
Attribute: 50 km
Direction: 7 - North bound A>B, South bound B>A. **Lane:** 0
Survey Duration: 0:00 Saturday, 26 August 2023 => 9:15 Thursday, 21 September 2023,
Zone:
File: Lobethal 0 2023-09-21 0915.EC0 (Plus)
Identifier: YN25QE5M MC5900-X13 (c)MetroCount 09Nov16
Algorithm: Factory default axle (v5.08)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Monday, 18 September 2023 (23 Days)
Included classes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Speed range: 10 - 160 km/h.
Direction: North, East, South, West (bound), P = North, Lane = 0-16
Separation: Headway > 0 sec, Span 0 - 100 metre
Name: Default Profile
Scheme: Vehicle classification (AustRoads94)
Units: Metric (metre, kilometre, m/s, km/h, kg, tonne)
In profile: Vehicles = 19897 / 20239 (98.31%)

Class Speed Matrix

ClassMatrix-189

Site: Lobethal.0.1NS
Description: 35 Mill Road, Lobethal
Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Monday, 18 September 2023
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

km/h	Class												Total	
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12		
10- 20	156	2	15	4	2	.	.	.	.	.	.	.	179	0.9%
20- 30	605	10	58	5	.	1	3	.	.	.	.	.	682	3.4%
30- 40	1178	29	138	11	3	1	22	1	2	.	1	.	1386	7.0%
40- 50	6182	140	573	11	4	15	23	.	2	.	.	.	6950	34.9%
50- 60	7675	152	838	6	6	26	25	.	.	1	1	.	8730	43.9%
60- 70	1536	26	204	1	.	2	4	.	.	.	.	.	1773	8.9%
70- 80	129	1	26	.	.	.	.	.	.	.	.	.	156	0.8%
80- 90	34	.	3	.	.	.	.	.	.	.	.	.	37	0.2%
90-100	3	.	.	.	.	.	.	.	.	.	.	.	3	0.0%
100-110	1	.	.	.	.	.	.	.	.	.	.	.	1	0.0%
110-120	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
120-130	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
130-140	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
140-150	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
150-160	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
Total	17499	360	1855	38	15	45	77	1	4	1	2	0	19897	
	87.9%	1.8%	9.3%	0.2%	0.1%	0.2%	0.4%	0.0%	0.0%	0.0%	0.0%	0.0%		

VPD – 865

CV – 10.2%

CV/Day – 88.6

230918 – CNT - 36 Ridge Road, Lobethal - PDF
MetroCount Traffic Executive
Class Speed Matrix

ClassMatrix-193 -- English (ENA)

Datasets:

Site: [Lobethal] 36 Ridge Road, Lobethal
Attribute: 50 Km/h
Direction: 7 - North bound A>B, South bound B>A. **Lane:** 2
Survey Duration: 0:00 Saturday, 26 August 2023 => 9:55 Thursday, 21 September 2023,
Zone:
File: Lobethal 0 2023-09-21 0955.EC2 (Plus)
Identifier: ES399KY7 MC56-L5 [MC55] (c)Microcom 19Oct04
Algorithm: Factory default axle (v5.08)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time: 0:00 Saturday, 26 August 2023 => 1:00 Monday, 18 September 2023 (23 Days)
Included classes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Speed range: 10 - 160 km/h.
Direction: North, East, South, West (bound), P = North, Lane = 0-16
Separation: Headway > 0 sec, Span 0 - 100 metre
Name: Default Profile
Scheme: Vehicle classification (AustRoads94)
Units: Metric (metre, kilometre, m/s, km/h, kg, tonne)
In profile: Vehicles = 20906 / 21148 (98.86%)

Class Speed Matrix

ClassMatrix-193

Site: Lobethal.2.3NS
Description: 36 Ridge Road, Lobethal
Filter time: 0:00 Saturday, 26 August 2023 => 1:00 Monday, 18 September 2023
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

km/h	Class												Total	
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12		
10- 20	64	.	3	.	1	.	.	.	.	.	.	.	68	0.3%
20- 30	141	14	20	.	1	.	1	.	1	.	.	.	178	0.9%
30- 40	861	39	93	4	3	1	3	.	1	.	.	.	1005	4.8%
40- 50	5878	118	377	9	1	12	15	.	1	.	.	.	6411	30.7%
50- 60	7614	138	1171	4	2	29	28	.	2	.	.	.	8988	43.0%
60- 70	2676	26	664	3	1	9	31	.	.	1	.	.	3411	16.3%
70- 80	484	5	190	1	.	4	3	.	.	.	.	.	687	3.3%
80- 90	73	.	45	1	.	1	.	.	.	.	.	.	120	0.6%
90-100	21	.	9	.	.	.	.	.	.	.	.	.	30	0.1%
100-110	4	.	1	.	.	.	.	.	.	.	.	.	5	0.0%
110-120	1	.	2	.	.	.	.	.	.	.	.	.	3	0.0%
120-130	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
130-140	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
140-150	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
150-160	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
Total	17817	340	2575	22	9	56	81	0	5	1	0	0	20906	
	85.2%	1.6%	12.3%	0.1%	0.0%	0.3%	0.4%	0.0%	0.0%	0.0%	0.0%	0.0%		

VPD – 908

CV – 13.1 %

CV/Day – 119.5

230918 – CNT - 5 Mill Road, Lobethal - PDF
MetroCount Traffic Executive
Class Speed Matrix

ClassMatrix-195 -- English (ENA)

Datasets:

Site: [Lobethal] 5 Mill Road, Lobethal
Attribute: 50 km/h
Direction: 7 - North bound A>B, South bound B>A. **Lane:** 0
Survey Duration: 0:00 Saturday, 26 August 2023 => 11:02 Thursday, 21 September 2023,
Zone:
File: Lobethal 0 2023-09-21 1102.EC0 (Plus)
Identifier: YP777ACV MC5900-X13 (c)MetroCount 09Nov16
Algorithm: Factory default axle (v5.08)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Monday, 18 September 2023 (23 Days)
Included classes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Speed range: 10 - 160 km/h.
Direction: North, East, South, West (bound), P = North, Lane = 0-16
Separation: Headway > 0 sec, Span 0 - 100 metre
Name: Default Profile
Scheme: Vehicle classification (AustRoads94)
Units: Metric (metre, kilometre, m/s, km/h, kg, tonne)
In profile: Vehicles = 18381 / 18969 (96.90%)

Class Speed Matrix

ClassMatrix-195

Site: Lobethal.0.1NS
Description: 5 Mill Road, Lobethal
Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Monday, 18 September 2023
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

km/h	Class												Total	
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12		
10- 20	24	2	2	1	1	.	.	.	.	.	.	.	30	0.2%
20- 30	564	11	20	12	7	1	1	.	.	.	.	.	616	3.4%
30- 40	2179	37	66	23	4	3	9	1	2	.	.	.	2324	12.6%
40- 50	4898	114	416	7	8	15	24	1	2	1	.	.	5486	29.8%
50- 60	5648	102	756	6	2	19	32	.	2	1	.	.	6568	35.7%
60- 70	1175	14	417	3	.	7	8	.	.	.	.	.	1624	8.8%
70- 80	149	.	305	1	.	1	1	.	.	.	.	.	457	2.5%
80- 90	98	.	203	.	.	3	1	.	.	.	.	.	305	1.7%
90-100	63	.	211	.	.	2	.	.	.	.	.	.	276	1.5%
100-110	41	.	156	1	.	2	1	.	.	.	.	.	201	1.1%
110-120	39	.	118	.	.	.	.	.	.	.	.	.	157	0.9%
120-130	16	.	99	.	.	.	.	.	.	.	.	.	115	0.6%
130-140	30	.	58	3	.	.	.	.	.	.	.	.	91	0.5%
140-150	23	.	51	2	.	.	.	.	.	.	.	.	76	0.4%
150-160	20	.	32	3	.	.	.	.	.	.	.	.	55	0.3%
Total	14967	280	2910	62	22	53	77	2	6	2	0	0	18381	
	81.4%	1.5%	15.8%	0.3%	0.1%	0.3%	0.4%	0.0%	0.0%	0.0%	0.0%	0.0%		

VPD – 799

CV – 16.9%

CV/Day – 136.2

230918 – CNT - 51 Mill Road, Lobethal - PDF
MetroCount Traffic Executive
Class Speed Matrix

ClassMatrix-191 -- English (ENA)

Datasets:

Site: [Lobethal] 51 Mill Road, Lobethal
Attribute: 50 Km/h
Direction: 7 - North bound A>B, South bound B>A. **Lane:** 0
Survey Duration: 0:00 Saturday, 26 August 2023 => 9:38 Thursday, 21 September 2023,
Zone:
File: Lobethal 0 2023-09-21 0939.EC0 (Plus)
Identifier: YN39B1YG MC5900-X13 (c)MetroCount 09Nov16
Algorithm: Factory default axle (v5.08)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Monday, 18 September 2023 (23 Days)
Included classes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Speed range: 10 - 160 km/h.
Direction: North, East, South, West (bound), P = North, Lane = 0-16
Separation: Headway > 0 sec, Span 0 - 100 metre
Name: Default Profile
Scheme: Vehicle classification (AustRoads94)
Units: Metric (metre, kilometre, m/s, km/h, kg, tonne)
In profile: Vehicles = 17131 / 17420 (98.34%)

Class Speed Matrix

ClassMatrix-191

Site: Lobethal.0.1NS
Description: 51 Mill Road, Lobethal
Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Monday, 18 September 2023
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

km/h	Class												Total	
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12		
10- 20	67	.	6	9	.	.	.	.	.	.	.	.	82	0.5%
20- 30	342	8	21	23	2	.	5	.	2	.	.	.	403	2.4%
30- 40	2193	53	80	44	2	2	10	2	1	1	.	.	2388	13.9%
40- 50	6853	164	295	49	7	10	11	6	.	.	.	.	7395	43.2%
50- 60	5030	103	260	21	4	4	10	1	1	.	.	.	5434	31.7%
60- 70	1150	17	72	2	.	2	.	.	.	.	.	.	1243	7.3%
70- 80	135	1	15	3	.	.	.	.	.	.	.	.	154	0.9%
80- 90	24	.	5	.	.	.	.	.	.	.	.	.	29	0.2%
90-100	2	.	.	.	.	.	.	.	.	.	.	.	2	0.0%
100-110	.	.	1	.	.	.	.	.	.	.	.	.	1	0.0%
110-120	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
120-130	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
130-140	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
140-150	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
150-160	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
Total	15796	346	755	151	15	18	36	9	4	1	0	0	17131	
	92.2%	2.0%	4.4%	0.9%	0.1%	0.1%	0.2%	0.1%	0.0%	0.0%	0.0%	0.0%		

VPD - 744

CV - 5.8%

CV/Day - 43

230918 – CNT - 76 Ridge Road, Lobethal - PDF
MetroCount Traffic Executive
Class Speed Matrix

ClassMatrix-188 -- English (ENA)

Datasets:

Site: [Lobethal] 76 Ridge Road, Lobethal
Attribute: 50 Km/h
Direction: 7 - North bound A>B, South bound B>A. **Lane:** 0
Survey Duration: 0:00 Saturday, 26 August 2023 => 8:57 Thursday, 21 September 2023,
Zone:
File: Lobethal 0 2023-09-21 0857.EC0 (Plus)
Identifier: YN50RHAH MC5900-X13 (c)MetroCount 09Nov16
Algorithm: Factory default axle (v5.08)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Monday, 18 September 2023 (23 Days)
Included classes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Speed range: 10 - 160 km/h.
Direction: North, East, South, West (bound), P = North, Lane = 0-16
Separation: Headway > 0 sec, Span 0 - 100 metre
Name: Default Profile
Scheme: Vehicle classification (AustRoads94)
Units: Metric (metre, kilometre, m/s, km/h, kg, tonne)
In profile: Vehicles = 18995 / 19113 (99.38%)

Class Speed Matrix

ClassMatrix-188

Site: Lobethal.0.1NS
Description: 76 Ridge Road, Lobethal
Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Monday, 18 September 2023
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

km/h	Class												Total	
	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12		
10- 20	28	1	3	1	1	.	.	.	.	.	.	.	34	0.2%
20- 30	119	3	25	7	1	.	2	1	1	.	.	.	159	0.8%
30- 40	1549	55	123	52	4	8	7	.	.	.	.	.	1798	9.5%
40- 50	8372	206	508	14	3	10	12	.	3	.	.	.	9128	48.1%
50- 60	6081	94	518	8	1	11	5	.	.	.	.	.	6718	35.4%
60- 70	912	11	112	1	1	2	.	.	.	.	.	.	1039	5.5%
70- 80	98	1	7	.	.	.	.	.	.	.	.	.	106	0.6%
80- 90	12	.	.	.	.	.	.	.	.	.	.	.	12	0.1%
90-100	1	.	.	.	.	.	.	.	.	.	.	.	1	0.0%
100-110	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
110-120	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
120-130	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
130-140	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
140-150	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
150-160	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
Total	17172	371	1296	83	11	31	26	1	4	0	0	0	18995	
	90.4%	2.0%	6.8%	0.4%	0.1%	0.2%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%		

VPD - 826

CV - 7.6%

CV/Day - 63

Site: [Lobethal] 35 Mill Road, Lobethal
Attribute: 50 km
Input A: 7 - North bound A>B, South bound B>A. - Lane= 0, Added to totals. (/2.000)
Input B: 0 - Unused or unknown. - Lane= 1, Excluded from totals.
Survey Duration: 0:00 Saturday, 26 August 2023 => 9:15 Thursday, 21 September 2023,
Zone:
File: Lobethal 0 2023-09-21 0915.EC0 (Plus)
Identifier: YN25QE5M MC5900-X13 (c)MetroCount 09Nov16
Algorithm: Event Count (v5.08)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:
Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Tuesday, 19 September 2023 (24)
Separation: GapX > 0 sec
Name: Default Profile
Scheme: Count events divided by setup divisor
Units: Metric (metre, kilometre, m/s, km/h, kg, tonne)
In profile: Events = 41777 / 41779 (99.99%)

*** Saturday, 26 August 2023=808, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
3	6	1	4	0	9	19	30	39	49	82	83	79	65	54	69	73	62	35	10	8	10	15	7
3	3	1	1	0	2	1	5	10	11	24	18	17	21	14	10	15	15	11	5	2	3	6	0
0	1	0	1	0	2	4	11	4	10	20	20	28	12	9	26	23	16	8	2	1	3	3	4
0	1	0	0	0	2	7	9	10	9	13	21	16	17	17	16	8	17	9	1	2	0	2	2
0	1	0	2	0	3	7	6	15	19	25	24	18	15	14	18	27	14	7	2	3	4	4	1

AM Peak 1130 - 1230 (90), AM PHF=0.80 PM Peak 1215 - 1315 (83), PM PHF=0.74

*** Sunday, 27 August 2023=729, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
2	1	1	1	1	4	4	17	26	49	63	103	86	55	61	67	74	57	30	13	10	5	3	0
0	0	1	0	0	0	0	1	5	15	19	36	20	10	15	21	24	17	5	3	2	0	1	0
0	1	0	0	0	1	1	7	4	5	14	15	24	20	15	16	22	11	10	1	4	3	2	0
1	0	0	0	1	1	1	4	11	8	13	28	18	13	12	11	11	13	13	5	3	0	0	0
1	0	0	1	0	2	2	5	7	21	17	24	25	13	20	20	18	16	2	4	1	2	0	0

AM Peak 1100 - 1200 (103), AM PHF=0.72 PM Peak 1200 - 1300 (86), PM PHF=0.88

*** Monday, 28 August 2023=1002, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
3	0	1	1	3	17	67	92	100	63	59	39	42	49	71	104	126	89	47	13	5	7	5	3
1	0	0	0	1	2	14	26	23	18	13	10	8	11	12	34	26	21	12	4	1	2	2	1
1	0	0	1	1	2	16	16	22	17	23	12	16	15	29	32	34	23	10	4	3	2	1	1
1	0	1	0	1	5	25	27	23	15	12	11	9	13	15	17	34	26	13	2	1	2	1	1
0	0	0	0	0	8	12	23	33	13	11	6	9	10	15	22	32	19	12	3	0	1	1	0

AM Peak 0800 - 0900 (100), AM PHF=0.77 PM Peak 1600 - 1700 (126), PM PHF=0.92

*** Tuesday, 29 August 2023=1064, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	1	0	1	2	21	65	120	110	64	45	53	64	51	61	111	121	83	53	16	12	8	2	2
0	0	0	0	2	1	8	26	21	12	12	11	21	13	14	31	36	15	12	6	3	1	1	1
0	0	0	1	0	6	12	41	18	21	10	15	16	13	12	40	22	21	15	6	2	0	0	1
0	1	0	0	0	4	22	23	34	13	18	17	12	14	11	19	27	29	14	1	0	5	0	0
0	0	0	0	0	10	23	31	37	19	6	11	15	12	24	22	36	19	12	3	7	2	1	0

AM Peak 0700 - 0800 (120), AM PHF=0.73 PM Peak 1600 - 1700 (121), PM PHF=0.84

*** Wednesday, 30 August 2023=1006, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
1	0	2	2	2	15	77	98	112	49	50	46	38	44	66	125	99	86	43	16	12	10	9	8
0	0	0	0	0	1	11	30	34	21	17	13	10	12	12	27	33	20	10	4	6	6	2	3
0	0	1	1	1	4	18	22	23	7	11	8	7	10	10	34	28	19	18	4	1	1	3	3
1	0	1	1	1	2	23	21	36	12	7	9	10	11	22	26	24	21	8	4	1	1	0	2
0	0	0	0	0	8	25	25	20	9	15	16	11	11	22	38	15	28	7	4	4	2	4	0

AM Peak 0745 - 0845 (117), AM PHF=0.81 PM Peak 1515 - 1615 (130), PM PHF=0.86

*** Thursday, 31 August 2023=1007, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	1	1	3	22	62	107	94	63	47	48	67	52	64	91	114	72	41	23	23	7	3	5
0	0	0	0	1	1	11	25	21	14	13	13	25	15	11	26	27	19	12	4	7	1	1	1
0	0	0	1	0	4	13	23	17	16	9	13	11	11	13	31	28	20	11	6	4	2	2	0
0	0	1	0	0	9	20	29	28	17	15	16	17	19	15	17	31	14	13	8	4	2	0	2
0	0	0	0	2	8	19	30	28	16	10	7	14	7	26	17	28	19	5	5	8	2	0	0

AM Peak 0700 - 0800 (107), AM PHF=0.89 PM Peak 1600 - 1700 (114), PM PHF=0.92

* Friday, 1 September 2023=946, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 49. Right margin has values 1, 2, 0, 1.

AM Peak 0700 - 0800 (77), AM PHF=0.84 PM Peak 1715 - 1815 (90), PM PHF=0.88

* Saturday, 2 September 2023=785, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 59. Right margin has values 2, 0, 0, 0.

AM Peak 1115 - 1215 (99), AM PHF=0.71 PM Peak 1200 - 1300 (89), PM PHF=0.64

* Sunday, 3 September 2023=718, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 53. Right margin has values 0, 0, 0, 0.

AM Peak 1130 - 1230 (79), AM PHF=0.59 PM Peak 1215 - 1315 (84), PM PHF=0.63

* Monday, 4 September 2023=920, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 109. Right margin has values 0, 0, 0, 0.

AM Peak 0700 - 0800 (109), AM PHF=0.94 PM Peak 1445 - 1545 (113), PM PHF=0.75

* Tuesday, 5 September 2023=1042, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 126. Right margin has values 0, 0, 0, 0.

AM Peak 0800 - 0900 (126), AM PHF=0.77 PM Peak 1600 - 1700 (125), PM PHF=0.83

* Wednesday, 6 September 2023=999, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 109. Right margin has values 0, 0, 0, 0.

AM Peak 0800 - 0900 (111), AM PHF=0.74 PM Peak 1430 - 1530 (98), PM PHF=0.88

* Thursday, 7 September 2023=905, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 109. Right margin has values 0, 0, 0, 0.

AM Peak 0815 - 0915 (116), AM PHF=0.62 PM Peak 1500 - 1600 (103), PM PHF=0.68

* Friday, 8 September 2023=859, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 93. Right margin has values 0, 1, 0, 1.

AM Peak 0700 - 0800 (93), AM PHF=0.89 PM Peak 1545 - 1645 (95), PM PHF=0.88

* Saturday, 9 September 2023=626, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 7. Right margin has values 0, 0, 0, 0.

AM Peak 1145 - 1245 (73), AM PHF=0.87 PM Peak 1200 - 1300 (75), PM PHF=0.82

* Sunday, 10 September 2023=649, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Sunday, 10 September 2023. The first row shows peak values, and subsequent rows show cumulative counts. The total for the first row is 649.

AM Peak 1115 - 1215 (77), AM PHF=0.85 PM Peak 1530 - 1630 (72), PM PHF=0.78

* Monday, 11 September 2023=883, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Monday, 11 September 2023. The first row shows peak values, and subsequent rows show cumulative counts. The total for the first row is 883.

AM Peak 0830 - 0930 (87), AM PHF=0.72 PM Peak 1445 - 1545 (101), PM PHF=0.85

* Tuesday, 12 September 2023=1058, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Tuesday, 12 September 2023. The first row shows peak values, and subsequent rows show cumulative counts. The total for the first row is 1058.

AM Peak 0700 - 0800 (108), AM PHF=0.83 PM Peak 1445 - 1545 (119), PM PHF=0.85

* Wednesday, 13 September 2023=1020, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Wednesday, 13 September 2023. The first row shows peak values, and subsequent rows show cumulative counts. The total for the first row is 1020.

AM Peak 0700 - 0800 (112), AM PHF=0.82 PM Peak 1600 - 1700 (109), PM PHF=0.78

* Thursday, 14 September 2023=1038, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Thursday, 14 September 2023. The first row shows peak values, and subsequent rows show cumulative counts. The total for the first row is 1038.

AM Peak 0645 - 0745 (103), AM PHF=0.92 PM Peak 1615 - 1715 (111), PM PHF=0.82

* Friday, 15 September 2023=968, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Friday, 15 September 2023. The first row shows peak values, and subsequent rows show cumulative counts. The total for the first row is 968.

AM Peak 0645 - 0745 (97), AM PHF=0.96 PM Peak 1530 - 1630 (101), PM PHF=0.90

* Saturday, 16 September 2023=817, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Saturday, 16 September 2023. The first row shows peak values, and subsequent rows show cumulative counts. The total for the first row is 817.

AM Peak 1015 - 1115 (78), AM PHF=0.81 PM Peak 1245 - 1345 (93), PM PHF=0.89

* Sunday, 17 September 2023=714, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Sunday, 17 September 2023. The first row shows peak values, and subsequent rows show cumulative counts. The total for the first row is 714.

AM Peak 0930 - 1030 (105), AM PHF=0.57 PM Peak 1430 - 1530 (68), PM PHF=0.85

* Monday, 18 September 2023=327, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Monday, 18 September 2023. The first row shows peak values, and subsequent rows show cumulative counts. The total for the first row is 327.

AM Peak 0745 - 0845 (113), AM PHF=0.76

Site: [Lobethal] 36 Ridge Road, Lobethal
Attribute: 50 Km/h
Input A: 7 - North bound A>B, South bound B>A. - Lane= 2, Added to totals. (/2.000)
Input B: 0 - Unused or unknown. - Lane= 3, Excluded from totals.
Survey Duration: 0:00 Saturday, 26 August 2023 => 9:55 Thursday, 21 September 2023,
Zone:
File: Lobethal 0 2023-09-21 0955.EC2 (Plus)
Identifier: ES399KY7 MC56-L5 [MC55] (c)Microcom 19Oct04
Algorithm: Event Count (v5.08)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:
Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Tuesday, 19 September 2023 (24)
Separation: GapX > 0 sec
Name: Default Profile
Scheme: Count events divided by setup divisor
Units: Metric (metre, kilometre, m/s, km/h, kg, tonne)
In profile: Events = 43423 / 43424 (100.00%)

*** Saturday, 26 August 2023=937, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
1	1	1	13	50	6	22	31	39	48	68	66	64	58	67	73	96	80	68	33	13	14	11	16
1	0	1	1	8	1	2	7	6	10	12	17	17	19	21	22	22	22	17	8	8	5	4	6
0	0	0	2	11	1	7	3	12	12	16	17	7	12	19	16	22	24	20	12	1	3	0	2
0	1	0	4	21	3	8	8	14	16	21	13	24	15	17	12	25	21	15	9	1	4	6	1
0	0	0	6	10	1	5	13	7	10	19	19	17	13	11	24	27	14	16	4	3	2	1	7

AM Peak 1030 - 1130 (74), AM PHF=0.88 PM Peak 1630 - 1730 (98), PM PHF=0.90

*** Sunday, 27 August 2023=683, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
3	3	0	0	5	4	14	50	49	61	60	74	51	55	77	64	46	38	13	7	3	3	5	
1	0	0	0	0	0	1	5	4	7	22	13	24	12	12	18	21	8	15	3	3	0	0	2
1	1	0	0	0	1	1	5	26	18	9	17	24	6	16	18	17	8	13	2	2	2	1	1
0	0	0	0	0	3	2	2	9	15	17	12	16	20	12	24	18	13	6	4	1	1	1	0
1	2	0	0	0	1	0	2	12	9	13	18	10	13	15	17	8	17	4	4	1	0	1	2

AM Peak 1145 - 1245 (82), AM PHF=0.85 PM Peak 1515 - 1615 (80), PM PHF=0.85

*** Monday, 28 August 2023=960, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
1	0	2	14	56	15	46	71	85	43	34	43	47	48	55	88	115	75	52	25	21	14	7	5
1	0	0	2	6	4	12	17	24	11	9	11	13	10	19	17	33	22	16	7	7	5	2	2
0	0	0	2	16	2	9	21	22	9	8	9	15	13	11	19	33	17	15	5	3	2	3	1
0	0	1	4	24	4	14	15	16	15	9	10	8	16	15	17	27	19	10	6	6	1	2	2
0	0	1	6	10	5	11	19	23	8	8	13	11	9	10	35	22	17	11	7	5	6	0	0

AM Peak 0800 - 0900 (85), AM PHF=0.88 PM Peak 1545 - 1645 (128), PM PHF=0.91

*** Tuesday, 29 August 2023=1028, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
2	1	1	16	51	14	54	70	70	50	55	47	48	48	70	93	140	73	60	20	17	14	7	9
1	0	0	2	10	5	11	8	15	7	16	8	14	14	19	20	29	24	26	10	7	1	4	2
1	0	1	1	10	3	9	18	19	22	14	11	6	13	14	24	36	14	12	0	4	3	0	2
0	0	0	5	17	1	16	22	13	11	8	12	16	10	26	22	50	18	6	6	3	6	0	2
0	1	0	8	14	5	18	22	23	10	18	16	13	12	12	27	26	17	16	4	3	4	3	3

AM Peak 0730 - 0830 (78), AM PHF=0.89 PM Peak 1545 - 1645 (141), PM PHF=0.71

*** Wednesday, 30 August 2023=1023, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
1	1	0	15	49	17	35	67	83	60	54	50	56	50	66	90	128	94	55	27	12	6	6	5
0	1	0	2	5	4	8	11	22	17	13	15	13	19	22	20	37	21	19	8	2	1	4	0
1	0	0	1	12	4	4	17	23	15	17	13	13	11	5	21	30	20	15	4	4	0	0	4
0	0	0	4	20	4	11	20	22	15	12	13	16	12	22	28	23	25	11	10	3	1	0	0
0	0	0	8	12	5	12	19	16	13	12	10	15	8	17	21	38	28	10	5	3	4	2	1

AM Peak 0745 - 0845 (86), AM PHF=0.93 PM Peak 1600 - 1700 (128), PM PHF=0.84

*** Thursday, 31 August 2023=1061, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
4	1	0	13	56	13	42	61	82	55	47	58	47	73	59	89	141	84	66	35	16	6	9	8
2	0	0	1	10	2	8	10	16	14	13	13	9	10	19	25	36	20	23	7	5	0	5	3
1	1	0	3	9	3	5	18	22	10	13	19	13	23	11	13	35	21	22	7	3	2	1	3
1	0	0	3	21	2	16	14	25	13	9	14	11	17	13	26	43	24	7	10	3	2	3	2
0	0	0	6	16	6	13	20	19	19	12	13	14	24	16	25	27	19	14	11	5	2	0	0

AM Peak 0745 - 0845 (83), AM PHF=0.82 PM Peak 1600 - 1700 (141), PM PHF=0.82

* Friday, 1 September 2023=1018, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
2	0	1	11	51	14	43	61	57	64	51	67	53	58	64	84	115	95	51	21	21	20	11	7	
1	0	0	1	8	4	6	9	17	13	11	15	16	19	11	11	29	26	20	6	7	4	2	4	3
0	0	1	2	12	2	5	11	13	12	16	10	14	18	11	23	32	27	6	4	5	7	5	1	0
0	0	0	3	20	4	22	21	10	15	13	21	10	8	21	22	20	29	14	4	2	8	3	2	1
1	0	0	5	11	4	10	20	17	24	11	22	13	13	22	28	34	13	11	7	7	1	1	0	2

AM Peak 1130 - 1230 (73), AM PHF=0.82 PM Peak 1645 - 1745 (116), PM PHF=0.85

* Saturday, 2 September 2023=915, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
6	2	2	11	48	9	13	22	32	55	72	83	64	55	55	71	103	70	60	28	20	10	15	12	
3	0	1	0	7	4	3	2	6	14	18	20	22	9	15	18	13	26	7	9	8	2	4	5	0
0	0	1	1	10	3	7	7	3	10	16	21	16	13	18	18	23	14	23	10	3	3	4	3	0
1	1	0	5	23	1	2	6	6	12	20	20	10	21	9	18	31	16	15	4	5	4	6	1	0
2	1	0	5	8	1	1	7	17	21	18	24	16	12	14	17	37	14	15	5	4	1	1	3	1

AM Peak 1115 - 1215 (86), AM PHF=0.91 PM Peak 1615 - 1715 (116), PM PHF=0.79

* Sunday, 3 September 2023=782, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
1	2	0	1	1	2	7	14	29	46	76	79	97	68	70	58	64	71	39	22	17	9	9	2	
0	0	1	0	7	4	3	4	5	13	20	15	27	25	21	10	30	22	12	10	6	3	1	1	0
0	1	0	0	0	0	1	1	8	11	14	24	27	15	19	13	17	24	11	9	3	3	3	1	0
0	1	0	0	0	1	1	7	10	12	28	19	27	7	19	16	10	16	12	2	7	2	1	0	0
1	0	0	0	0	1	2	2	6	10	14	21	16	21	11	19	7	9	4	1	1	1	4	0	1

AM Peak 1145 - 1245 (102), AM PHF=0.94 PM Peak 1200 - 1300 (97), PM PHF=0.90

* Monday, 4 September 2023=974, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
1	2	0	13	48	16	37	69	72	57	57	49	53	39	58	77	112	97	47	31	19	9	11	4	
0	0	0	0	6	4	6	12	19	12	12	9	22	5	11	13	29	28	14	7	2	1	3	2	0
0	0	0	3	12	7	6	23	19	11	13	21	3	9	14	20	29	25	14	9	9	1	5	1	1
0	0	0	4	19	1	16	15	19	15	18	11	20	14	21	21	28	20	12	8	5	6	1	0	0
1	2	0	6	11	4	9	20	16	20	14	8	8	11	12	23	26	24	7	7	3	1	2	1	0

AM Peak 0715 - 0815 (76), AM PHF=0.84 PM Peak 1600 - 1700 (112), PM PHF=0.96

* Tuesday, 5 September 2023=1068, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
1	1	0	15	57	19	42	69	70	57	47	48	50	81	64	92	130	94	62	34	10	16	9	4	
0	0	0	1	9	9	9	14	18	16	8	14	12	24	14	17	33	25	21	15	3	8	3	0	0
1	1	0	2	15	1	9	13	18	15	14	10	17	19	15	12	20	31	18	8	2	1	5	1	1
0	0	0	5	19	5	13	21	12	15	11	10	13	24	24	34	45	21	14	10	3	4	1	1	0
0	0	0	7	14	4	11	21	22	12	14	14	8	15	11	29	32	17	9	1	2	3	0	2	0

AM Peak 0730 - 0830 (78), AM PHF=0.93 PM Peak 1630 - 1730 (133), PM PHF=0.74

* Wednesday, 6 September 2023=1002, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
1	0	0	14	58	12	47	66	80	47	39	52	45	76	65	94	92	86	62	22	16	18	9	6	
0	0	0	1	10	0	12	17	19	12	10	15	9	19	20	17	16	23	25	7	5	9	2	1	1
1	0	0	2	9	4	8	10	24	20	10	12	10	26	13	23	18	23	18	3	2	2	3	3	0
0	0	0	4	30	4	13	18	16	10	11	13	13	16	9	28	26	22	10	5	6	4	2	0	0
0	0	0	7	9	4	14	21	21	5	8	12	13	15	23	26	32	18	9	7	3	3	2	2	0

AM Peak 0730 - 0830 (81), AM PHF=0.84 PM Peak 1630 - 1730 (104), PM PHF=0.81

* Thursday, 7 September 2023=919, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
1	3	0	15	49	17	35	57	86	47	34	47	40	39	47	75	131	96	57	16	12	10	5	2	
1	1	0	2	9	8	6	11	18	13	3	9	10	7	11	18	24	21	23	5	3	2	2	0	0
0	1	0	1	6	2	6	19	18	15	8	16	12	11	12	22	27	26	16	2	1	1	0	1	0
0	0	0	4	20	3	11	12	27	8	11	11	9	10	10	20	35	21	9	7	3	3	2	1	1
0	1	0	8	14	4	12	15	23	11	12	11	9	11	14	15	45	28	9	2	5	4	1	0	0

AM Peak 0800 - 0900 (86), AM PHF=0.81 PM Peak 1600 - 1700 (131), PM PHF=0.73

* Friday, 8 September 2023=941, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
1	1	2	13	49	13	32	58	61	42	51	54	53	55	62	63	108	83	71	18	29	7	12	6	
0	1	2	1	10	4	7	16	17	8	13	13	18	13	16	15	26	29	14	7	12	4	1	0	1
0	0	0	3	9	2	4	12	12	14	15	16	15	7	10	11	23	21	22	4	7	1	5	2	2
1	0	0	6	19	6	11	15	15	12	10	13	9	20	14	23	36	12	14	3	4	2	4	2	0
0	0	0	3	11	1	10	16	17	8	13	12	11	15	22	14	23	22	21	4	6	0	2	2	0

AM Peak 0800 - 0900 (61), AM PHF=0.89 PM Peak 1615 - 1715 (110), PM PHF=0.76

* Saturday, 9 September 2023=865, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
3	1	2	12	44	7	16	20	49	46	68	55	76	61	53	62	97	89	36	19	24	11	7	9	
1	0	0	1	9	2	1	5	9	10	15	18	13	21	19	12	20	32	10	9	9	0	2	3	3
2	0	1	2	8	2	4	4	16	10	20	18	24	16	12	22	25	24	9	3	4	4	1	5	3
0	0	0	5	20	2	2	5	13	12	11	12	24	12	8	10	26	21	10	2	8	4	2	0	3
0	1	1	4	7	1	9	6	12	14	22	8	15	12	14	18	26	12	7	5	3	3	2	1	0

AM Peak 1015 - 1115 (71), AM PHF=0.80 PM Peak 1615 - 1715 (109), PM PHF=0.85

* Sunday, 10 September 2023=688, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Sunday, 10 September 2023. Values range from 0 to 26.

AM Peak 1145 - 1245 (84), AM PHF=0.82 PM Peak 1200 - 1300 (83), PM PHF=0.81

* Monday, 11 September 2023=936, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Monday, 11 September 2023. Values range from 0 to 35.

AM Peak 0800 - 0900 (86), AM PHF=0.76 PM Peak 1615 - 1715 (139), PM PHF=0.86

* Tuesday, 12 September 2023=996, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Tuesday, 12 September 2023. Values range from 0 to 36.

AM Peak 0700 - 0800 (81), AM PHF=0.83 PM Peak 1615 - 1715 (133), PM PHF=0.92

* Wednesday, 13 September 2023=1036, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Wednesday, 13 September 2023. Values range from 0 to 63.

AM Peak 0800 - 0900 (85), AM PHF=0.82 PM Peak 1630 - 1730 (145), PM PHF=0.84

* Thursday, 14 September 2023=981, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Thursday, 14 September 2023. Values range from 0 to 62.

AM Peak 0800 - 0900 (83), AM PHF=0.80 PM Peak 1615 - 1715 (113), PM PHF=0.83

* Friday, 15 September 2023=1016, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Friday, 15 September 2023. Values range from 0 to 58.

AM Peak 0730 - 0830 (72), AM PHF=0.90 PM Peak 1615 - 1715 (125), PM PHF=0.83

* Saturday, 16 September 2023=899, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Saturday, 16 September 2023. Values range from 0 to 79.

AM Peak 1000 - 1100 (79), AM PHF=0.93 PM Peak 1530 - 1630 (97), PM PHF=0.73

* Sunday, 17 September 2023=702, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Sunday, 17 September 2023. Values range from 0 to 65.

AM Peak 1145 - 1245 (78), AM PHF=0.84 PM Peak 1630 - 1730 (71), PM PHF=0.73

* Monday, 18 September 2023=250, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Monday, 18 September 2023. Values range from 0 to 14.

AM Peak 0730 - 0830 (77), AM PHF=0.68

Site: [Lobethal] 5 Mill Road, Lobethal
Attribute: 50 km/h
Input A: 7 - North bound A>B, South bound B>A. - Lane= 0, Added to totals. (/2.000)
Input B: 0 - Unused or unknown. - Lane= 1, Excluded from totals.
Survey Duration: 0:00 Saturday, 26 August 2023 => 11:02 Thursday, 21 September 2023,
Zone:
File: Lobethal 0 2023-09-21 1102.EC0 (Plus)
Identifier: YP777ACV MC5900-X13 (c)MetroCount 09Nov16
Algorithm: Event Count (v5.08)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:
Filter time: 0:00 Saturday, 26 August 2023 => 11:02 Thursday, 21 September 2023 (26.4599)
Separation: GapX > 0 sec
Name: Default Profile
Scheme: Count events divided by setup divisor
Units: Metric (metre, kilometre, m/s, km/h, kg, tonne)
In profile: Events = 40403 / 40403 (100.00%)

*** Saturday, 26 August 2023=769, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
2	3	0	2	2	5	20	31	35	43	73	85	88	58	54	69	65	54	30	16	10	10	11	5
2	1	0	1	2	1	1	4	11	7	18	21	16	21	16	16	15	13	9	5	3	2	6	1
0	0	0	1	0	2	4	8	5	11	17	20	30	10	7	22	23	15	6	6	1	3	2	3
0	1	0	0	1	6	11	12	11	16	22	22	15	19	16	7	16	10	4	3	1	0	0	1
0	1	0	0	0	1	9	8	7	14	23	23	21	12	12	16	20	10	6	1	3	4	3	1

AM Peak 1130 - 1230 (91), AM PHF=0.75 PM Peak 1215 - 1315 (93), PM PHF=0.77

*** Sunday, 27 August 2023=708, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
2	0	0	1	3	6	7	16	21	43	56	108	78	62	51	69	74	49	28	20	11	3	3	0
0	0	0	0	1	0	0	1	3	12	15	38	13	12	12	20	24	14	3	4	4	0	1	0
0	0	0	0	0	2	2	6	4	5	11	19	25	22	11	13	21	15	9	4	4	2	2	0
1	0	0	0	1	2	0	4	5	9	15	32	18	12	12	15	9	12	11	6	2	0	0	0
1	0	0	1	1	2	5	5	9	17	15	19	23	16	17	21	22	8	6	6	1	1	0	0

AM Peak 1100 - 1200 (108), AM PHF=0.71 PM Peak 1530 - 1630 (80), PM PHF=0.85

*** Monday, 28 August 2023=879, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
1	0	0	2	4	13	57	94	78	49	54	39	44	44	63	80	117	72	40	11	9	3	4	3
1	0	0	0	2	1	8	22	16	18	19	9	10	15	11	27	25	20	9	2	3	2	1	1
0	0	0	1	1	1	15	21	21	12	18	11	15	13	22	24	31	16	10	5	4	0	2	1
0	0	0	0	1	5	17	28	16	9	8	12	7	9	16	13	29	25	13	2	2	0	1	1
0	0	0	1	0	6	17	23	25	10	9	7	12	7	14	17	32	11	8	2	0	1	0	0

AM Peak 0700 - 0800 (94), AM PHF=0.85 PM Peak 1600 - 1700 (117), PM PHF=0.91

*** Tuesday, 29 August 2023=978, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
1	0	0	1	4	16	53	117	96	67	44	40	63	48	65	102	116	76	41	13	7	7	2	2
0	0	0	0	2	2	9	27	23	15	9	8	23	10	15	33	34	13	8	2	2	0	1	1
0	0	0	1	2	3	7	38	17	23	12	12	18	15	13	34	25	22	15	7	1	2	0	1
0	0	0	0	0	3	18	24	25	12	17	15	11	12	13	20	28	27	12	1	0	3	0	0
1	0	0	0	0	8	19	29	31	18	6	5	11	11	25	16	29	14	6	3	4	2	1	0

AM Peak 0700 - 0800 (117), AM PHF=0.77 PM Peak 1600 - 1700 (116), PM PHF=0.85

*** Wednesday, 30 August 2023=946, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
2	0	1	1	3	10	69	102	100	45	40	42	39	44	63	113	98	90	41	13	13	7	7	6
1	0	0	0	1	1	11	30	24	14	11	9	10	10	12	29	32	27	10	4	5	4	2	1
0	0	0	1	1	4	18	26	25	9	9	9	9	12	13	27	29	13	21	5	2	1	2	4
1	0	1	0	1	2	19	20	32	12	8	11	10	11	20	23	26	21	7	2	2	1	0	1
0	0	0	0	0	3	21	26	20	10	13	13	11	11	18	34	11	29	3	2	4	1	3	0

AM Peak 0745 - 0845 (106), AM PHF=0.84 PM Peak 1545 - 1645 (121), PM PHF=0.89

*** Thursday, 31 August 2023=900, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	1	2	2	17	61	99	82	47	41	49	60	46	64	82	104	67	34	16	15	8	2	5
0	0	1	0	0	0	10	26	20	9	11	15	17	14	14	18	21	19	12	6	5	3	0	1
0	0	0	1	0	3	15	23	22	11	10	11	14	11	17	32	28	20	8	4	2	1	2	3
0	0	0	0	0	10	19	28	22	15	14	13	14	15	14	19	28	11	10	5	3	2	0	1
0	0	0	1	2	4	18	23	18	12	6	10	15	6	19	13	27	18	4	1	5	2	0	0

AM Peak 0700 - 0800 (99), AM PHF=0.90 PM Peak 1600 - 1700 (104), PM PHF=0.92

* Friday, 1 September 2023=951, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	2	0	1	1	15	54	73	69	67	55	68	48	77	79	73	86	85	53	15	8	13	9	3
0	1	0	0	0	0	9	23	10	16	13	12	11	30	14	19	24	22	22	4	2	8	3	1
0	0	0	1	1	3	16	14	23	23	14	18	15	25	14	18	19	20	11	4	1	2	3	1
0	1	0	0	0	4	14	14	19	17	19	20	8	7	24	21	29	19	10	3	2	1	1	1
0	0	0	0	0	8	15	22	17	12	9	18	14	16	27	16	14	25	10	4	3	2	2	0

AM Peak 0815 - 0915 (74), AM PHF=0.82 PM Peak 1430 - 1530 (88), PM PHF=0.81

* Saturday, 2 September 2023=734, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
4	1	1	2	1	5	10	20	47	45	63	85	84	55	64	55	61	60	30	15	8	4	9	8
0	0	0	0	0	0	2	5	9	15	14	16	32	13	20	13	19	23	12	5	3	1	3	1
2	1	1	1	0	4	3	5	8	7	13	25	18	17	15	13	9	11	4	5	2	0	3	5
0	0	0	0	1	0	2	7	14	7	22	25	20	13	18	21	17	13	10	4	2	3	2	0
2	0	0	1	0	1	3	4	16	16	14	19	14	12	11	8	16	13	4	1	1	0	1	2

AM Peak 1115 - 1215 (101), AM PHF=0.79 PM Peak 1200 - 1300 (84), PM PHF=0.65

* Sunday, 3 September 2023=672, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
2	0	1	1	0	7	8	15	29	42	54	59	82	72	60	69	51	48	25	22	16	8	3	0
2	0	0	0	0	0	3	3	4	9	9	21	16	15	15	20	14	17	6	7	6	3	1	0
0	0	1	0	0	2	1	4	5	12	14	10	33	20	15	19	16	12	9	9	5	1	1	0
0	0	0	1	0	1	1	4	8	6	18	13	15	16	15	18	10	13	5	4	3	1	1	0
0	0	0	0	0	4	3	4	12	15	14	15	18	22	15	12	12	6	5	2	2	3	0	0

AM Peak 1145 - 1245 (79), AM PHF=0.60 PM Peak 1200 - 1300 (82), PM PHF=0.62

* Monday, 4 September 2023=843, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	0	3	0	18	51	102	77	46	44	35	46	35	50	91	99	75	42	8	16	4	2	0
0	0	0	0	0	2	8	28	15	11	13	9	9	6	13	27	24	20	13	1	6	1	0	0
0	0	0	1	0	2	11	27	12	11	9	9	14	8	13	31	26	16	10	3	1	1	1	0
0	0	0	0	0	5	12	24	28	13	14	4	6	14	9	16	31	20	15	3	6	0	0	0
0	0	0	2	0	9	20	23	22	11	8	13	17	7	15	18	18	19	4	1	3	2	1	0

AM Peak 0700 - 0800 (102), AM PHF=0.91 PM Peak 1545 - 1645 (99), PM PHF=0.80

* Tuesday, 5 September 2023=905, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	0	2	1	21	52	93	97	43	35	52	42	67	70	98	107	67	25	19	9	6	2	2
0	0	0	0	0	2	5	27	19	12	10	9	7	22	18	24	29	27	5	3	3	0	1	2
0	0	0	1	0	4	13	26	29	17	8	17	10	16	16	27	29	16	10	6	2	1	1	0
0	0	0	0	0	9	10	23	21	9	7	12	13	13	19	20	32	11	5	6	2	2	0	0
0	0	0	1	1	6	24	18	28	6	10	14	12	16	17	27	18	13	5	4	2	3	0	0

AM Peak 0645 - 0745 (99), AM PHF=0.93 PM Peak 1545 - 1645 (116), PM PHF=0.92

* Wednesday, 6 September 2023=903, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	0	2	2	23	64	101	90	59	35	44	41	53	72	77	81	70	40	12	19	10	7	4
0	0	0	0	0	0	4	14	19	15	10	8	12	14	18	20	20	22	12	2	3	3	1	3
0	0	0	1	0	7	18	29	24	11	8	9	7	10	21	20	22	15	11	3	4	2	3	1
0	0	0	1	0	9	22	35	29	20	10	7	13	22	12	18	27	19	10	2	6	5	1	0
0	0	0	0	1	7	20	24	18	14	7	20	9	8	22	19	13	14	7	5	6	0	2	0

AM Peak 0715 - 0815 (106), AM PHF=0.76 PM Peak 1545 - 1645 (87), PM PHF=0.82

* Thursday, 7 September 2023=809, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	0	3	2	12	42	102	89	61	41	39	32	35	49	82	91	62	28	17	12	8	3	1
0	0	0	0	0	0	8	20	13	20	9	6	6	8	10	17	21	13	9	3	6	2	2	0
0	0	0	1	0	5	14	29	15	10	10	14	8	6	9	28	18	22	5	6	3	0	0	0
0	0	0	1	1	2	5	24	24	18	10	7	7	9	16	23	34	14	7	4	2	1	1	1
0	0	0	1	1	5	15	29	38	13	12	12	11	12	14	14	18	13	7	4	1	5	0	0

AM Peak 0700 - 0800 (102), AM PHF=0.88 PM Peak 1600 - 1700 (91), PM PHF=0.68

* Friday, 8 September 2023=800, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	1	1	2	2	10	43	86	74	49	45	40	66	53	49	57	89	69	34	9	13	6	2	1
0	0	0	0	0	2	0	10	22	25	9	8	11	18	17	11	7	19	21	12	3	2	3	1
0	1	1	1	0	2	13	20	16	14	6	8	16	11	13	17	22	20	10	4	3	1	1	0
0	0	0	0	0	5	9	22	15	10	18	11	12	12	11	15	28	16	5	0	4	0	0	0
0	0	0	1	0	3	11	22	18	16	13	11	20	14	14	19	21	13	7	2	4	2	0	0

AM Peak 0715 - 0815 (89), AM PHF=0.89 PM Peak 1615 - 1715 (92), PM PHF=0.83

*** Saturday, 9 September 2023=645, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
3	0	3	0	1	6	10	18	32	46	55	69	80	60	43	57	48	40	27	9	12	9	9	10
0	0	0	0	0	0	1	4	7	12	15	17	18	17	15	16	18	13	5	3	2	3	0	1
2	0	1	0	1	1	3	5	11	14	16	15	21	17	10	15	8	12	8	4	2	1	4	5
0	0	0	0	0	0	4	4	5	10	11	15	22	14	9	14	13	7	10	1	4	4	2	3
1	0	2	0	0	5	2	5	9	11	13	22	19	12	9	12	9	8	4	1	4	1	3	1

AM Peak 1145 - 1245 (83), AM PHF=0.94 PM Peak 1200 - 1300 (80), PM PHF=0.90

*** Sunday, 10 September 2023=637, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
1	2	1	1	0	2	9	24	26	46	67	60	77	59	52	62	55	34	26	11	10	10	3	2
0	1	0	1	0	0	0	1	2	11	16	15	30	17	7	12	21	11	12	2	2	4	0	1
1	1	0	0	0	0	3	10	7	7	19	11	16	13	13	14	12	5	5	4	1	1	3	0
0	0	1	0	0	2	4	3	8	13	12	17	16	10	19	14	8	12	6	3	4	4	0	0
0	0	0	0	0	2	10	9	15	20	17	15	19	13	22	14	6	3	2	3	1	0	1	0

AM Peak 1130 - 1230 (79), AM PHF=0.67 PM Peak 1200 - 1300 (77), PM PHF=0.65

*** Monday, 11 September 2023=792, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	1	0	1	2	18	53	77	72	48	43	40	35	39	49	76	92	73	40	16	14	2	3	0
0	0	0	0	1	2	8	24	17	16	11	7	8	12	11	24	26	18	16	3	5	0	0	0
0	1	0	1	0	4	15	17	17	13	9	9	8	9	11	18	25	19	13	7	5	0	3	0
0	0	0	0	0	7	9	16	17	7	11	10	12	9	10	19	25	20	9	3	3	1	0	0
0	0	0	0	1	5	21	20	21	13	13	14	7	9	18	15	16	16	2	3	1	1	0	0

AM Peak 0645 - 0745 (78), AM PHF=0.81 PM Peak 1600 - 1700 (92), PM PHF=0.88

*** Tuesday, 12 September 2023=939, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	2	0	2	3	20	69	100	85	55	43	40	38	40	71	97	109	89	36	15	12	9	5	4
0	1	0	0	2	2	11	25	17	13	11	7	10	15	18	29	24	34	9	5	6	3	1	0
0	0	0	1	0	5	19	27	21	16	11	8	9	10	17	23	28	24	12	5	4	2	1	1
0	1	0	0	1	6	24	17	18	11	11	11	8	4	16	31	34	15	8	2	2	2	0	2
0	0	0	1	0	7	15	31	30	15	10	14	11	12	20	14	23	16	7	3	0	2	3	1

AM Peak 0700 - 0800 (100), AM PHF=0.82 PM Peak 1615 - 1715 (119), PM PHF=0.88

*** Wednesday, 13 September 2023=970, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
1	2	0	2	4	15	63	108	80	45	58	43	58	50	69	75	107	97	48	18	12	9	7	3
0	2	0	0	1	0	8	22	13	12	16	6	17	17	14	18	26	30	16	4	1	2	2	0
0	0	0	2	1	4	15	33	21	7	17	22	10	12	16	23	33	27	10	6	4	2	3	0
0	0	0	0	1	4	19	37	28	12	9	11	16	7	16	22	25	19	14	4	2	3	1	2
1	0	0	0	1	7	21	17	18	14	16	5	15	14	23	12	23	22	8	4	5	2	1	1

AM Peak 0645 - 0745 (112), AM PHF=0.76 PM Peak 1615 - 1715 (111), PM PHF=0.84

*** Thursday, 14 September 2023=958, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	0	1	4	25	64	86	100	66	37	44	55	42	65	85	112	75	44	17	18	13	5	3
0	0	0	0	1	3	8	23	17	15	9	12	19	9	16	18	18	18	15	6	8	6	2	2
0	0	0	1	2	4	12	20	26	15	13	9	17	8	14	21	33	17	14	1	6	2	0	1
0	0	0	0	1	9	17	21	25	18	7	10	11	9	19	27	33	20	6	5	2	2	2	0
0	0	0	0	0	9	27	23	32	19	8	13	8	16	17	19	28	20	9	5	2	3	1	0

AM Peak 0800 - 0900 (100), AM PHF=0.78 PM Peak 1600 - 1700 (112), PM PHF=0.84

*** Friday, 15 September 2023=931, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	1	0	2	4	20	57	88	67	65	41	48	50	34	60	88	89	73	62	26	27	16	9	8
0	0	0	0	1	2	8	25	19	19	11	13	16	10	18	19	20	14	22	6	11	5	1	3
0	0	0	1	2	3	17	23	18	22	13	8	10	7	11	23	30	21	22	4	5	7	4	1
0	0	0	0	0	5	11	21	15	13	8	14	14	10	22	20	26	21	7	8	5	0	3	2
0	1	0	1	1	10	22	20	15	11	10	13	10	7	9	27	14	17	11	8	7	4	1	2

AM Peak 0645 - 0745 (90), AM PHF=0.91 PM Peak 1545 - 1645 (102), PM PHF=0.86

*** Saturday, 16 September 2023=750, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
4	1	1	2	3	8	15	24	55	52	67	55	76	64	58	45	65	50	46	16	9	8	16	12
1	0	0	0	2	0	3	4	12	12	15	17	18	17	20	19	20	9	16	5	2	1	6	2
1	0	0	1	0	0	4	6	10	12	19	11	20	20	13	12	20	11	11	4	3	3	5	5
2	0	1	1	0	5	6	7	12	17	18	15	19	18	9	8	10	18	12	6	2	1	4	4
0	1	0	0	1	3	2	7	21	11	15	12	19	9	16	7	15	12	7	1	2	3	1	2

AM Peak 1145 - 1245 (69), AM PHF=0.86 PM Peak 1200 - 1300 (76), PM PHF=0.95

Site: [Lobethal] 51 Mill Road, Lobethal
Attribute: 50 Km/h
Input A: 7 - North bound A>B, South bound B>A. - Lane= 0, Added to totals. (/2.000)
Input B: 0 - Unused or unknown. - Lane= 1, Excluded from totals.
Survey Duration: 0:00 Saturday, 26 August 2023 => 9:38 Thursday, 21 September 2023,
Zone:
File: Lobethal 0 2023-09-21 0939.EC0 (Plus)
Identifier: YN39B1YG MC5900-X13 (c)MetroCount 09Nov16
Algorithm: Event Count (v5.08)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:
Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Tuesday, 19 September 2023 (24)
Separation: GapX > 0 sec
Name: Default Profile
Scheme: Count events divided by setup divisor
Units: Metric (metre, kilometre, m/s, km/h, kg, tonne)
In profile: Events = 36807 / 36807 (100.00%)

*** Saturday, 26 August 2023=691, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
3	5	0	3	0	6	19	22	28	38	72	67	71	55	46	58	65	57	31	9	11	6	16	7	
2	1	0	1	0	2	1	3	7	9	21	15	21	16	14	8	12	15	9	4	4	2	9	2	0
0	2	0	1	0	2	7	8	3	5	19	21	20	9	7	22	18	12	10	2	1	2	2	3	1
1	1	0	0	0	1	4	6	8	10	12	15	11	16	15	12	8	16	6	1	2	1	2	1	0
0	1	0	1	0	1	7	5	10	15	20	17	19	14	10	17	27	14	6	2	4	1	3	1	1

AM Peak 1115 - 1215 (73), AM PHF=0.87 PM Peak 1200 - 1300 (71), PM PHF=0.84

*** Sunday, 27 August 2023=655, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
2	2	0	1	1	3	4	14	22	38	53	97	77	48	53	64	60	54	33	11	11	4	5	1	
0	0	0	0	0	0	0	1	4	9	11	37	19	10	11	20	17	18	5	2	2	0	1	1	1
1	1	0	0	0	1	0	5	3	4	13	14	19	14	13	16	20	7	12	2	4	2	3	0	1
0	1	0	0	1	1	2	4	9	4	12	28	22	10	12	12	11	14	14	4	2	0	1	0	1
1	0	0	1	0	1	2	4	7	21	17	18	22	14	17	17	13	15	2	4	3	2	0	0	0

AM Peak 1100 - 1200 (97), AM PHF=0.66 PM Peak 1200 - 1300 (77), PM PHF=0.88

*** Monday, 28 August 2023=877, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
3	0	1	1	3	14	64	79	92	55	41	38	37	44	53	102	104	78	34	15	7	7	6	3	
1	0	0	0	1	1	14	25	19	18	11	13	8	12	5	26	19	27	7	5	1	2	2	1	0
1	0	0	1	1	2	14	14	17	12	15	13	13	13	26	37	24	16	6	3	3	2	0	1	0
1	0	1	0	1	3	25	25	26	10	8	7	8	10	7	19	28	23	13	2	2	2	3	1	0
0	0	0	0	0	8	12	16	30	16	8	5	8	9	15	21	33	12	9	5	1	1	1	0	1

AM Peak 0800 - 0900 (92), AM PHF=0.76 PM Peak 1615 - 1715 (112), PM PHF=0.85

*** Tuesday, 29 August 2023=951, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
1	2	0	1	2	18	64	101	105	61	36	52	50	50	51	103	112	71	39	17	8	4	2	4	
0	1	0	0	2	1	9	26	14	15	7	13	20	8	11	27	34	13	11	7	3	1	0	2	0
0	0	0	1	0	5	12	31	22	18	8	11	14	14	11	34	20	20	16	4	2	1	1	1	0
0	1	0	0	0	2	21	24	32	11	12	14	9	18	9	21	25	24	8	1	1	1	0	0	1
1	0	0	0	0	10	22	21	38	17	9	15	7	11	20	22	33	14	4	5	2	1	1	1	0

AM Peak 0815 - 0915 (106), AM PHF=0.71 PM Peak 1600 - 1700 (112), PM PHF=0.82

*** Wednesday, 30 August 2023=928, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
1	0	2	2	2	12	81	88	119	41	38	38	25	45	53	116	89	91	42	14	7	12	6	7	
0	0	0	0	0	1	11	26	32	23	14	10	7	11	11	26	30	21	12	4	4	6	1	2	0
0	0	1	1	1	4	17	22	20	5	11	10	3	12	12	29	22	23	15	4	1	1	2	3	0
1	0	1	1	1	1	27	18	35	6	5	5	7	11	15	27	23	24	7	3	1	3	0	2	0
0	0	0	0	0	6	26	22	33	7	8	14	8	11	16	34	14	23	8	3	1	2	3	0	0

AM Peak 0800 - 0900 (119), AM PHF=0.85 PM Peak 1515 - 1615 (120), PM PHF=0.88

*** Thursday, 31 August 2023=901, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
0	0	1	1	2	17	56	97	91	63	39	31	48	41	53	115	96	70	32	18	16	7	4	6	
0	0	0	0	0	1	12	24	20	10	9	8	19	11	10	37	19	25	10	4	4	1	0	2	0
0	0	0	1	0	3	13	22	16	14	7	10	10	8	17	37	26	16	9	5	3	2	3	2	0
0	0	1	0	0	7	17	25	31	20	12	9	10	11	9	24	29	14	10	5	3	2	1	2	0
0	0	0	0	2	6	15	26	25	20	11	4	9	11	17	17	23	15	3	4	6	2	0	0	0

AM Peak 0700 - 0800 (97), AM PHF=0.93 PM Peak 1445 - 1545 (115), PM PHF=0.77

* Friday, 1 September 2023=849, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	1	2	1	0	15	57	62	65	55	39	60	42	64	66	70	78	78	45	13	7	15	13	4
0	0	1	0	0	0	11	17	10	12	9	10	13	18	11	17	20	18	20	2	1	7	2	0
0	0	0	1	0	2	16	15	20	14	7	17	11	23	18	14	11	22	9	1	2	2	6	0
0	1	1	0	0	4	16	14	20	16	14	19	7	7	15	22	33	19	7	6	2	4	3	3
0	0	0	0	0	9	15	16	15	13	10	15	11	17	22	17	14	20	9	4	2	2	2	1

AM Peak 0815 - 0915 (67), AM PHF=0.83 PM Peak 1630 - 1730 (86), PM PHF=0.66

* Saturday, 2 September 2023=658, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
4	3	1	1	1	4	12	11	42	35	51	67	75	50	50	45	63	63	33	14	10	7	7	12
1	2	0	0	0	0	2	2	6	14	16	16	27	16	17	13	14	21	11	4	4	1	2	2
2	1	1	1	0	3	5	6	9	8	11	18	14	16	11	12	14	12	10	6	2	1	3	6
0	0	0	0	1	0	2	2	13	7	16	20	18	9	11	11	16	11	7	3	3	3	1	2
1	0	0	0	0	1	3	1	15	6	8	13	16	10	11	9	19	19	5	1	1	2	1	2

AM Peak 1115 - 1215 (78), AM PHF=0.72 PM Peak 1200 - 1300 (75), PM PHF=0.69

* Sunday, 3 September 2023=654, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
2	0	1	1	0	5	11	15	24	38	52	53	83	63	63	60	49	57	30	20	15	9	5	1
2	0	0	0	0	0	2	1	3	3	5	15	20	12	16	16	14	20	10	5	6	3	2	1
0	0	1	0	0	1	1	6	4	8	13	12	29	23	16	15	15	14	8	7	5	3	2	0
0	0	0	1	0	0	6	2	8	8	16	15	16	10	13	19	8	11	8	7	3	1	1	0
0	0	0	0	0	4	2	6	9	19	18	11	18	19	19	11	13	12	4	1	1	2	0	0

AM Peak 1145 - 1245 (76), AM PHF=0.66 PM Peak 1200 - 1300 (83), PM PHF=0.72

* Monday, 4 September 2023=798, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	0	2	0	14	56	96	81	39	34	30	42	40	43	97	91	65	40	13	12	4	3	0
0	0	0	0	0	1	9	30	10	11	6	6	10	7	16	24	20	14	13	5	2	0	0	0
0	0	0	1	0	2	12	18	12	10	8	6	13	10	3	42	26	17	12	5	2	1	1	0
0	0	0	0	0	5	18	22	32	9	9	5	8	14	10	16	27	23	9	3	4	0	1	0
0	0	0	1	0	6	17	26	27	10	11	13	11	9	14	16	18	11	6	0	4	3	1	0

AM Peak 0700 - 0800 (96), AM PHF=0.80 PM Peak 1500 - 1600 (97), PM PHF=0.58

* Tuesday, 5 September 2023=886, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	1	1	2	1	19	56	81	123	42	40	27	39	55	60	105	103	68	28	18	8	6	3	3
0	0	1	0	0	2	5	20	17	14	8	5	10	20	13	25	20	23	10	3	2	1	1	3
0	1	0	1	0	5	15	19	25	6	9	7	11	10	12	36	30	22	8	5	2	2	2	0
0	0	0	0	0	5	15	25	44	11	9	10	14	10	13	23	31	12	7	7	1	1	0	0
0	0	0	1	1	7	21	18	38	12	15	6	4	16	22	21	22	11	3	3	3	2	0	0

AM Peak 0800 - 0900 (123), AM PHF=0.70 PM Peak 1445 - 1545 (106), PM PHF=0.74

* Wednesday, 6 September 2023=859, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	1	0	1	2	23	69	90	113	43	37	37	33	39	59	90	76	65	40	6	18	9	6	6
0	0	0	0	0	0	9	12	22	12	7	8	10	7	16	29	16	25	20	0	3	1	0	3
0	0	0	1	0	7	18	26	17	11	6	8	5	10	15	36	22	13	10	0	6	3	1	0
0	1	0	0	0	8	26	34	41	9	15	7	11	17	9	15	23	15	6	4	5	5	2	0
0	0	0	0	2	8	17	20	34	11	9	14	7	5	20	11	16	12	5	2	4	0	3	3

AM Peak 0800 - 0900 (113), AM PHF=0.69 PM Peak 1445 - 1545 (100), PM PHF=0.70

* Thursday, 7 September 2023=743, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	2	1	1	14	46	80	104	41	31	32	20	31	38	97	85	63	25	16	7	8	2	1
0	0	1	0	0	1	9	20	15	16	7	5	7	6	5	22	19	15	8	6	2	3	1	0
0	0	0	1	0	6	15	18	12	6	8	11	3	6	9	46	21	19	6	4	2	1	0	0
0	0	1	0	0	2	8	23	32	14	6	12	5	8	18	20	25	13	7	4	2	1	1	0
0	0	0	0	1	5	14	19	45	5	10	5	5	11	6	10	21	16	4	2	1	3	0	0

AM Peak 0815 - 0915 (105), AM PHF=0.59 PM Peak 1500 - 1600 (97), PM PHF=0.53

* Friday, 8 September 2023=682, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	2	4	1	1	9	33	53	46	27	35	35	66	45	47	54	88	66	40	8	12	9	3	3
0	0	1	0	0	0	8	12	13	6	5	7	14	16	10	12	22	19	13	3	4	2	1	1
0	2	1	1	0	5	14	11	8	7	6	4	16	11	11	14	23	17	12	4	2	3	1	2
0	0	2	0	1	3	6	17	9	5	10	14	13	10	10	10	25	13	6	1	5	1	1	0
0	0	0	0	0	1	5	14	17	9	14	11	24	8	17	19	18	17	10	0	1	3	0	0

AM Peak 0715 - 0815 (54), AM PHF=0.82 PM Peak 1545 - 1645 (89), PM PHF=0.89

* Saturday, 9 September 2023=562, 15 minute drops

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
3	0	5	0	1	7	13	18	29	40	43	53	70	46	51	47	42	29	18	11	10	12	8	9
0	0	2	0	1	0	1	4	6	13	10	13	16	13	21	10	11	9	5	3	1	3	1	2
1	0	1	0	0	2	3	7	8	9	11	14	14	14	12	11	12	8	5	4	4	1	4	5
1	0	0	0	0	0	6	2	5	10	12	9	21	10	14	11	13	7	5	2	2	3	2	2
1	0	2	0	0	5	3	5	10	9	11	18	20	9	4	16	7	5	3	2	3	5	1	0

AM Peak 1145 - 1245 (68), AM PHF=0.83 PM Peak 1200 - 1300 (70), PM PHF=0.85

* Sunday, 10 September 2023=597, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Sunday, 10 September 2023. The first row shows peak values for each 15-minute interval, and subsequent rows show individual drop counts.

AM Peak 1130 - 1230 (69), AM PHF=0.86 PM Peak 1530 - 1630 (72), PM PHF=0.83

* Monday, 11 September 2023=782, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Monday, 11 September 2023. The first row shows peak values for each 15-minute interval, and subsequent rows show individual drop counts.

AM Peak 0800 - 0900 (88), AM PHF=0.72 PM Peak 1445 - 1545 (84), PM PHF=0.81

* Tuesday, 12 September 2023=916, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Tuesday, 12 September 2023. The first row shows peak values for each 15-minute interval, and subsequent rows show individual drop counts.

AM Peak 0630 - 0730 (95), AM PHF=0.86 PM Peak 1500 - 1600 (106), PM PHF=0.78

* Wednesday, 13 September 2023=949, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Wednesday, 13 September 2023. The first row shows peak values for each 15-minute interval, and subsequent rows show individual drop counts.

AM Peak 0645 - 0745 (99), AM PHF=0.86 PM Peak 1445 - 1545 (118), PM PHF=0.63

* Thursday, 14 September 2023=942, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Thursday, 14 September 2023. The first row shows peak values for each 15-minute interval, and subsequent rows show individual drop counts.

AM Peak 0800 - 0900 (111), AM PHF=0.80 PM Peak 1445 - 1545 (115), PM PHF=0.70

* Friday, 15 September 2023=884, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Friday, 15 September 2023. The first row shows peak values for each 15-minute interval, and subsequent rows show individual drop counts.

AM Peak 0645 - 0745 (97), AM PHF=0.84 PM Peak 1515 - 1615 (96), PM PHF=0.94

* Saturday, 16 September 2023=659, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Saturday, 16 September 2023. The first row shows peak values for each 15-minute interval, and subsequent rows show individual drop counts.

AM Peak 1000 - 1100 (67), AM PHF=0.74 PM Peak 1245 - 1345 (76), PM PHF=0.78

* Sunday, 17 September 2023=570, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Sunday, 17 September 2023. The first row shows peak values for each 15-minute interval, and subsequent rows show individual drop counts.

AM Peak 1130 - 1230 (76), AM PHF=0.86 PM Peak 1200 - 1300 (70), PM PHF=0.80

* Monday, 18 September 2023=296, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data for Monday, 18 September 2023. The first row shows peak values for each 15-minute interval, and subsequent rows show individual drop counts.

AM Peak 0745 - 0845 (107), AM PHF=0.61

Site: [Lobethal] 76 Ridge Road, Lobethal
Attribute: 50 Km/h
Input A: 7 - North bound A>B, South bound B>A. - Lane= 0, Added to totals. (/2.000)
Input B: 0 - Unused or unknown. - Lane= 1, Excluded from totals.
Survey Duration: 0:00 Saturday, 26 August 2023 => 8:57 Thursday, 21 September 2023,
Zone:
File: Lobethal 0 2023-09-21 0857.EC0 (Plus)
Identifier: YN50RHAH MC5900-X13 (c)MetroCount 09Nov16
Algorithm: Event Count (v5.08)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:
Filter time: 0:00 Saturday, 26 August 2023 => 0:00 Tuesday, 19 September 2023 (24)
Separation: GapX > 0 sec
Name: Default Profile
Scheme: Count events divided by setup divisor
Units: Metric (metre, kilometre, m/s, km/h, kg, tonne)
In profile: Events = 45372 / 45375 (99.99%)

*** Saturday, 26 August 2023=1084, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
4	3	3	6	65	15	27	32	51	63	83	76	71	67	79	77	109	95	69	33	12	13	17	19	
2	1	1	0	13	4	6	8	7	16	18	21	17	24	21	23	22	30	22	6	9	3	6	4	2
0	1	0	1	19	2	6	3	14	14	20	16	15	19	22	19	28	27	15	15	2	2	2	5	1
2	0	0	0	20	4	10	7	15	18	22	15	23	16	20	17	19	22	16	8	0	4	4	5	0
0	1	2	5	13	5	5	14	15	16	23	24	16	9	17	19	40	16	16	4	1	4	5	5	1

AM Peak 1015 - 1115 (86), AM PHF=0.95 PM Peak 1645 - 1745 (119), PM PHF=0.74

*** Sunday, 27 August 2023=767, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
4	4	2	0	8	13	19	39	58	59	91	65	64	69	83	65	48	36	14	12	8	5	3		
2	1	0	0	0	0	5	7	9	13	15	20	20	14	23	22	11	18	5	5	2	2	2		1
1	0	1	0	0	2	2	3	14	23	12	19	23	7	20	20	19	11	12	1	2	5	1	0	0
0	1	1	0	0	3	4	4	17	18	21	7	24	17	23	13	12	3	4	1	1	1	0	0	0
1	2	0	0	0	3	2	5	12	6	14	31	15	13	18	17	11	14	3	4	4	0	1	1	0

AM Peak 1130 - 1230 (95), AM PHF=0.77 PM Peak 1445 - 1545 (84), PM PHF=0.91

*** Monday, 28 August 2023=1105, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
1	0	3	6	68	31	52	67	86	53	48	49	53	46	72	90	143	88	62	33	20	18	9	10	
1	0	0	0	10	9	11	11	29	9	10	13	17	10	15	20	46	22	20	10	4	7	3	4	1
0	0	0	0	21	7	10	22	17	21	15	12	15	12	10	20	38	23	14	9	4	2	1	4	1
0	0	1	1	24	11	21	17	19	14	8	12	12	12	22	26	34	24	15	8	6	3	3	0	0
0	0	2	5	13	4	11	17	21	9	15	12	10	12	25	25	25	19	13	6	6	6	2	2	0

AM Peak 0800 - 0900 (86), AM PHF=0.74 PM Peak 1600 - 1700 (143), PM PHF=0.78

*** Tuesday, 29 August 2023=1189, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
2	2	2	12	67	27	60	87	91	65	66	50	56	61	73	90	150	84	72	27	11	14	13	10	
1	0	0	0	10	7	13	13	19	9	18	6	18	18	24	22	33	29	32	7	2	2	4	5	0
1	1	1	0	17	8	11	18	20	23	15	15	13	17	12	23	38	16	19	9	4	4	2	1	1
0	0	0	3	23	3	21	33	24	15	16	14	15	10	21	19	40	24	9	9	1	5	3	3	0
0	1	1	9	18	9	15	23	28	18	17	15	11	16	16	26	39	15	12	2	4	3	4	1	0

AM Peak 0730 - 0830 (95), AM PHF=0.72 PM Peak 1600 - 1700 (150), PM PHF=0.94

*** Wednesday, 30 August 2023=1204, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
1	1	1	9	72	26	45	68	89	75	53	50	57	53	76	90	154	108	80	46	26	13	9	5	
0	1	0	2	11	7	10	12	24	26	13	18	17	20	22	21	48	26	33	14	6	4	4	1	2
1	0	0	0	17	6	4	16	20	16	17	13	18	9	8	24	37	34	16	9	8	2	0	3	1
0	0	0	1	28	7	16	21	24	17	13	9	12	10	22	25	28	21	18	16	3	2	1	0	1
0	0	1	6	16	6	15	20	22	16	10	11	11	15	25	20	41	28	13	7	9	5	4	1	0

AM Peak 0815 - 0915 (91), AM PHF=0.89 PM Peak 1600 - 1700 (154), PM PHF=0.80

*** Thursday, 31 August 2023=1177, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300	
4	2	2	12	71	22	57	74	94	74	54	56	47	61	62	98	143	92	72	35	18	7	12	12	
2	0	0	0	9	1	9	13	14	20	12	16	5	11	19	20	41	27	21	7	4	0	8	4	1
1	1	0	1	17	7	13	17	22	18	16	14	13	21	13	15	30	14	23	8	6	2	0	5	0
1	0	0	5	26	6	19	20	31	16	6	16	10	11	13	31	36	27	11	9	5	2	3	1	0
0	1	2	6	19	8	17	25	28	20	20	11	19	18	17	32	36	24	17	11	3	3	1	2	1

AM Peak 0815 - 0915 (101), AM PHF=0.82 PM Peak 1600 - 1700 (143), PM PHF=0.87

* Friday, 1 September 2023=1214, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 42. Includes a final column with values 4, 0, 2, 3.

AM Peak 1100 - 1200 (92), AM PHF=0.88 PM Peak 1600 - 1700 (132), PM PHF=0.79

* Saturday, 2 September 2023=1058, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 85. Includes a final column with values 2, 0, 0, 2.

AM Peak 0930 - 1030 (93), AM PHF=0.86 PM Peak 1615 - 1715 (127), PM PHF=0.88

* Sunday, 3 September 2023=891, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 61. Includes a final column with values 0, 0, 0, 1.

AM Peak 1145 - 1245 (111), AM PHF=0.84 PM Peak 1215 - 1315 (105), PM PHF=0.88

* Monday, 4 September 2023=1160, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 91. Includes a final column with values 2, 1, 0, 0.

AM Peak 0815 - 0915 (93), AM PHF=0.89 PM Peak 1615 - 1715 (121), PM PHF=0.90

* Tuesday, 5 September 2023=1241, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 80. Includes a final column with values 1, 1, 0, 0.

AM Peak 0815 - 0915 (90), AM PHF=0.79 PM Peak 1545 - 1645 (167), PM PHF=0.93

* Wednesday, 6 September 2023=1242, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 102. Includes a final column with values 0, 0, 0, 1.

AM Peak 0800 - 0900 (102), AM PHF=0.91 PM Peak 1615 - 1715 (130), PM PHF=0.81

* Thursday, 7 September 2023=1016, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 91. Includes a final column with values 3, 0, 1, 1.

AM Peak 0745 - 0845 (93), AM PHF=0.89 PM Peak 1600 - 1700 (131), PM PHF=0.81

* Friday, 8 September 2023=971, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 67. Includes a final column with values 1, 5, 1, 0.

AM Peak 0800 - 0900 (72), AM PHF=0.83 PM Peak 1615 - 1715 (112), PM PHF=0.84

* Saturday, 9 September 2023=584, 15 minute drops

Table with 24 columns (0000-2300) and 5 rows of data. Values range from 0 to 46. Includes a final column with values 0, 2, 0, 0.

AM Peak 1015 - 1115 (66), AM PHF=0.70 PM Peak 1615 - 1715 (82), PM PHF=0.81

*** Sunday, 10 September 2023=395, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
2	1	0	0	0	2	2	10	18	40	36	41	38	34	46	32	33	30	18	5	7	2	2	0
0	0	0	0	0	0	2	3	5	9	9	9	10	14	10	8	10	6	7	2	2	0	1	0
2	0	0	0	0	0	0	2	1	12	6	4	12	4	10	11	8	8	7	1	3	1	0	0
0	0	0	0	0	0	0	1	6	9	15	10	8	8	17	7	8	9	4	2	2	1	0	0
0	1	0	0	0	2	0	4	6	10	7	18	9	8	10	7	7	7	0	0	1	0	1	0

AM Peak 1130 - 1230 (50), AM PHF=0.69 PM Peak 1400 - 1500 (46), PM PHF=0.70

*** Monday, 11 September 2023=564, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	0	3	3	8	34	51	53	38	26	26	22	13	37	53	115	41	17	9	9	3	1	6
0	0	0	0	0	0	4	11	11	15	5	8	8	5	10	15	27	15	6	4	3	1	0	2
0	0	0	0	1	2	6	13	16	9	7	7	9	3	13	10	33	10	2	1	0	2	0	0
0	0	0	1	2	3	16	16	15	5	7	6	3	3	10	16	24	6	7	2	4	0	1	0
0	0	0	2	0	4	8	12	11	10	7	5	3	2	4	12	32	11	2	2	2	0	0	4

AM Peak 0815 - 0915 (57), AM PHF=0.88 PM Peak 1600 - 1700 (115), PM PHF=0.87

*** Tuesday, 12 September 2023=575, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
3	0	0	3	2	7	38	52	53	46	23	30	16	23	44	45	95	48	28	9	3	4	5	3
2	0	0	0	0	0	6	9	6	9	8	6	4	8	13	13	24	14	17	5	3	3	0	2
0	0	0	0	2	4	11	12	17	12	5	10	3	4	9	11	16	10	5	1	0	0	0	1
1	0	0	3	0	0	9	13	15	6	4	7	4	8	13	11	31	15	2	2	0	1	1	0
0	0	0	0	0	4	12	18	15	19	7	8	5	4	9	10	24	10	4	1	0	0	4	0

AM Peak 0745 - 0845 (56), AM PHF=0.77 PM Peak 1600 - 1700 (95), PM PHF=0.76

*** Wednesday, 13 September 2023=575, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
1	0	0	2	7	9	31	41	48	44	45	32	24	32	32	51	78	46	30	11	6	5	0	5
0	0	0	0	2	1	5	10	11	10	20	8	9	7	8	15	9	17	11	3	1	2	0	0
1	0	0	0	0	3	6	6	11	11	9	7	7	8	10	16	16	9	7	4	2	1	0	1
0	0	0	1	1	3	9	11	8	11	14	9	3	13	8	9	24	4	8	0	2	0	0	2
0	0	0	1	4	3	11	14	18	12	3	9	6	4	6	12	30	16	4	4	1	2	0	2

AM Peak 0945 - 1045 (54), AM PHF=0.69 PM Peak 1615 - 1715 (86), PM PHF=0.72

*** Thursday, 14 September 2023=516, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
2	0	0	1	5	10	31	40	65	38	30	21	22	30	35	41	72	29	18	6	7	8	3	5
0	0	0	0	0	3	7	10	17	6	9	6	2	7	4	10	12	10	10	3	2	3	0	1
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0	0	0	0	1	1	11	15	21	8	10	5	8	7	8	11	15	4	2	1	1	2	1	1
0	0	0	1	1	5	8	7	14	14	8	7	10	12	14	12	26	7	4	0	2	4	2	2

AM Peak 0800 - 0900 (65), AM PHF=0.77 PM Peak 1600 - 1700 (72), PM PHF=0.71

*** Friday, 15 September 2023=534, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	0	4	3	8	26	43	46	39	32	22	41	23	37	54	83	32	19	8	4	3	9	3
0	0	0	0	0	0	6	8	13	7	6	6	15	11	11	14	5	14	6	5	0	1	1	2
0	0	0	2	1	1	7	7	11	13	12	8	12	5	7	17	14	5	4	1	1	1	1	0
0	0	0	1	0	3	5	14	12	8	6	3	4	2	10	15	28	5	5	1	0	0	1	1
0	0	0	1	2	4	9	14	11	11	9	5	12	5	10	9	37	8	5	1	3	1	6	0

AM Peak 0730 - 0830 (52), AM PHF=0.93 PM Peak 1615 - 1715 (93), PM PHF=0.63

*** Saturday, 16 September 2023=452, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	0	0	2	5	17	9	24	27	47	44	23	28	23	29	78	48	23	8	7	6	3	5
0	0	0	0	0	0	4	1	6	8	18	10	10	11	6	4	19	13	13	5	2	2	1	2
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0	0	0	0	0	1	4	4	4	6	10	8	7	6	8	7	12	13	3	2	0	3	2	2
0	0	0	0	1	3	5	3	6	4	7	12	2	6	4	9	10	11	6	0	3	0	0	1

AM Peak 1000 - 1100 (47), AM PHF=0.65 PM Peak 1600 - 1700 (78), PM PHF=0.51

*** Sunday, 17 September 2023=363, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
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0	0	0	1	0	0	4	4	5	4	8	13	9	9	6	11	6	3	2	0	0	2	0	0
0	0	0	0	0	1	3	1	6	6	12	18	7	10	6	7	4	11	2	5	1	1	1	0

AM Peak 1100 - 1200 (47), AM PHF=0.65 PM Peak 1215 - 1315 (37), PM PHF=0.71

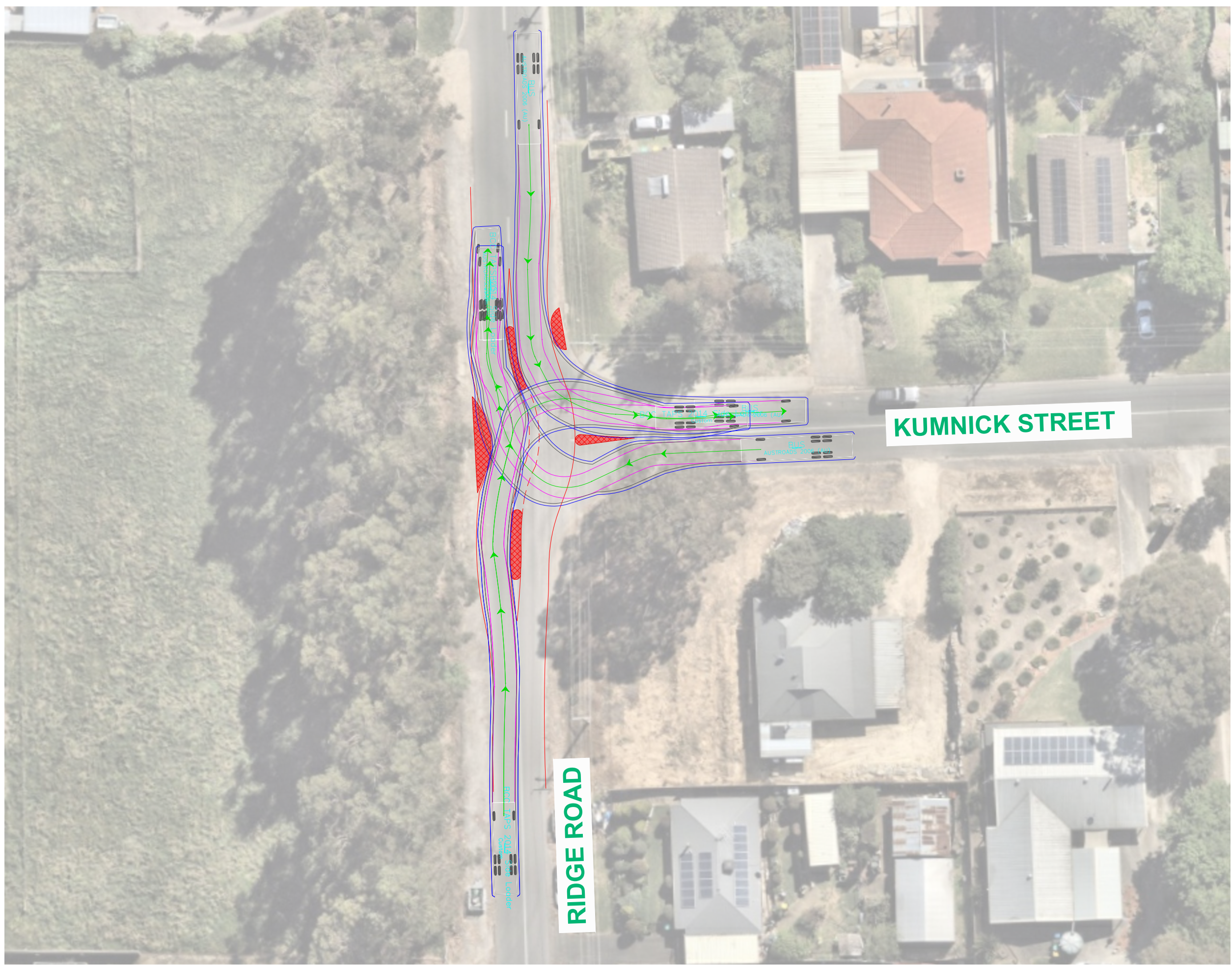
*** Monday, 18 September 2023=125, 15 minute drops**

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
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0	0	0	1	1	2	10	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
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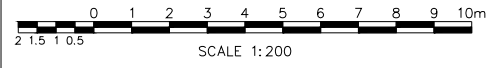
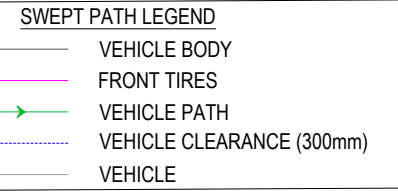
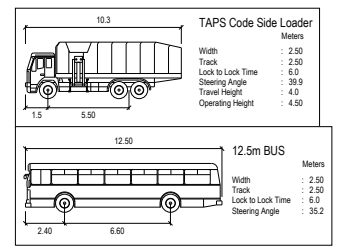
AM Peak 0730 - 0830 (54), AM PHF=0.69

APPENDIX B

Concept Mitigation Measures



VEHICLE USED IN SIMULATION



PROJECT
RIDGE ROAD & MILL ROAD, LOBETHAL

CLIENT
ADELAIDE HILLS COUNCIL

DRAWING TITLE
**MITIGATION MEASURE
 SWEEP PATH ASSESSMENT**

DRAWING NUMBER
SK01

DATE	REVISION
15 JAN 2024	A

REV	DRAWN BY	APPROVED	DATE	AMENDMENT DETAILS

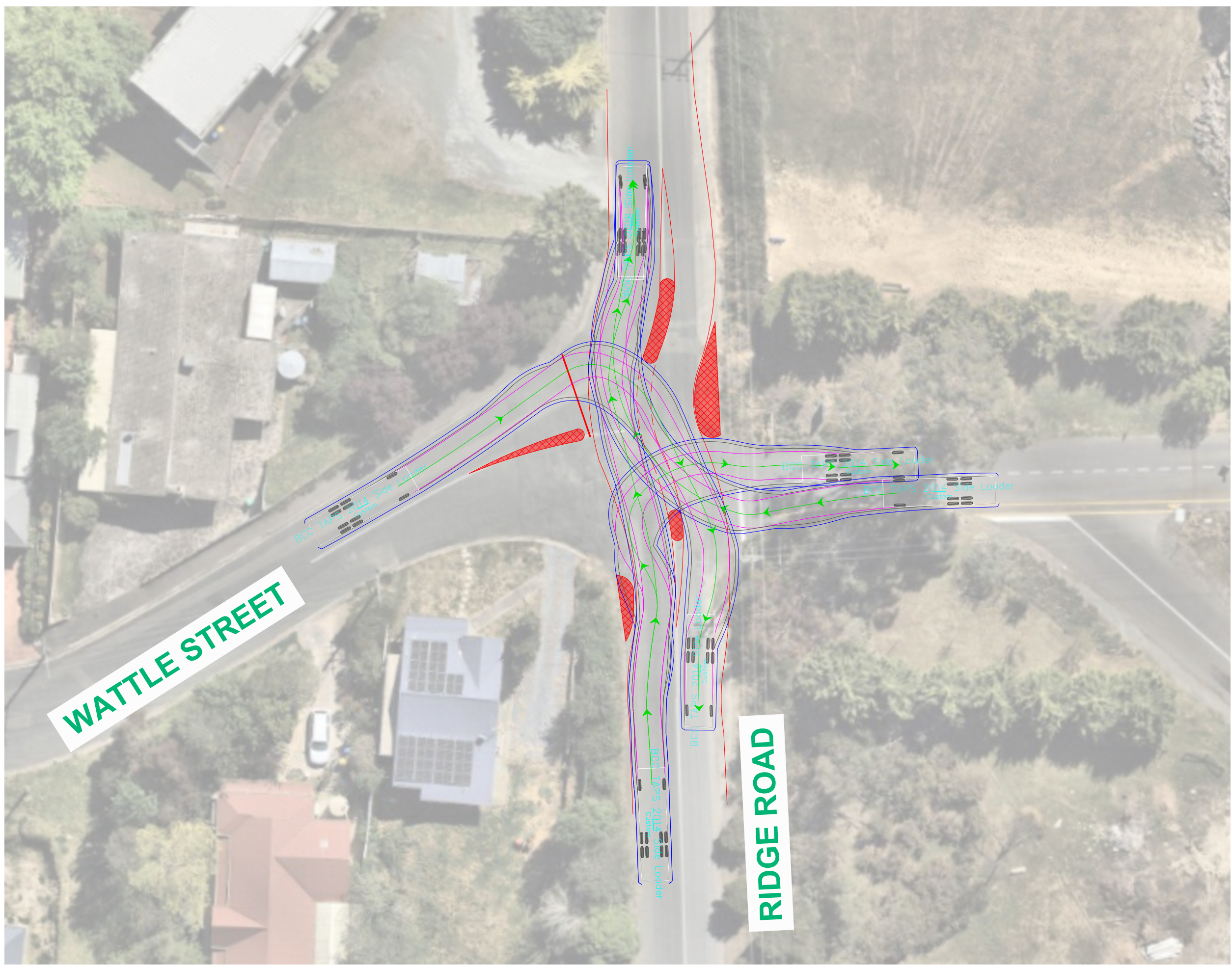


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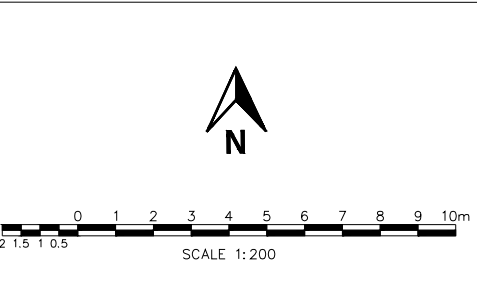
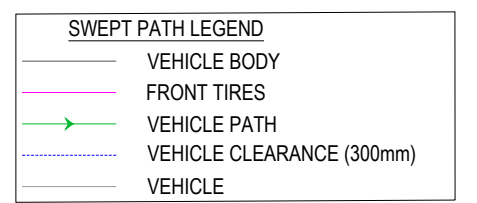
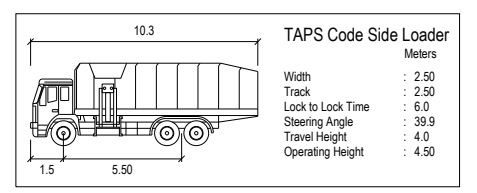
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VEHICLE USED IN SIMULATION



PROJECT
RIDGE ROAD & MILL ROAD, LOBETHAL

CLIENT
ADELAIDE HILLS COUNCIL

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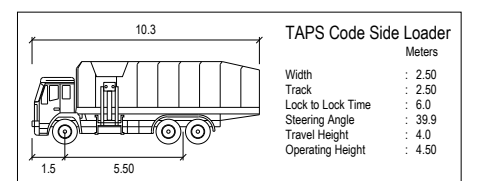
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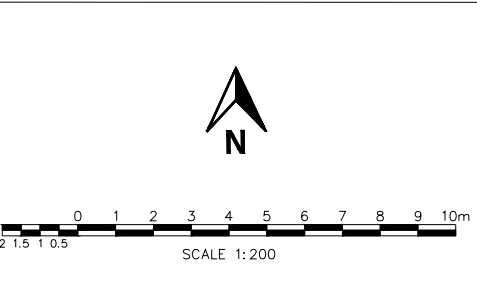


VEHICLE USED IN SIMULATION



SWEPT PATH LEGEND

	VEHICLE BODY
	FRONT TIRES
	VEHICLE PATH
	VEHICLE CLEARANCE (300mm)
	VEHICLE



PROJECT
RIDGE ROAD & MILL ROAD, LOBETHAL

CLIENT
ADELAIDE HILLS COUNCIL

DRAWING TITLE
**MITIGATION MEASURE
 SWEEP PATH ASSESSMENT**

DRAWING NUMBER
SK03

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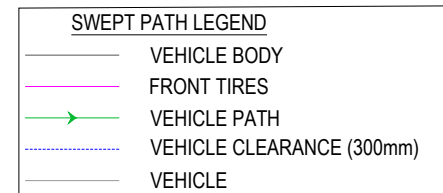
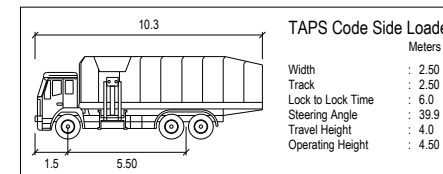
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RIDGE ROAD

VEHICLE USED IN SIMULATION



PROJECT

**RIDGE ROAD & MILL ROAD,
LOBETHAL**

CLIENT

ADELAIDE HILLS COUNCIL

DRAWING TITLE

**MITIGATION MEASURE
SWEPT PATH ASSESSMENT**

DRAWING NUMBER

SK04

DATE

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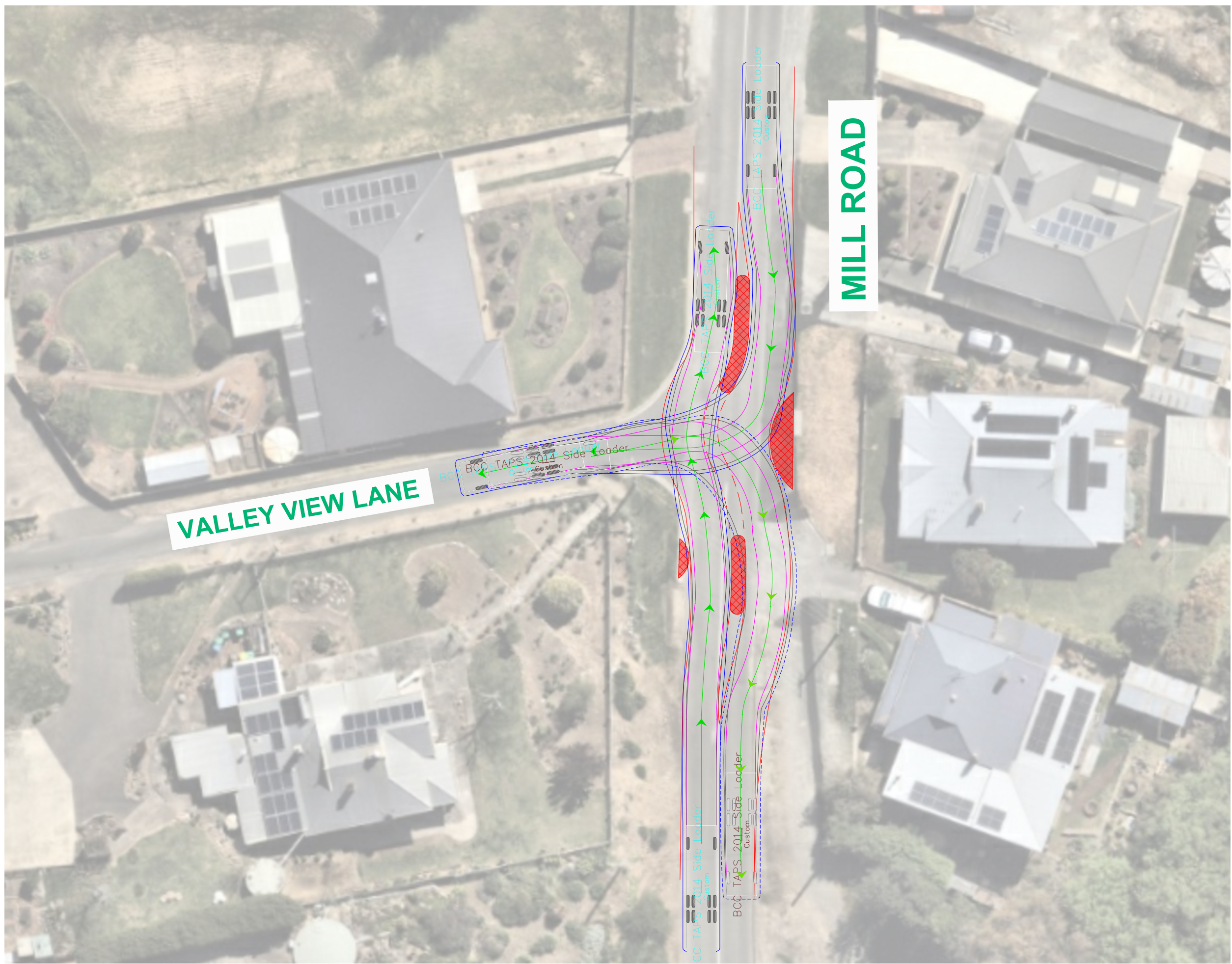
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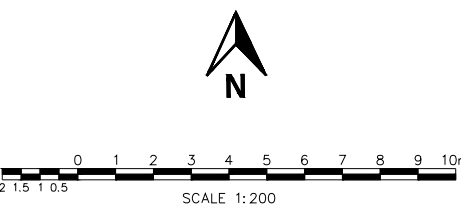
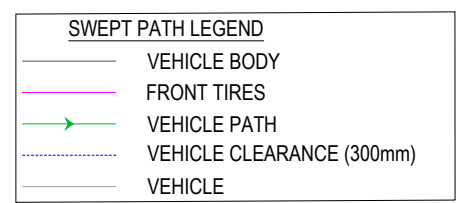
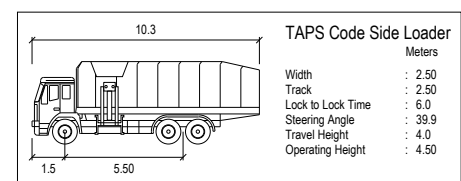
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VEHICLE USED IN SIMULATION



PROJECT
RIDGE ROAD & MILL ROAD, LOBETHAL

CLIENT
ADELAIDE HILLS COUNCIL

DRAWING TITLE
**MITIGATION MEASURE
 SWEEP PATH ASSESSMENT**

DRAWING NUMBER
SK05

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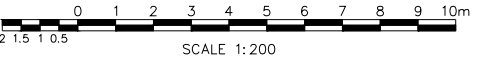
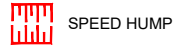
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SPEED BUMP

LEGEND



PROJECT

**RIDGE ROAD & MILL ROAD,
LOBETHAL**

CLIENT

ADELAIDE HILLS COUNCIL

DRAWING TITLE

**MITIGATION MEASURE SPEED
HUMPS**

DRAWING NUMBER

SK06

DATE

17 APR 2024

REVISION

B

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A	C.S	T.A	15/01/24	DESIGN REVIEW



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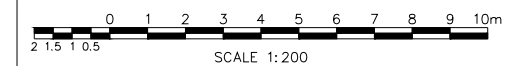
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LEGEND

-  RAISED TRAFFIC ISLAND/BUILD OUT
-  PROPOSED SIGN
-  R2-4 'NO ENTRY' SIGN



PROJECT

**RIDGE ROAD & MILL ROAD,
LOBETHAL**

CLIENT

ADELAIDE HILLS COUNCIL

DRAWING TITLE

**MITIGATION MEASURE SPEED
ISLAND 1 OF 2**

DRAWING NUMBER

SK07

DATE

23 APR 2024

REVISION

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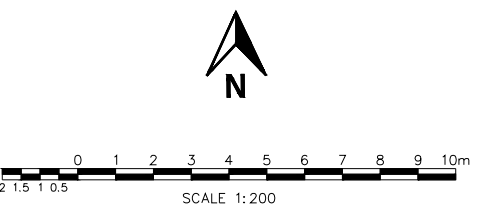
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- LEGEND**
-  MOUNTABLE TRAFFIC ISLAND
 -  PROPOSED SIGN
 -  R2-6A(R) 'NO RIGHT TURN' SIGN



PROJECT
 RIDGE ROAD & MILL ROAD,
 LOBETHAL

CLIENT
 ADELAIDE HILLS COUNCIL

DRAWING TITLE
 MITIGATION MEASURE SPEED
 ISLAND 2 OF 2

DRAWING NUMBER
 SK08

DATE	REVISION
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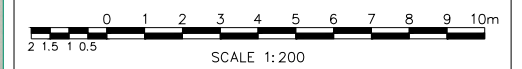
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LEGEND

-  SPEED HUMP
-  RAISED TRAFFIC ISLAND
-  MOUNTABLE TRAFFIC ISLAND
-  PROPOSED SIGN
-  R2-6A(R) 'NO RIGHT TURN' SIGN



PROJECT

**RIDGE ROAD & MILL ROAD,
LOBETHAL**

CLIENT

ADELAIDE HILLS COUNCIL

DRAWING TITLE

**MITIGATION MEASURE SPEED
HUMPS - OVERALL**

DRAWING NUMBER

SK09

DATE

23 APR 2024

REVISION

B

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A	C.S	T.A	15/01/24	DESIGN REVIEW



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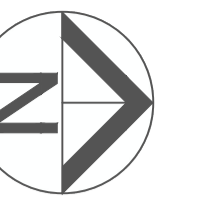
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Appendix 2

*Preliminary Design - Traffic Safety Improvements – Mill
Road & Ridge Road, Lobethal*



OVERALL PLAN



SCALES:
100 MILLIMETERS ON ORIGINAL DRAWING



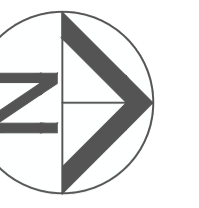
REV	DESCRIPTION	SC	DATE
A		SC	13/02/25

MILL ROAD & RIDGE ROAD
LOBETHAL
ADELAIDE HILLS COUNCIL
PROPOSED TRAFFIC SAFETY WORKS

SHEET 1 OF X

ADELAIDE HILLS COUNCIL

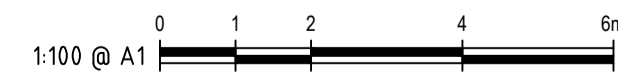
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DRAWING # AHC-01	SHEET # C01	SURVEY #	REV # A



PLAN-1



SCALES:



100 MILLIMETERS ON ORIGINAL DRAWING

REV DESCRIPTION

A

SC

13/02/25

DRAWN CHECK APP'D DATE

MILL ROAD & RIDGE ROAD
LOBETHAL
ADELAIDE HILLS COUNCIL
PROPOSED TRAFFIC SAFETY WORKS

SHEET 1 OF X

ADELAIDE HILLS COUNCIL

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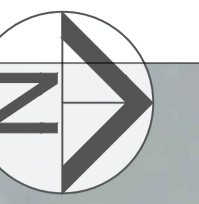
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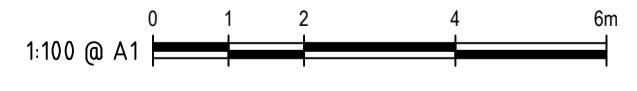
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PLAN-2



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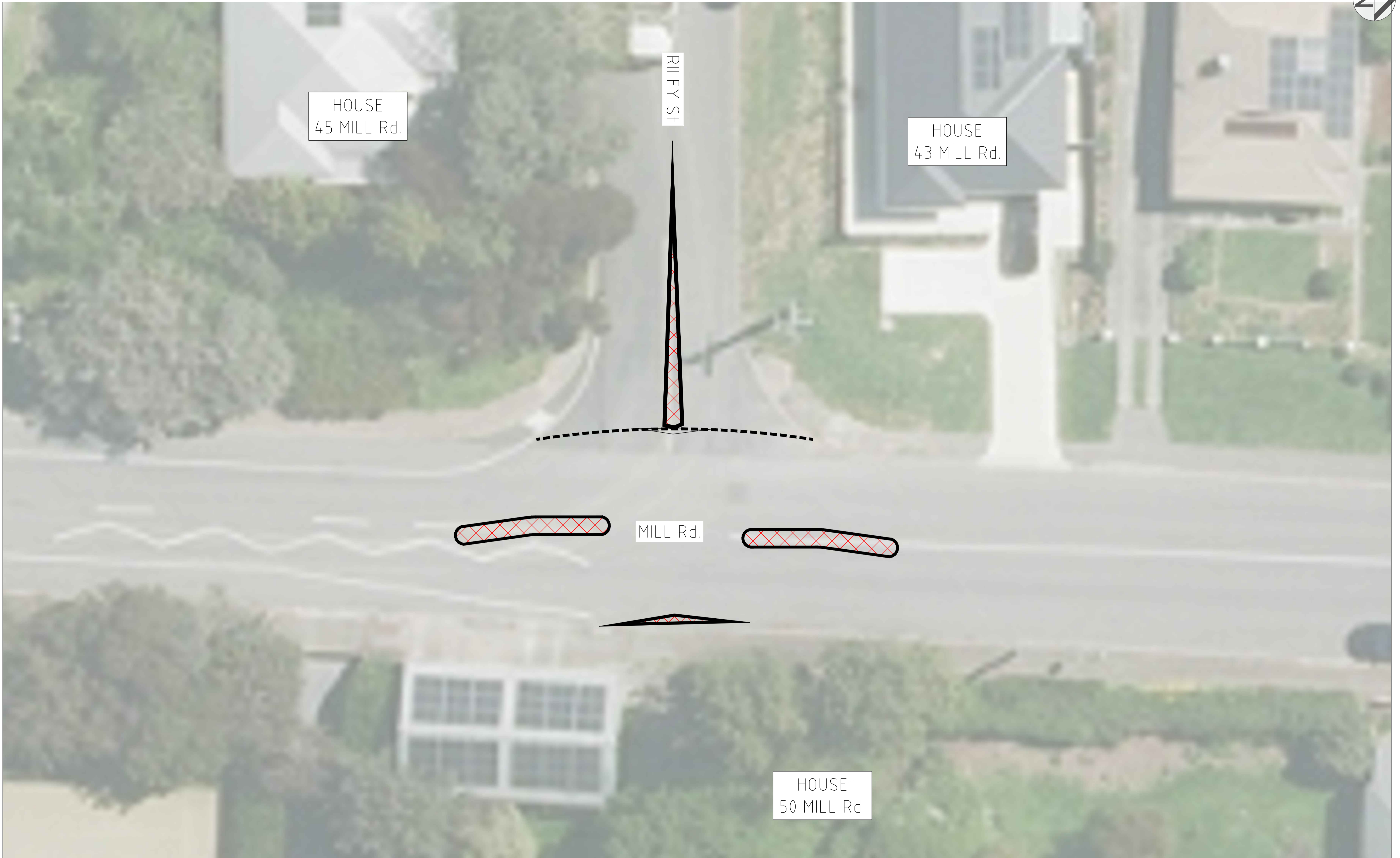
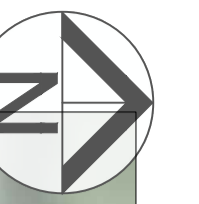
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MILL ROAD & RIDGE ROAD
LOBETHAL
ADELAIDE HILLS COUNCIL
PROPOSED TRAFFIC SAFETY WORKS

SHEET 1 OF X

ADELAIDE HILLS COUNCIL

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PLAN-3



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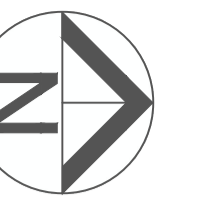
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MILL ROAD & RIDGE ROAD
LOBETHAL
ADELAIDE HILLS COUNCIL
PROPOSED TRAFFIC SAFETY WORKS

SHEET 1 OF X

ADELAIDE HILLS COUNCIL

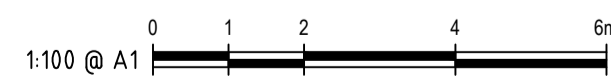
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PLAN-4



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LOBETHAL
ADELAIDE HILLS COUNCIL
PROPOSED TRAFFIC SAFETY WORKS

SHEET 1 OF X

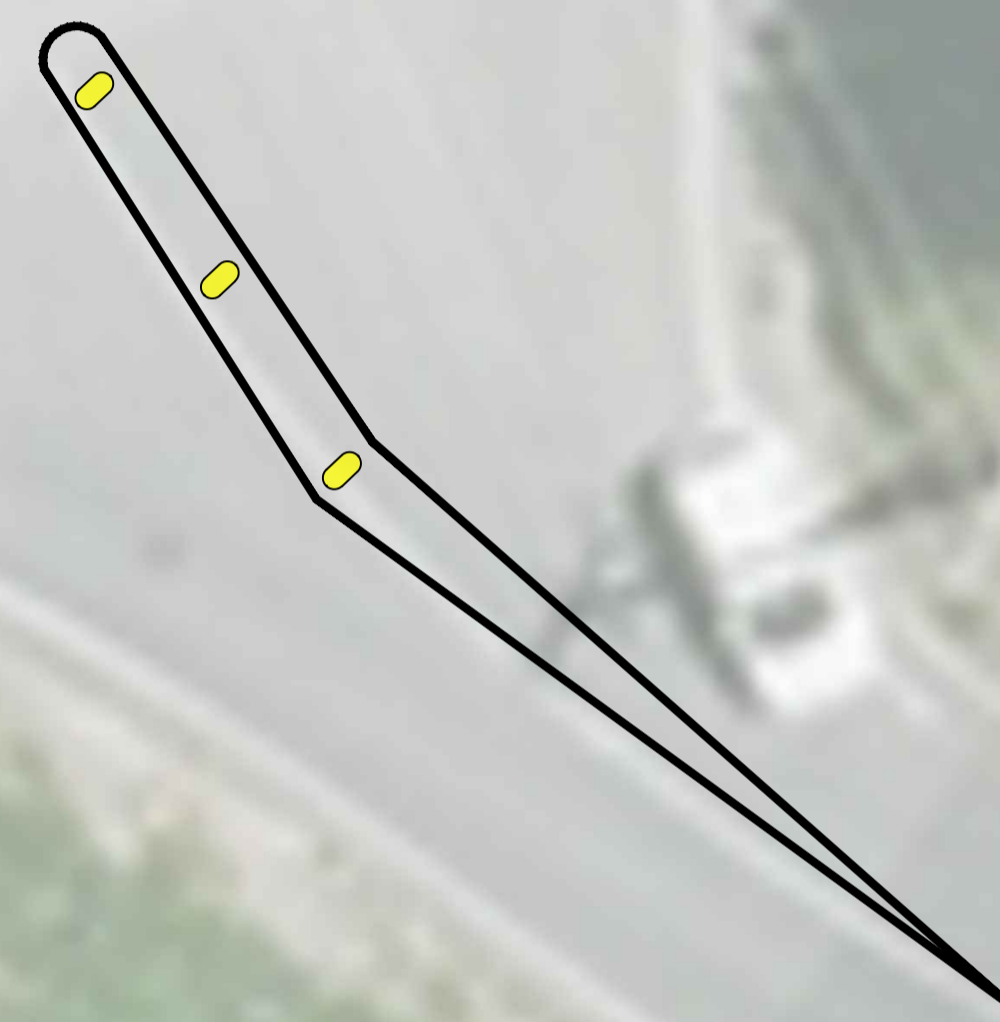
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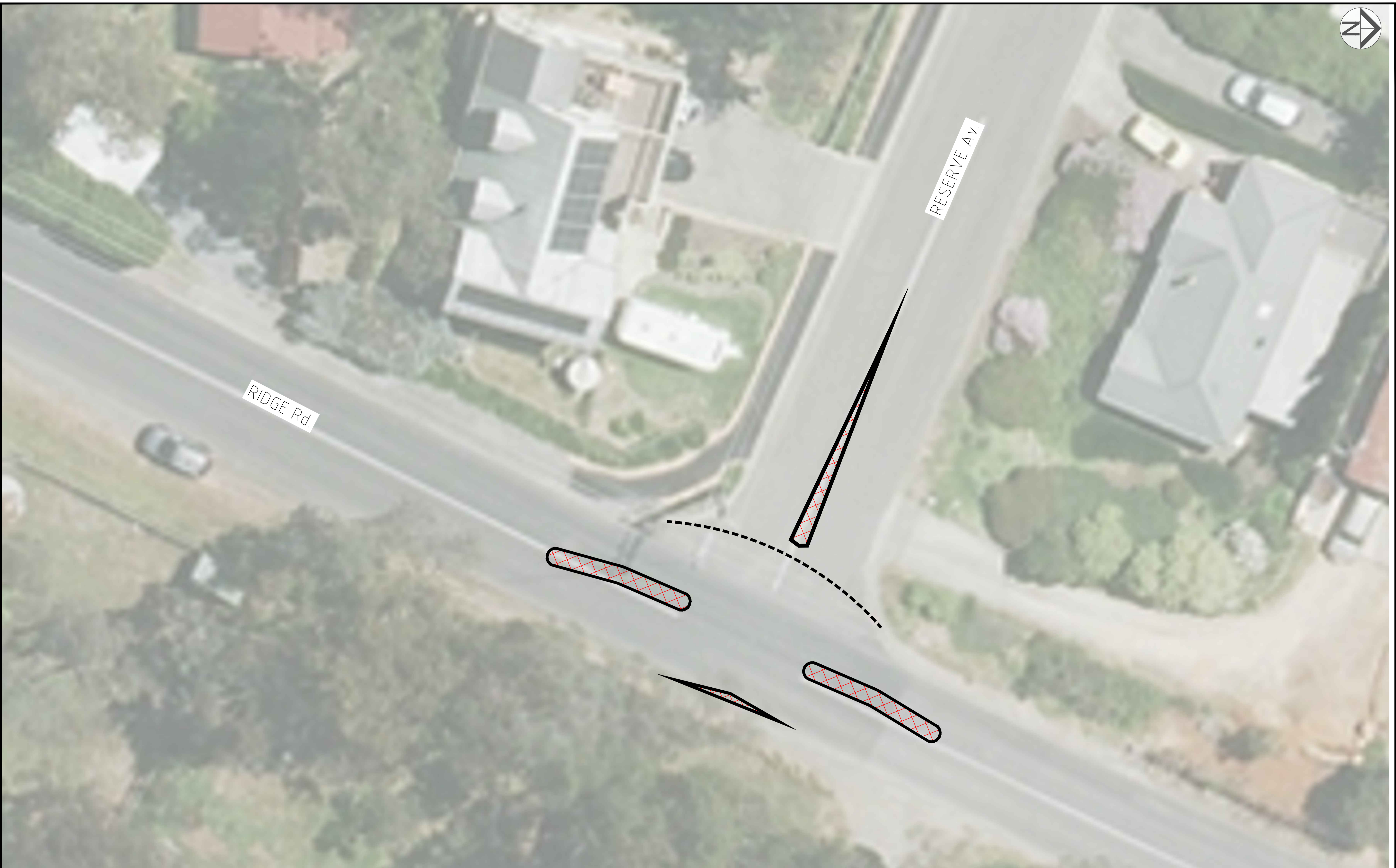
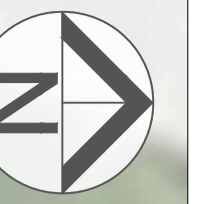
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RIDGE Rd.



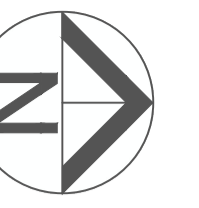
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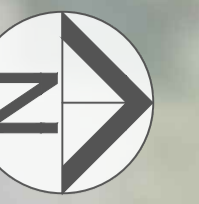
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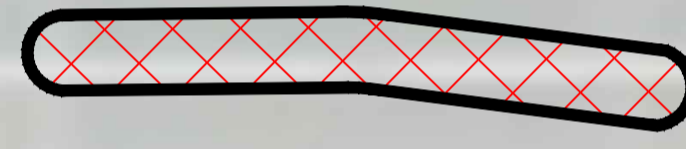
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 <p>Adelaide Hills COUNCIL</p>	<p>SCALES:</p> <p>1:100 @ A1</p> 	<p>MILL ROAD & RIDGE ROAD LOBETHAL ADELAIDE HILLS COUNCIL PROPOSED TRAFFIC SAFETY WORKS</p>		<p>ADELAIDE HILLS COUNCIL</p>		
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WATTLE ST.

RIDGE Rd.



PLAN-8



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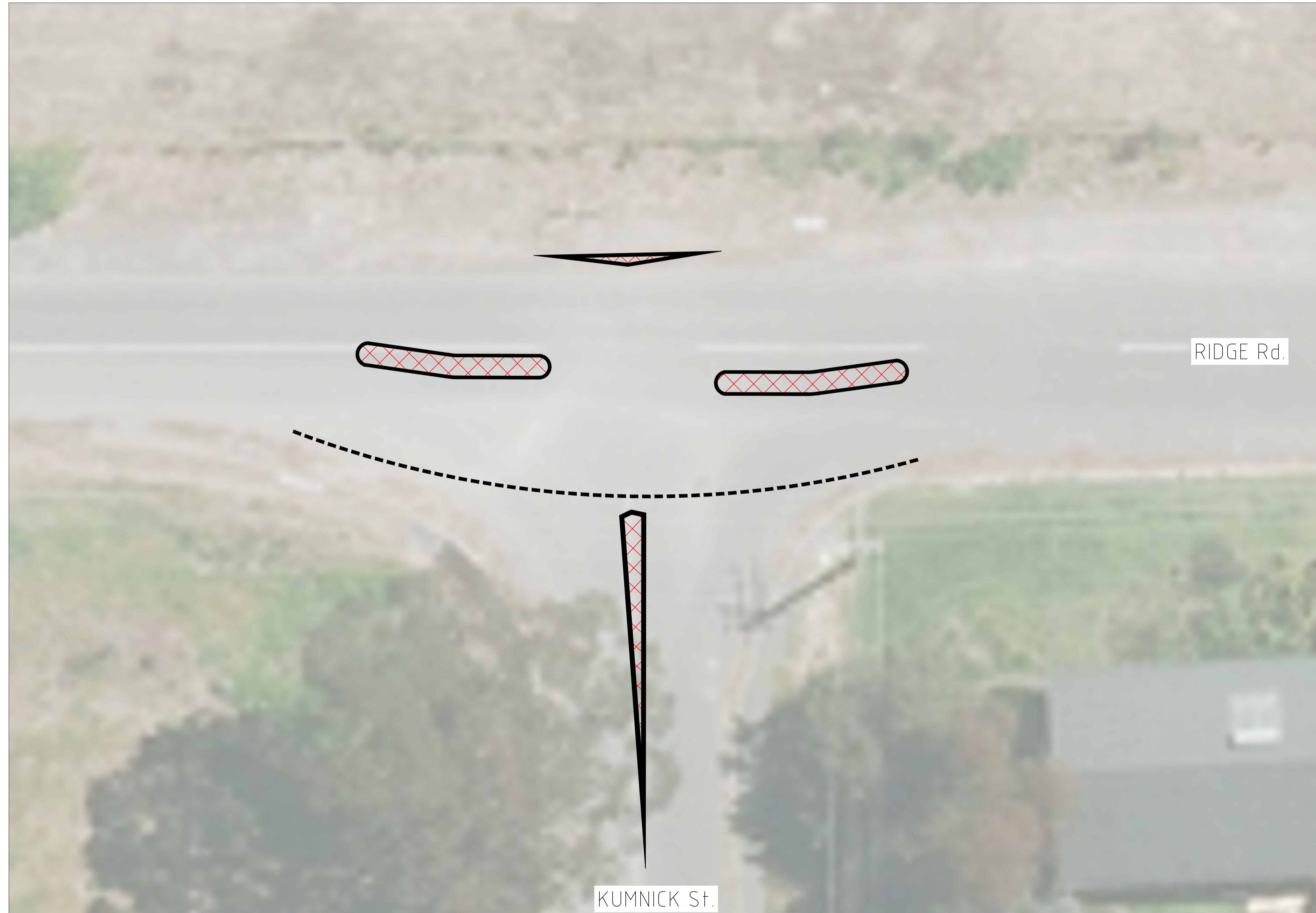
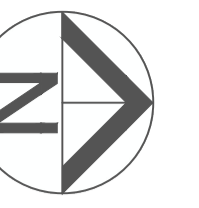
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MILL ROAD & RIDGE ROAD
LOBETHAL
ADELAIDE HILLS COUNCIL
PROPOSED TRAFFIC SAFETY WORKS

SHEET 1 OF X

ADELAIDE HILLS COUNCIL

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KUMNICK St.

RIDGE Rd.

PLAN-9



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MILL ROAD & RIDGE ROAD
LOBETHAL
ADELAIDE HILLS COUNCIL
PROPOSED TRAFFIC SAFETY WORKS

SHEET 1 OF X

ADELAIDE HILLS COUNCIL

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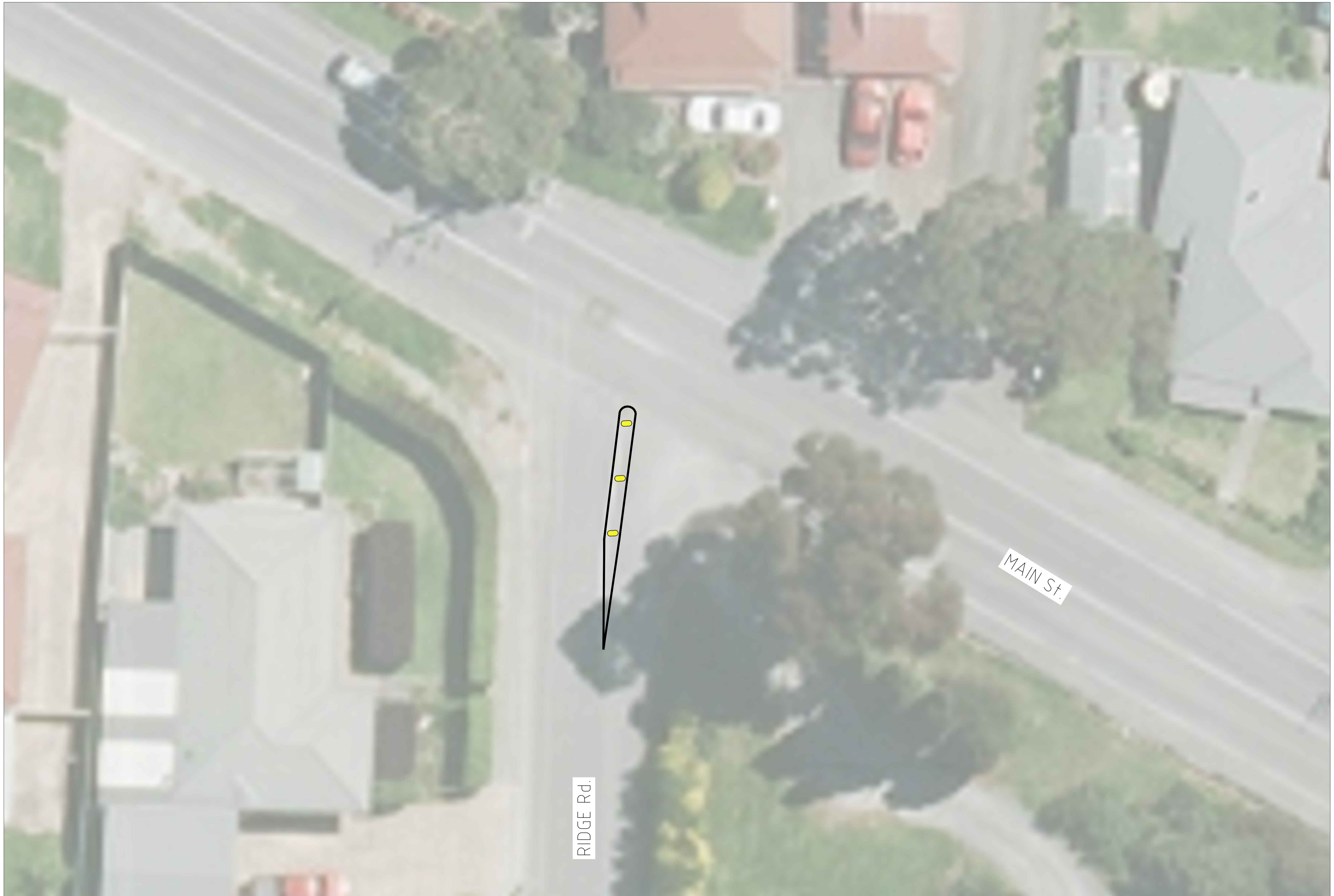
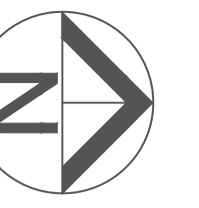
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PLAN-10



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LOBETHAL
ADELAIDE HILLS COUNCIL
PROPOSED TRAFFIC SAFETY WORKS

SHEET 1 OF X

ADELAIDE HILLS COUNCIL

DESIGN BY: SC	DRAWN BY: SC	PROJECT # AHC-01	SHEET SIZE: A1
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**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 12.6

Responsible Officer: Zoë Gill
Executive Governance Officer
Office of the CEO

Subject: Confidential Items Review (deferred decision 3)

For: Decision

SUMMARY

At the 11 February 2025 Council meeting it was resolved to adjourn Decision 3 of the Confidential items review report to the 25 February 2025 meeting. The purpose of this report is to address this resolution and provide the Chamber with a revised recommendation.

RECOMMENDATION

Council resolves:

1. To receive and note the report titled “Confidential Items Review (deferred decision 3)” (Agenda item 12.6, 25 February 2025 Council Meeting).
-

1. BACKGROUND

At the 11 February 2025 meeting Council resolved to defer Decision 3 of the Confidential Items Review until the following meeting in order for the Chamber to be provided with policy and process information from the Administration:

DECISION 3 – Resolution 74/24 – CEO PRP Minutes – 8 February 2024

Moved Cr Louise Pascale
S/- Cr Lucy Huxter

51/25

Council resolves to defer Decision 3 to the Ordinary Council meeting of 25 February 2025 in order for the CEO to provide the Chamber with our policy and process on how we may text redact elements of the minutes which disclose the affairs of any person (living or dead) or information which is commercial in confidence so that the items may be released to the public.

Carried

This report provides this information to Council.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your place, your space

Goal Organisation

Objective 02 Operate with integrity using best practice governance processes.

Priority O2.2. Support decision making through the use of timely data-driven analysis and reporting.

The review of Council’s *Confidential Items Register* is an important element of Council’s commitment to open and transparent decision making which facilitates public accountability.

➤ Legal Implications

Section 91(7) of the *Local Government Act 1999* sets out the provisions regarding the making of orders to retain documents and discussions considered at Council and Council Committees in confidence.

Section 91(9) requires that these orders must specify the duration of the order or the circumstances in which the order will cease to apply or must be reviewed. Any order that operates for a period exceeding 12 months must be reviewed at least once in every year. To enable management of any order made under Section (90) a Confidential Orders Register is maintained.

➤ Risk Management Implications

Reviewing confidentiality orders assists with mitigating the risks of:

Confidential information is released which prejudices Council’s and/or third parties’ interests.

Inherent Risk	Residual Risk	Desired Risk
Extreme (3A)	Low (3E)	Low (3E)

Information scheduled for release under a confidentiality order is not duly released resulting in a breach of legislation and depriving the community of public information.

Inherent Risk	Residual Risk	Desired Risk
Extreme (3A)	Low (3E)	Low (3E)

Note: there are a number of other controls that assist with managing these risks.

➤ Financial and Resource Implications

Not applicable.

➤ Customer Service and Community/Cultural Implications

There is a high expectation that Council has appropriate corporate governance processes in place including effective management and regular review of the Confidential Items Register.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

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

➤ **Additional Analysis**

Decision 3 – Resolution 74/25 – CEO PRP Minutes – 8 February 2024

On further review of the item and the relevant section 90(3) provision, the Administration recommends that this item can now be released from confidence and that no further resolution is necessary.

Policy and Process for redacting confidential items

At the 11 February 2025 meeting it was resolved that the Administration provide the Chamber with the policy and process for text redacting confidential items so that they may be released to the public.

The *Code of Practice for Access to Council and Council Committee Meetings and Documents* is the relevant policy (*Appendix 1*). Section 10 of the policy addresses use of the confidentiality provisions and in particular section 10.2 sets forth Council's policy approach and process:

- 10.2. In relation to Council and Council Committee meetings, Council's policy approach is as follows:
- 10.2.1. The principle of open and accountable government is strongly supported;
 - 10.2.2. Information of the grounds on which an order to exclude the public is made will be conveyed to the public at the time of them being ordered to leave the meeting – the public will not be excluded until after a confidentiality motion has been debated and passed and sufficient reasons for the need to exclude the public given;
 - 10.2.3. Once discussion of the matter is concluded, the meeting will then consider if it is necessary to make an order that a document associated with this agenda item (including minutes) remain confidential. In determining this, the meeting will have regard to the provisions of section 91 and in particular section 91(8) which details when a Council or Committee must not order that a document remain confidential;
 - 10.2.4. If the meeting determines that it is proper and necessary to keep a document confidential, then a resolution for an order to this effect is required to be resolved by the meeting in accordance with section 91(7) of the Act. When making an order the meeting must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. ;
 - 10.2.5. Once discussion of the matter is concluded and the public have returned, the decision of the meeting in relation to this matter will be made publicly known unless the Council or Committee has resolved to order that some information remain confidential. Details relating to any order to keep information or a document confidential in accordance with section 91(7) are also to be made known.
 - 10.2.6. In all cases the objective is that the information be made publicly available at the earliest possible opportunity and that the community is informed of any Council or Committee order and the associated implications; and
 - 10.2.7. Where a person provides information to the Council or Committee and requests that it be kept confidential, Council or Committee is not able to even consider this request unless the matter is one that falls within section 90(3). If this is the case, Council or Committee will then be in a position to consider the request on its merits.

The *Local Government Act SA 1999* allows items to remain in confidence that fall within the provisions of section 90(3).

Section 90 (3) includes the following grounds:

- (a) *Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*
- (b) *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;*
- (c) information the disclosure of which would reveal a trade secret;*
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –*
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
 - (ii) would, on balance, be contrary to the public interest;*
- (e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;*
- (f) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;*
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;*
- (h) legal advice;*
- (i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;*
- (j) information the disclosure of which –*
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and*
 - (ii) would, on balance, be contrary to the public interest.*
- (k) tenders for the supply of goods, the provision of services or the carrying out of works;*
- (m) information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act;*
- (n) information relevant to the review of a determination of a council under the Freedom of Information Act 1991;*

- (o) *information relating to a proposed award recipient before the presentation of an award.*

In compliance with both the Act provisions and the *Code of Practice for Access to Council, Council Committee and Information or Briefing Session Meetings and Documents* the Administration's standard process for redacting confidential minutes is to redact all text in the minutes that is subject to a confidentiality order.

Council may decide to resolve to identify sections of the minutes to be included/or excluded when they set the duration of confidentiality during a meeting. For example:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	Until Further Order
Related Attachments	Until Further Order
Minutes	Part 1 and 2 of the resolution
Other (presentation, documents, or similar)	Until Further Order

3. OPTIONS

Council has the following options:

- I. Receive and note the report.
- II. Determine to make an alternative resolution.

4. APPENDICES

1. Code of Practice for Access to Council, Council Committee and Information or Briefing Session Meetings & Documents

Appendix 1


*Code of Practice for Access to Council, Council
Committee and Information or Briefing Session
Meetings & Documents*

Council Policy

Code of Practice for Access to Council,
Council Committee and Information or
Briefing Session Meetings & Documents



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<p>CODE OF PRACTICE FOR ACCESS TO COUNCIL, COUNCIL COMMITTEE AND INFORMATION OR BRIEFING SESSION MEETINGS & DOCUMENTS</p>
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Policy Number:	GOV-17
Responsible Department(s):	Governance & Performance
Relevant Delegations:	As per the delegations schedule and as included in this Code
Other Relevant Policies:	<i>Code of Practice for Meeting Procedures Council Member Conduct Policy Information or Briefing Sessions Policy Advisory Group Operation and Conduct Policy</i>
Relevant Procedure(s):	None
Relevant Legislation:	<i>Local Government Act 1999 Local Government (General) Regulations 2013</i>
Policies and Procedures Superseded by this policy on its Adoption:	<i>Code of Practice for Access to Council, Council Committee and Information or Briefing Sessions Meetings & Documents - 23 April 2019, Item 12.7, 75/19</i>
Adoption Authority:	Council
Date of Adoption:	22 August 2023
Effective From:	23 August 2023
Minute Reference for Adoption:	227/23
Next Review:	No later than February 2027 or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	23/4/2019	Code adopted	Council – Res75/19
1.1	21/4/2020	Amendments to provide consistency with <i>Electronic Participation in Council Meetings Notice (No 1) 2020</i>	Council – 63/20
1.2	22/9/2020	Amendments to provide for the broadcasting of Council meetings	Council – 198/20
1.3	9/11/2021	Consequential amendments from adoption of Information or Briefing Sessions Policy	Council – Res 226/21
1.4	26/11/2021	Updated legislative references relating to publication of Electronic Participation in Council Meetings Notice (No 5) 2021	N/A
1.5	21/6/22	Provisions relating to Notice No 5 (electronic participation) removed following 28 day elapsed period after Public Health Emergency Declaration cessation	N/A
1.6	23/08/23	Minor updates to legislative provisions and terminology	Council – Res 227/23

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CODE OF PRACTICE FOR ACCESS TO COUNCIL, COUNCIL COMMITTEE AND INFORMATION OR BRIEFING SESSION MEETINGS & DOCUMENTS

1. INTRODUCTION

1.1. This Code sets out the commitment of Council to provide public access to Council, Council Committee and Information or Briefing Session meetings and Council and Council Committee documents and outlines the policies and procedures contained within the Act, to restrict public access. The Code includes:

- information on the relevant provisions of the Act;
- Council's policy on public access and participation;
- the process that will be adopted where public access to a meeting or a document is restricted;
- grievance procedures to be followed if a member of the public believes that the Council has unreasonably restricted public access on a particular matter.

1.2. This Code sets out the policy of Council for access to meetings and documents and includes information relating to:

- access to the agenda for meetings;
- public access to meetings;
- livestreaming/broadcasting of meetings;
- the process to exclude the public from meetings;
- matters for which the Council, a Council Committee, or an Information or Briefing Session can order that the public be excluded;
- how the Council will approach the use of the confidentiality provisions in the Act;
- public access to documents, including minutes;
- review of confidentiality orders;
- accountability and reporting to the community, and the availability of the code; and
- grievances about the use of the code by Council.

1.3. On 15 September 2020, Council resolved (198/20) to commence broadcasting the proceedings of Council meetings.

2. STATEMENT OF PRINCIPLE

2.1. In fulfilling the role of an effective council that is responsive to the needs of the community and which operates within the legal framework prescribed by the Act, the Adelaide Hills Council (Council) is fully committed to the principle of open and accountable government.

2.2. However, Council also recognises that on a limited number of occasions it may be necessary, in the public interest, to restrict public access to discussion/decisions and/or documents.

3. OBJECTIVES

3.1. The objectives of the *Code of Practice for Access to Council and Council Committee¹ and Information or Briefing Session² Meetings & Documents* (Code) are:

- Clearly outline to the community for what purpose and on what basis Council may apply the provisions of the Act to restrict public access to meetings or documents;
- Provide information on Council's code of practice to the community; and
- Summarise the legal position relating to public access to Council and Council Committee and Information or Briefing Session meetings and documents.

4. PUBLIC ACCESS TO THE AGENDA FOR COUNCIL AND COUNCIL COMMITTEE MEETINGS

4.1. At least three (3) clear days³ before the Council or Council Committee meeting (unless it is a special meeting⁴) the Chief Executive Officer (CEO) must give written notice of the meeting to all Council/Committee Members setting out the date, time and place of the meeting. . Where possible, the CEO will endeavour to have notices available in advance of the above timeframe.

4.2. The notice of meeting and agenda will be publically displayed at the principal office of council and the notice and agenda will be published on the Council's website www.ahc.sa.gov.au.

4.3. Items listed on the agenda will be described accurately and in reasonable detail.

4.4. The notice and agenda will be kept on public display and continue to be published on the website until the completion of the relevant Council or Council Committee meeting.

4.5. The electronic copies of the agenda documents and non-confidential reports that are to be considered at the meeting will be made available to members of the public both prior to the meeting.

4.6. Members of the public may obtain a paper copy of the agenda and any particular reports for a fee to cover the costs of photocopying, in accordance with a Council's schedule of fees and charges.

4.7. Where the CEO (after consultation with the principal member, or in the case of a Committee - the presiding member) believes that a document or report on a particular matter should be considered in confidence with the public to be excluded, the basis under which the order could be made in accordance with section 90(3) of the Act will be specified. [see sections 83(5) (Council) and 87(10) (Committee) of the Act.]

¹ Council Committee means a committee established under Section 41 of the Act. For clarity it does not include the Council Assessment Panel created under Sections 82 & 83 of the *Planning Development and Infrastructure Act 2016*.

² Information or briefing session is a session to which more than one (1) member of the council or a council committee is invited by the council or the chief executive officer (CEO) of the council to attend or be involved in for the purpose of providing information or a briefing to attendees [Section 90A(1)]

³ 'clear days' means that the time between the giving of the notice and the day of the meeting, but excluding both the day on which the notice was given and the day of the meeting, e.g. notice is given on a Thursday for a following Monday meeting, the clear days are Friday, Saturday and Sunday.

⁴ Special meetings under s83(2) of the Act require at least four (4) hours' notice.

- 4.8. The above provisions apply to Council, Council Committees that have as part of their responsibility some regulatory activities and those other committees to which Council has determined these procedures will apply⁵. Where a Council Committee is not performing a regulatory activity these procedures may be varied, e.g. notice may be given in a form decided by the committee, and need not be given for each meeting separately. Public notice may be given at a place determined by the CEO taking into account the nature and purpose of the Committee.

5. PUBLIC ACCESS TO THE AGENDA FOR INFORMATION OR BRIEFING SESSIONS⁶

- 5.1. A council or the CEO must comply with the requirements of regulations relating to the publication of prescribed information relating to the Information or Briefing Session [s90A(7)].
- 5.2. Regulation 8AB of the *Local Government (General) Regulations 2013* requires the following information to be published as soon as practicable after the holding of an information or briefing session:
- the place, date and time;
 - the matter discussed;
 - whether or not the session was open to the public.
- 5.3. Council has determined that, where reasonably practicable, the details relating to the following Information or Briefing Sessions will be published prior to the session to inform interested members of the public:
- Workshops;
 - Professional Development [where the provisions of clause Section 90A(3) apply]; and
 - Advisory or Working Group meetings [where the provisions of Section 90A(3)] apply.
- 5.4. Agenda documents will be published on the website.
- 5.5. Where a confidential informal discussion declaration applies to an Information or Briefing Session (see clause 9), the reason for the Information or Briefing Session being held entirely or partially in confidence will be published on the Council's website.

6. PUBLIC ACCESS TO MEETINGS

- 6.1. Council, Council Committee and Information or Briefing Session meetings are open to the public and attendance is encouraged, except where the Council, the Council Committee or, in the case of an Information or Briefing Session, the Council or CEO, believes it is necessary in the public interest to exclude the public from the discussion (and, if necessary, decision⁷) of a particular matter.

⁵ Council's *Code of Practice for Meeting Procedures* sets out the Council Committees to which clause 5 applies.

⁶ Further details of the provisions applying to Information or Briefing Sessions, are contained in Council's *Information or Briefing Sessions Policy* available at ahc.sa.gov.au

⁷ Information or Briefing Sessions do not make decisions on any matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council Committee

- 6.2. The public will only be excluded when considered proper and necessary (i.e. the need for confidentiality outweighs the principle of open decision-making). The following is an example:

Council is intending to bid at an auction to acquire land and would not want others involved, such as the vendor to have prior knowledge of what Council was setting as an upper limit to bid at the auction, as to do so would prejudice the position of Council and disadvantage the community.

- 6.3. Council encourages public attendance at meetings of the Council, Committees and Information or Briefing Sessions through public notification of meetings in the Council, Committee and Information or Briefing Sessions Schedule, located on Council's website.
- 6.4. Council has adopted the *Information or Briefing Sessions Policy* which provides information on the manner in which the provisions in Section 90A relating to information or briefing sessions will be managed.
- 6.5. When Council is meeting in person (i.e. in the Council Chamber) the meeting proceedings will be live streamed and recorded on a an audio system and a streaming platform determined by the CEO. Details of the broadcast will be on the Council's website.
- 6.6. Council's position is that Workshop or Professional Development Information or Briefing Sessions that are required to be open to the public under s90A(3) will be live streamed and recorded unless the confidentiality provisions of s90(3) and (4) apply.

7. PROCESS TO EXCLUDE THE PUBLIC FROM A COUNCIL OR COUNCIL COMMITTEE MEETING

- 7.1. Before a Council or Council Committee meeting orders that the public be excluded to enable the receipt, discussion and consideration of a particular matter, the meeting must, in public, formally determine if this is necessary and appropriate, and then pass a resolution to exclude the public while dealing with that particular matter.
- 7.2. If this occurs then the public must leave the room. This means that all members of the public (including staff), unless exempted by being named in the resolution as entitled to remain, are required to leave the room. For the operation of section 90(2) a member of the public does not include a Member of the Council /Committee. The live streaming of a Council meeting will be ceased for the period that the meeting is closed to the public pursuant to an order made under section 90(2).
- 7.3. Once Council or a Council Committee has made the order, it is an offence for a person, who knowing that an order is in force, enters or remains in a room in which such a meeting is being held. It is lawful for an employee of Council or a member of the police to use reasonable force to remove the person from the room if he or she fails to leave on request.
- 7.4. Once discussion on that particular matter is concluded, the public are then permitted to re-enter or reconnect to the meeting and the broadcasting, if applicable, will recommence. If there is a further matter that needs to be

considered in confidence it is necessary to again undertake the formal determination process and to resolve to exclude the public as above.

- 7.5. Please note that the Council, or the Council Committee, can by inclusion within the resolution permit a particular person or persons to remain in the meeting. An example would be allowing a ratepayer who is suffering personal hardship to remain in the meeting when their circumstances concerning the payment of rates are being discussed.
- 7.6. Council's practice is that, for the convenience of the public present at a meeting, where it is resolved to consider a matter in confidence, that the matter (unless there are pressing reasons as to why it should be debated at that point of the meeting) may be deferred until all other business has been dealt with. This is the preferred option of Council rather than asking the public to leave the room and wait for however long it takes until the matter is concluded and then invite them back to the meeting room with the possibility of the same process being repeated for a subsequent matter.

8. PROCESS TO EXCLUDE THE PUBLIC FROM AN INFORMATION OR BRIEFING SESSION⁸

- 8.1. The Council or CEO may, on a case-by-case basis, declare an information or briefing session [to which Section 90A(3) applies] discussion to be a 'confidential discussion' where the information or briefing session is a briefing session relating to information or a matter of a confidential nature within the ambit of section 90(3) of the Local Government Act [see clause 9 below for the provisions of s90(3)].
- 8.2. If an information or briefing session [to which Section 90A(3) applies] has been declared to be a 'confidential discussion' under s90A(4), then the information or briefing session may be attended by Council/Committee Members, the CEO and any other person invited to attend by the Council or the CEO.
- 8.3. If a confidential declaration has been made in respect of only some of the matters to be discussed at an information or briefing session, then these confidential matters will normally be scheduled to be discussed at the end of the agenda for the information or briefing session. The information or briefing session will be open to the public until immediately prior to the discussion on confidential matters commencing and post the discussion, as applicable.

9. MATTERS FROM WHICH THE PUBLIC CAN BE EXCLUDED

- 9.1. In accordance with the requirements of section 90(3) of the Act, Council, or a Council Committee or an Information or Briefing Session [to which Section 90A(3) applies], may order that the public be excluded in the following circumstances:
 - (a) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*
 - (b) *information the disclosure of which—*

⁸ Further details of the provisions applying to Information or Briefing Sessions, are contained in Council's *Information or Briefing Sessions Policy* available at ahc.sa.gov.au

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- (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;*
 - (c) *information the disclosure of which would reveal a trade secret;*
 - (d) *commercial information of a confidential nature (not being a trade secret) the disclosure of which—*
 - (i) *could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
 - (ii) *would, on balance, be contrary to the public interest;*
 - (e) *matters affecting the security of the Council, members or employees of the Council, or Council property, or the safety of any person;*
 - (f) *information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;*
 - (g) *matters that must be considered in confidence in order to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;*
 - (h) *legal advice;*
 - (i) *information relating to actual litigation, or litigation that the Council or Council committee believes on reasonable grounds will take place, involving the Council or an employee of the Council;*
 - (j) *information the disclosure of which—*
 - (i) *would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and*
 - (ii) *would, on balance, be contrary to the public interest;*
 - (k) *tenders for the supply of goods, the provision of services or the carrying out of works;*
 - (m) *information relating to a proposal to prepare or amend a designated instrument under Part 5 Division 2 of the Planning, Development and Infrastructure Act 2016 before the draft instrument or amendment is released for public consultation under that Act;*
 - (n) *information relevant to the review of a determination of a Council under the Freedom of Information Act 1991;*

(o) *information relating to a proposed award recipient before the presentation of the award.*

9.2. The Act provides for a definition of “personal affairs”, being a person’s financial affairs, criminal records, marital or other personal relationships, personal qualities, attributes or health status, or that person’s employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person, but does not include the personal affairs of a body corporate.

9.3. In some sections under section 90(3) of the Act a public interest balancing test must be satisfied for the ground of exclusion to apply. The “*public interest balancing test*” applies to sections:

- 90(3)(b)(ii) – ‘commercial advantage’;
- 90(3)(d)(ii) – ‘commercial information’; and
- 90(3)(j)(ii) – ‘information provided on a confidential basis’.

This test requires that public interest reasons for closing a meeting to the public must outweigh the general requirements for meetings to be held in public. This requirement to satisfy a public interest test is mirrored in certain provisions of the *Freedom of Information Act 1999* (SA) (“the FOI Act”).

9.4. In considering whether an order should be made under section 90(2), it is irrelevant that discussion of a matter in public may [s.90(4)]:

- cause embarrassment to the Council or Committee concerned, or to members or employees of the Council; or
- cause a loss of confidence in the Council or Committee; or
- involve discussion of a matter that is controversial within the council area; or
- make the council susceptible to adverse criticism.

9.5. If a decision to exclude the public is taken, the Council, the Council Committee or an Information or Briefing Session [to which Section 90A(3) applies] is required to make a note in the minutes of the making of the order and the grounds on which it was made. Sufficient detail of the grounds on which the order was made will be included in the minutes.

10. USE OF THE CONFIDENTIALITY PROVISIONS

10.1. Any consideration of the use of the confidentiality provisions to exclude the public from the discussion of a particular matter at a meeting will require the identification of one or more of the grounds listed within section 90(3) of the Act and the factual reasons for the relevance and application of the ground(s) in the circumstances. These are listed in paragraph 9.1 of this Code.

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- 10.2. In relation to Council and Council Committee meetings, Council's policy approach is as follows:
- 10.2.1. The principle of open and accountable government is strongly supported;
 - 10.2.2. Information of the grounds on which an order to exclude the public is made will be conveyed to the public at the time of them being ordered to leave the meeting – the public will not be excluded until after a confidentiality motion has been debated and passed and sufficient reasons for the need to exclude the public given;
 - 10.2.3. Once discussion of the matter is concluded, the meeting will then consider if it is necessary to make an order that a document associated with this agenda item (including minutes) remain confidential. In determining this, the meeting will have regard to the provisions of section 91 and in particular section 91(8) which details when a Council or Committee must not order that a document remain confidential;
 - 10.2.4. If the meeting determines that it is proper and necessary to keep a document confidential, then a resolution for an order to this effect is required to be resolved by the meeting in accordance with section 91(7) of the Act. When making an order the meeting must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. ;
 - 10.2.5. Once discussion of the matter is concluded and the public have returned, the decision of the meeting in relation to this matter will be made publicly known unless the Council or Committee has resolved to order that some information remain confidential. Details relating to any order to keep information or a document confidential in accordance with section 91(7) are also to be made known.
 - 10.2.6. In all cases the objective is that the information be made publicly available at the earliest possible opportunity and that the community is informed of any Council or Committee order and the associated implications; and
 - 10.2.7. Where a person provides information to the Council or Committee and requests that it be kept confidential, Council or Committee is not able to even consider this request unless the matter is one that falls within section 90(3). If this is the case, Council or Committee will then be in a position to consider the request on its merits.
- 10.3. There is no legal requirement to resolve to “come out of confidence” or to go back into “public session”. The public may and should be invited to re-enter the meeting when consideration of the relevant Agenda Item has concluded. The public are also entitled to be present for the debate on whether any subsequent item should be considered in confidence.
- 10.4. The Council or Committee will not consider a number of agenda items “in confidence” together (i.e. en bloc). It will determine each item separately and consider the exemptions relevant to each item.

11. EXAMPLE CONFIDENTIALITY PROVISIONS

- 11.1. The Council will record in the minutes of any Council or Council Committee meetings the making of an order in accordance with sections 90(2) and (3) and section 91(7) as follows:

Example: If Council were considering the terms for a waste resources contract.

A Section 90(3)(b) order would be made before Council went into confidence such as:

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except Joe Bloggs, CEO of ABC Council and Ivana Citizen, lawyer, XYZ Lawyers, be excluded from attendance at the meeting for Agenda Item 10.1 (Terms of Waste Resources Contract).

The Council is satisfied that, pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is proposing to conduct business, and the information would prejudice the commercial position of the Council, in that the Council is currently engaged in a post tender negotiation with a preferred tenderer to finalise the terms and conditions of engagement for this service – the information to be considered in relation to this Agenda Item include detailed costings for in-house provision of waste resources services and other specific financial information, the disclosure of which would prejudice the Council's commercial position during the current ongoing negotiations.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may severely prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

If the Council resolved for the report containing the commercial information to remain in confidence, a Section 91(7) would be made at the conclusion of considering the item, such as:

That having considered Agenda Item 10.1 (Terms of Waste Resources Contract) in confidence under section 90(2) and (3)(b) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the Tender documents and related Council reports and all minutes be retained in confidence for a period of 2 years, or until a contract has been signed.

12. REVIEW OF CONFIDENTIALITY ORDERS

- 12.1. A confidentiality order made under section 91(7) of the Act must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed.
- 12.2. An order will lapse if the time or event specified has been reached or carried out. There is no need for the Council to resolve for the confidential order to be lifted. Once the order has lapsed, the minutes and/or documents automatically become public.

Orders that exceed 12 months must be reviewed annually, under s91(9), and the Council must assess whether the grounds for non-disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential.
- 12.3. The Council may delegate to the Chief Executive Office and sub-delegate to an employee of the Council, if appropriate, the power to revoke an order.
- 12.4. If there are any items that require a fresh confidentiality order because the original order is about to expire, then the reviewer will prepare a report to Council making recommendations with respect to each item to be retained in confidence.
- 12.5. Each item must then be addressed separately and assessed against section 90(3) and section 91(7) of the Act.
- 12.6. The Council cannot delegate the power to apply sections 90(3) and 91(7) of the Act.
- 12.7. A Council may resolve to exclude the public from a meeting to discuss and undertake consideration of the recommendations arising from the annual review in confidence, subject to the application of the relevant ground under section 90(3) of the Act. Section 90(3) of the Act must be applied separately to each item and not en bloc.
- 12.8. If there is no longer any need for the confidentiality order then the Council or Council Committee may delegate to an employee of the Council the power to revoke an order made in accordance with section 91(7) of the Act. The Council or Council Committee may also include in the resolution whether any delegation is given to an employee to revoke the order and if relevant, any conditions associated with the delegation.

13. PUBLIC ACCESS TO MINUTES

- 13.1. Minutes of a meeting of Council or a Council Committee will be publicly available, within 5 days after the meeting.
- 13.2. Formal minutes are not recorded at Information or Briefing Sessions. While notes may be taken at these sessions, they will not be published on the website or made available to the public unless otherwise provided for in Council policy (see clause 14 regarding Public Access to Documents).

14. PUBLIC ACCESS TO DOCUMENTS

- 14.1. Various documents can be available for inspection and purchase (for a fee) by the public. Council may also make a document available in electronic form and place it on the Internet for public access, Council documents include, but not limited to Council and Committee agendas, minutes, attachments, tabled documents, audio and visual recordings of meetings and information or briefing sessions.
- 14.2. The Council or the Council Committee will only order that a document associated with a discussion from which the public are excluded is to remain confidential if it is considered proper and necessary in the broader community interest (as per the processes described above).
- 14.3. The Council or the Council Committee can only resolve to keep minutes and/or documents confidential under section 91(7) if they were considered in confidence pursuant to sections 90(2) and 90(3).
- 14.4. In accordance with section 91(8) the Council or the Council Committee must not make an order to prevent:
- the disclosure of the remuneration or conditions of service of an employee of the Council after the remuneration or conditions have been set or determined; or
 - the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by the Council as to why a successful tenderer has been selected; or
 - the disclosure of the amount or amounts payable by the Council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the Council after the contract has been entered into by all parties to the contract; or
 - the disclosure of the identity of land that has been acquired or disposed of by the Council, or of any reasons adopted by the Council as to why land has been acquired or disposed of by the Council.
- 14.5. Where keeping a document confidential is considered proper and necessary, a resolution to this effect is required which shall include:
- the grounds for confidentiality; and
 - the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed – if the order has a duration of more than 12 months, the order must be reviewed at least once in every year; and
 - (if applicable) whether the power to revoke the order will be delegated to an employee of the Council. [s.91(9)]
- 14.6. Requests to access Council and Council Committee documents can be made under the *Freedom of Information Act 1991*.

- 14.6.1. Freedom of Information applications should be submitted using the correct application form and be as specific as possible to enable the correct documents to be identified.
- 14.6.2. Application forms are available from at each office of the Council that is open to the public for the general administration of Council business or on the State Records website: www.archives.sa.gov.au, under Freedom of Information, Forms for FOI Process. The application form contains details of the fees payable and fee waivers available.
- 14.6.3. Freedom of Information requests should be addressed to:
Freedom of Information Officer
Adelaide Hills Council
63 Mt Barker Road
STIRLING SA 5252

15. ACCOUNTABILITY AND REPORTING TO THE COMMUNITY

- 15.1. A report on the use of sections 90(2) and 91(7) by the Council and Council Committees must be included in the annual report of Council as required by Schedule 4 of the Act. This supports commitment to the principle of accountability to the community. The reporting should include the following information, separately identified for both Council and Council Committees:
 - Number of occasions each of the provisions of sections 90(2) and 90(3) were utilised;
 - Number of occasions each of the provisions of sections 90(2) and 90(3) and section 91(7) were utilised, expressed as a percentage of total agenda items considered;
 - An indication of any particular issues that contributed to the use of confidentiality provisions on more than one occasion (e.g. a proposal to acquire a parcel of land was considered on 3 separate occasions);
 - Number of occasions that information originally declared confidential has subsequently been made publicly available; and
 - Number of occasions that information declared confidential has not been made publicly available and the reason for this in each case.
- 15.2. The Council's Annual Report will include details of an Information or Briefing Sessions held by Council in the preceding financial year, including their purpose, the matters discussed at workshops and professional development/training sessions and whether the public were able to attend.

16. REVIEW OF THE CODE

- 16.1. Council is required to review this Code within 12 months after the conclusion of each periodic election, therefore the next mandated review is due to occur in November 2027. However, Council has the ability to review this Code at any time if considered desirable.

17. GRIEVANCE

- 17.1. Council has established procedures for the review of decisions under section 270 of the Act for:
- Council, and its Committees;
 - employees of the Council; and
 - other persons acting on behalf of the Council.
- 17.2. Should a person be aggrieved about public access to either a meeting or a document then they can lodge an application for review of that decision under the procedures established by Council. The Procedures are available in Council's *Internal Review of Council Decisions Policy* which is available at Council's Service and Community Centres or on Council's website www.ahc.sa.gov.au.

18. DELEGATION

- 18.1. The CEO has the delegation to:
- 18.1.1. Approve, amend and review any procedures that shall be consistent with this Code.
 - 18.1.2. Make any legislative, formatting, nomenclature or other minor changes to the Code during the period of its currency.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 12.7

Responsible Officer: Jess Charlton
Director Community and Development
Community and Development

Subject: Adelaide Hills Tourism Funding Agreement

For: Decision

SUMMARY

Adelaide Hills Tourism (AHT) is an independent regional tourism organisation constituted as an Incorporated Association and covers the geographical areas of the Adelaide Hills Council (AHC) and Mount Barker District Council (MBDC).

AHT provides direction and market intelligence, coordinates marketing and provides connectivity between tourism operators and government. It is governed by a Board comprising tourism operators, industry sector and regional stakeholder representatives, and appointees of the main funding partners (MBDC and AHC).

While the current agreement does not end until July 2025, it is recommended that Council approve a further agreement to provide funding certainty for Adelaide Hills Tourism given recruitment is underway for a new Regional Tourism Manager / Executive Officer.

RECOMMENDATION

Council resolves:

Decision 1:

1. To acknowledge the disclosure of interests contained in this report and to authorise the Chief Executive Officer, Mr Greg Georgopoulos, to act in the course of his official duties in relation to Adelaide Hills Tourism.

Decision 2:

2. That the report be received and noted.
 3. That the one-year funding agreement, as contained in Appendix 1 including a contribution of \$115,669, with the Adelaide Hills Tourism be approved and that the Chief Executive Officer be authorised to make any minor changes or variations to the Agreement before execution by both parties or during the life of the Agreement.
 4. That the Chief Executive Officer be authorised to execute the Agreement on behalf of Council.
-

1. BACKGROUND

Adelaide Hills Tourism (AHT) is an independent regional tourism organisation constituted as an Incorporated Association and covers the geographical areas of the AHC and MBDC. AHT is governed by a volunteer Board comprising appointees of funding partners and other key stakeholders including industry associations, RDA and tourism operators.

Council has a long history of funding AHT with \$50,000 per annum provided since 1997 until a two-year funding agreement was approved at the Council meeting on 24 April 2018. In recognition of the fundamental change in the way tourists made decisions and behaved, Council at that time decided to double its contribution to support an increased role for AHT in visitor information servicing including an improved digital presentation of the region and improving the industry's digital capability.

The second funding agreement was approved at the Council meeting for the period 2020 to 2023. This was continued with a further one-year funding deed which was approved at the Council meeting on 13 June 2023.

12.3 Adelaide Hills Tourism One Year Funding Agreement

A/Chief Executive Officer, David Waters reminded Council that he has a Conflict of Interest and that Council has previously determined that he can act in relation to Adelaide Hills Tourism under s120(1) of the *Local Government Act 1999*.

Moved Cr Kirrilee Boyd
S/- Cr Leith Mudge

150/23

Council resolves:

- 1. That the report be received and noted.**
- 2. That the one year funding agreement, as contained in Appendix 1 including a contribution of \$110,900, with the Adelaide Hills Tourism be approved and that the Chief Executive Officer be authorised to make any minor changes or variations to the Agreement before execution by both parties or during the life of the Agreement.**
- 3. That the Chief Executive Officer be authorised to execute the Agreement on behalf of Council.**

Carried

The current agreement was approved at the Council meeting on 11 June 2024.

12.1 Adelaide Hills Tourism Funding Agreement 2024

7:49pm Cr Leith Mudge returned to the meeting room.
Cr Osterstock left the meeting room.

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

198/24

Council resolves:

Decision 1:

- 1. To acknowledge the disclosure of interests contained in this report and to authorise the Chief Executive Officer, Mr Greg Georgopoulos, to act in the course of his official duties in relation to Adelaide Hills Tourism.**

Carried Unanimously

Decision 2:

Moved Cr Malcolm Herrmann

S/- Cr Nathan Daniell

199/24

- 1. That the report be received and noted.**
- 2. That the one-year funding agreement, as contained in Appendix 1 including a contribution of \$110,900, (plus CPI) for the 2024/25 financial year, with the Adelaide Hills Tourism be approved and that the Chief Executive Officer be authorised to make any minor changes or variations to the Agreement before execution by both parties or during the life of the Agreement.**
- 3. That the Chief Executive Officer be authorised to execute the Agreement on behalf of Council.**

Carried Unanimously

While the agreement does not expire until 30 June 2025, this report seeks approval for an additional one-year agreement (**Appendix 1**) in order to provide funding certainty for AHT who are currently recruiting a new Executive Officer.

2. ANALYSIS

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

Strategic Plan 2024 – Your Place Your Space

Goal 3 Built Form and Economy

Objective BFE5 Promote sustainable prosperity by supporting tourism, creative industries, primary production and vibrant townships

Priority BFE5.1 Support and encourage a compelling reason for both local and international tourists to visit the Adelaide Hills

Funding Adelaide Hills Tourism's work which is to build a resilient and sustainable tourism industry is the primary way in which Council supports tourism in the region in line with its strategic commitment. AHT has a *Regional Strategic Tourism Plan* informed by the *South Australian Visitor Economy Sector Plan 2030* and the *South Australian Regional Visitor*

Strategy 2025. AHT’s strategic objectives are to convert more visitors to stay overnight, encourage day trippers to linger longer and spend more and to grow repeat visitation.

Council also has an *Economic Development Strategy* which acknowledges the importance of tourism to the regional economy and recognises Council’s role as largely one of facilitator, information provider, advocate and in some cases, leader.

➤ **Legal Implications**

The *Local Government Act 1999*, Chapter 2, Section 7, Item (g) specifies one of the functions of a council to include:

(g) To promote its area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism.

Disclosures of interest

Pursuant to Section 120(1) of the *Local Government Act 1999*, the Council is advised that the Chief Executive Officer is a member of the AHT Board. This is not a paid position.

Under s120(2)(a) Council can resolve that the Chief Executive Officer can continue to act in relation to matters concerning AHT.

➤ **Risk Management Implications**

Supporting AHT through this one-year funding agreement will assist in mitigating the risk of:

Tourism development activities that are uncoordinated, reactive and short-term focussed leading to suboptimal economic development outcomes.

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

The *Economic Development Strategy* and its implementation is an existing control put in place to address this risk.

➤ **Financial and Resource Implications**

Funding for the AHT agreement is included in Council’s ongoing operational budget.

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

Many of AHT’s key activities are targeted towards improving communication and engagement between the region’s tourism sector, other levels of government, key industry groups, regional development bodies, Council and visitors to our region.

➤ **Sustainability Implications**

By working closely with AHT, Council is able to encourage economic sustainability that supports long-term economic growth without negatively impacting social, environmental, and cultural aspects of the community.

➤ **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>	Adelaide Hills Tourism

➤ **Additional Analysis**

Adelaide Hills Tourism is funded by the Adelaide Hills Council, Mount Barker District Council and the South Australian Tourism Commission (SATC). With the closure of the Adelaide Hills Visitor Centre in the main street of Hahndorf in January of 2024, Mount Barker District Council has now matched Adelaide Hills Council funding levels.

The strategies and outputs of Adelaide Hills Tourism are driven by the *Adelaide Hills Regional Strategic Plan 2025*, endorsed by the AHT Board in 2021 (which includes representatives from the Adelaide Hills Council and Mount Barker District Council). The plan aims to build a resilient and sustainable industry that capitalises on its proximity to Adelaide through marketing, experience and supply development, and industry and stakeholder collaboration. The plan is aimed at converting more visitors to stay overnight, encouraging day trippers to linger longer and spend more, and growing repeat visitation. Annual priorities and deliverables are set out in the AHT Annual Operating Plan, with the 2024-25 plan provided in **Appendix 2**. Strategic planning is underway for the next regional plan, including objectives and priorities beyond 2025.

The draft agreement in **Appendix 1** maintains the same level of funding, with an allowance for the Consumer Price Index (CPI) for Adelaide All Groups annual change to March 2025. This aligns to the funding in the Mount Barker District Council's agreement both in funding levels and in the end date of the agreement at 30 June 2026.

It is recommended to approve the additional one-year funding agreement to provide certainty to AHT who are currently recruiting a new Regional Tourism Manager / Executive Officer.

3. **OPTIONS**

Council has the following options:

- I. To approve the one-year funding arrangement (Recommended)
- II. To not approve the one-year funding arrangement (Not Recommended)
- III. Seek changes to the draft agreement.

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

4. APPENDICES

- (1) One Year Funding Agreement
- (2) AHT Annual Business Plan 2024-25

Appendix 1

One Year Funding Agreement



ADELAIDE HILLS

FUNDING AGREEMENT

BETWEEN

ADELAIDE HILLS TOURISM ABN 33 213 621 020

AND

ADELAIDE HILLS COUNCIL ABN 239 55 071 393

DATED THE

PARTIES

ADELAIDE HILLS COUNCIL, ABN 239 55 071 293 (**Council**)

ADELAIDE HILLS TOURISM INC ABN 33 213 621 020 of PO Box 741, Hahndorf SA 5245 (**Recipient**)

BACKGROUND

- A. The Recipient operates within the Council's area and since 1997 has received Funding from the Council.
- B. The Council has agreed to provide the Funding to the Recipient on the terms and conditions set out in this Agreement.
- C. The Recipient has agreed to the terms and conditions of this Agreement.

THE PARTIES AGREE AS FOLLOWS:

1 Interpretation

1.1 Introductory

In the Agreement, unless the contrary intention appears:

- 1.1.1 a reference to this Agreement is a reference to this document;
- 1.1.2 words beginning with capital letters are defined in clause 1.2;
- 1.1.3 a reference to a clause, schedule or annexure is a reference to a clause in, or, or schedule or annexure to, this Agreement; and
- 1.1.4 a reference to an Item is a reference to an item in the Schedule.

1.2 Defined Terms

In this Agreement:

- 1.2.1 **Anticipated Funding** means the funding anticipated to be received by the Recipient during the Term from sources other than the Council as set out in **Item 6**.
- 1.2.2 **Commencement Date** means 1 July 2025
- 1.2.3 **Funding** means the amount set out in **Item 1**.
- 1.2.4 **Funding Requirements** means the requirements for the Recipient set out in the document contained in **Annexure A**.
- 1.2.5 **Insurances** means those insurances set out in **Item 2**.
- 1.2.6 **Policies** means the policies of the Council as published, and amended from time to time, on the Council's website.

1.2.7 **Purpose** means the purpose set out in **Item 3**.

1.2.8 **Term** means the term commencing on the date of execution of this Agreement, and expires on the date set out in **Item 4**.

2 Funding

2.1 In consideration of the Recipient:

2.1.1 fulfilling the Funding Requirements;

2.1.2 complying with the terms and conditions of this Agreement; and

2.1.3 only using the Funding for the Purpose;

the Council will pay the Funding to the Recipient in the manner set out in **Item 5** of the Schedule.

3 Recipient obligations

3.1 The Recipient must render a valid tax invoice to the Council at least 10 Business Days prior to each of the dates set out in **Item 5** for the payment of the Funding.

3.2 The Recipient must perform the Funding Requirements competently and promptly and in accordance with timelines and principles set out in this Agreement, as well as any correspondence between the Parties in relation to the Funding.

3.3 The Recipient must provide the Council with all information regarding the expenditure of the Funding as and when reasonably required by the Council, and not less than quarterly, including cash flow statements and acquittal reports.

3.4 The Recipient must provide its annual report and audited financial statements to the Council within 14 days of being approved by its members, board or management committee (as applicable).

3.5 The Recipient must fulfil the Funding Requirements at its own risk.

3.6 The Recipient may, on an annual basis, submit amendments to the Funding Requirements which may be accepted or refused at the Council's absolute discretion. Upon acceptance by Council, the amendments will form part of the Funding Requirements. The Council may withhold payment of the Funding until the amendments to the Funding Requirements have been agreed.

3.7 The Recipient must comply with applicable licences, laws and industry standards, as well as the policies and reasonable requests of the Council during the Term.

3.8 The Recipient must maintain the Insurances and any other insurances required by law. On request, the Recipient must provide certificates of currency to the Council prior to the Commencement Date and on each anniversary of the Commencement Date during the Term.

3.9 The Recipient must indemnify the Council against all claims in respect of loss or damage to property, or death or injury to any person, caused or contributed to by the Recipient (or its employees, contractors or agents). The indemnity is reduced to the extent the

Council contributed to the event. This clause 3.9 survives the termination of this Agreement.

4 Changes to funding arrangements

- 4.1 If the Funding is not completely expended during the Term, or not expended in accordance with the Funding Requirements or for the Purpose, the unexpended portion of the Funding must (at the Council's absolute discretion):
- 4.1.1 be returned to the Council; or
 - 4.1.2 credited in the Council's favour for any future contracts entered into between the parties.
- 3.11 In the event that the Anticipated Funding is either not received by the Recipient or is withdrawn, the Recipient will promptly notify the Council.
- 3.12 Following the notification, the Recipient and the Council will meet in good faith to discuss potential alternate funding arrangements.
- 3.13 If no alternate funding arrangement can be agreed between the parties within 4 months of the meeting, the Council may terminate this agreement.
- 3.14 Upon termination in accordance with clause 3.13 above, no further payments will be made by the Council, and any unexpended Funding will be treated in the same manner set out in clause 4.1 above.

5 Goods and Services Tax

- 5.1 In this clause an expression defined in the *A New Tax System (Goods and Service Tax) Act 1999* (Cth) has the meaning given to it in that Act.
- 5.2 If a party makes a supply under or in connection with this Agreement in respect of which GST is payable, the consideration for the supply is increased by an amount equal to the GST payable by the supplier on the supply.
- 5.3 A party need not make a payment for a taxable supply under or in connection with this Agreement, until it receives a tax invoice for the supply.

6 Breach

- 6.1 The Council may terminate this Agreement if the Recipient breaches a material term of this Agreement, or if the Recipient, in performing the Purpose, causes reputational damage to the Council (as reasonably determined by the Council).
- 6.2 If the Council requires the Recipient to remedy a breach of this Agreement, and the Recipient does not do so within the time specified by the Council, the Council may suspend all or any payments, remedy the breach at the Recipient's cost using Council employees or other contractors, terminate this Agreement, and/or pursue other legal remedies.
- 6.3 The Council may also terminate this Agreement if the Recipient becomes externally administered, insolvent, or actions are taken to wind up the Recipient.

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- 6.4 Upon termination of this Agreement for any breach by the Recipient, the Recipient must return any portion of the Funding which has been expended or otherwise allocated at the date of termination, within 14 days of termination of this Agreement.

7 Representations and warranties

The Recipient represents and warrants to the Council that as at the date of this Agreement and otherwise on each day any Funding is made that:

- 7.1 it has and will continue to have the power to execute this Agreement and to fulfil its obligations under it;
- 7.2 it has taken and will take all necessary action to authorise the entry into and performance of this Agreement and the conduct of the transactions contemplated by this Agreement;
- 7.3 the execution and delivery and the performance of its obligations under this Agreement do not and will not breach contractual restrictions or any existing law, regulation, consent or authorisation binding on it;
- 7.4 no event has occurred and is continuing which constitutes or would constitute, but for the requirements of notice or lapse of time or both, an Event of Default; and
- 7.5 it is not in default under any agreement by which it is bound nor in respect of any financial obligation (including contingent obligations).

8 Dispute resolution

- 8.1 If any dispute or disagreement arises between the parties in connection with this Agreement, they agree to undertake to use all reasonable endeavours, in good faith, to settle the dispute or disagreement by negotiation between representatives nominated by each party.
- 8.2 In the event that negotiations do not resolve the dispute within one calendar month, a mediator agreeable to both parties may be engaged to seek a resolution. If the parties cannot agree upon a mediator, the mediator will be appointed by the President or Acting President of the Law Society of South Australia. The cost of the mediator will be borne equally by the parties.
- 8.3 Nothing in this Agreement is intended to limit either party's right to seek a legal remedy for any dispute that arises.
- 8.4 The parties agree that matters arising out of any conflict must be kept confidential.
- 8.5 Irrespective of any dispute, each party will continue to perform its obligations under this Agreement.

9 General obligations

- 9.1 The Recipient must keep confidential any information of a confidential nature supplied by the Council to the Recipient in connection with this Agreement.
- 9.2 The Recipient consents to disclosures by the Council to members of the public as required by it in compliance with *the Freedom of Information Act 1991 (SA)*. For the purposes of that Act, there are no confidential sections.

-
- 9.3 The Recipient must not sub-contract or assign this Agreement or any right under it, without the expressed consent of the Council.
- 9.4 Each party will bear their own costs in relation to the negotiation, preparation and execution of this Agreement.
- 9.5 A reference to a party includes its executors, administrators, successors and permitted assigns.
- 9.6 If any part of this Agreement is, or becomes, unenforceable or void, or if the Agreement would, if any part were not omitted, be or become unenforceable or void, that part will be severable without affecting the remainder of this Agreement, and the Agreement will be read and interpreted as if the part were not contained in it.
- 9.7 This Agreement is the entire agreement about its subject matter.
- 9.8 Notices and waivers under this Agreement, and amendments of this Agreement, must be in writing.
- 9.9 The Council enters into this Agreement as a council under sections 7 and 36 of the *Local Government Act 1999* and not in any other capacity under that Act or otherwise. This Agreement does not preclude or pre-empt the exercise by the Council of any other regulatory or statutory power or function.
- 9.10 The Recipient acknowledges and agrees that by entering into this Agreement the Recipient will be deemed to be a public authority for the purposes of the *Independent Commissioner Against Corruption Act 2012 (ICAC Act)*.
- 9.11 The Recipient acknowledges that the funding is public money. In which case it has an obligation to ensure that any decisions made with respect to the acquittal of the funding, is made in a transparent, informed and accountable manner.
- 9.12 The Council does not warrant or otherwise provide any assurance that this Agreement, and any written communication under this Agreement will be kept confidential and nor will such:
- 9.12.1 qualify as an exempt document under the *Freedom of Information Act 1991*; or
 - 9.12.2 if recorded in minutes of the Council kept under the *Local Government Act 1999*, can or will be prevented from being made publicly available under that Act.
- 9.13 The Recipient acknowledges and agrees that in entering into this Agreement, its Purpose will be deemed to fall within the jurisdiction of the *Ombudsman Act 1972* and it is obliged to comply with that Act, and any direction or requirement issued by the Ombudsman.
- 9.14 This Agreement does not create a relationship of employer and employee, agency, joint venture or partnership between the Council and Recipient.
- 9.15 This Agreement is governed by the laws of South Australia and the parties submit to the exclusive jurisdiction of the courts of South Australia and the Adelaide registries of the Australian Federal Courts.

EXECUTION

Executed by the parties as an **Agreement**:

EXECUTED on behalf of **ADELAIDE HILLS COUNCIL**, ABN 239 55 071 293 under delegated authority
by in the presence of:

.....
Signature of Witness

.....
Authorised Delegate

.....
Name of Witness

.....
Position

THE COMMON SEAL OF ADELAIDE HILLS TOURISM INC ABN 33 213 621 020 was affixed in
accordance with the Rules of the Association in the presence of:

.....
Signature of Authorised Office Bearer

.....
Signature of Authorised Office Bearer

.....
Name of Authorised Office Bearer

.....
Name of Authorised Office Bearer

.....
Date

SCHEDULE

Item 1 Funding	\$110,900 (GST exclusive) per annum.
Item 2 Insurances	Public Liability - \$20 million per claim Professional Indemnity - \$0.5 million per claim
Item 3 Purpose	The Recipient is funded to support the policies and priorities of the Adelaide Hills Council to create a vibrant and sustainable visitor economy in the Adelaide Hills through leadership, representation, industry engagement and strategic projects.
Item 4 Term	30 June 2026
Item 5 Payment of Funds	<p>For the period 1 July 2025 to 30 June 2026, the Council will pay to the Recipient \$115,669 (GST exclusive), increased by an amount equal to the Consumer Price Index for Adelaide All Groups annual change to March 2025.</p> <p>For the avoidance of doubt, in advance of all payments, the acquittal obligations from the preceding period must have been met, and the Recipient must have issued a valid tax invoice to the Council.</p>
Item 6 Anticipated Funding	<p>Adelaide Hills Council: \$115,669 (ex GST)</p> <p>South Australian Tourism Commission: \$ 80,255 (ex GST) and to be confirmed in June 2025</p> <p>Note: AHT will advise both major funding partners of the annual invoicing amount for full transparency.</p>

ANNEXURE A – FUNDING REQUIREMENTS

The following documentation is required by Council:

- Current Strategic Plan that aligns and supports the policies and strategic priorities of the South Australian Government, Tourism Australia, and the Adelaide Hills and Adelaide Hills Council's economic development outcomes in terms of tourism in the region
- By 31 July – 12 month Business Plan outlining the proposed activities for the year and the annual budget
- By 30 September – 12 month end of year actuals and a report on the performance of the Recipient in relation to its obligations under this Agreement by reference to the Purpose
- Presentation to Council and written summary report, at least once per annum, on the current status and progress of key strategies and initiatives and proposed plans and projects for the future
- Certificates of currency for the insurances required under this Agreement;
- Organisational documentation and on-going records and reporting in accordance with the requirements of the *Associations Incorporation Act 1985 (SA)*;
- Evidence of governance training undertaken by the Recipient's Executive team during the Term.

PERFORMANCE CRITERIA

The Performance Criteria may be updated from time to time to reflect changes in priority areas, in writing, jointly signed by the Chief Executive Officer of the Council and the Chairperson of the Recipient.

The parties currently agree the following performance criteria:

- The Recipient must ensure that its organisational documentation is up-to-date and the activities of the Recipient comply with the requirements of the *Associations Incorporation Act 1985 (SA)* (the **Associations Act**)

Target Measure: Providing Council with an updated Constitution and demonstrating on-going compliance with the record-keeping and reporting requirements of the Associations Act as requested by the Council from time to time.

- Annual business planning and annual budgeting.

Target Measure: Presentation to Council on the current status and progress of key strategies and initiatives and proposed plans and projects for the future on or before 1 August 2025, and otherwise within one calendar month of each anniversary of the Commencement Date.

Appendix 2

AHT Annual Business Plan 2024-25

ADELAIDE HILLS TOURISM

Annual Operating Plan

2024-2025



Introduction

Adelaide Hills Tourism's (AHT) key priorities and actions for 2024-2025 are aligned with the Adelaide Hills chapter of the 2021-2025 South Australian Regional Visitor Strategy (RVS). Published in February 2021, the RVS was developed in collaboration between Adelaide Hills Tourism (AHT) and the South Australian Tourism Commission (SATC) after extensive regional consultation including a workshop with key industry partners and stakeholders in September 2020. Supporting the RVS is the [Adelaide Hills Regional Visitor Strategic Tourism Plan](#) which drives the operational outcomes of Adelaide Hills Tourism.

To note:

- SATC has just commenced re-writing of RTO Destination Management Plans as the industry moves towards their 2030 targets. AHT is involved in these workshop sessions and the SATC appointed consultants appointed will be reaching out to major stakeholders in October this year to develop the plan for this tourism region. All regional plans should be finalised by June 2026.
- A Regional Review is currently underway regarding funding and resourcing models for regions moving forward. Details of the review can be viewed [here](#).

Adelaide Hills Tourism's Three Strategic Pillars

- Marketing
- Industry Capacity and Capability Development
- Collaboration

To achieve deliverables under the three strategic pillars the work of Adelaide Hills Tourism is underpinned by strong corporate governance and organisational effectiveness. Strategic Priorities are drawn from the Adelaide Hills Chapter of the RVS. Italicised actions are deliverables of Local Contact Officer grant funding from the South Australian Tourism Commission.

Overarching Priorities

- | | |
|---|---|
| <ul style="list-style-type: none">• Build a resilient and sustainable industry in a pandemic environment• Capitalise on the region's proximity to Adelaide• Convert more visitors to stay overnight | <ul style="list-style-type: none">• Encourage day trippers to stay longer• Encourage visitors to spend more• Grow repeat visitation |
|---|---|

Marketing

Drive awareness, appeal and booking of Adelaide Hills experiences, events and accommodation through marketing and PR initiatives that reaffirm the region's brand positioning and messaging.

Marketing Priorities

- Capitalise on the region's proximity to Adelaide through leveraging Adelaide marketing initiatives organisations (e.g. Business Events Adelaide), major events and the hotel concierge network.
- Convert more visitors to stay overnight to lift occupancies and room rates by showcasing the breadth of experiences available, the benefits of staying overnight, and the quality and diversity of accommodation.
- Encourage day trip visitors to stay longer by showcasing the breadth of experiences available, and highlighting twilight and evening experiences.
- Encourage visitors to spend more (stay longer, disperse further and undertake higher value experiences) by showcasing high-yield experiences (including accommodation) and the region's diversity of experiences and locations (e.g. suggested itineraries and touring routes).
- Grow repeat visitation through delivery on marketing promise (honesty in marketing), giving visitors more reasons to visit (e.g. seasonal and event offerings, revitalised towns and tourism clusters) and engagement with local audiences through traditional media and AHT social media platforms.

Target Markets

- Effectively target high-yielding travellers to ensure sustainable growth and maximise expenditure outcomes.
- Prioritise domestic markets in the medium term while remaining agile to international market opportunities as they emerge.
 - Local residents and their visiting friends and relatives (VFR)
 - Intrastate (Families with children 5-12, Professional Couples, Groups)
 - Interstate (Professional and Older Couples)

Key Marketing Partners

- AHT leverages the marketing activities of SA Tourism Commission, Tourism Australia, other SA regions, tourism operators, Adelaide Hills Wine Region, town and business associations, agritourism industry association, local online travel agents and platforms (e.g. RAA SA Experiences),

Business Events Adelaide, and Study Adelaide. As the national database of tourism businesses and events, the Australian Tourism Data Warehouse (ATDW) is a key partner platform.

Consumer Sentiment

- Visitors are seeking greater connection to nature, open and uncrowded spaces, and experiences that positively impact physical, mental and social wellbeing.
- Align content creation with insights gleaned from the above.
- Growing consumer demand for digital channels for trip inspiration, planning, booking and experience sharing.
- Regardless of the experiences on offer, AHT and partners must prioritise the health and wellbeing of our visitors, operators and the community.

Strategic Priority	AHT Actions 2024-2025	Deliverables	Budget
<p>RVS Key Priority</p> <p>Grow visitors to the new Adelaide Hills website (www.visitadelaidehills.com.au) and use site data to better understand visitor behaviour.</p>	<p>Engage with digital specialists to deliver optimum site performance including analysis of website data to assess user experience, search visibility and conversion.</p> <ul style="list-style-type: none"> • Identify and prioritise opportunities for optimisation. • Develop and implement a program for content creation and optimisation with a focus on driving engagement with ideal customers rather than growth in audience. 	<ul style="list-style-type: none"> • Deliver a new look and feel website in line with the brand work delivered in 2023. 	\$13,500
	<ul style="list-style-type: none"> • Build upon 2023/2024 rich content curation to load rich storytelling content (including video and blogs) and ensure key content is regularly updated, engaging and meets current consumer 	<ul style="list-style-type: none"> • Curate (or use influencers) video reels for use on facebook, Instagram and re-loaded on website 	\$8,000



	needs – with an emphasis on outdoor and nature activities that support physical, social and mental wellbeing,		
	Leverage SATC digital insights and audience behaviours.	<ul style="list-style-type: none"> Attend fortnightly RTM meetings and briefings with SATC. Use quarterly digital report insights from SATC. 	EO Salary Resource
	Review third party websites and encourage links to AHT website.	<ul style="list-style-type: none"> Review Adelaide Hills content on SATC and Tourism Australia websites quarterly. Review tourism content and links to AHT website quarterly on AHC, MBDC, VIC and Adelaide Hills Wine Region websites. 	EO Salary Resource
	Increase sharing of website content via AHT social media channels.	<ul style="list-style-type: none"> Provide link to relevant AHT content in majority of posts – 8 per month (either operator/event ATDW listing or thematic/seasonal info). 	<p>\$2,000 (ATDW Licensing fee)</p> <p>\$ 39,000 (social media – always on)</p>
	Include website URL and/or QR code in as many marketing and PR initiatives as possible including non-traditional business in the visitor economy.	<ul style="list-style-type: none"> Include unique QR code link to AHT website in the Adelaide Hills visitor guide, A3 tear-off maps, other collateral and any advertising features (e.g. The Courier) 	EO Salary Resource
<p>RVS Key Priority</p> <p>Leverage South Australian Tourism Commission’s marketing initiatives to increase leads to local businesses.</p>	Promote industry sign-on to the Australian Tourism Data Warehouse (ATDW) especially in categories linked to SATC campaigns/initiatives)	<ul style="list-style-type: none"> Strongly promote ATDW to industry via newsletters, factsheets, website, SATC in-region workshops, and assistance/follow-up via email and face- 	\$18,000 (Admin resource split across multiple activities) & EO Salary Resource

	<i>with the aim of increasing the number and quality of ATDW listings.</i>	<p>to-face with individual operators/events who have not listed (especially new businesses) or have outdated/expired listings.</p> <ul style="list-style-type: none"> • Maintain a feed of ATDW to the regional website www.visitadelaidehills.com.au for the categories of accommodation, tours, attractions, events and food & drink. 	\$2,000 (annual ATDW feed)
	<i>Assist the SATC to maintain accurate and up-to-date digital content about the region through regular briefings with SATC staff and support of SATC staff famils.</i>	<ul style="list-style-type: none"> • Weekly calls and emails with relevant SATC staff. • Annual regional update to all relevant SATC staff. • Monthly scheduled meeting with Destination Development staff to feed through new product developments. 	EO Salary Resource
	<i>Act as a contact for SATC-referred trade and media familiarisations including some hosting.</i>	Provide suggestions and support in a timely manner as opportunities arise.	EO Salary Resource
	<i>Assist SATC's PR team with content and contacts for media releases, enquiries etc.</i>	Provide suggestions and support in a timely manner as opportunities arise.	EO Salary Resource
	<i>Assist SATC's marketing team with development, refinement, industry communication and engagement elements of marketing campaigns.</i>	<ul style="list-style-type: none"> • Provide suggestions and support in a timely manner as opportunities arise. • Arrange and host familiarisations for campaign staff (at least two per year). 	EO Salary Resource
	<i>Assist with regional photo shoots, including identifying products and locations, and assisting with sourcing of props.</i>	<ul style="list-style-type: none"> • Provide suggestions and support in a timely manner as opportunities arise. 	\$18,000 (part of marketing/PR)



	<p>Align marketing to SATC's brand pillars and Sector Plans:</p> <ul style="list-style-type: none"> • Natural Therapy - slow down, disconnect and immerse in nature without sacrificing comfort or style • Accessible Provenance - fresh local produce in amazing natural locations – connecting visitors with the source of food and beverages, meet winemakers and food producers • Wildlife Encounters – national parks, with iconic wildlife • The Coolest Boutique Capital – Adelaide focus but opportunity for Adelaide Hills to leverage due to proximity – work with city hotel concierges • Loves a Party – festivals and events, social activities • Sector Plans – Wellness, Cruise, Aboriginal Cultural, Food and Drink + Agritourism, Recreation & Trails 	<p>Roll out AHT's new Brand Narrative which aligns with current SATC Brand</p>	<p>EO Salary Resource</p>
<p>RVS Priority Provide locals with new reasons to explore their own region, which will then enhance the trips of their visiting friends and relatives.</p>	<p>Invest strongly in social media through expert and dedicated resources to target local audiences (Adelaide and Adelaide Hills) – more than 70% of AHT's Instagram followers and 75% of AHT's Facebook followers are from Adelaide or the Adelaide Hills.</p>	<p>Facebook: https://www.facebook.com/visitadelaidehills</p> <ul style="list-style-type: none"> • Maintain content plan • Minimum of 8 posts per week, focusing on key experiences/products/activities/events. • Engage regularly with Adelaide Hills operators and key influencers (like, comment and share). • Maintain 1.2% engagement per post 	<p>\$ 39,000 (social media – always on)</p>

		<ul style="list-style-type: none"> • Maintain average reach of 2200 users per post • Maintain quarterly audience growth of 5% • Monitor key social media metrics and prepare Quarterly Digital Report <p>Instagram: https://www.instagram.com/visitadelaidehills</p> <ul style="list-style-type: none"> • Introduce more regular “reel” content • Maintain content plan • Minimum of 3 posts per week, focusing on high-quality aspirational imagery that supports AHT’s messaging around experiences/products/activities/events. • Minimum of 3 Instagram Stories per week • Engage regularly with Adelaide Hills operators and key influencers (like, comment and share). • Maintain 2% engagement per post • Maintain average reach of 8000 per post • Maintain quarterly audience growth of 15% • Increase Facebook audience sharing of Visit Adelaide Hills website content <p>Monitor key social media metrics and prepare Quarterly Digital Report</p>	
	<p>Engage regularly with local media (including PR releases for key initiatives) and support tourism</p>	<ul style="list-style-type: none"> • Quarterly (seasonal) update to local media showcasing new experiences and 	<p>\$1,650/quarter (PR agency)</p>



	features highlighting new or lesser-known experiences.	<p>upcoming events and seasonal highlights, distributed to media</p> <ul style="list-style-type: none"> • Provide timely suggestions and contacts for media enquiries. 	EO Salary Resource
<p>RVS Priority Encourage greater mid-week visits from key relevant segments:</p> <ul style="list-style-type: none"> • corporate – business meetings, events and incentives • sporting events • interstate and international markets 	Increase content on AHT’s website about meeting and business event venues and activities.	<ul style="list-style-type: none"> • Review and update information at www.visitadelaidehills.com.au/business-events 	EO Salary Resource
	Maintain and leverage membership with Business Events Adelaide	<ul style="list-style-type: none"> • Attend networking events and support BEA familiarisations as resources allow. 	<p>\$750 (BEA annual fee)</p> <p>EO Salary Resource</p>
	Support and leverage interstate PR and marketing campaign activities with SATC, and international markets as they open	<ul style="list-style-type: none"> • Maintain connection with SATC Global team and undertake training and briefing opportunities. • Establish and maintain Adelaide Hills presence on Tourism Australia’s Australia 360 On Demand platform (information resource and contact directory) for international trade. 	<p>EO Salary Resource & PR quarterly update (\$1,650)</p> <p>EO Salary Resource</p>
<p>RVS Priority Boost the promotion of experiences that best match changing visitor needs and are reflective of the Adelaide Hills Retreat Brand.</p>	Consistently communicate Adelaide Hills Tourism’s new branding across all marketing and PR activities.	<ul style="list-style-type: none"> • Focus AHT website and social media content underpinned by elevation, seasonality and proximity to Adelaide. 	EO Salary Resource, Paid Media and Social Media Servicing



	Distribute new Adelaide Hills brand to industry with insights on how to use the brand to benefit their business	<ul style="list-style-type: none"> Produce and distribute guide to industry and stakeholders (including via industry page of AHT website) 	EO Salary Resource
	Regularly review website content to meet increased consumer desire for uncrowded spaces, outdoor activities, reconnection and wellness activities.	Focus on blogs, imagery and itineraries/collections responding to consumer interests	As per web investment above
	Continue to grow social media audiences and engagement (Visit Adelaide Hills on Facebook and Instagram) with content aligned with key themes and increased consumer desire for uncrowded spaces, outdoor activities, reconnection and wellness activities.	As per social media targets on pages 6-7.	-
	Review and prioritise Acknowledgement of Country, Peramangk information, and indigenous experiences/events on the website, visitor guide and maps.	<ul style="list-style-type: none"> Maintain connection with SATOC and SATC indigenous product contact to ensure that any operators that are developing in this space, are incorporating the hills. 	EO Salary Resource
<p>RVS Priority Work collaboratively with the South Australian Tourism Commission’s team to adapt visitor target markets and messages based on changing global consumer and social sentiment.</p>	<ul style="list-style-type: none"> Engage regularly with SATC Insights, Marketing and Events teams. Align AHT marketing with SATC’s priority markets and messaging. 	<ul style="list-style-type: none"> Attend and support SATC cross-regional meetings including workshops, briefings and fortnightly regional meetings with RTM’s. Support SATC Sector Development messaging around sustainability, indigenous and wellness sectors. 	EO Salary Resource
<p>RVS Priority Work with StudyAdelaide to encourage international students to visit and bring their visiting families.</p>	Engage with StudyAdelaide’s student engagement and marketing teams so Adelaide Hills is top of mind for initiatives including VFR.	<ul style="list-style-type: none"> Re-engage with StudyAdelaide 	EO Salary Resource

<p>RVS Priority Optimise major Adelaide and cross-regional events including Bay to Birdwood, Tasting Australia and Tour Down Under.</p>	<p>Promote Adelaide Hills elements of state-wide and cross-regional events/programs via AHT consumer and industry channels</p>	<ul style="list-style-type: none"> • Ensure event listings are on ATDW and appearing on events page of AHT website. • Feature key events on the AHT website homepage and publish a blog if appropriate. • Share event information on AHT’s social media platforms (Visit Adelaide Hills on Facebook and Instagram). • Highlight opportunities for involvement and promote event to local industry via the AHT industry e-newsletter and closed Facebook group. 	<p>EO Salary Resource with Admin and social media contractor support</p>
<p>RVS Key Priority Embrace relatively new wine events (Chardonnay May and Sparkling Spring) and existing signature wine events (Winter Reds), as well as exploring new agritourism, arts and wellness event opportunities.</p>	<p>Promote and support Adelaide Hills Wine Region Events: Promote and support other key regional events including:</p> <ul style="list-style-type: none"> • Country Shows – Meadows, Mount Barker, Callington etc. • Stirling, Uraidla and other village markets • TDU • Adelaide Hills Garden Affair • Wellness Wander Weekend • Hahndorf Christmas Events & Hahndorf Handmade, Handcrafted, Handpicked • Lights of Lobethal • Medieval Fair • A Taste of the Hills 	<ul style="list-style-type: none"> • Ensure event listings are on ATDW and appearing on events page of AHT website. • Feature events on the AHT website homepage and publish a blog if appropriate. • Share event information on AHT’s social media platforms (Visit Adelaide Hills on Facebook and Instagram). • Highlight opportunities for involvement and promote event to local industry via the AHT industry e-newsletter and closed Facebook group. • Contribute to planning of Adelaide Hills Wine Region events through regular engagement with the EO. 	<p>EO Salary Resource with Admin and social media contractor support</p>

		<ul style="list-style-type: none"> Engage with Events SA (SA Tourism Commission) regarding event opportunities. Support and promote the Events SA (SA Tourism Commission) Regional Events Fund. 	
<p>RVS Key Priority Promote relevant events held at the Mount Barker District Council's new recreation and leisure precinct.</p>	<p>Promote and support relevant events through AHT's consumer and industry channels.</p>	<ul style="list-style-type: none"> Ensure event listings are on ATDW and appearing on events page of AHT website if relevant. Feature events on the AHT website homepage and publish a blog if appropriate. Share event information on AHT's social media platforms (Visit Adelaide Hills on Facebook and Instagram). Share event information with industry and stakeholders via AHT newsletter and closed Facebook group if relevant. Promote the venue via AHT website and recommendations to event organisers and Events SA (SA Tourism Commission). 	<p>EO Salary Resource with Admin and social media contractor support</p>



Industry Capacity and Capability Development

Support the sustainable development of, and investment in, existing and new tourism ventures and events that deliver exceptional experiences and bring more people to the region and have them staying longer and spending more.

Key Elements of this Strategic Pillar

- Experience & Supply Development - enhance existing tourism experiences and create new offerings that reinforce brand strengths and interpretive themes for the Adelaide Hills and South Australia.
- Industry Capability – deliver and/or support training and business development programs that build business resilience and skills in digital marketing, customer service, experience development and distribution.

Industry Capacity and Capability Development Priorities

- Capitalise on the region’s proximity to Adelaide through development of experiences compatible with Adelaide touring programs.
- Convert more visitors to stay overnight by supporting the improvement of existing accommodation and development of new accommodation.
- Encourage day trip visitors to stay longer by supporting the improvement of existing visitor experiences and development of new visitor experiences including twilight and evening experiences.
- Encourage visitors to spend more by supporting the development of high yield experiences including accommodation that encourage dispersal beyond gateways and established tourism hubs. Grow repeat visitation through delivery on marketing promise (e.g. training to develop and deliver exceptional visitor experiences) and giving target markets new reasons to visit (e.g. development of seasonal and event offerings, support town revitalisation initiatives).

Key Consideration

Workforce Skills Shortage

Many tourism and hospitality businesses are struggling to find qualified, skilled workers to fill open positions. AHT will work with SATC, RDA & TiCSA to better understand the challenges and support possible solutions to address labour shortages.

Key Industry Capacity and Capability Development Partners

- South Australian Tourism Commission (SATC)
- Business Events Adelaide (BEA)
- Regional Development Australia (RDA) – Adelaide Hills Fleurieu & Kangaroo Island

- Tourism Industry Council SA (TiCSA)
- Local Government – MBDC and AHC
- Tourism Australia & other tourism and business industry associations eg Australian Tourism Export Council

Strategic Priority	AHT Actions 2024/2025	Deliverables	Budget
<p>RVS Key Priorities</p> <ul style="list-style-type: none"> Support the development of existing and new experiences and events that reflect SATC and new AHT brand. Advocate for the development of 16 new rooms and 22 room upgrades by 2025. Encourage unique, immersive and experiential accommodation linked to trails, nature, wildlife, food, beverage and wellness. 	<p>Support new funding applications through grant advice, introductions and letters of support for projects consistent with consumer demand and regional brand. (eg second round of nature-based fund launching in August)</p>	<ul style="list-style-type: none"> Promote funding opportunity (and successful projects) to industry through AHT newsletters, closed industry Facebook group and targeted communications. Provide support to applicants in a timely manner. 	<p>EO Salary Resource</p>
	<p>Support access to capital, government grants and investment including referrals to RDA (Adelaide Hills, Fleurieu & Kangaroo Island).</p>	<ul style="list-style-type: none"> Promote opportunities to industry through AHT newsletters, closed industry Facebook group and targeted communications. Provide support, contacts and referrals in a timely manner. 	<p>EO Salary Resource</p>
	<p>Assist operators to develop strong business cases for investment in new developments and enhancements including referrals to RDA (Adelaide Hills, Fleurieu & Kangaroo Island).</p>	<ul style="list-style-type: none"> Maintain list of grant writers and provide to potential developers. Provide access to relevant data and support services. 	<p>EO Salary Resource</p>
	<p>Develop linkages between experiences and businesses to create clusters and collaborations.</p>	<p>Provide individual introductions and create opportunities for networking (including closed Facebook group and industry events).</p>	<p>EO Salary Resource</p>

	Support initiatives to address development barriers.	Provide advice to potential developments regarding working with council and provide feedback to council. <ul style="list-style-type: none"> Engage with reviews of development approval processes, on request. 	EO Salary Resource
	Support initiatives that streamline regulations to make it easier for operators to innovate and develop sustainable tourism experiences.	<ul style="list-style-type: none"> Provide feedback around complex regulatory and legislative constraints and promote feedback opportunities to industry/stakeholders. 	EO Salary Resource
	Share consumer research on appealing products for different visitor groups to assist experience development and refinement.	<ul style="list-style-type: none"> Provide information about relevant research through AHT communications channels (newsletter and closed Facebook group) and at industry functions. 	EO Salary Resource
	Support sustainable tourism development that is in keeping with the region's charms and character.	<ul style="list-style-type: none"> Ensure personal site visit and understanding of proposal before providing AHT letter of support. Engagement with Tourism Australia and SATC on their sustainability product focus. 	EO Salary Resource
	Foster the development of Peramangk cultural experiences.	<ul style="list-style-type: none"> Share relevant opportunities with industry (e.g. Indigenous Tourism Fund) Initiate engagement with new cultural experiences Immerse board in cultural awareness training 	EO Salary Resource
RVS Priority Support Department for Environment and Water (DEW) initiatives such as the reinvigoration of Cleland Wildlife Park.	<ul style="list-style-type: none"> Engage regularly with DEW Executive and staff on key projects. 	<ul style="list-style-type: none"> Maintain DEW representation on AHT Board. Provide letters of support and feedback on Nature-based Tourism Fund applications. 	EO Salary Resource

<p>RVS Priority Advocate for improved regional Wi-Fi and telephony connectivity.</p>	<ul style="list-style-type: none"> Work with industry and key partners (RDA, AHC, MBDC, SATC) on identifying issues and supporting initiatives to drive improvement. 	<p>Provide feedback to relevant government departments on request.</p>	<p>EO Salary Resource</p>
<p>RVS Priority Address infrastructure including touring routes, scenic drives signage, walking and cycling trails and coach and car parking facilities.</p>	<ul style="list-style-type: none"> Work with industry and key partners (RDA, AHC, MBDC, SATC) on identifying issues and supporting initiatives to drive improvement (including SATC's brown directional tourist signage improvement project). 	<ul style="list-style-type: none"> Provide feedback to relevant partners about maintenance requirements for other infrastructure such as road and public amenities (toilets, rubbish bins). Advocate for high-priority infrastructure development initiatives including: <ul style="list-style-type: none"> Trails – access to Heysen Trail from Mount Lofty House Estate, Fox Creek Mountain Bike Trails, Amy Gillett Pathway extension, Hahndorf trails to connect key new attractions (Sidewood Cellar Door & Restaurant, new Udder Delights site, Hahndorf Resort, Ambleside Distillers etc.), Women's Pioneer Trail Roads and Related Infrastructure – sealing roads to key attractions including Fox Creek, Lot 100 and Mount Barker Leisure Precinct. Public Amenities - Amy Gillett Pathway (benches, signage, water points, toilets etc.) 	<p>EO Salary Resource</p>
<p>RVS Priority Address gaps in transport connectivity (e.g. ride sharing services and shuttles).</p>	<ul style="list-style-type: none"> Work with industry and key partners (RDA, AHC, MBDC, SATC) on identifying issues and supporting initiatives to drive improvement. 	<ul style="list-style-type: none"> Stay informed and provide suggestions and feedback as opportunities arise. Update transport information on AHT website accordingly. 	<p>EO Salary Resource</p>
<p>RVS Priority</p>	<ul style="list-style-type: none"> Partner with ATEC on targeting operators who are ready to be moved to Globally Distributable. 	<ul style="list-style-type: none"> Partner with ATEC on training a minimum of 5 operators on distribution 	<p>\$4,000</p>

<p>Focus on building skills across digital marketing, customer service, experience development and distribution.</p>	<ul style="list-style-type: none"> • Ensure visitor economy businesses have access to and engage with tools and technologies to maximise their professionalism and profitability. 	<ul style="list-style-type: none"> • Sponsor these operators to attend Global Managers Presentation • Sponsor the operators to attend SA uncorked in Sydney to meet the industry face to face to promote their business. • Target 4 lead hills products to attend either ATE or SATC national trade shows to help them with distribution opportunities. • Support new tourism businesses with the information, tools and connections they will need to succeed including continuing the Adelaide Hills Business Hub Sponsorship with Tourism Accelerator which supports each operator with three hours of training on their digital platforms. • Promote third-party training opportunities (e.g. TiCSA, RDA, SATC, councils) especially those with a focus on business continuity, industry resilience, business management (including risk management), digital marketing, event management, distribution, customer service, storytelling, staff development and retention, experience development, packaging/collaboration, and grant writing. This includes organising a booking.com workshop for the region given the volume of operators who are using this platform for converting. 	<p>\$1,100 (membership of ATEC) and \$4,000 allocated to operator support</p> <p>EO Salary Resource</p> <p>\$6,000 (this potentially leads 50 operators to a federal business grant support programme generating \$39,000 of grant support through Tourism Accelerator)</p> <p>EO Salary Resource</p>
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		<ul style="list-style-type: none"> Promote other business development programs including TiCSA's SA Tourism Awards and Tourism Accreditation. Champion businesses that are developing or refreshing their visitor experiences through inclusion at networking events and via the industry and stakeholder newsletter and closed Facebook group including promoting SATC's Emerging Product programme. 	<p>EO Salary Resource</p> <p>EO Salary Resource</p>
<p>RVS Key Priority Support industry resilience including developing business cases for grants and investments.</p>	<ul style="list-style-type: none"> Monitor grant opportunities for AH industry around digital capability and distribution. 	<ul style="list-style-type: none"> Promote grants and support programs via the industry and stakeholder newsletter, the industry page of the AHT website and the closed industry and stakeholder Facebook page (Adelaide Hills Tourism Network). Monitor grant opportunities and apply for relevant grants that align with identified gaps. 	<p>EO Salary Resource</p>
<p>RVS Key Priority Research and expand the health and wellbeing sector by becoming an incubator for state-wide industry development and positioning the region as a wellness hub.</p>	<ul style="list-style-type: none"> Deliver the Wellness Wander 2024 as a major sponsor with SATC 	<ul style="list-style-type: none"> Deliver another Wellness Wander event Maintain 80% participation levels and 2023 spend 	<p>\$25,000</p>
<p>RVS Priority Advocate for a training centre to upskill local regional tourism and hospitality staff.</p>	<ul style="list-style-type: none"> Support in-region initiatives that drive tourism and hospitality skills development to help address labour and skills shortages. 	<ul style="list-style-type: none"> Provide letters of support as required. Share SATC insights around regional workforce shortages to stakeholders. Support third-party training initiatives to train on the importance of the visitor economy. 	<p>EO Salary Resource</p>

<p>RVS Priority Leverage major Adelaide events and maximise Adelaide Hills content in major cross-regional events including Bay to Birdwood, Tasting Australia and Tour Down Under.</p>	<ul style="list-style-type: none"> • Support regional hubs of major Adelaide-based events including Fringe and the Adelaide Festival. • Promote opportunities for tourism businesses and venues to host events as part of major events including SALA, History Festival, Tasting Australia, Nature Festival SA etc. • Work with event organisers including Bay to Birdwood and Tour Down Under to engage wider tourism network and communities. 	<ul style="list-style-type: none"> • Brief SATC on event opportunities and provide input on regional event potential. • Promote opportunities to host events via the industry and stakeholder newsletter and the closed industry and stakeholder Facebook page (Adelaide Hills Tourism Network). • Ongoing contact with major event organisers. 	<p>EO Salary Resource</p>
<p>RVS Key Priority Support development of new wine events (Chardonnay May and Sparkling Spring) and enhancement of existing signature wine events (Winter Reds), as well as explore new agritourism, arts and wellness event opportunities.</p>	<ul style="list-style-type: none"> • Build on Chardonnay May insights and focus on Sparkling Spring as they become more established. • <i>Provide annual input to the assessments of applications to SATC's Regional Event Fund as required and promote industry engagement with Events SA's major events such as Tasting Australia.</i> 	<ul style="list-style-type: none"> • Provide SATC / Events SA with feedback on Regional Events Fund applicants and alignment with key regional priorities and brand. • Promote SATC's Regional Events Fund to Adelaide Hills stakeholders (including events staff at Adelaide Hills Council and Mount Barker District Council) and industry via newsletter, closed industry Facebook group, one-on-one meetings, targeted emails and industry website. • Provide letters of support for events applying for grants where relevant. • Support events to list on the Australian Tourism Data Warehouse (ATDW). • Encourage the development of packages and offerings around events to help extend stays. • Foster information sharing and collaboration between councils, volunteers, event organisers, AHT and SATC / Events SA. • Advocate for more event skills training and support. 	<p>EO Salary Resource</p>

<p>RVS Priority Drive greater mid-week opportunities through the development of new and enhanced business event venues, services and events.</p>	<p>Identify and support products that have the propensity to host business events, corporate groups or incentives.</p>	<ul style="list-style-type: none"> • Connect relevant businesses to Business Events Adelaide • Pitch to secure the Australian Regional Tourism Conference in 2025 	<p>EO Salary Resource (and BE annual membership) \$10,000 (over two FY's)</p>
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Collaboration

Work closely and align efforts with the tourism industry, partners and stakeholders for an integrated and coordinated tourism region.

Partners:

- Tourism Operators and Event Managers
- Adelaide Hills Community
- Local Government – Adelaide Hills Council and Mount Barker District Council
- SA Tourism Commission
- RTO network
- Other State Government Departments – DEW, DTI, DPC
- Regional Development Australia (Adelaide Hills, Fleurieu & Kangaroo Island)
- Adelaide Hills Wine Region and other industry associations (e.g. agritourism)
- Federal Government – Tourism Australia, Austrade
- Town/sub-regional tourism and commerce groups

Strategic Priority	AHT Actions 2022-2023	Deliverables	Budget
<p>RVS Key Strategy Encourage partnerships between local tourism operators and stakeholders via industry networking events, familiarisations, digital platforms, cross-promotion and bundling of commissionable experiences.</p>	<p>Visit and engage regularly with tourism businesses to keep product knowledge and contacts current; facilitate connections between complementary businesses, mentoring, identifying distribution opportunities and sharing case studies.</p>	<ul style="list-style-type: none"> • EO to continue with minimum 2 days of operator visits per week to ensure that opportunities are leveraged and industry is engaged in the visitor economy. • Maximise AHT Board visibility and industry connection through the use of venues around the region. 	<p>EO Salary Resource</p> <p>\$1,500</p>

	<p><i>Ensure that regional operators and stakeholders are kept fully informed of opportunities and developments in tourism such as grants, strategies, reports, marketing campaigns etc. from SATC, Tourism Australia and other State and Federal agencies.</i></p>	<ul style="list-style-type: none"> • Hold at least one major industry function (80-100 people) to update the industry on AHT initiatives • Communicate with industry and stakeholders via e-newsletter (monthly), closed FB group (Adelaide Hills Tourism Network), LinkedIn, segments at industry events. • Maintain a media and industry page on AHT website featuring strategic plan, RVS information, ATDW help sheet and key opportunities and contacts document. • <i>Help coordinate SATC regional functions such as workshops and Board and CEO visits and itineraries and encourage regional operator participation.</i> • Be a point of contact in-region for the regional industry re SATC contacts and resources, referring enquirers on to SATC where appropriate. 	<p>\$4,000 (industry pays a contribution)</p> <p>EO Salary Resource & Admin officer</p>
	<p><i>Contribute to the maintenance of up-to-date key stakeholder databases for both SATC and Adelaide Hills Tourism.</i></p>	<p>Maintain an up-to-date database / contact management system.</p>	<p>EO Salary Resource & Admin Officer</p>
	<p>Represent the region at key forums and meetings and act as a conduit between government, councils and relevant bodies and local tourism operators.</p>	<p>Attend fortnightly SATC RTM Meetings, AHWR Marketing & Events sub-committee, sub-regional and town association meetings as required.</p>	<p>EO Salary Resource and Admin Officer</p>



	Conduct industry and stakeholder survey about preferred communications, challenges and priorities – e.g. best way to communicate, value of visitor guide, VIC.	Survey monkey communication with a target of 50 responses.	Admin Officer
	Continue to build relationship with Peramangk representatives to ensure improved and appropriate acknowledgements and information.	Work with Mandy Brown on key Indigenous messaging for AHT communications.	EO Salary Resource
<p>RVS Key Strategy Implement the Visitor Information Services strategy and ensure changing visitor needs are being serviced by local tourism operators and across all digital platforms.</p>	<ul style="list-style-type: none"> Adelaide Hill Regional Visitor Guide – production (in collaboration with publishing partner at no cost/risk to AHT), storage, distribution and content support with HWR Media. A3 tear-off map pads – production, storage, distribution Support the evolution of the region’s visitor information servicing model as consumers seek timely, inspiring and practical information via multiple channels during their trip – a mix of face-to-face information delivery (VIC, VIOs, individual businesses, locals for VFR market) and digital platforms/mobile phones 	<ul style="list-style-type: none"> Fact-checking existing guide before print run. Print run due in December 2024 and support of distribution when available. Provide key businesses and visitor information outlets (VIOs) with the information, tools and resources they need to help visitors plan their trip (through EO Business Development Sales Calls) 	<p>EO Salary Resource</p> <p>\$3,500 (reprint costs)</p> <p>EO Salary Resource</p>
<p>RVS Strategy Ensure Adelaide Hills is well represented on major cross-regional touring route promotions (e.g. Epicurean Way).</p>	Work closely with SA Tourism Commission on Epicurean Way campaigns and materials including tear-off maps.	<ul style="list-style-type: none"> Brief SATC on key operators along the route and feed back consumer and business insights regarding touring route experiences. Distribute recently updated tear-off map pads. 	<p>EO Salary Resource</p> <p>EO Salary Resource</p>

<p>RVS Strategy Support cross-regional and cross-industry resilience and crisis management plans to minimise risks for operators and visitors.</p>	<p>Work closely with SA Tourism Commission on coordinated responses to natural disaster responses.</p>	<p>Provide input into crisis management and communications plans (e.g. COVID-19 hotspot declaration) and align communication messaging using SATC as the lead agency.</p>	<p>EO Salary Resource</p>
<p>RVS Strategy Collaborate with rail, cruise and other specialist tour operators to include Adelaide Hills as part of their extended itineraries or packages.</p>	<p>Develop connections with major national operators including Journey Beyond (rail) and APT and leverage SATC’s relationship with key operators.</p>	<ul style="list-style-type: none"> • Bi-annual check-in with Cruise contact (SATC) and Adelaide-based major tour operators (Journey Beyond, SeaLink, APT, Coast & Co, The Tailor). • Timely response to enquiries from major tour suppliers around new products and itinerary design. 	<p>EO Salary Resource EO Salary Resource</p>
<p>RVS Strategy Collaborate with Mount Barker District Council to attract events to the new recreation and leisure precinct.</p>	<p>Facilitate connections with major event managers and stakeholders including key staff at SA Tourism Commission, Events SA and potential tourism investors.</p>	<ul style="list-style-type: none"> • Feed MBDC updates from SATC Events team around hosting and marketing opportunities. • As new precinct develops, ensure event venues are ATDW ready to leverage digital promotional platforms. 	<p>EO Salary Resource</p>
<p>RVS Strategy Promote the value of tourism in plain accessible language using evidence from highly credible data sources to ensure a solid understanding of the contribution of the visitor economy.</p>	<p><i>Ensure local councils in the region are kept abreast of key SATC and Adelaide Hills Tourism initiatives and promote the economic value of tourism to councils and other stakeholders, to ensure the visitor economy is considered in local government decision-making, build confidence and a positive environment for investment.</i></p>	<ul style="list-style-type: none"> • Annual AHT briefing of key staff and elected members. • Inclusion of key council representatives at stakeholder and industry events and workshops. • Representatives from both funding councils on AHT Board. 	<p>EO Salary Resource</p>
	<p>Educate the community through local media about the breadth of the visitor economy and the diversity of businesses that benefit to drive positive community sentiment towards the visitor economy</p>	<p>Leverage relationship with local media (print, radio) to demonstrate tourism’s economic, social, cultural and environmental value (e.g. providing careers</p>	<p>\$2,000</p>

	and encourage locals to be ambassadors for the region.	in the region, better infrastructure for locals to enjoy and protecting natural and man-made heritage assets). Potentially move from Hills Wanderer support back to Courier for key corporate messaging.	
	Share research and performance data demonstrating the value of tourism with industry and stakeholders.	Include the value of tourism information on industry page of website, through e-newsletters, closed Facebook group and LinkedIn.	EO Salary Resource

Governance and Organisational Effectiveness

Best practice AHT performance and governance

Priority	AHT Actions 2022-2023	Deliverables	Budget
Bi-monthly board meetings	Manage schedule of meetings, arrangements with meeting venues, meeting requests, apologies, dissemination of agenda and board papers, and minutes.	Work with Chair, Deputy Chair and Treasurer to deliver bi-monthly board meetings that are well organised and in accordance with AHT constitution. <ul style="list-style-type: none"> 2025 schedule of meetings and meeting requests sent out December 2024. Board agendas, papers and last month's minutes sent out the Tuesday prior to meeting 	Combination of EO Salary Resource & Admin Officer.
Reporting	<ul style="list-style-type: none"> Bi-monthly Board report Quarterly Digital Report Annual report to SATC and funding partners 	Compile all reports professionally and provide them in a timely manner. <ul style="list-style-type: none"> Bi-monthly EO's Report distributed with Agenda on the Tuesday prior to Board meetings. Quarterly Digital Reports distributed with the Agenda on the Tuesday prior to Board meetings in SATC Local Contact Officer Grant and Co-operative Marketing Fund Reports due end of July 2023 (proposal for 2023-24 Co-operative Marketing Fund due by September 2023). Reports to funding partners due in August including council presentations.	\$7,400 (all admin)



IT & Communications	Ensure robust administrative services and back-ups to ensure business continuity, security and data access and accuracy for key personnel.	<ul style="list-style-type: none"> • Maintain website domain names and AHT email services for AHT Staff, Contractors and Chair. • Implement cloud-based sharing of files • Implement back-up of AHT electronic files and emails. • Establish a more formal database / contact management system or CRM software. 	As per above
Finance	Ensure robust and transparent financial management and reporting in accordance with AHT Finance Policy, AHT Constitution and requirements of an Incorporated Association.	<ul style="list-style-type: none"> • Prepare budget and review bi-monthly. • Provide a bi-monthly finance report by the Treasurer to AHT Board. • Undertake an annual independent financial audit. • Optimise the use of Xero for more efficiency of sign-offs and coding 	As per above
Plans	Produce an annual business plan.	<ul style="list-style-type: none"> • Develop an annual business plan in June 2025 	
	<i>Contribute to the implementation of the 2025 South Australian Regional Visitor Strategy (RVS)</i>	<ul style="list-style-type: none"> • <i>Disseminate reports and communications to local councils, Regional Development Australia and other relevant stakeholders as may be requested by the SATC.</i> • <i>Provide input into a bi-annual 'progress report' in a timely and accurate manner.</i> • <i>Present 'progress report' to local councils, Regional Development Australia and other relevant stakeholders.</i> 	EO Salary Resource with admin support



		<ul style="list-style-type: none">• <i>Align local regional tourism plans to the strategic priorities identified in the RVS.</i>• Share the RVS with industry through AHT communication platforms.	
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**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 12.8

Responsible Officer: Gary Lewis
Director Corporate Services
Corporate Services

Subject: Procurement Policy Update

For: Decision

SUMMARY

The Procurement Policy was last updated in July 2024. The update involved incorporating elements of sustainable procurement into the policy and Council's procurement practises. Whilst the updates proposed below were considered at the time, it was decided to focus that update on sustainable procurement, with a further update at a later stage.

This proposal seeks to:

1. Update the value of each threshold up to which each procurement method applies;
2. Introduce an additional method;
3. Update the Delegations, in support of a broader organisation wide delegations update;
4. Include additional definitions;
5. An update to the Unsolicited Proposals section; and
6. A renumbering of the document.

The objective of the proposed changes 1 to 3 is to improve efficiency within the procurement and contracting process and 4 and 6 are to improve the readability and operation of the Policy.

RECOMMENDATION

Council resolves:

1. That the Procurement Policy update be received and noted.
 2. With an effective date of 1 March 2025, to adopt the amendments as presented in the Procurement Policy as per Appendix 1.
 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Policy as per Appendix 1.
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1. BACKGROUND

Following internal consultation on the procurement process, 2 common themes arose:

1. The limits of each of the procurement methods are too low; and
2. The limits of each of the procurement methods have not been updated for an extended period of time.

As per the document control register of the Procurement Policy (the Policy), it appears that the Policy in its current form was first adopted in October 2019.

Since that date, it does not appear that there have been any changes to the procurement methods or amounts as noted at 6 of the Policy.

The policy has 3 methods of procurement:

1. Direct source – below \$10k
2. Competitive sourcing (3 quotes) – \$10k to \$100k
3. Tender (open market) – above \$100k

The Policy operates in conjunction with the delegation schedule, which is established and approved by the Chief Executive under delegation from Council. A review of prior versions of the delegation schedule indicate that the expenditure limits were last updated as follows:

1. Chief Executive (CE) and another Director: \$1.0m - November 2013
2. CE: \$0.5m - November 2013
3. Directors: \$0.3m - September 2018

It appears that upon adoption of the Policy, the amounts noted above were incorporated into the Policy.

Based upon the above document review, it appears that the feedback warranted further investigation and therefore a detailed analysis occurred.

The Audit Committee considered the Policy at its meeting on 17 February 2025 and resolved as follows:

8.9. Procurement Policy

Moved Cr Malcolm Herrmann
S/- Pamela Lee

AC11/25

The Audit Committee resolves:

1. That the report on the update to the Procurement policy be received and noted (item 8.9, 17 February 2025 Audit Committee meeting).
2. To recommend to Council the draft Procurement Policy for endorsement, with the following amendments:
 - a. Definitions add 'quote, RFQ, EOI, RFT.'
 - b. 18.1.3 – delete Council Officers and insert Directors
 - c. 16.3 – change 'should be' to 'must' (item 8.9, 17 February 2025 Audit Committee meeting).
3. To note the key Delegation changes of the policy:
 - a. 18.1.2 – the value of contracts the CEO can approve has changed from \$500,000 to any value that form part of the Annual Business Plan or Long Term Financial Plan
 - b. 18.1.3 – The value the CEO can sub-delegate the authority to Directors to enter into contracts has changed from \$300,000 to \$500,000 (item 8.9, 17 February 2025 Audit Committee meeting).
4. That the Audit Committee requests a review of Council's approach to unsolicited proposals and any recommendations be brought back to Audit Committee (item 8.9, 17 February 2025 Audit Committee meeting).
5. That the CEO provides a report to the Audit Committee on a six-monthly basis on procurement (item 8.9, 17 February 2025 Audit Committee meeting).

Carried Unanimously

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place Your Space

Goal Organisation

Objective 02 Operate with integrity using best practice governance processes.

Priority 02.3 Enhance governance structures and systems to be agile and support our legislative obligations.

There is an ongoing need to ensure that Council operates in an efficient and effective manner. The proposed updates will support this by providing additional procurement avenues and allowing appropriate procurement practises based upon reasonable thresholds.

➤ **Legal Implications**

Section 49 of the *Local Government Act 1999* sets out the legislative requirements in relation to contracts and tender policies.

Core to Section 49 and its intent is to ensure procurement policies, practices and procedures are directed towards ethical and fair treatment of participants, use of local good and services, and ultimately provide value for money of Council spend.

When considering changes to the policy, consideration of these requirements has occurred particularly with regards to timeliness and speed of the procurement process. Improvements to these will ensure that more work can be issued to suppliers in a more timely manner which in turn lowers the cost to do business for the suppliers.

➤ **Risk Management Implications**

The update to the procurement policy will assist in mitigating the risk of:

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

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

Note: the mitigation of the above risk is contingent on the continual use of a broad procurement framework consisting of the policy and procedural guidance, tools and systems and procurement controls including templates, registers and auditing regimes.

➤ **Financial and Resource Implications**

There are no cost implications associated with the adoption of the revised Procurement Policy.

However, it is expected that an intangible benefit of the change will be efficiency gains in the procurement process, making the Council easier to business with and a lower cost purchaser for supplier.

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

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

Council is also conducting local supplier information sessions on “how to do business with Council”. Supporting the embedding of the new Procurement Policy and supplier sustainability requirements would be increased education of the local and broader supply market.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable.

Council Workshops: Not Applicable.

Advisory Groups: Not Applicable.

External Agencies: Not Applicable.

Community: Not Applicable.

➤ **Additional Analysis**

To assess the reasonableness (or otherwise) of the thresholds and decide on new thresholds, various analyses were undertaken.

Numerical analysis:

A numerical escalation process was undertaken, whereby the amounts were increased by CPI and then rounded, based upon each threshold’s last revision date. The outcomes of this are set out below:

Method/Delegation	Current	Last revision	Escalation %'age	Adjusted
Direct Source	\$10k	June 2019	23%	\$12k
Competitive Sourcing	\$100k	June 2019	23%	\$123k
Director and CE	\$1.0m	June 2015	30%	\$1.3m
CE	\$500k	June 2015	30%	\$650k
Council Officer	\$300k	June 2018	25%	\$375k

Peer review – Other Councils:

In addition to the financial review, a review was undertaken of the Procurement Policies and Delegation schedules of 6 other Councils to benchmark the proposed limits, and to identify contemporary/differing methods. These Councils ranged in size and complexity relative to AHC. Please see summary table below:

Method/Delegation	Mitcham	Tea Tree Gully	Burnside	Yankalilla	Kangaroo Island
Direct Source	\$20k	\$40k	\$50k	\$15k	\$5k
Competitive Sourcing	\$100k	\$200k	\$200k	\$200k	\$200k
Director and CE	N/a	N/a	N/a	*	N/a

CE	Unlimited	Unlimited	Unlimited	*	Unlimited
Other Council Officer (Director or equivalent) **	\$500k	\$500k	\$300k	*	Unavailable

* Yankalilla has requested that these amounts remain out of the public domain.

** This limit has been derived from either the Delegation schedules or the Procurement Policy (as applicable)

Note that City of Prospect follow the State Government procurement approaches. These are not comparable to AHC and therefore have been excluded from consideration above.

Outcomes of Procurement Policy review:

The outcomes of this review varied, with some Councils having very simple procurement methods, with high thresholds (relative to AHC), and some Councils having complex methods with low thresholds.

When considering the varying approaches and thresholds, it is proposed to:

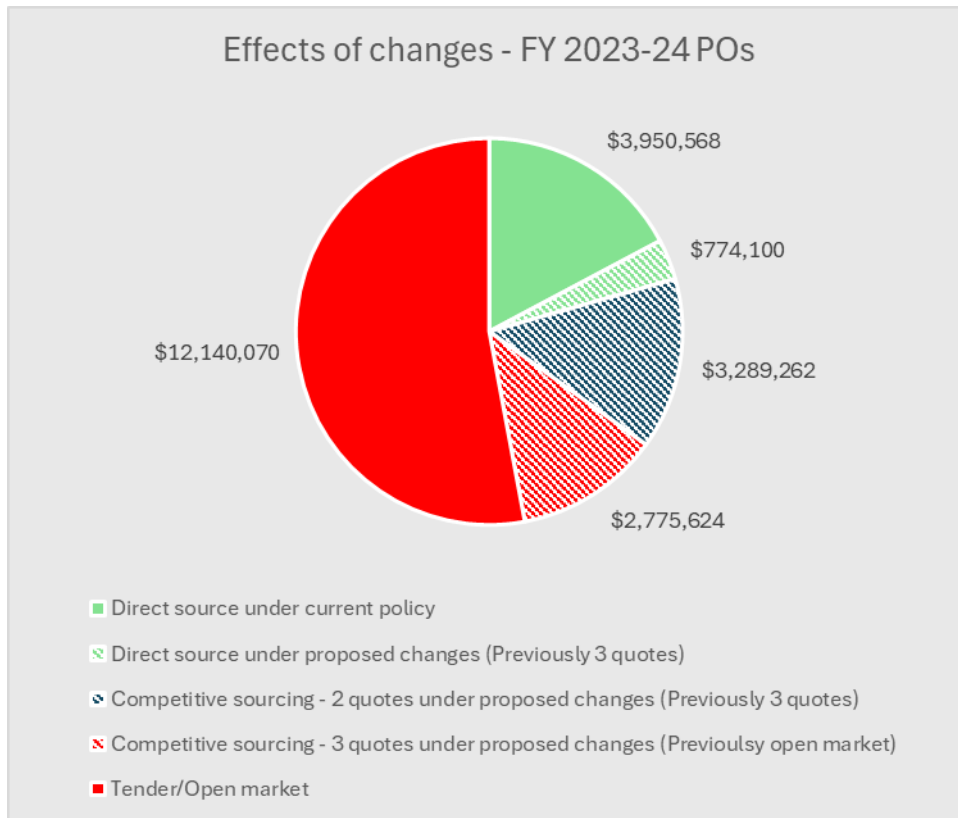
1. **Increase the direct source threshold to \$20k. This brings the threshold in line with most other Councils reviewed;**
2. **Add another procurement method (2 quotes) for procurements between \$200k and \$100k. This brings the number of methods in line with most other Councils reviewed;**
3. **Maintain the 3 quotes for procurements between \$100k and \$200k; and**
4. **Increase the tender (open market) to \$200k. This brings the threshold in line with most other Councils reviewed.**

Impact of change:

A data analysis exercise was undertaken whereby all purchases opened during FY 2023-24 were subjected to:

1. The current procurement policy; and
2. The proposed procurement policy.

The outcomes are presented graphically below:



Outcomes of Delegations Schedule review

A detailed review of the Delegations Schedules read in conjunction with the Procurement Policy of the other 6 Councils also identified a significant amount of variability across Councils.

Council Officers

When considering the upper limit of delegations granted to any Council Officers other than the CE of other Councils, in conjunction with the CPI adjustment noted about, it is proposed to increase the delegation to \$500k.

Chief Executive Officer

When considering the delegations granted to the CE of other Councils, it is proposed to remove the current upper limit on the CE's delegation, provided the expenditure forms part of the Annual Business Plan or Long-term Financial Plan.

An outcome of this is that the previous delegation which allowed the CE and a Director to co-sign is no longer required.

This will bring the Policy in line with the other Councils and will reduce the administrative burden on Council.

Audit Committee resolution

Clause 18.1.3 of the Procurement Policy, grants the CE delegation to sub-delegate the authority to enter into contracts to Council Officers, up to \$500k. This Clause operates in conjunction with the Financial Delegations Schedule which is the instrument which grants all

Council Officers (other than the CE) the delegation to enter into contracts. This schedule is approved by the CE and brings into operation Clause 18.1.3 of the Policy. The schedule includes granting delegation to enter into contracts to Directors.

Whilst resolutions 1, 2a, and 2c have been incorporated into the proposed policy update, upon further reflection, if resolution 2b is adopted as drafted it removes the mechanism whereby the CE grants delegation to enter into contracts to any Council Officer.

Put another way, by adopting the resolution as drafted, Council grants delegation to the CE and Directors only, with no mechanism for the CE to sub-delegate.

Based upon the discussion and deliberation at Audit Committee, this was not the intention of the resolution and is an unforeseen consequence. Hence, the resolution has not been incorporated into the proposed policy update and the update remains as drafted and presented to Audit Committee in this regard.

Whilst recommendation 3 is for noting, 3b is impacted by not changing the policy to accommodate 2b.

3. OPTIONS

Council has the following options:

- I. Approve the updated Procurement Policy (Recommended);
- II. Not approve the updated Procurement Policy as drafted and provide feedback for consideration and incorporation prior to returning to Council for approval; or
- III. Not approve the updated Procurement Policy (Not Recommended)

4. APPENDICES

- (1) Updated Procurement Policy – Inc. tracked changes

Appendix 1

Updated Procurement Policy




Council Policy

Procurement



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h3>PROCUREMENT</h3>
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Policy Number:	FIN-01
Responsible Department(s):	Financial Services
Relevant Delegations:	As per the Delegations Register and as detailed in this Policy
Other Relevant Policies:	<i>Disposal of Assets Policy Fraud & Corruption Prevention Policy Prudential Management Policy Mandatory Code of Conduct for Council Employees Risk Management Work Health and Safety and Return to Work</i>
Relevant Procedure(s):	Procurement Framework Purchase Card Procedure
Relevant Legislation:	<i>Local Government Act 1999 Independent Commissioner Against Corruption Act 2012 (SA) Competition and Consumer Act 2010 (Cth) Environment Protection Act 1993 Freedom of Information Act 1991</i>
Policies and Procedures Superseded by this policy on its Adoption:	Procurement Policy, 01 October 2019, Res 215/19
Adoption Authority:	Council
Date of Adoption:	
Effective From:	
Minute Reference for Adoption:	Item 12.9, Res 215/22
Next Review:	No later than June 2027 or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	01/10/2019	Updated Policy	Council - Res 215/19
2.0	06/09/2022	Defining of the exemptions from the Policy, as well as widening the definition of environmental sustainability and unsolicited proposals. Addition of Contract Management and pass through costs.	Council - Res 215/22
3.0	01/07/2024	Updated to reflect the concepts of sustainability incorporated in ISO 20400	Council – Res 176/24

PROCUREMENT

1. INTRODUCTION

- 1.1** In compliance with Section 49 of the *Local Government Act 1999 (Act)*, the Adelaide Hills Council (Council) should refer to this policy (Policy) when acquiring goods, works or services.
- 1.2** Section 49 of the Act requires Council to prepare and adopt policies on contracts and tenders on:
 - 1.2.1** the contracting out of services; and
 - 1.2.2** competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; and
 - 1.2.3** the use of local goods and services.
- 1.3** Furthermore, Section 49 (a1) of the Act requires Council to develop and maintain policies, practices and procedures directed towards:
 - 1.3.1** obtaining value in the expenditure of public money; and
 - 1.3.2** providing for ethical and fair treatment of participants; and
 - 1.3.3** ensuring probity, accountability and transparency in all operations.
- 1.4** This Policy seeks to:
 - 1.4.1** define the methods by which Council can acquire goods, works or services;
 - 1.4.2** demonstrate accountability and responsibility of Council to ratepayers;
 - 1.4.3** be fair and equitable to all parties involved;
 - 1.4.4** demonstrate value for money through sustainable procurement practices;
 - 1.4.5** enable all processes to be monitored and recorded; and
 - 1.4.6** ensure that the best possible outcome is achieved for the Council.
 - 1.4.7** create mechanism to improve sustainable outcomes from Council services and its suppliers

2. POLICY OBJECTIVE

Council aims to achieve advantageous procurement outcomes by:

- 2.1** enhancing value for money through fair, competitive, non-discriminatory procurement;
- 2.2** promoting the use of resources in an efficient, effective and ethical manner;
- 2.3** preserving, protecting and improving the natural environment;
- 2.4** making decisions with probity, accountability and transparency;
- 2.5** advancing and/or working within Council's economic, social and environmental policies;
- 2.6** embedding sustainable procurement within Council's procurement framework;
- 2.7** providing reasonable opportunity for competitive local businesses to supply to Council;
- 2.8** appropriately managing risk; and
- 2.9** ensuring compliance with all relevant legislation.
- 2.10** assist Council to achieve its strategic objectives and other key strategies identified in Council's suite of corporate documents.

Strategic Purchasing Cooperative are purchases made through strategic alliances and common use arrangements that are established and administered by other approved organisations such as such as Local Government Association Procurement (LGAP), Procurement Australia (PA), and state and federal government contracts and any other purchasing group available to local government

Sustainable Procurement as defined by ISO 20400 Sustainable Procurement Guidance standard, is procurement that has the most positive environmental, social and economic impact on a whole life basis. Through the Procurement Policy the Council aims to align its procurement to the core principles within ISO 20400. See AHC Sustainable procurement guideline (to be developed)

~~Ethical Behaviour involves demonstrating respect for key moral principles that include honesty, fairness, equality, dignity, diversity, individual rights and the rights of companies.~~

~~Fair Dealing The transacting of business in a manner characterised by candor and full disclosure to all stakeholders.~~

~~Contract Administrator Means the Council officer responsible for the management and administration of a contract. By default, the Project Manager is the Contract Administrator~~

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4. SCOPE

- 4.1** This Policy covers the required conduct for all procurement activities associated with the acquisition of Goods, Works or Services of any value by the Council. This includes tendering arrangements and the contracting of Services and applies to all Council employees.
- 4.2** Out of Scope:
- 4.2.1** This policy does not cover expenditure or revenue related to asset disposals, and other non-Procurement expenditure including, but not limited to sponsorships, grants, incentive schemes, funding arrangements, donations, and direct employment contracts between Council and an employee. Controls related to these exceptions are covered in separate policies.
- 4.2.2** Leases and licenses for the use of Council property and land are not covered under this policy except where such arrangements include the provision of goods and services forming part of leasing, licensing and other revenue contractual activities.

5. PROCUREMENT PRINCIPLES

Council must have regard to the following principles in its acquisition of goods, works or services:

- 5.1** *Encouragement of open and effective competition*
- 5.1.1** Open and effective competition is the central operating principle in pursuit of the best outcome.
- 5.1.2** Openness requires procurement actions that are visible to the Council, ratepayers and suppliers/contractors. The probability of obtaining the best outcome is generally increased in a competitive environment.
- 5.1.3** Council will maintain confidentiality in regard to financial contractual arrangements with suppliers, subject to statutory obligations, the *Freedom of Information Act* and ICAC compliance requiring certain tender and contract information to be made publicly available.
- 5.1.4** Council will create effective competition by maximising the opportunities for firms to do business with Council through the selection of procurement methods suited to market conditions, the nature of the procurement, and the objectives of the procurement overall.
- 5.1.5** Council will offer and provide feedback, where sought, to unsuccessful bidders.

5.2 *Obtaining Value for Money*

5.2.1 Value for money involves obtaining goods, works or services for the Council that best meet the end user's needs at the lowest whole of life cost with an acceptable contractual risk.

5.2.2 This is not restricted to price alone.

5.2.3 An assessment of value for money must include, where possible, consideration of fitness for purpose, fair market prices, local economic development and whole of life costs. 'Whole of life' includes purchase price, cost of spares, running costs, post-delivery support, effective warranties, cost of replacement, installation costs and disposal costs.

5.2.4 Assessment and determination of Value for Money shall also consider sustainability i.e. procurement that has the most positive environmental, social and economic impact on a whole life basis, refer to Procurement Principle 5.6.

5.3 *Probity, Ethical Behaviour and Fair Dealing*

5.3.1 Council will not use or disclose information that confers unfair advantage, financial benefit or detriment on a supplier.

5.3.2 Officers engaged in purchasing should always undertake their duties in a professional, ethical, honest and impartial manner, act responsibly and exercise sound judgment by observing the highest standards of integrity and professional conduct.

5.4 *Accountability, Transparency and Reporting*

5.4.1 Accountability in procurement means being able to explain and demonstrate through evidence what has happened. An independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

5.4.2 Delegations define the limitations within which Council employees are permitted to work. They ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level. As such, Council has delegated responsibilities to employees relating to the expenditure of funds and or entering contracts for the purchase of goods, works or services and the acceptance of tenders.

5.4.3 Employees must be able to account for all decisions and provide feedback on them. Additionally, all procurement activities will leave an audit trail for monitoring and reporting purposes.

5.4.4 Reporting on the impacts of sustainability requirements in the procurement process from a council and suppliers' perspective.

5.5 *Ensuring compliance with all relevant legislation*

5.5.1 Employees must ensure purchasing activities are conducted in accordance with legislative and common law responsibilities. These include but are not limited to the *Local Government Act 1999*, *Work Health and Safety Act 2012*, *Competition and Consumer Act 2010*, the *Independent Commissioner Against Corruption Act 2012*, the *Freedom of Information Act 1991*, National Competition Policy and other relevant legislation, industrial awards and agreements and international trade agreements.

5.6 *Sustainable Procurement*

5.6.1 Sustainable procurement is defined as a process that integrates environmental, governance, and social factors of corporate responsibility into the council's procurement processes and decision-making, whilst ensuring it achieves value for money benefiting not only to council, but also to our community, local economy, and the environment.

5.6.2 Sustainable procurement aims for the lowest environmental impact possible and the most positive social results.

5.6.3 Council is committed to delivering sustainable procurement by aligning its procurement framework from policies procedures, practices, guidelines, education and contract management to the principles as defined in ISO 20400: 2017 Sustainable Procurement Guidance standard.

5.6.4 Council will consider, where deemed appropriate, sustainable and social inclusion elements such as:

- Creating employment and training opportunities (particularly among disadvantaged groups such as people with disability or mental illness, migrants, Indigenous) thus providing social inclusion and an opportunity for those to participate in the local community.
- Diversity, inclusion and equality in the supplier market – encouraging a diverse base of suppliers (e.g. minority or under-represented suppliers); and
- Local sustainability – building and maintaining healthy, strong communities, support social inclusion and enhancing wellbeing of local residents by striving to generate local employment.
- A commitment to maximising the skills, development and employment opportunities available in the Adelaide Hills area. Consideration may be given, where practicable and appropriate, to incorporate strategies in the procurement process that support local employment and training, which may include Contractors engaging apprentices, trainees and cadets in their work practices.

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- Council will endeavour to provide support to local enterprises by holding briefings to encourage development of capacity to meet the needs of Council.
 - Ensuring that suppliers and contractors, including their supply chains, comply with fair work requirements and do not breach modern slavery provisions. Where relevant a risk assessment shall be undertaken to ensure identification and mitigation of any potential risks.
 - Council will actively promote suppliers to comply with the Single-use and Other Plastic Products (Waste Avoidance) Act 2020.
 - Council recognises the need to act in an environmentally sound manner in relation to procurement activities undertaken and its ability to drive sustainable outcomes through contributing to local and national markets for recycled goods and adhering to circular economy principles.
 - Council promotes environmental sustainability through its procurement activities and will consider the purchase of environmentally sustainable goods and services that satisfy the value for money criteria when all other financial and commercial considerations are equal.

5.7 Work Health & Safety

Council will only engage suppliers and/or contractors who can demonstrate they have:

- The ability to work within legislative requirements and any additional information requested by the organisation, based on the hazards associated with the task or activity to be undertaken.
- Provided documented information relating to the management of reasonably foreseeable site-specific activities and hazards.
- The commitment to appropriately communicate on processes between the organisation and the contractor that demonstrate the consultation, cooperation and coordination between shared duty holders occurs, so far as is reasonably practicable, and
- Are willing to participate in the ongoing monitoring and review of WHS requirements.

Contracts will contain the requirement for contractors to have safe systems of work in place and that they will effectively manage WHS requirements throughout the contract period.

6. PROCUREMENT METHODS

- 6.1 The determination of the method of procurement will be typically documented by the preparation of an Acquisition Plan, detailing the most appropriate method for the purchase and the delegated officers involved.
- 6.2 The appropriate method of procurement will be determined by reference to a number of factors, including value of the purchase, risks associated with the purchase and aspects relating to the availability of supply and other market conditions.
- 6.3 Persons with financial delegated authority to procure will be responsible for ensuring appropriate procurement practices and procedures including the identification of risk are observed.
- 6.4 The Council having regard to its Procurement Principles and any other factors considered relevant by Council will utilise either Direct or Competitive Sourcing.
 - 6.4.1 Direct Sourcing is a procurement process undertaken by directly approaching and negotiating with one supplier without testing the market. This method may only be used for the purchase of low value, low risk goods and services under \$120,000 (excluding GST). Consideration must be given to ensure Value for Money is achieved.
 - 6.4.2 Competitive Sourcing is process which will test the market and re-evaluate the purchasing activity to gain value. It differs from direct sourcing because it places emphasis on the entire life cycle of a good or service, not just its initial purchase price. This requires a more stringent planning approach and a better understanding of the competitive marketplace. In undertaking competitive sourcing:
 - Council will seek to obtain at least two quotes for all procurements where the estimated gross value exceeds \$20,000(excluding GST) but is less than \$100,000 (excluding GST).
 - Council will seek to obtain at least three quotes for all procurements where the estimated gross value exceeds \$100,000(excluding GST) but is less than \$200,000 (excluding GST). ~~Council will seek to obtain at least three quotes for all procurements estimated gross value exceeds \$10,000(excluding GST).~~
 - For purchases where the estimated gross value of expenditure over the life of the contract or purchase price of the goods and service_s

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- exceeds \$240,000 (excluding GST), the Council's practice will be to call for tenders unless circumstances preclude this from occurring

6.4.3 The value of the purchase will be calculated as follows:

- Single one-off purchase – the total amount, or estimated amount, of the purchase (excluding GST);
- Multiple purchases – the gross value, or the estimated gross value, of the purchases (excluding GST); or
- Ongoing purchases over a period – the annual gross value, or the estimated annual gross value, of the purchases (excluding GST).
- Splitting of amounts to bring expenditure within lower limits is not permitted.
- The estimated gross value (excluding GST) of the contract. (Yearly spend multiplied by initial contract term)
- Where appropriate, the gross value of the procurement can be adjusted downwards to take into account regulatory and other third-party pass-through costs.

6.4.4 Council in approaching the market utilises a number of procurement tools including: Request for Quotes, Request for Expressions of Interest, Request for Proposal and Request for Tenders or Strategic Purchasing Cooperatives.

6.4.5 Where the Council accesses a contract from a Strategic Purchasing Cooperatives, established in accordance with transparent competitive tendering processes, it is deemed that these are contracts resulting from a tender process. Such contracts do not require a further tender process and are not required to be recorded as an exemption from this policy.

6.4.5

7. APPLICATION OF SUSTAINABLE PROCUREMENT

7.1 When planning and undertaking a procurement process, Sustainability shall be considered and applied based on value (Total Value), type of goods, works or services, opportunities and risks.

7.2 Council's Sustainability checklist/Schedule shall be used to seek, evaluate and manage suppliers and contractors, including consultant's, commitment to Sustainability.

7.3 Council's Sustainability checklist/Schedule shall be applied as follows:

- **\$0 - \$240,000**
Consideration must be given to sustainability generally.

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- **\$230,001 - \$240,000**

Formal consideration must be given to sustainability with the market documentation to include Council's Sustainability checklist/Schedule (as Schedule within the RFQ. within the market approach documentation and evaluation of responses accordingly.

Evaluation of sustainability shall be outlined in the evaluation methodology prior to approaching the market, with a weighting percentage set to reflect the importance of sustainability including social and environmental based on the procurement need and market.

A minimum of 10% weighting shall be considered for the criteria of sustainability or increased to reflect the importance of sustainability based on the goods, works or services to be sourced.

- **>\$2100,000**

Formally incorporate sustainability within the Request for Tender process via:

- Setting sustainability as a weighted criteria within the Acquisition Plan and as a core evaluation criterion within the evaluation methodology.
- Assign a weighting to the criteria that reflect the importance, risk and opportunities of sustainability within the goods, works or services being sourced.
- Incorporate the Sustainability Schedule within the Request for Tender document as a returnable schedule, including within the scope a statement outlining the Councils approach to sustainability.

Where appropriate and applicable a comparison of the life cycle costings of the various solutions proposed should be conducted as part of the evaluation process. This should be undertaken prior to the final decision on the preferred tenderer.

When engaging consultants or the provisions of professional services consideration will be given to the various categories of ethical trading and general sustainability considerations for example economy, social and environmental. Tenderers demonstrate good environmental performance through environmental management systems, energy or water accounting and responsible management of waste shall be scored accordingly.

- **Panel contracts, purchasing alliances or prequalified arrangements**

Whether utilising panel contracts or prequalified arrangement e.g. Local Government Association Procurement (LGAP) or Procurement Australia (PA), or a procurement process with other regional or similar entities, formal consideration of sustainability must still occur. All procurements undertaken or supported by Council employees must take into consideration impact on the economic, the Council region and the environment.

6.8. NEGOTIATION

When requests for quotations, tenders or proposals have been invited for a contract for the carrying out of work or the supply of goods or services then council may negotiate with acceptable preferred providers to improve outcomes. Any negotiation process should be transparent, recorded and conducted in a manner that does not disadvantage other respondents.

The Procurement Principle of Probity, Ethical Behaviour and Fair Dealing requirements must be considered in respect to any negotiation undertaken.

The Council may close down a tender (shut down) if there are no suitable tender submissions received. In these circumstances the evaluation panel are to consider other options for procuring the goods, services or works including negotiating with any one or more of the previous tenderers or any other provider.

8.9. PROCUREMENT CONSIDERATIONS

The appropriate method of procurement will be determined by reference to a number of factors, including:

8.19.1 Value of the Purchase (Total Value)

8.29.2 Cost of an open market approach versus the value of the acquisition and the potential benefits;

8.39.3 The particular circumstances of the procurement activity;

8.49.4 The objectives of the procurement;

8.59.5 The size of the market and the number of competent suppliers;

8.69.6 The Council's leverage in the marketplace;

8.79.7 An assessment of the risks associated with the relevant activity and /or project, including the risk profile of the procurement and any risks associated with the preferred procurement method.

8.89.8 Assessment of sustainability opportunities and risks.

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9-10. ENVIRONMENTAL SUSTAINABILITY See sustainable procurement guidelines

9-110.1 Core to Council's Procurement Principle 5.6, and its sustainability commitment is the application of environmental sustainability to all procurement. Align the Council's procurement activities with principles of ecological sustainability;

9-210.2 Environmental sustainability involves the inclusion of relevant environmental factors in a decision to purchase goods, works or services and/or tenders with a view to maintain the health and quality of the environment, conserve resources, minimise waste and protect human health.

9-310.3 Environmental sustainability shall consider:

- Purchase recycled and environmentally preferred products where possible.
- Integrate relevant principles of resource recovery and waste minimisation and consider those products that can be recycled at the end of life where resources allow.
- Select energy, fuel and water efficient products by considering star ratings and other consumption measures.
- Purchase goods that minimise lifecycle costs and carbon emissions from manufacture to disposal.
- Foster the development of products and services which have a low environmental impact, and
- Provide leadership to business, industry and the community in promoting the use of environmentally sensitive goods works or services.

9.410.4 Employees and persons procuring on behalf of Council shall utilise procurement templates to support the acquisition planning and seeking of environmental sustainability information from potential suppliers including:

- Carbon footprint/reduction of carbon emission.
- Sustainability in supply chain.
- Environmental policies, procedures and systems.
- Waste reduction commitment and strategies.
- Ethical and Fair-Trade practices.
- Percentage of local sourced materials/labour/investment.
- Lifespan of products and materials.
- Commitment to recycle and reuse of materials.
- End of life disposal initiatives, and
- Equal opportunity, fairness, diversity and social inclusion within supply chain.

10.11.ACQUISITION OF LAND

10.11.1 A decision to purchase or acquire land is made by resolution of Council, unless specifically delegated as per the *Local Government Act 1999* or another act.

10.211.2 Due to its unique nature, the acquisition of land is considered separate from the requirement of Direct or Competitive Sourcing methods.

10.311.3 The provision of services and activities supporting the acquisition of land, such as specialist advisors or contractors, are to be undertaken in accordance with this Policy.

11.12. LEADERSHIP AND COLLABORATION

- 11.412.1** Council will provide leadership through good governance and meaningful social and sustainable procurement policies and procedures.
- 11.212.2** Through embedding sustainability in its procurement framework, and aligning its procurement to ISO 20400 Council demonstrates a high-level commitment to its community, region and the environment, and identifies itself as a sector leader in sustainability.
- 11.312.3** Council and its employees will look for opportunities to collaborate through joint procurement opportunities and shared learnings to further procurement initiative and outcomes.
- 11.412.4** Procurement data will be collected data, analyzed and reviewed to enable continuous improvement in enhancing its principles, processes, skills, outcomes and commitment to delivering sustainable procurement to the Council and its community.

12.13. MANAGEMENT AND REPORTING

- 12.413.1** Implementation, review and maintenance of this Policy is the responsibility of the Chief Executive. The ongoing review, including auditing of compliance, and reporting of procurement outcomes may be included within the Internal Audit program.
- 12.213.2** Staff and all persons who are delegated to undertake procurement for the Council are responsible and accountable for ensure compliance to policy, adherence to procedures and reporting against agreed outcomes and deliverables, including sustainability, work health & safety, and financial.
- 12.313.3** Management of the delivery of sustainable procurement is crucial to achieving the sustainability outcomes of Council and the contract or agreement. Managing the contract life cycle including contract and supplier relationship management and performance auditing uphold the guidelines of ISO 20400.
- 12.413.4** Based on value and complexity of the procurement at award the tendered and agreed sustainability deliverables and level thereof, such as percentage of materials sourced locally, percentage of recycled material used, quantity of waste reverted from landfill, reduction in carbon emissions etc. must be documented, recorded and monitored.
- 12.513.5** Tracking and reporting on sustainability delivered outcomes against committed contract targets across the supply chain will enable Council is provide data to evidence its commitment and compliance to sustainability goals and ISO 20400.

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13.14. TRAINING AND EDUCATION

13.14.1 Council will provide formal induction and ongoing education opportunities for council employees who are engaged in procurement practices.

13.14.2 Training will be provided to all employees who are engaged in procurement to understand Council's sustainability commitment, and how to apply sustainability throughout their procurement process, including contract management.

13.14.3 Education opportunities may be provided to support local businesses tendering for local government work, and the supply sector generally especially in relation to sustainable procurement expectations.

14.15. EXEMPTIONS FROM THIS POLICY

This Policy contains general guidelines to be followed by the Council in its procurement activities. There may be emergencies, or procurements in which a tender process will not necessarily deliver best outcome for the Council, and other market approaches may be more appropriate.

14.15.1 In certain circumstances, the Chief Executive Officer (or where this power is delegated to a Procurement Committee) may waive application of a competitive quoting or tender process and pursue a method which will bring the best outcome for the Council. The Council must record its reasons in writing for waiving application of this Policy.

14.15.2 Emergency - where the Chief Executive Officer or Council Commander activates Council's Incident Management Team (CIMT). This exemption is only in relation to purchases relating to the emergency.

14.15.3 The occurrence of an event such as flooding, fire or other significant damage to a Council asset which may require the immediate procurement of goods, services or works to ensure business continuity and or public safety.

Where possible this exemption should be authorised by a Manager or Director within their authorised Financial Delegation.

14.15.4 Where a Funding Agreement specifies that Council must follow a prescribed tendering process which differs from the process outlined in this Policy to the extent that only the prescribed inconsistencies shall be followed.

14.15.5 The following Procurement categories are exempt from the requirement of the Quote or Tender process:

- Government Departments or Government Bodies including Worker's Compensation, Mutual Liability Scheme, and Vehicle Registrations.
- Statutory payments e.g. legislative or statutory requirements such as payments to the Australian Taxation Office, emergency services and EPA and/or fines.

- Utility services such as water, sewerage charges, Australia Post charges, whereby the infrastructure or service is owned or managed by a single or particular entity.
- Court related costs.
- Payments to Local Government Association or associated entities.
- Insurance claims.
- Leasing Property (Due Diligence principles must be applied to ensure Value for Money), and
- Regional Subsidiaries.

15.16. UNSOLICITED PROPOSAL

15.16.1 In some circumstances Council may receive a proposal to deal directly with the Council over a commercial proposition, where the Council has not requested the proposal. This may include proposals to build and/or finance infrastructure, provide goods or services, or undertake a major commercial transaction.

15.16.2 Assuming the Council wants to procure the services provided by the proposal Council's position on Unsolicited Offers is that if the proposal can be delivered by competitors, then the proposal must be put through a competitive process.

15.16.3 If unsolicited proposal cannot be delivered by other providers it ~~should~~ **must** be assessed in accordance with the Council's Unsolicited Proposals Policy (if any), and in the absence of an Unsolicited Proposals Policy, using the following criteria:

- Does the proposal align with the Council's Strategic Plan objectives;
- What are the community benefits to the proposal;
- Whether the proposal represents value for money for the Council; and
- Whether the proponent has the skills, experience and resources required to enable it to deliver the proposal

15.16.4 Unsolicited proposals will be approved by the CEO or the Executive Leadership Team (ELT) where relevant.

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16.17. Contract Management

16.17.1 When the procurement process ends, the responsibility of the project is transferred to the Contract Administrator who ensures the management of the contract including appropriate contract management transition.

16.217.2 Contract management key requirements include:

- Contract administration complies with Adelaide Hills Council policies, procedures, and delegations.
- Foreseeable WHS risks relevant to contract work (including any specific WHS requirements of the contract) are identified and communicated to the Contractor.
- Technical aspects of the work (including risk assessments, job safety environmental analysis, and safe work method statements) are reviewed and confirmed.
- Key environmental aspects are identified prior to construction activity and communicated to the Contractor.
- Contractor training and/or induction is completed prior to work commencing.
- Appropriate monitoring is undertaken of WHS and environmental management systems and work practices undertaken by Contractors.
- Appropriate monitoring of contractor performance throughout the contract by the use of Key Performance Indicators (KPI) and/or performance metrics.
- Contractor and Adelaide Hills Council obligations are met under the contract.
- Contract variations or extensions are authorised strictly in accordance with the relevant delegated authority process. Approval is gained for contract variations that are outside of the original scope; have the effect of varying the contract sum; or alter the terms and conditions of the contract.
- Claims for payment are in accordance with the contract; and
- Approved budget funds are available to authorise payment of invoices.

17,18. DELEGATIONS

17.1 Council makes the following delegations:

17.1.1 The Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this Policy.

17.1.2 The Chief Executive Officer has the delegation to enter into contracts ~~to a value of \$500,000 (excluding GST)~~ ~~to a value of \$500,000 (excluding GST) of any value that form part of the Annual Business Plan or Long Term Financial Plan.~~

17.1.3 The Chief Executive Officer may sub-delegate the authority to Council Officers to enter into contracts up to a value of ~~\$350,000~~ (GST exclusive).

~~17.1.4~~ ~~The Chief Executive Officer and one other Council Officer at Director Level may jointly enter into contracts to a value of \$1,000,000 (excluding GST).~~

~~17.2~~

~~6.7.1~~ ~~The Chief Executive Officer and one other Council Officer at Director Level may jointly enter into contracts to a value of \$1,000,000 (excluding GST)~~

17.3 The Chief Executive Officer has the delegation to:

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

18,19. PRUDENTIAL REQUIREMENTS

18.1 In some circumstances a procurement process may require additional due diligence in accordance with the *Local Government Act 1999* prudential requirements. If this occurs the process will be subject to the Council's Prudential Management Policy.

19,20. AVAILABILITY OF THE POLICY

19.1 This Policy will be available via the Council's website www.ahc.sa.gov.au.

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**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 12.9

Responsible Officer: Gary Lewis
Director Corporate Services
Corporate Services

Subject: Budget Review 2

For: Decision

SUMMARY

The *Local Government (Financial Management) Regulations 2011* (the Regulations) requires Council to formally consider its budget three times per year. This statutory requirement recognises the likelihood that events will occur that require or offer opportunities for changes to the budget during the year.

This report presents Budget Review Two (BR2) of the 2024-25 financial year to Council for approval. BR2 builds on the budget that was adopted by Council in November as part of the BR1 review.

The proposed budget adjustments will increase Council's 2024/25 expected deficit from \$1.728m to \$3.013m (representing a decrease of \$1.286m). The details of the proposed budget adjustments are documented in **Appendix 1**.

In addition to the proposed operating budget adjustments, there are other risks and opportunities to the full year result which should also be highlighted. These are not brought into the budget as proposed adjustments as the amount or timing (or both) of the adjustment is currently unknown. These are documented in **Appendix 2**. When these adjustments are considered, the full year forecast reflects a potential deficit of \$3.530m.

The BR2 process has also included a review of the total capital program and is recommending that it be materially maintained. The budget currently stands at \$20.538m and is recommended to be increased by \$0.110m to \$20.648m. This is documented in **Appendix 3**.

In a similar manner, there are other risks and opportunities to the full year capital program which should also be highlighted. These are not brought into the budget as proposed adjustments as the amount or timing (or both) of the adjustment is currently unknown. These are documented in **Appendix 4**. When these adjustments are considered, the full year forecast reflects a total capital program of \$19.841m.

Council's Net Borrowing Result for the year is projected to remain materially the same at \$34m.

RECOMMENDATION

Council resolves:

1. That the Budget Review 2 report be received and noted.
 2. To note that the Audit Committee considers that the Budget Review 2 has been prepared with appropriate due diligence, legislative compliance and reference to risk management.
 3. To note that the Audit Committee has considered and discussed the Budget Review 2 report and acknowledges that the adjustments are expected corrections as a result of previously identified accounting assumptions.
 4. To approve the proposed budget adjustments presented in Budget Review 2 which result in:
 - a. An increase in the Operating Deficit from \$1.728m to \$3.013m for the 2024-25 financial year due primarily to depreciation, interest expenses and legal fees.
 - b. Changes to the Capital Works budget increasing capital expenditure by \$60,000 for the 2024-25 financial year resulting in a revised capital expenditure budget of \$20.648 million.
 - c. A net borrowing result of \$34m.
 - d. An Operating Surplus/(Deficit) Ratio of (4.9%) compared to the 2024-25 target of 1-5% and BR1 of (2.8%).
 - e. A Net Financial Liabilities Ratio of 55% compared to the 2024-25 target of 25-75% and BR1 of 56%.
 - f. An Asset Renewal Funding Ratio of 132% compared to the 2024-25 target of 95-105% and BR1 of 133%.
-

1. BACKGROUND

At the Ordinary Council meeting held on the 26 November 2024, Council adopted the Budget Review 1 outcome, reflecting a budgeted operating deficit of \$1.728m.

The Regulations require Council to formally consider its budget three times per year. This statutory requirement recognises the likelihood that events will occur that require or offer opportunities for changes to the budget during the year. This report presents the second Budget Review (BR2) of the 2024-25 financial year.

Budget Review Presentation

In accordance with the Regulations, the Budget Review presentation for BR2 for the year needs to include the full budgeted financial statements presented in a manner consistent with the Model Financial Statements.

In addition, a council must also include in this report revised forecasts for the relevant financial year of the council's operating surplus ratio, net financial liabilities ratio and asset renewal funding ratio compared with estimates set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled Financial Indicators. Please refer **Appendix 5**.

At its meeting on Monday 17 February 2025, the Audit Committee considered BR2 and resolved as follows in relation thereto:

8.5 Budget Review 2

Moved Pamela Lee
S/- David Moffatt

AC7/25

The Audit Committee resolves:

1. That the report on Budget Review 2 be received and noted (item 8.5, 17 February 2025 Audit Committee meeting).
2. To note that it considers that the Budget Review 2 has been prepared with appropriate due diligence, legislative compliance and reference to risk management (item 8.5, 17 February 2025 Audit Committee meeting).
3. To note that the Committee has considered and discussed the Budget Review 2 report and acknowledges that the adjustments are expected corrections as a result of previously identified accounting assumptions (item 8.5, 17 February 2025 Audit Committee meeting).
4. To recommend to Council the proposed budget adjustments presented in Budget Review 2 which result in (item 8.5, 17 February 2025 Audit Committee meeting):
 - a. An increase in the Operating Deficit from \$1.728m to \$3.013m for the 2024-25 financial year due primarily to depreciation, interest expenses and legal fees.
 - b. Changes to the Capital Works budget increasing capital expenditure by \$60,000 for the 2024-25 financial year resulting in a revised capital expenditure budget of \$20.648 million.
 - c. A net borrowing result of \$34m.
 - d. An Operating Surplus/(Deficit) Ratio of (4.9%) compared to 24/25 target of 1-5% and BR1 of (2.8%).
 - e. A Net Financial Liabilities Ratio of 55% compared to 24/25 target of 25-75% and BR1 of 56%.
 - f. An Asset Renewal Funding Ratio of 132% compared to 24/25 target of 95-105% and BR1 of 133%.

Carried Unanimously

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place Your Space

Goal	Organisation
Objective 02	Operate with integrity using best practice governance processes.
Priority 02.2	Support decision making through the use of timely data-driven analysis and reporting.
Objective 05	Evolve Council's functions and services to meet the current and future needs and aspirations of our community.
Priority 05.2	Demonstrate financial sustainability through long term financial planning and annual budget setting which aligns with adopted targets.

A key aspect of Council’s formal budget reviews is to review and monitor Council’s Annual Budget with reference to its overall financial position and its *Long-Term Financial Plan* (LTFP) to ensure Council continues to be financially sustainable.

Whilst the *Audit Committee Terms of Reference* do not set out a specific function with respect to budget reviews, it has been the practice for these reviews to be considered by the Audit Committee prior to being considered by Council.

➤ **Legal Implications**

The undertaking of formal budget reviews is a requirement of the *Local Government Act 1999*, (the Act) and the *Local Government (Financial Management) Regulations 2011* (the Regulations). In particular:

- Section 123(13) of the Act states that a council must, as required by the regulations, and may at any time, reconsider its annual business plan or its budget during the course of a financial year and, if necessary or appropriate, make any revisions.
- Section 9 of the Regulations requires a council to prepare and consider the following reports:
 1. At least twice, between 30 September and 31 May (both dates inclusive) a report showing a revised forecast of its operating and capital investment activities for the relevant financial year compared with the estimates for those activities set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances; and
 2. Between 30 November and 15 March (both dates inclusive) a report showing a revised forecast of each item shown in its budgeted financial statements for the relevant financial year compared with estimates set out in the budget presented in a manner consistent with the Model Financial Statements.

➤ **Risk Management Implications**

Conducting the budget review process as required by Regulations will assist in mitigating the risk of:

Failure to conduct the budget review process as required by Regulations results in inaccurate budgets and unforecasted deficits leading to inadequate resourcing for current and future activities.

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

It ensures that financial resources are deployed in areas that align with Council’s Strategic Management Plans, are affordable and support Council’s LTFP.

➤ **Financial and Resource Implications**

The approval of the proposed changes to the budget will allow Council and those with delegated authority, to exercise their authority and deliver on Council's service delivery agenda.

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

Not applicable.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

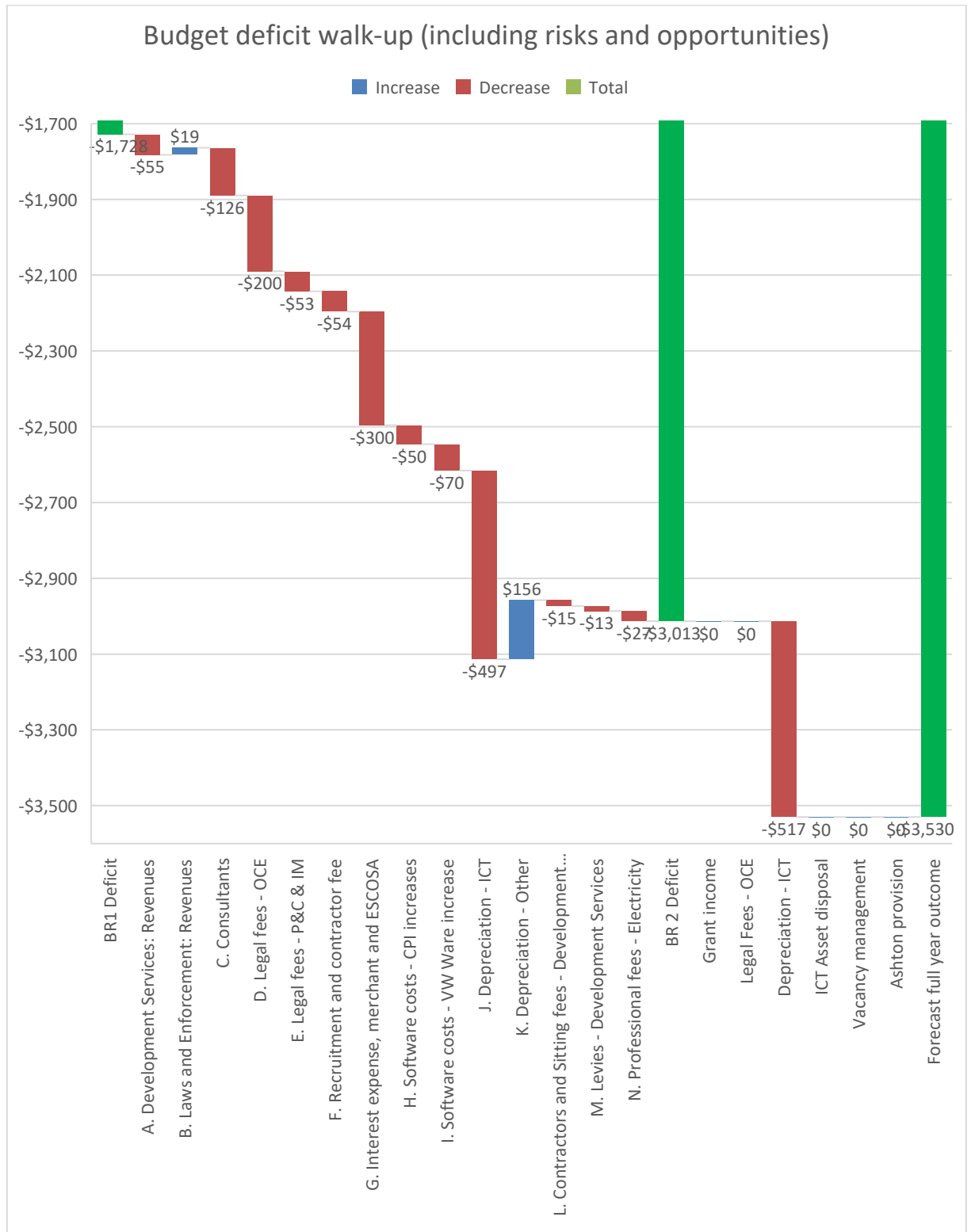
<i>Council Committees:</i>	Not applicable.
<i>Council Workshops:</i>	Not applicable.
<i>Advisory Groups:</i>	Not applicable.
<i>External Agencies:</i>	Not applicable.
<i>Community:</i>	Not applicable.

➤ **Additional Analysis**

Operating budget analysis – Refer Appendix 1 and 2 for details.

The graph below illustrates the movement from the BR1 adopted budget, to the BR2 proposed budget and to the forecast potential full year outcome. The detail of each of the movements can be found in **Appendix 1**. The detail of the risks and opportunities can be found in **Appendix 2**.

Note that no changes are proposed to operating income.



Commentary on material items

Depreciation

At BR1, it was noted that a detailed review of all ICT asset was being undertaken and there was a risk that there would be additional depreciation costs. The review has now been completed, with the outcomes summarised below:

There were 47 assets included in the asset register. Of those, 44 had a useful life of 10 years and should have had a useful life of between 2 and 5 years. Once the useful lives are adjusted, the resultant depreciation charge for the 2024-25 year should be \$797,482.

In addition to this, there are 4 assets acquired between July 2020 and June 2022. When their useful lives are adjusted, the assets are due to become fully depreciated at 30 June 2025. This results in an additional required adjustment to the depreciation charge in the current year, relating to the prior years of \$516,538. This has been noted as a risk, pending resolution of the appropriate accounting treatment with the external auditors.

Additionally, there were 7 assets with a carrying value of \$ 56,617 which are no longer in use and which were disposed of.

Finally, there were 9 assets with a carrying value of \$96,617. These assets should have been fully depreciated in prior years, had their useful lives been correctly assessed at acquisition. These assets remain in use and therefore, their carrying values have been adjusted downward to a \$1, rather than disposing of them. They include the Open Office ERP, the GIS and Open Office integration and the hardware supporting the security system. These assets will be disposed of upon their replacement.

Interest charges

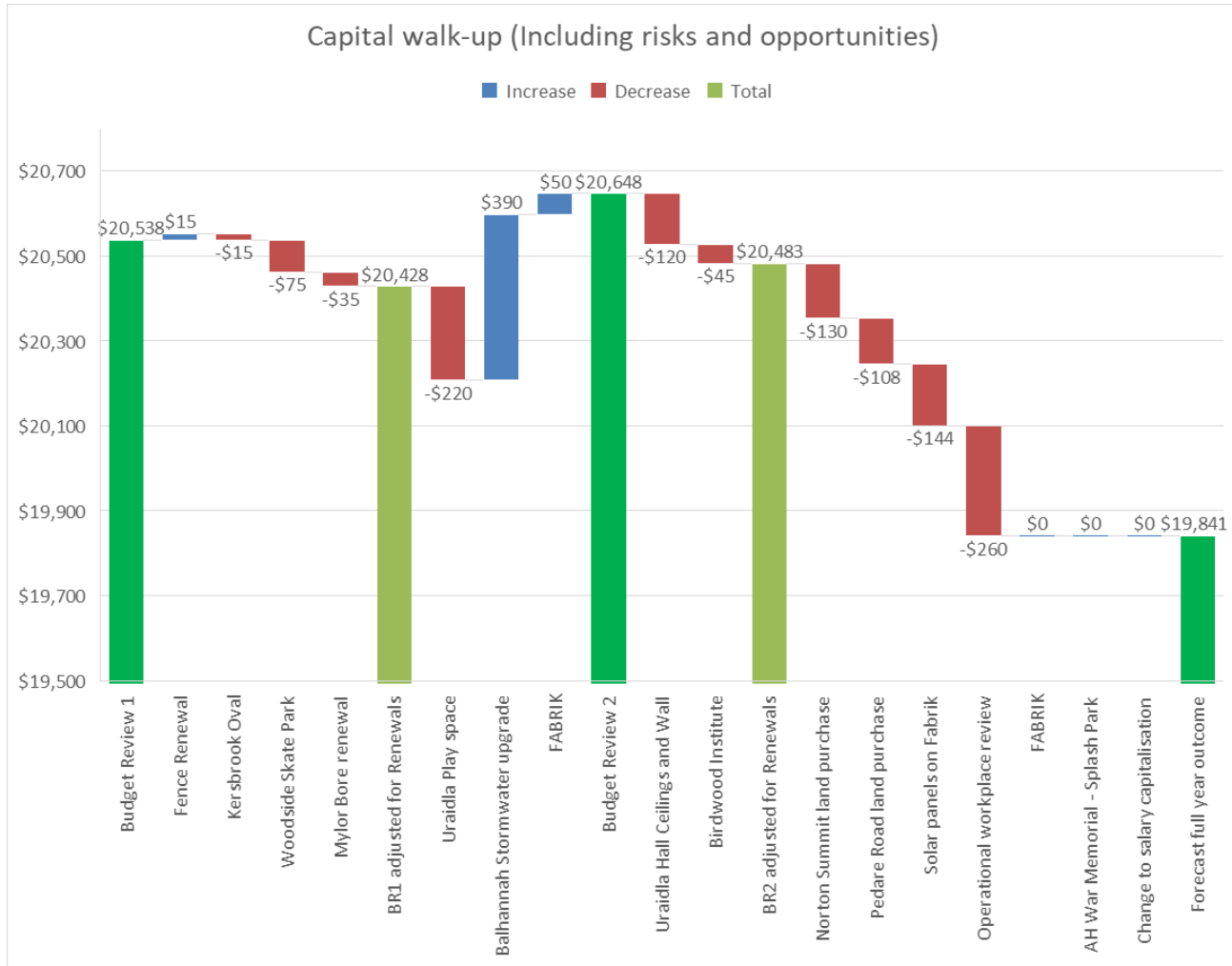
Interest charges for the 2024-25 budget were based upon the 2023-24 budget. No adjustment to the budget was made for the variance between the budgeted amount and the actual interest charges incurred in 2023-24 as this information was not available at the time. Had this adjustment been made, the budget would be an additional \$180k and the request would be \$100k. The additional \$100k arises due to interest rates remaining higher for a longer period than previously forecast combined with a larger capital program, resulting in an increase in debt levels.

Legal fees

As noted at BR1, there are a number of legal matters before Council. Year to December costs within the Governance area are \$225k. Assuming a slightly slower rate of costs results in a full year cost of \$400k.

Capital budget analysis – Refer Appendix 3 and 4 for details.

The graph below illustrates the movement from the BR1 adopted budget, to the BR2 proposed budget and to the forecast full year outcome. The detail of each of the movements can be found in Appendix 3. The detail of the risks and opportunities can be found in **Appendix 4**.



Impact on Sustainability Ratios

Financial Indicator	Council Adopted Target	Current Budget for 2024-25 (BR1 Nov 2024)	Proposed BR2 Budget 2024-25
Operating Surplus Ratio	1% to 5%	(2.8%)	(4.9%)
Net Financial Liabilities Ratio	25% to 75%	56%	55%
Asset Renewal Funding Ratio	95% to 105%	133.2%	132%

Financial sustainability considerations

The budget is not necessarily a good measure of Council’s financial sustainability as it considers a very short timeline in the life of a Council. The budget and actual result for the year is impacted by short-term, one-off events which may materialise in a particular year and be isolated to that year.

Further, these impacts may be non-cash in nature and thus not impact the liquidity or financial viability of Council. The measurement of Council's liquidity is also a relevant measure of Council's financial sustainability.

Additionally, the actual results for the financial year may differ significantly from the budget due to a number of reasons including proactive changes to delivery approaches which may occur in the latter half of the year.

Of more relevance in considering financial sustainability is the Long-Term Financial Plan (LTFP) as this is the roadmap to financial sustainability for the Council. A revision to the LTFP is currently being developed in conjunction with the Elected Member body and will set the forward plan for financial sustainability.

Therefore, whilst an increase to a deficit is a possible indicator of financial sustainability concerns, there are other more relevant measures which provide greater assurance.

3. OPTIONS

Council has the following options:

- I. For Council to approve the proposed budget adjustments presented in Budget Review 2 as prepared (Recommended).
- II. To make additional comments or suggestions to Administration to consider prior to finalising Budget Review 2.

4. APPENDICES

- (1) Summary - BR2 Requests - Operating
- (2) Summary - BR2 Risks and Opportunities - Operating
- (3) Summary - BR2 Requests - Capital
- (4) Summary - BR2 Risks and Opportunities – Capital
- (5) 2024-25 BR 2 Statutory Financial Statements
- (6) Financial Performance Report for Quarter Ended 31 December 2024

Appendix 1

Summary - BR2 Requests - Operating

Budget Review 2 2024/25						
Account Description	Current Budget: Exp / (Inc)	Change: FAV / (UNFAV)	Revised Budget: Exp / (Inc)	Status One-off or Ongoing	Ref	Comments
CEO						
GOVERNANCE: Operations: Legal Fees	200,000	-200,000	400,000	On-going	D	Year to December 2024 costs are \$225k. It has been assumed that costs will continue to be incurred but at a slightly slower rate.
GOVERNANCE: Recruitment: Contractors	0	-7,600	7,600	One-off	F	Recruitment fees for Policy and Risk, Audit and Assurance Officers
CORPORATE MANGT CEO: Operations: Consultants	0	-50,000	50,000	One-off	C	Various reviews: Electric vehicles strategy development, GRFMA exit options
CORPORATE MANGT CEO: Operations: Contractors	0	-38,500	38,500	One-off	C	Economic Development, Carbon Management Options \$30k
CORP MANGT CEO: PR: Consultants	0	-25,000	25,000	One-off	C	Engagement of a Public Relations Consultant
CORPORATE MANGT CEO: Recruitment: Contractors	0	-12,000	12,000	One-off	F	Recruitment Fees for Director role
COMMUNITY & DEVELOPMENT						
DEVELOPMENT SERVICES: Revenue: Compliance Fees	-151,960	-25,000	-126,960	One-off	A	Interest rates and debt levels are having an impact on development commencements and compliance revenue has been affected. This has resulted in decreased revenue YTD.
DEVELOPMENT SERVICES: Revenue: Building Fees	-81,410	-14,500	-66,910	One-off	A	Interest rates and debt levels are having an impact on development commencements and building fee revenue has been affected. This has resulted in decreased revenue YTD.
DEVELOPMENT SERVICES: Revenue: Planning Fees	-424,040	-27,000	-397,040	One-off	A	Interest rates and debt levels are having an impact on development commencements and planning fee revenue has been affected. This has resulted in decreased revenue YTD.
DEVELOPMENT SERVICES: Recoverables: Legal Fees	-30,240	10,000	-40,240	One-off	A	Greater offset of legal fees with application of civil enforcement penalties resulted in increased offset YTD.
DEVELOPMENT SERVICES: Revenue: Expiation Fees	-14,530	2,000	-16,530	One-off	A	Building notifications not being received resulting in more expiations and increased revenue YTD
DEVELOPMENT SERVICES: Arboriculture: Contractors	10,090	-13,000	23,090	On-going	L	Amended Regulated Tree legislation capturing increased number of trees and increased expenditure for arboriculture contractors
DEVELOPMENT SERVICES: Assessments: DAP - Sitting Fees	27,600	-2,000	29,600	On-going	L	Increased sitting fees applied
DEVELOPMENT SERVICES: Levies: Other Fees	78,550	-13,350	91,900	On-going	M	Increased levy by State government for Planning Portal contribution
DEVELOPMENT SERVICES: Travel: Travelling Allowance	1,150	-500	1,650	On-going	M	Increase to reflect YTD increase
EMERGENCY SERVICES: Fire Prevention: Salaries Office	186,720	-22,500	209,220	On-going	B	Increase due to additional staff member - Council motion carried on 25/6/24.
EMERGENCY SERVICES: Fire Prevention: Fines & Cost Recovery	-18,000	2,000	-20,000	On-going	B	Increase due to additional staff member - Council motion carried on 25/6/24.
LAWS AND ENFORCEMENT: GI - Parking: Parking Expiation	-88,500	20,000	-108,500	On-going	B	Increase due to additional staff member - Council motion carried on 25/6/24.
LAWS AND ENFORCEMENT: GI - Dog & Cat: Dogs - Expiation	-11,660	2,000	-13,660	On-going	B	Increase due to additional staff member - Council motion carried on 25/6/24.
LAWS AND ENFORCEMENT: GI - Dog & Cat: Cat & Dog Committee Levy	64,200	-3,000	67,200	On-going	B	Increase due to additional Dog and Cat Rego - 12% of Dog and Cat Rego.
LAWS AND ENFORCEMENT: GI - Dog & Cat: Dogs - Registration	-540,000	20,000	-560,000	On-going	B	Additional registrations collected due to additional capacity to follow up and collect.
CORPORATE SERVICES						
FINANCIAL MANGT: Banking: Interest LGFA Overdraft	225,040	-374,960	600,000	On-going	G	Interest rates and debt levels have remained higher than previously forecast. This has resulted in increased expenses YTD. Further, it is forecast that debt levels will increase towards year-end due to increased capital spend. Finally, a conservative view has been adopted with regards to interest rates to year-end (No decrease). Hence the full year cost is expected to be slightly more than double the YTD result.
FINANCIAL MANGT: Banking: Debenture LGFA Interest	345,270	100,000	245,270	On-going	G	The proportion of debt funded through fixed interest loans is lower than previously forecast. Therefore, there are forecast interest savings which off-set some of the increases in variable interest rate charges.
FINANCIAL MANGT: Banking: Merchant Fees	40,000	-15,000	55,000	On-going	G	In 2022-23, a merchant fee discount was received. This expired in June 2023. This lower rate was assumed at the time of preparing the 2024-25 budget hence the cost was under budgetted. Additionally, merchant transactions have increased by circa 10% year-on-year. The combination of these factor will result in the forecast full year cost exceeding the current by \$15k and hence the increase.
FINANCIAL MANGT: Financial Reporting: Other Fees	0	-10,000	10,000	On-going	G	During the preparation of the 2024-25 budget, the budget for the amortisation of the 2022-23 ESCOSA review costs was inadvertently removed. The review reoccurs every 4 years and therefore the costs are being amortised over the relevant 4 year period. The budget is therefore required to be reinstated.

Account Description	Current Budget: Exp / (Inc)	Change: FAV / (UNFAV)	Revised Budget: Exp / (Inc)	Status One-off or Ongoing	Ref	Comments
PEOPLE & CULTURE: Litigation: Legal Fees	20,000	-50,000	70,000	On-going	E	Legals fee of \$52k have been incurred to end of Jan 2025. The People and Culture team continue to work through a range of complex matters which require legal guidance and hence the need for additional budget for the remainder of the year.
PEOPLE & CULTURE: Recruitment: Contractors	3,000	-18,000	21,000	One-off	F	Recruitment and temp staff fees for P&C roles
CORPORATE MANGT CS: Recruitment: Contractors	0	-18,000	18,000	One-off	F	Recruitment of 2 key roles within the Corporate Services division. No further costs expected for the current year and no expected costs going forward.
COMMS EVENTS: Other Events: Contractors	9,760	-10,000	19,760	On-going	F	Contractor to run Discover, Play Bikeway event, potentially offset by salary savings.
INFORMATION MANAGEMENT: Operations: Legal Fees	0	-3,000	3,000	One-off	E	Actual legals costs incurred in relation to Information Management.
INFORMATION SYSTEMS: Software Licenses: License - Software	1,140,300	-50,000	1,190,300	On-going	H	Average increases in software costs of circa 5% exceed budget allowance.
INFORMATION SYSTEMS: Software Licenses: License - Software	1,140,300	-70,000	1,210,300	On-going	I	Increase in VM Ware costs of \$55k and new software to support CRM and Financial Reporting of \$15k
ENVIRONMENT & INFRASTRUCTURE						
SUSTAINABILITY: Energy & Greenhouse Gas: Contractors	20,000	-17,000	37,000	One-off	N	Due to Council resolution July 2024 to investigation a Community Renewables Program
SUSTAINABILITY: Energy & Greenhouse Gas: Contractors	37,000	-10,000	47,000	One-off	N	Expert advice with regards to electricity procurement
DEPRECIATION						
ICT: Depreciation: Office Equipment	300,048	-497,434	797,482	On-going	J	As noted as a risk at BR1, and as part of the organisation wide asset review, several ICT assets have been identified which are redundant. Further, several assets were being depreciated over a useful life of 10 years. It may be considered more appropriate to depreciate them over 3 years. The outcome of the review is an increase in the depreciation expense in the current year. There will also be an increase in the depreciation expense in next year. However, the expense should then taper of thereafter, subject to no further assets being acquired. The budget request is for additional budget for depreciation charge for the current year.
OTHER INFRASTRUCTURE: Depreciation	12,239,717	155,530	12,084,187	On-going	K	Following a review of the ICT depreciation charges, an analysis of the forecast depreciation charge for the year was undertaken. This analysis identified that there were minor differences between the budgetted and forecast depreciation for a number of asset categories. It is proposed that these differences be brought into account at BR2.
TOTAL DEPRECIATION change		-341,904				
Total		-1,285,814				

Appendix 2

Summary - BR2 Risks and Opportunities – Operating

Budget Review 2 2024/25

Risks and Opportunities

Account Description	Current Budget: Exp / (Inc)	Change: OPP / (RISK)	Revised forecast	Ref	Comments
CEO					
GOVERNANCE: Operations: Legal Fees	400,000	Unknown	Unknown		In addition to the budget adjustment requested for legal fees noted, there may be additional legal fees incurred in the current year. However, the quantum and timing of this is currently unclear.
CORPORATE SERVICES					
Grant income	1,669,000	Unknown	Unknown		It is expected that additional grant revenue and cost recoveries in relation to the projects below are to be received. The amount and timing of their recognition is dependent upon several factors, many of which are outside of the Council's control. Due to this uncertainty, the amounts over and above those which have already been received into the bank have not been recognised. Community Development Grants Program project - Amy Gillett Bikeway; Local Roads and Community Infrastructure Program – Balhannah Stormwater upgrade; and Roads to Recovery.
Organisation wide vacancy management	500,000	Unknown	500,000		The 6-month review of vacancy management indicates that there are no material changes from those previously reported to the Audit and Risk Committee and Council.
ENVIRONMENT & INFRASTRUCTURE					
Ashton provision	0	Unknown	Unknown		Upon resolution by Council of the on-going matter of the former landfill at Ashton, a provision for remediation costs will be required. This provision will bring to account the Council's remaining obligations in relation to the landfill remediation and ongoing monitoring requirements. This will be reassessed annually as part of the annual review of all provisions. The quantum of this provision is unknown and will depend on the direction taken by Council.
DEPRECIATION AND ASSET DISPOSAL					
ICT: Depreciation: Office Equipment	797,482	-516,538	1,314,020		In addition to the budget request for additional depreciation for ICT assets for the current year, the review also identified that certain assets were being depreciated over a longer useful life than would be consider normal for assets of this type. When these useful lives are adjusted, there is a resulting depreciation impost in the 2024-25 year. These charges are approximately \$0.516m and will be brought to account as part of the year-end asset reconciliation process.
Asset disposal	0	-154,000	-154,000		As part of the organisation wide asset review, several ICT assets have been identified which are redundant. These have been disposed of and will reflect as a below the line adjustment

Appendix 3

Summary - BR2 Requests - Capital

2024-25 CAPITAL BUDGET REVIEW 2

Project Description	Asset Classification	Asset Category	Current Budget	Change FAV / (UNFAV)	Revised Budget	Comment
Fence Renewal	Other/ Fences	Renewal	\$15,000	-\$15,000	\$30,000	Bradwood Park Fencing quote and scope greater than original and fence needs replacement for safety of users of the area.
Kersbrook Oval Irrigation Renewal	CWMS	Renewal	\$46,000	\$15,000	\$31,000	Final quotes were less than original planning budget.
Woodside Skate Park Shelter Renewal	Buildings	Renewal	\$75,000	\$75,000	\$0	Following extensive community consultation, it was agreed to remove the shelter. Once the details of a replaced project have been finalised, a budget bid will be submitted for a different project
Uraidla Play space upgrade	Sport and Recreation	New/Upgrade	\$220,000	\$220,000	\$0	This item was a late project added to the Capital budget program. This year has been spent engaging with the community around what they would like to see undertaken. Further engagement is on-going. Additionally, from a scheduling and efficiency perspective, Council will seek to undertake additional works in this area simultaneously. This amount is therefore to be carried over in FY 2025/26
Mylor Oval Bore Renewal	Sport and Recreation	Renewal	\$80,000	\$35,000	\$45,000	This project is complete and the works undertaken were less expensive and extensive than initially thought. This is therefore a project saving
Junction Road, Balhannah - Stormwater upgrade (Phase 4 - LRCIP Funded)	Stormwater	New/Upgrade	\$380,000	-\$390,000	\$770,000	Stormwater upgrade funded through LRCIP Phase 4. Upon completion of the works and certainty of the projects outcomes, the grant will be recognised and brought into the budget.
FABRIK - Activation of Arts & Heritage Hub	Buildings	New/Upgrade	\$485,000	-\$50,000	\$535,000	Items previously removed from the scope of works as part of a value management exercise have since been found to be required now that FABRIK is operational. These include cabinetry, passage doors, cleaning contractor lockable storage areas and CCTV, with a cost of \$50k
Total Expenditure Change				-\$110,000		

Appendix 4

BR2 Risks and Opportunities – Capital

2024-25 CAPITAL BUDGET REVIEW 2
Risks and Opportunities

Project Description	Asset Classification	Asset Category	Current Budget	Change OPP / (RISK)	Forecast	Comment
Norton Summit land purchase	Other/ Land	New/Upgrade	\$130,000	\$130,000	\$0	There is a timing risk on settlement of this purchase due to development approval and land divisions required prior to settlement. The settlement may be carried forward into FY 2025-26.
Pedare Road land purchase	Other/ Land	New/Upgrade	\$108,000	\$108,000	\$0	In a similar manner, there is a timing risk on settlement of this purchase due to development approval and land divisions required prior to settlement. The settlement may be carried over into FY 2025-26.
Solar panels on Fabrik	Energy upgrades	New/Upgrade	\$144,000	\$144,000	\$0	Investigations are on-going as to whether the building structure can support sufficient solar panels to obtain a reasonable return on investment (ROI). Should it be found that the structure as currently built cannot accommodate the additional weight, further consideration will be given to the ROI and whether it is commercially viable to put solar panels in place. Additionally, there is a timing risk on the delivery of the project in the current financial year, as the building is heritage listed and therefore subject to additional review and approvals, which extends the project timelines.
Operational workplace review	Buildings	New/Upgrade	\$260,000	\$260,000	\$0	A project has commenced to detail the Council's accommodation needs, now and into the future. It is expected that this project will result in a proposal to Council later this financial year, for consideration and approval. The proposal will have budget implications and is likely to result in changes to the current budget, both in amount and timing. Noting the outcomes of the review are uncertain, there is a budget risk that this amount will not be spent in the current year
Uraidla Hall Ceilings and Wall	Buildings	Renewal	\$120,000	\$120,000	\$0	These two projects were initially separately identified. However, from an efficiency of delivery perspective, it is proposed to bundle them together as a single project. The Uraidla Hall is heritage listed and following queries which have arisen through the heritage application process, a potential redesign of the delivery solution is being investigated. This has caused delays and when combined with differing weather conditions later in the year, might result in the project being delivered in FY 2025-26.
Birdwood Institute doors and windows	Buildings	Renewal	\$45,000	\$45,000	\$0	In a similar manner, the Birdwood institute is heritage listed and following queries which have arisen through the heritage application process, a potential redesign of the delivery solution is being investigated. The appointment of a heritage architect is therefore being undertaken. This has caused delays and when combined with differing weather conditions later in the year, might result in the project being delivered in FY 2025-26.
FABRIK - Activation of Arts & Heritage Hub	Buildings	New/Upgrade	\$535,000	Unknown	\$535,000	Head contractor works have been completed and although AHC has sufficient budget to settle these works (subject to approval of the additional funding request), the head contractor has indicated that there may be additional variations which have yet to be submitted. AHC will review these variations and approve or reject them as appropriate.
AH War Memorial Swimming Pool-Splash Park	Sport & Rec	New/Upgrade	\$750,000	\$0	\$750,000	Additional works required in addition to the original scope, to provide power to the splashpark. Although these can be accommodated in the current budget, these additional works have consumed the majority of the budgeted contingency. Should any additional variations occur, these would likely be require a budget adjustment.
Salary Capitalisation				Unknown		As part of the organisation wide asset review, an initial assessment of the salary capitalisation process has been undertaken. The outcomes of this assessment indicate that there is unlikely to be a material change to the salary capitalisation and therefore unlikely cost impost or saving arising relative to the budget.
				\$807,000		

Appendix 5

2024-25 BR 2 Statutory Financial Statements

Adelaide Hills Council

BUDGETED UNIFORM PRESENTATION OF FINANCES

2024-25 Revised Budget

2023-24 Actuals		2024-25 Adopted Budget	2024-25 Revised Budget (BR1)	BR2 change	2024-25 Revised Budget BR2
\$'000		\$'000	\$'000		\$'000
	INCOME				
48,389	Rates	51,442	51,442	0	51,442
1,520	Statutory charges	1,523	1,523	(10)	1,513
934	User charges	1,033	1,033	0	1,033
544	Grants, subsidies and contributions - Capital	214	935	0	935
4,081	Grants, subsidies and contributions - Operating	5,002	5,002	514	5,516
35	Investment income	26	26	0	26
398	Reimbursements	202	262	0	262
512	Other income	600	618	14	632
142	Net gain - equity accounted Council businesses	103	103	0	103
56,555	Total Income	60,145	60,943	518	61,461
	EXPENSES				
21,915	Employee costs	24,540	25,094	(66)	25,028
25,886	Materials, contracts & other expenses	22,768	23,897	1,253	25,150
12,270	Depreciation, amortisation & impairment	11,798	13,099	342	13,441
758	Finance costs	582	582	275	857
79	Net loss - equity accounted Council businesses	0	0	0	0
60,908	Total Expenses	59,688	62,672	1,804	64,476
(4,354)	NET BUDGETED SURPLUS / (DEFICIT) BEFORE CAPITAL AMOUNTS	457	(1,728)	(1,287)	(3,015)
	Net Outlays on Existing Assets				
(11,115)	Capital Expenditure on Renewal and Replacement of Existing Assets	(12,007)	(13,889)	110	(13,779)
792	Proceeds from Sale of Replaced Assets	645	645	0	645
12,270	Depreciation	11,798	13,099	342	13,441
1,947	NET OUTLAYS ON EXISTING ASSETS	436	(145)	452	307
	Net Outlays on New and Upgraded Assets				
(6,237)	Capital Expenditure on New and Upgraded Assets & Remediation costs	(4,545)	(6,649)	(220)	(6,869)
3,277	Capital Grants and Monetary Contributions for New and Upgraded Assets	3,191	3,192	0	3,192
0	Proceeds from Sale of Surplus Assets	40	40	0	40
(2,960)	NET OUTLAYS ON NEW AND UPGRADED ASSETS	(1,314)	(3,418)	(220)	(3,638)
(5,367)	NET LENDING/ (BORROWING) RESULT FOR FINANCIAL YEAR	(421)	(5,291)	(1,055)	(6,346)
(22,836)	Net Financial Liabilities at Beginning of Year	(31,869)	(27,514)	0	(27,514)
0	Decrease / (increase) in Other	(200)	0	0	0
689	Non Cash Equity Movement	(103)	0	0	(103)
(27,514)	Net Financial Liabilities at End of Year	(32,593)	(32,805)	(1,158)	(33,963)

In any one year, the financing transactions identified below are associated with either applying surplus funds stemming from a net lending result or accommodating the funding requirement stemming from a net borrowing result.

Financing Transactions

NET LENDING/ (BORROWING) RESULT FOR FINANCIAL YEAR

(5,367)	NET LENDING/ (BORROWING) RESULT FOR FINANCIAL YEAR	(421)	(5,291)	(1,055)	(6,346)
8,171	Increase/(Decrease) in Short Term Draw Down	0	0	0	0
(45)	(Increase)/Decrease in Cash & Investments	0	0	0	0
1,614	(Increase)/Decrease in Working Capital	0	0	0	0
561	Principal Repayments on Borrowings	0	0	0	0
(247)	Repayment of Lease Liabilities	0	0	0	0
4,687	Reduction in Borrowings/(new Borrowings) for	(421)	(5,291)	(1,055)	(6,346)

It should be noted that the figures in this appendix have been rounded and consequently individual sub-totals, whilst being correct, may differ slightly from the sum of the rounded amounts.

Adelaide Hills Council

STATEMENT OF COMPREHENSIVE INCOME 2024-25 Budget

2023-24 Actuals		2024-25 BR2 Revised Budget
\$'000		\$'000
	INCOME	
48,389	Rates	51,442
1,520	Statutory charges	1,513
934	User charges	1,033
544	Grants, subsidies and contributions - Capital	935
4,081	Grants, subsidies and contributions -Operating	5,516
35	Investment income	26
398	Reimbursements	262
512	Other income	632
142	Net gain - equity accounted Council businesses	103
56,555	Total Income	61,461
	EXPENSES	
21,915	Employee costs	25,028
25,886	Materials, contracts & other expenses	25,150
12,270	Depreciation, amortisation & impairment	13,441
758	Finance costs	857
79	Net loss - equity accounted Council businesses	-
60,908	Total Expenses	64,476
(4,353)	OPERATING SURPLUS / (DEFICIT)	(3,014)
(2,307)	Asset disposal & fair value adjustments	(403)
3,277	Amounts received specifically for new or upgraded assets	3,192
1,106	Physical Resources Received Free of Charge	-
(2,277)	NET SURPLUS / (DEFICIT)	(226)
76,020	Changes in revaluation surplus - infrastructure, property, plant & equipment	5,400
(218)	Capital WIP Write-off prior years	-
1,197	Other Comprehensive Income	-
42	Share of Other Comprehensive Income JV	-
77,041	Total Other Comprehensive Income	5,400
74,764	TOTAL COMPREHENSIVE INCOME	5,174

Adelaide Hills Council
STATEMENT OF FINANCIAL POSITION
2024-25 Budget

2023-24 Actuals		2024-25 BR2 Revised Budget
\$'000		\$'000
	ASSETS	
	Current Assets	
534	Cash and cash equivalents	432
7,208	Trade & other receivables	7,208
10	Inventories	10
7,752		7,650
-	Non-current Assets held for Sale	-
7,752	Total Current Assets	7,650
	Non-current Assets	
260	Trade and Other receivables	260
3,933	Equity accounted investments in Council businesses	4,036
570,735	Infrastructure, property, plant & equipment	582,254
	Other non-current assets	
574,928	Total Non-current Assets	586,550
582,680	Total Assets	594,200
	LIABILITIES	
	Current Liabilities	
7,879	Trade & other payables	7,879
20,896	Borrowings - Short Term Draw Down	20,896
	Borrowings - Other	6,346
4,515	Provisions	4,515
33,290	Total Current Liabilities	39,636
	Non-current Liabilities	
-	Trade & Other Payables	-
1,583	Borrowings	1,583
643	Provisions	643
2,226	Total Non-current Liabilities	2,226
35,516	Total Liabilities	41,862
547,164	NET ASSETS	552,338
	EQUITY	
147,613	Accumulated Surplus	147,387
399,446	Asset Revaluation Reserves	404,846
105	Other Reserves	105
547,164	TOTAL EQUITY	552,338
27,514	NET FINANCIAL LIABILITIES	33,962

Adelaide Hills Council

STATEMENT OF CHANGES IN EQUITY 2024-25 Budget

	Accumulated Surplus	Asset Revaluation Reserve	Other Reserves	TOTAL EQUITY
2024-25	\$'000	\$'000	\$'000	\$'000
Balance at end of previous reporting period	147,613	399,446	105	547,164
Net Surplus / (Deficit) for Year	(226)	-	-	(226)
Other Comprehensive Income				
Gain on revaluation of infrastructure, property, plant & equipment	-	5,400	-	5,400
Transfers between reserves		-		-
Balance at end of period	147,387	404,846	105	552,338
2023-24				
Balance at end of previous reporting period	150,021	322,268	111	472,400
Restated opening balance	150,021	322,268	111	472,400
Net Surplus / (Deficit) for Year	(2,277)	-	-	(2,277)
Other Comprehensive Income				
Changes in revaluation surplus - infrastructure, property, plant & equipment	-	76,020	-	76,020
Share of Other Comprehensive Income Equity Businesses		1,158	(6)	1,152
Other Equity Adjustments - equity accounted Council businesses	(131)			(131)
Transfers between reserves		-		-
Balance at end of period	147,613	399,446	105	547,164

FINANCIAL INDICATORS

	Council Adopted Target	2024-25 BR2 Revised Budget
Operating Surplus Ratio		
<u>Operating Surplus</u> Total Operating Revenue	1% to 5%	(4.9%)
Net Financial Liabilities Ratio		
<u>Net Financial Liabilities</u> Total Operating Revenue	25% to 75%	55%
Asset Renewal Funding Ratio		
<u>Asset Renewals</u> Infrastructure & Asset Management Plan required expenditure	95% to 105%	132%

Adelaide Hills Council

CASH FLOW STATEMENT 2024-25 Budget

2023-24 Actuals		2024-25 BR2 Revised Budget
\$'000	<u>CASH FLOWS FROM OPERATING ACTIVITIES</u>	\$'000
	<u>Receipts</u>	
48,377	Rates - general & other	51,442
1,520	Fees & other charges	1,513
934	User charges	1,033
1,163	Grants	6,450
35	Investments	26
398	Reimbursements	262
1,386	Other revenues	632
	<u>Payments</u>	
(22,319)	Employee costs	(25,028)
(25,314)	Materials, contracts & other expenses	(25,150)
(758)	Finance payments	(857)
5,422	NET CASH USED IN OPERATING ACTIVITIES	10,323
	<u>CASH FLOWS FROM FINANCING ACTIVITIES</u>	
	<u>Receipts</u>	
	- Proceeds from Borrowings	6,346
	- Proceeds from Aged Care Facility Deposits	-
	- Proceeds from Bonds & Deposits	-
	- Proceeds from Right of Use Leasing	-
	<u>Payments</u>	
(561)	Repayment from Borrowings	-
(247)	Repayment of Lease Liabilities	-
-	Repayments of Aged Care facility deposits	-
(2)	Repayments of Bonds and Deposits	-
(810)	NET CASH USED IN FINANCING ACTIVITIES	6,346
	<u>CASH FLOWS FROM INVESTING ACTIVITIES</u>	
	<u>Receipts</u>	
3,821	Grants for new or upgraded assets	3,192
792	Sale of replaced assets	645
	- Sale of surplus assets	40
	- Repayment of loans from Community Groups	-
	- Distributions received from Equity Accounted Businesses	-
	<u>Payments</u>	
(6,237)	Expenditure on new/ upgraded assets	(6,869)
(11,115)	Expenditure on renewal/ replacement of assets	(13,779)
(12,739)	NET CASH USED IN INVESTING ACTIVITIES	(16,771)
(8,127)	NET INCREASE / (DECREASE) IN CASH HELD	(102)
(6,536)	CASH AT BEGINNING OF YEAR	(14,662)
(14,663)	CASH AT END OF YEAR	(14,764)
	534 Cash & Investments	432
(15,196)	Short Term Drawdown	(15,196)
(14,662)		(14,764)

Appendix 6

*Financial Performance Report for
Quarter Ended 31 December 2024*

Adelaide Hills Council



Financial Performance Report

as at Dec 2024

Operating Statement

Overall Funding Statement

as at Dec 2024

	YTD Actual	YTD Budget	YTD Variance	Annual Revised Budget
	\$'000	\$'000	\$'000	\$'000
Total Operating Income	56,975	56,324	● 651	60,966
Total Operating Expenditure	31,202	30,544	● (659)	62,694
Operating Surplus / (Deficit) before Capital	25,773	25,780	● (6)	(1,728)
Capital Expenditure	5,203	4,939	● (264)	20,538
Capital Income	2,042	-	● 2,042	3,876
Net expenditure - Capital projects	3,161	4,939	● 1,778	16,662
Net Lending / (Borrowing) Result for Year	29,053	27,111	● 1,943	(5,292)

Adelaide Hills Council Operating Summary				
By Directorate				
as at Dec 2024				
	YTD Actuals \$'000s	YTD Budget \$'000s	YTD Var fav / (unfav) \$'000s	Annual Revised Budget \$'000s
Income				
CEO	19	-	● 19	37
Community & Development	2,477	2,215	● 262	4,173
Corporate Services	50,695	50,520	● 175	50,874
Environment & Infrastructure	4,476	3,588	● 887	5,883
Income Total	57,667	56,324	● 1,343	60,966
Expenditure				
CEO	1,885	1,714	● (171)	2,912
Community & Development	5,841	5,896	● 54	13,689
Corporate Services	5,316	5,188	● (128)	9,903
Environment & Infrastructure	18,852	17,746	● (1,105)	36,190
Expenditure Total	31,894	30,544	● (1,350)	62,694
Operating Surplus / (Deficit)	25,773	25,780	● (6)	(1,728)

Adelaide Hills Council Monthly Financial Performance										
as at Dec 2024	Income by Function				Expenditure by Function				Net Position	
\$'000s	YTD Actuals \$'000s	YTD Budget \$'000s	YTD Var fav/(unfav) \$'000s	Annual Revised Budget \$'000s	YTD Actuals \$'000s	YTD Budget \$'000s	YTD Var fav/(unfav) \$'000s	Annual Revised Budget \$'000s	Variance \$'000s	
CEO Office		-		-	337	232	(105)	538	(105)	
Governance Civic	-	-		-	2		(2)	2	(2)	
Governance EM	-	-		-	265	254	(11)	532	(11)	
Governance & Performance	19	-	19	37	1,281	1,228	(53)	1,840	(34)	
CEO Directorate	19	-	19	37	1,885	1,714	(171)	2,912	(151)	
C&D Director's Office	-	-		-	163	177	14	369	14	
Policy Planning	-	-		-	77	133	56	340	56	
Economic Development	108	110	(2)	110	296	346	50	575	48	
Environmental Health	82	61	20	181	288	268	(20)	598	1	
Fire Prevention	9	9	()	30	30	94	64	217	64	
Animal Management	513	511	2	555	323	222	(101)	488	(99)	
Parking and By-Laws	65	42	23	95	83	66	(17)	165	6	
Development Services	355	356	(1)	703	1,056	1,135	79	2,662	78	
Community Management	-	-		23	177	149	(28)	470	(28)	
Community Grants	-	-		-	134	93	(40)	209	(40)	
Community Centres - TSCC	5	-	5	16	121	97	(25)	220	(20)	
Community Centres - TVCC	15	6	10	24	54	98	44	220	53	
Community Programs	37	49	(12)	117	53	28	(25)	126	(37)	
Community Resilience	190	190		300	199	241	42	510	42	
Cultural Development	-	-		-	84	81	(3)	202	(3)	
Positive Ageing (Collaborative)	101	53	49	93	70	44	(25)	94	23	
Positive Ageing (Home Support)	621	525	96	1,196	618	600	(18)	1,246	78	
Volunteering	-	-		-	47	44	(3)	100	(3)	
Youth Development	1	-	1	3	7	30	22	155	23	
Customer Experience	-	-		-	193	186	(7)	738	(7)	
Customer Service	-	-		-	449	480	31	1,009	31	
Libraries	304	305	(1)	346	1,026	1,031	5	2,126	4	
FABRIK	72	-	72	380	294	253	(42)	848	30	
Director Comunity and Development	2,477	2,215	262	4,173	5,841	5,896	54	13,689	316	
CS Director's Office	5	-	5	6	274	269	(5)	554	()	
Communications, Engagement & Events	as at Dec 2024	-	6	-	314	301	(13)	824	(6)	
Corporate	1,039	972	68	1,144	582	490	(91)	793	(23)	
Finance Operations	-	-		-	568	605	37	1,291	37	
Rates	49,644	49,549	96	49,724	1,093	1,052	(41)	1,994	54	
ICT	-	-		-	556	526	(30)	1,199	(30)	
Information Management	-	-		-	284	287	2	571	2	
Information Systems	-	-		-	1,228	1,304	76	1,899	76	
People and Culture & WHS	-	-		-	417	354	(63)	778	(63)	
Corporate Services	50,689	50,520	175	50,874	5,316	5,188	(128)	9,903	47	
E&I Director's Office	-	-		-	7	-	(7)	23	(7)	
Civil Services - Management	29	-	29	2	544	658	114	575	143	
Civil Services - Maintenance	1,333	1,361	(28)	3,009	2,329	2,334	5	5,469	(23)	
Civil Services - Private Works	1	-	1	6	-	-	-	4	1	
Property Management	70	52	18	75	1,117	1,045	(72)	2,346	(53)	
Sport & Recreation	-	-		11	514	439	(74)	1,051	(74)	
AHBTC	168	53	116	408	149	98	(51)	359	65	
Cemeteries	240	221	19	385	93	109	16	196	35	
Manager Open Space	692	-	692	-	871	178	(693)	871	(2)	
Open Space - Management	-	-		23	380	454	74	1,083	74	
Open Space - Maintenance	6	-	6	6	1,530	1,472	(58)	3,585	(52)	
Open Space - Stores	(2)	-	(2)	-	623	581	(42)	(927)	(44)	
Open Space - Biodiversity	31	31		31	352	369	17	878	17	
CWMS	1,727	1,715	12	1,735	445	488	43	1,049	55	
Strategic Assets	-	-		-	313	311	(2)	479	(2)	
Emergency Management	-	-		-	41	34	(6)	80	(6)	
Sustainability	-	-		-	187	152	(35)	355	(35)	
Waste	180	155	25	192	3,102	2,944	(158)	5,992	(133)	
Depreciation	-	-		-	6,256	6,081	(176)	12,720	(176)	
Director Environment and Infrastructure	4,476	3,588	887	5,883	18,852	17,746	(1,105)	36,190	(218)	
Total	57,661	56,324	1,343	60,966	31,894	30,544	(1,349)	62,694	(6)	

2024-25 CAPITAL WORKS PROGRAM
as at Dec 2024

as at 04/02/2025

Asset Category	YTD Actuals \$'000s	YTD Budget \$'000s	YTD Var fav / (unfav) \$'000s	Revised Budget \$'000s	% Spent to Annual Budget \$'000s	YTD Commitments \$'000s
BRIDGE	38	35	(3)	1,005	3.8%	411
BUILDINGS	633	631	(2)	1,749	36.2%	191
CEMETERIES	25	25	0	65	38.3%	3
CWMS	134	134	(0)	256	52.4%	-
FOOTPATHS	283	244	(39)	897	31.5%	177
GUARDRAILS	-	-	-	-	0.0%	-
KERBING	18	18	(0)	100	18.2%	5
LRCIP	213	208	(6)	1,581	13.5%	746
OTHER: RW, SF, TRAFFIC Mngt	84	37	(47)	409	20.4%	17
ROADS	1,866	1,753	(113)	6,950	26.8%	1,040
SPORT & REC	134	112	(22)	605	22.1%	6
STORMWATER	32	27	(5)	820	3.9%	5
FLEET	1,505	1,506	1	3,239	46.5%	611
ICT	203	201	(2)	1,306	15.5%	32
PLANT & EQUIP	11	10	(1)	40	28.2%	7
PMC	-	-	-	1,517	0.0%	-
Unbudgeted	23	-	(23)	-	0.0%	11
Total	5,203	4,939	(264)	20,538	25.3%	3,262

Adelaide Hills Council Capital Works Summary

	YTD Actuals \$'000s	YTD Budget \$'000s	YTD Var fav / (unfav) \$'000s	Annual Revised Budget \$'000s	% Received /Spent
Capital Income Total	2,042	-	2,042	3,876	52.7%
New & Capital Replacement Expenditure	5,203	4,939	(264)	19,021	27.4%
Project Delivery Costs	-	-	-	1,517	0.0%
Capital Expenditure Total	5,203	4,939	(264)	20,538	25.3%
Net Capital Expenditure	3,161	4,939	(2,306)	16,662	

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
AGENDA BUSINESS ITEM**

Item: 12.10

Responsible Officer: Zoë Gill
EXECUTIVE GOVERNANCE OFFICER
OFFICE OF THE CEO

Subject: REVIEW OF POLICIES REFERENCING THE MAYOR

For: Decision

SUMMARY

In accordance with council Resolution 430/24 on 26 November 2024, a comprehensive review of Council's policies has revealed a number of policies that contain specific references to the Mayor. Without amendment, these policies would contravene resolution 430/24. To ensure compliance, amendments have been made. Copies of each amended policy, with changes clearly highlighted in track changes, are provided at **Appendices 2-10**.

RECOMMENDATION

Council resolves:

1. To receive and note the report.
2. With an effective date of 4 March 2025, to revoke the *Code of Practice for Access to Council Policy* and to adopt the revised *Code of Practice for Access to Council Policy* at Appendix 2.
3. With an effective date of 4 March 2025, to revoke the *Complaint Handling Policy* and to adopt the revised *Complaint Handling Policy* at Appendix 3.
4. With an effective date of 4 March 2025, to revoke the *Council Members Allowance and Support Policy* and to adopt the revised *Council Member Allowance and Support Policy* at Appendix 4.
5. With an effective date of 4 March 2025, to revoke the *Council Member Training and Development Policy* and to adopt the revised *Council Member Training and Development Policy* at Appendix 5.
6. With an effective date of 4 March 2025, to revoke the *Council Member Training and Development Approval Form* and to adopt the revised *Council Member Training and Development Approval Form* at Appendix 5.
7. With an effective date of 4 March 2025, to revoke the *Caretaker Policy* and to adopt the revised *Caretaker Policy* at Appendix 6.
8. With an effective date of 4 March 2025, to revoke the *Internal Review of Council Decision Policy* and to adopt the revised *Internal Review of Council Decision Policy* at Appendix 7.

9. With an effective date of 4 March 2025, to revoke the *Internal Audit Policy* and to adopt the revised *Internal Audit Policy* at Appendix 8.
 10. With an effective date of 4 March 2025, to revoke the *Behavioural Management Policy* and to adopt the revised *Behavioural Management Policy* at Appendix 9.
 11. With an effective date of 4 March 2025, to revoke the *Advisory Group Operation Conduct Policy* and to adopt the revised *Advisory Group Operation Conduct Policy* at Appendix 10.
 12. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the above policies.
-

1. BACKGROUND

On 26 November 2024 Council resolved as follows:

Moved Cr Chris Grant
S/- Cr Mark Osterstock

430/24

Council resolves:

1. To note that it has received and noted the Final Investigation Report, legal advice and presentation, in Item 19.1.
2. To note that it has adopted the findings that the Mayor breached the following clauses of the Behavioural Standards for Council Members:
 - a) 1.1 Show commitment and discharge duties conscientiously.
 - b) 1.4 Act in a reasonable, just, respectful and non-discriminatory way.
 - c) 2.2 Take all reasonable steps to provide accurate information to the community and the Council.
 - d) 2.3 Take all reasonable steps to ensure that the community and the Council are not knowingly misled.
 - e) 2.5 Act in a manner consistent with their roles, as defined in section 59 of the Act.
 - f) 3.1 Establish and maintain relationships of respect, trust, collaboration, and cooperation with all Council members.
 - g) 4.1 Establish and maintain relationships of respect, trust, collaboration, and cooperation with all Council employees.
 - h) 4.2 Not bully Council employees.
3. That the Mayor's series of inappropriate behaviour and conduct and the findings of multiple breaches warrant the making of the following determinations pursuant to section 262C of the *Local Government Act 1999*:
 - a) That Council formally censures the Mayor.

- b) That Council declares it has no confidence in the Mayor and her capacity to continue as Mayor of the Council for the remainder of the Council term.
- c) That Council calls on the Mayor to resign by close of business Friday, 29 November 2024.
- d) That the Mayor is required to make an unconditional (and unreserved) public apology to the Council, the CEO, and the Administration at the next ordinary meeting of Council or by 10 December 2024 expressly apologising for the breaches identified in the Final Investigation Report, including explicitly her non-compliance with the Mayor Seeking Legal Advice Policy, and in a form approved by the Deputy Mayor.
- e) That the Mayor is required to make a private written apology to the identified victim or victims of bullying in a form approved by the Deputy Mayor by the 10 December 2024.
- f) That the Mayor is required to attend a program of training and education (organised by the Administration) directed towards:
 - i. re-building the working relationship between the Mayor, elected members, the CEO and the Administration,
 - ii. workplace bullying and harassment,
 - iii. conflict of interest and the roles and responsibilities of elected members with such training and educationto be completed before 31 March 2025.
- g) That the Mayor provide written confirmation to the Deputy Mayor by 10 December 2024 that she will attend the training outlined in part 3(f) of the resolution.
- h) That any and all functions, duties, responsibilities and roles (inclusive of any representative role) given to the Mayor under any Council policy, resolution, direction or convention be revoked. That the functions, duties, responsibilities and roles be undertaken by the Deputy Mayor, or other councillor nominated by the Deputy Mayor, with effect from the date of this resolution until the end of the Council term.
- i) That the Mayor be removed from any section 41 Council committee that the Mayor has been appointed to by Council for the balance of the Council term.
- j) That Council requests that the Mayor repay Council for the costs of the investigation and report into this behavioural matter as soon as possible, but in any event by 31 January 2025.

- k) That the Mayor's access to the Council building is restricted to only those parts which are necessary for her to access to undertake her roles and responsibilities.
- l) That Council instructs the Administration to write to:
 - i. the CEO, Office of Local Government,
 - ii. the CEO, Department of Premier and Cabinet,
 - iii. the CEO, Local Government Association,
 - iv. Josh Teague, Member for Heysen,
 - v. Dan Cregan, Member for Kavel,
 - vi. Ashton Hurn, Member for Schubert, and
 - vii. Rebekha Sharkie, Member for Mayo,informing them of Councils' resolution. The correspondence should request that all future official correspondence be directed to the CEO and Deputy Mayor.
- m) that any invitation, request or other communication received by the Mayor, as a result of her position as Mayor, from the Federal Government or any State Government body, or any community group, local government or any other organisation, be immediately forwarded to the CEO and the Deputy Mayor for attendance or action.
- n) that any requests from the media for interview or comment that are directed to the Mayor on any matter, that are received as a result of her position as Mayor, be immediately forwarded to the CEO and the Deputy Mayor for attendance or action.
- o) That the Deputy Mayor, with the support of Council Administration (Director Corporate Services and/or delegate) as required:
 - a) inform the Mayor of Council's decisions as soon as possible but otherwise before close of business Wednesday 27 November 2024.
 - b) report back to Council on the Mayor's response (if any) to parts 3(c),(e), (g) and (j) and otherwise any non-compliance by the Mayor with Council's determinations.
 - c) report to Council (as necessary) on any other matters arising and requiring Council consideration and/or decision as a result of the actions determined by Council including but not limited to the removal of the Mayor and substitution of the Deputy Mayor in all policy, resolution, direction or convention.
- 5. Council notes and endorses the Mayor's office having been moved from the Stirling Administration Office Area to the Coventry Library.

Carried

Deputy Mayor Selwood did not use her casting vote

In line with the above resolution, particularly part 3(h) and part 4(c), the administration has undertaken a comprehensive review of its policies as they relate to the Mayor. The findings of the review are provided at **Appendix 1**.

Where appropriate, references to the Mayor have been replaced by the Deputy Mayor and in some instances, additional clauses have been drafted to ensure the policy is compliant with resolution 430/24. Consequential changes have also been made. To easily identify the proposed changes to each policy, amendments are in track changes and the policies are provided at **Appendices 2-10**.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

Goal Organisation

Objective O2 Operate with integrity using best practice governance processes.

Priority O2.3 Enhance governance structures and systems to be agile and support our legislative obligations.

The review of policies, so much as they relate to the Mayor, aligns with the Strategic Plan 2024 - *Your place, your space*, particularly supporting the goal of fostering an effective and transparent organisation. The review directly contributes to Objective O2 by promoting integrity and ensuring governance processes are clear, consistent, and aligned with best practices. The review demonstrates Council's commitment to accountability, clarity, and robust governance.

➤ Legal Implications

There are no identified legal implications arising from the proposed amendments. The revised policies have been reviewed to ensure alignment with the *Local Government Act 1999*, and no provisions have been identified that would contravene legislative requirements.

➤ Risk Management Implications

The review of policies, in so much as they relate to the Mayor, will assist to mitigate the risk of:

Poor governance practices leading to a loss of stakeholder confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (SC)	Low (3E)	Low

➤ Financial and Resource Implications

Not applicable.

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

Not applicable.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not applicable.

Council Workshops: Not applicable.

Advisory Groups: Not applicable.

External Agencies: Not applicable.

Community: Not applicable.

➤ **Additional Analysis**

A comprehensive review of all Council policies has revealed a number of policies that contain specific references to the Mayor, as provided for at **Appendix 1**. Without amendment, these policies would contravene resolution 430/24. To ensure compliance, amendments have been made and where appropriate, references to the Mayor have been replaced by the Deputy Mayor.

For some policies, such as the *Council Members Allowance and Support Policy* at **Appendix 4**, additional clauses have been drafted to account for the additional functions given to the Deputy Mayor (draft clause 11.6 is below).

11.6 In accordance with Council Resolution 430/24 on 26 November 2024, all functions, duties, responsibilities, and roles previously assigned to the Mayor have been transferred to the

Deputy Mayor. Consequently, the following additional facilities and support will be provided to the Deputy Mayor:

- (a) Council will supply and maintain a motor vehicle for Council business use by the Deputy Mayor;
- (b) Desk and meeting facilities when required;
- (c) provision of media and communications support; and
- (d) access to administrative officer services.

This provision ensures the Deputy Mayor has the necessary resources to fulfill the transferred responsibilities. However, it does not entitle the Deputy Mayor to any additional remuneration beyond the standard Deputy Mayor allowance, as determined by the Remuneration Tribunal.

None of the proposed amendments in any policy contravene the legislative requirements under the *Local Government Act 1999*.

Copies of each amended policy, with changes highlighted in track changes, are provided at **Appendices 2-10**.

3. OPTIONS

Council has the following options:

- I. Receive and note the report and adopt the proposed amendments to all policies listed in Appendices 2-10 (Recommended).
- II. Receive and note the report and seek to propose further amendments to some or all policies listed in Appendices 2-10 (Not Recommended).
- III. Receive and note the report and seek to not amend any of the policies listed in Appendices 2-10 (Not Recommended).

Should the Council identify the need to further amend some or all policies, the administration will propose draft amendments for Council’s consideration and endorsement at the next available Ordinary Council meeting.

4. APPENDICES

- (1) Summary table of policies with provisions referencing the Mayor.
- (2) Code of Practice for Access to Council Policy
- (3) Complaint Handling Policy
- (4) Council Members Allowance and Support Policy
- (5) Council Member Training and Development Policy
- (6) Caretaker Policy
- (7) Internal Review of Council Decision Policy
- (8) Internal Audit Policy
- (9) Behavioural Management Policy
- (10) Advisory Group Operation Conduct Policy

Appendix 1

*Summary table of policies with provisions referencing
the Mayor*

Policy name	Relevant section	Relevant reference
Behavioural Management Policy	Section 4	The complaint management process
	4.1	<i>The Mayor (or another person) may play a role in facilitating a resolution to a dispute.</i>
	4.4	<i>Alternatively, a person may raise their concern with the Mayor on an informal basis. If the concerns relate to or involve the Mayor the person may raise the matter with the Deputy Mayor (if appointed) or other council member appointed by the Council as the person responsible for managing complaints under this Policy. If the Mayor or person responsible for managing the complaint considers that access to resources to support impacted parties and facilitate early resolution of the matter should be provided, the Mayor or person responsible for managing the complaint will request the CEO to facilitate access to relevant resources. The CEO will not refuse any reasonable request for resources made in accordance with this Policy.</i>
	Section 5	Responsibilities
Section 5	<p><i>The Mayor, Deputy Mayor (if appointed) or other council member appointed by the council as the person responsible for managing complaints is responsible under this Policy to:</i></p> <ul style="list-style-type: none"> <i>• Perform the tasks bestowed upon the person responsible for dealing with a complaint pursuant to this Policy</i> <i>• In consultation with the CEO, facilitate access to resources to support impacted parties and resolve the concerns raised in a timely manner prior to the matter becoming serious, or escalating to a formal complaint.</i> <i>• In consultation with the CEO, engage external resources to assist with investigation and resolution of matters.</i> 	
Council Member Allowances and Support Policy	Section 4	Policy statement
	4.1 (f)	<i>This Policy is underpinned by the following principles: (f) That the fees paid, civic expenses reimbursed and facilities and support provided to the Mayor, Deputy Mayor and Councillors are appropriate to the importance of the Office and are consistently applied and transparent.</i>
	Section 6	Allowances
	6.10	<i>6.10 In accordance with Supplementary Determination No 5. of 2022, a deputy mayor who undertakes the duties of a mayor for a period of one month or longer, is entitled to receive the mayor allowance for the entirety of the time they undertake those duties; and</i>
Section 11	Facilities and support	

	11.5	<i>In addition to the above, Council has resolved to make available to the Principal Member (and to any acting Principal Member appointed during the Principal Member's absence) the following additional facilities and support to assist them in performing and discharging their official functions and duties: (a) Council will supply and maintain a motor vehicle for Council business use by the Mayor; (b) a Mayoral Office accessible 24/7 providing desk and meeting facilities;</i>
	Section 15	Dispute resolution/appeal process
	15.1	<i>In the event that a Council Member disputes a payment, a panel consisting of the Mayor, Deputy Mayor (in circumstances where the mayor or Deputy Mayor is the complainant, they will not form part of the panel) and Chief Executive Officer will make a final determination on the reimbursement of expenses for official duties. Decisions of this panel, which must be by consensus, shall be final.</i>
Council Member Training and Development Policy	Section 7:	Attendance at individual training and development
	7.3	All applications shall be forwarded to the Mayor for approval or in the case of the Mayor being the attendee, authority for approval will pass to the Deputy Mayor in consultation with the CEO. Once approved, the application is forwarded to the CEO in reasonable time to meet the training or development registration deadline.
	7.5	Refusal of an application (by the Mayor or Deputy Mayor) will be reported to Council.
	Section 8:	Representing Council in an official capacity
	8.1	The Mayor, or the Deputy in the Mayor's absence, is the principal spokesperson, and is the default representative of Council in an official capacity (e.g. National General Assembly, LGA meetings and the like, including intrastate, interstate or overseas)
	8.2	There may be situations in which the Mayor and Deputy Mayor are not able to attend official functions and the Council may authorise, by resolution, a Council Member to represent Council in an official capacity.
	8.3	Where projected costs of attendance do not exceed \$1,500, the approval of costs will be considered by the Mayor, or in the case of the Mayor being the attendee, authority for approval will pass to the Deputy Mayor in consultation with the CEO.
	Section 10	Payments/reimbursements
	10.1	Where approval has been granted by Council or the Mayor for attendance at training and development, the Council Member may seek reimbursement of expenses in accordance with the Council Member Allowances and Benefits Policy, which should be read in conjunction with this policy.

	10.5	Reimbursement will not be made for any costs incurred prior to approval of training or development by the Mayor or Council.
Mayor Seeking Legal Advice Policy	N/A	N/A (addressed through a separate agenda paper)
Code of Practice for Council Meeting Procedures Policy	N/A	N/A (addressed through a separate agenda paper)
Advisory Group Operation and Conduct Policy	Section 6	Role and functions
	6.5	Given that Advisory Groups provide advice to their Executive Officer, it is appropriate that only the Mayor, Council's CEO and where delegated, the Executive Officer, be the media spokespersons on behalf of the Group.
	Section 7	Membership
	7.2	The Mayor is an ex-officio member of all advisory groups.
	Section 16	Conduct of advisory group members
	16.5	The determination as to whether a Member's conduct constitutes grounds for removal from office will be made by a Reference Panel comprising the Mayor, Chief Executive Officer (or delegate) and the Executive Officer.
Caretaker Policy	Section 7	Significant decisions
	7.8	The determination as to whether any policy decision is major or any other decision is significant will be made by the Chief Executive Officer, after consultation with the Mayor.
	Section 13	Handling code of conduct complaints during an election period
	13.2	The Chief Executive Officer, upon receiving a complaint against a Council Member, who is also a candidate for re-election about conduct relating to the Council's Council Member Conduct Policy, will assume the responsibilities allocated to the Mayor in the Code of Conduct Complaint Handling Procedure under the Council Member Conduct Policy.
Internal Audit Policy	Section 4	Policy principles
	4.2.5	The EMGP has direct access to the Mayor, the Presiding Member of the Audit Committee and the CEO. Periodic 'in camera' meetings may be held between the EMGR and the Audit Committee.

Code of Practice for Access to Council and Council Committee Meetings and Documents	Section 4	Public access to the agenda for council and council committee meetings
	4.7	Where the CEO (after consultation with the principal member , or in the case of a Committee - the presiding member) believes that a document or report on a particular matter should be considered in confidence with the public to be excluded, the basis under which the order could be made in accordance with section 90(3) of the Act will be specified. [see sections 83(5) (Council) and 87(10) (Committee) of the Act.]
Complaint Handling Policy	Section 4	Employee code of conduct complaints
	4.5	In the case of a complaint against the Chief Executive Officer, a complaint must be given to the Principal Member of the Council (Mayor) , except in circumstances where it would be inappropriate to do so (such as where legislation requires the matter to which the complaint relates to remain confidential). In such circumstances the matter should be dealt with in accordance with the legislative requirements.
Internal Review of Council Decisions Policy	Section 7	Procedure
	7.1	<p>Making an application</p> <p>The review of a Council decision commences at the point where a formal request for a review of a Council decision is received. Council staff can help an applicant determine whether to make a request under this Policy or other statutory review processes applicable to the matter at hand, but it remains a matter for the applicant to determine.</p> <ul style="list-style-type: none"> • A formal request for a review of a decision must: <ul style="list-style-type: none"> - Be in writing, ideally using the Internal Review of Council Decisions Application available on Council’s website - Be accompanied by the prescribed application fee (see below) - Be addressed to the CEO (or in the case where the matter is about a decision made by the CEO, the matter will be referred to the Mayor for consideration by the elected Council and this Policy be read accordingly) - Provide full details of the decision for which the applicant is seeking a review (including how the decision impacts on their rights and/or interests) and set out clearly and succinctly the reasons for applying for the review - Be lodged within six (6) months of the original decision being made (with discretion provided to the CEO to allow a longer time limit to apply in particular cases. This will be assessed on a case-by-case basis).

Appendix 2


Code of Practice for Access to Council Policy

Council Policy

Code of Practice for Access to Council,
Council Committee and Information or
Briefing Session Meetings & Documents



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<p>CODE OF PRACTICE FOR ACCESS TO COUNCIL, COUNCIL COMMITTEE AND INFORMATION OR BRIEFING SESSION MEETINGS & DOCUMENTS</p>
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<p>Policy Number:</p>	<p>GOV-17</p>
<p>Responsible Department(s):</p>	<p>Governance & Performance</p>
<p>Relevant Delegations:</p>	<p>As per the delegations schedule and as included in this Code</p>
<p>Other Relevant Policies:</p>	<p><i>Code of Practice for Meeting Procedures</i> <i>Behavioural Management Policy</i> <i>Council Member Conduct Policy</i> <i>Information or Briefing Sessions Policy</i> <i>Advisory Group Operation and Conduct Policy</i></p>
<p>Relevant Procedure(s):</p>	<p>None</p>
<p>Relevant Legislation:</p>	<p><i>Local Government Act 1999</i> <i>Local Government (General) Regulations 2013</i></p>
<p>Policies and Procedures Superseded by this policy on its Adoption:</p>	<p><i>Code of Practice for Access to Council, Council Committee and Designated Informal Gatherings Meetings & Documents - 14 November 2017, Item 5.2, 264/17</i></p>
<p>Adoption Authority:</p>	<p>Council</p>
<p>Date of Adoption:</p>	<p>23 April 2019</p>
<p>Effective From:</p>	<p>21 June 2022</p>
<p>Minute Reference for Adoption:</p>	<p>23 April 2019, Item 12.7, 75/19</p>
<p>Next Review:</p>	<p>No later than November 2023 or as required by legislation or changed circumstances</p>

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	23/4/2019	Code adopted	Council – Res75/19
1.1	21/4/2020	Amendments to provide consistency with <i>Electronic Participation in Council Meetings Notice (No 1) 2020</i>	Council – 63/20
1.2	22/9/2020	Amendments to provide for the broadcasting of Council meetings	Council – 198/20
1.3	9/11/2021	Consequential amendments from adoption of Information or Briefing Sessions Policy	Council – Res 226/21
1.4	26/11/2021	Updated legislative references relating to publication of Electronic Participation in Council Meetings Notice (No 5) 2021	N/A
1.5	21/6/22	Provisions relating to Notice No 5 (electronic participation) removed following 28 day elapsed period after Public Health Emergency Declaration cessation	N/A
<u>1.6</u>	<u>25/2/25</u>	<u>Replacement of “Mayor” with “Deputy Mayor” in clause 4.7, as per the requirements of resolution 430/24.</u>	

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CODE OF PRACTICE FOR ACCESS TO COUNCIL, COUNCIL COMMITTEE AND INFORMATION OR BRIEFING SESSION MEETINGS & DOCUMENTS

1. INTRODUCTION

1.1. This Code sets out the commitment of Council to provide public access to Council, Council Committee and Information or Briefing Session meetings and Council and Council Committee documents and outlines the policies and procedures contained within the Act, to restrict public access. The Code includes:

- information on the relevant provisions of the Act;
- Council's policy on public access and participation;
- the process that will be adopted where public access to a meeting or a document is restricted;
- grievance procedures to be followed if a member of the public believes that the Council has unreasonably restricted public access on a particular matter.

1.2. This Code sets out the policy of Council for access to meetings and documents and includes information relating to:

- access to the agenda for meetings;
- public access to meetings;
- livestreaming/broadcasting of meetings;
- the process to exclude the public from meetings;
- matters for which the Council, a Council Committee, or an Information or Briefing Session can order that the public be excluded;
- how the Council will approach the use of the confidentiality provisions in the Act;
- public access to documents, including minutes;
- review of confidentiality orders;
- accountability and reporting to the community, and the availability of the code; and
- grievances about the use of the code by Council.

1.3. On 15 September 2020, Council resolved (198/20) to commence broadcasting the proceedings of Council meetings.

2. STATEMENT OF PRINCIPLE

2.1. In fulfilling the role of an effective council that is responsive to the needs of the community and which operates within the legal framework prescribed by the Act, the Adelaide Hills Council (Council) is fully committed to the principle of open and accountable government.

2.2. However, Council also recognises that on a limited number of occasions it may be necessary, in the public interest, to restrict public access to discussion/decisions and/or documents.

3. OBJECTIVES

3.1. The objectives of the *Code of Practice for Access to Council and Council Committee¹ and Information or Briefing Session² Meetings & Documents* (Code) are:

- Clearly outline to the community for what purpose and on what basis Council may apply the provisions of the Act to restrict public access to meetings or documents;
- Provide information on Council's code of practice to the community; and
- Summarise the legal position relating to public access to Council and Council Committee and Information or Briefing Session meetings and documents.

4. PUBLIC ACCESS TO THE AGENDA FOR COUNCIL AND COUNCIL COMMITTEE MEETINGS

4.1. At least three (3) clear days³ before the Council or Council Committee meeting (unless it is a special meeting⁴) the Chief Executive Officer (CEO) must give written notice of the meeting to all Council/Committee Members setting out the date, time and place of the meeting. . Where possible, the CEO will endeavour to have notices available in advance of the above timeframe.

4.2. The notice of meeting and agenda will be publically displayed at the principal office of council and the notice and agenda will be published on the Council's website www.ahc.sa.gov.au.

4.3. Items listed on the agenda will be described accurately and in reasonable detail.

4.4. The notice and agenda will be kept on public display and continue to be published on the website until the completion of the relevant Council or Council Committee meeting.

4.5. The electronic and/or paper copies of the agenda documents and non-confidential reports that are to be considered at the meeting will be made available to members of the public both prior to and at the meeting.

4.6. Members of the public may obtain a paper copy of the agenda and any particular reports for a fee to cover the costs of photocopying, in accordance with a Council's schedule of fees and charges.

4.7. Where the CEO ~~(after consultation with the principal member, or in the case of a Committee – the presiding member)~~ believes that a document or report on a particular matter should be considered in confidence with the public to be excluded, the basis under which the order could be made in accordance with section 90(3) of the Act will be specified. [see sections 83(5) (Council) and 87(10) (Committee) of the Act.]

¹ Council Committee means a committee established under Section 41 of the Act. For clarity it does not include the Council Assessment Panel created under Sections 82 & 83 of the *Planning Development and Infrastructure Act 2016*.

² Information or briefing session is a session to which more than one (1) member of the council or a council committee is invited by the council or the chief executive officer (CEO) of the council to attend or be involved in for the purpose of providing information or a briefing to attendees [Section 90A(1)]

³ 'clear days' means that the time between the giving of the notice and the day of the meeting, but excluding both the day on which the notice was given and the day of the meeting, e.g. notice is given on a Thursday for a following Monday meeting, the clear days are Friday, Saturday and Sunday.

⁴ Special meetings under s83(2) of the Act require at least four (4) hours' notice.

- 4.8. The above provisions apply to Council, Council Committees that have as part of their responsibility some regulatory activities and those other committees to which Council has determined these procedures will apply⁵. Where a Council Committee is not performing a regulatory activity these procedures may be varied, e.g. notice may be given in a form decided by the committee, and need not be given for each meeting separately. Public notice may be given at a place determined by the CEO taking into account the nature and purpose of the Committee.

5. PUBLIC ACCESS TO THE AGENDA FOR INFORMATION OR BRIEFING SESSIONS⁶

- 5.1. A council or the CEO must comply with the requirements of regulations relating to the publication of prescribed information relating to the Information or Briefing Session [s90A(7)]. The current provisions are:
- 5.2.
- the place, date and time;
 - the matter discussed;
 - whether or not the session was open to the public.
- 5.3. Council has determined that, where reasonably practicable, the details relating to the following Information or Briefing Sessions will be published prior to the session to inform interested members of the public:
- Workshops;
 - Professional Development [where the provisions of clause Section 90A(3) apply]; and
 - Advisory or Working Group meetings [where the provisions of Section 90A(3)] apply.
- 5.4. Agenda documents will be published on the website.
- 5.5. Where a confidential informal discussion declaration applies to an Information or Briefing Session (see clause 9), the reason for the Information or Briefing Session being held entirely or partially in confidence will be published on the Council's website.

6. PUBLIC ACCESS TO MEETINGS

- 6.1. Council, Council Committee and Information or Briefing Session meetings are open to the public and attendance is encouraged, except where the Council, the Council Committee or, in the case of an Information or Briefing Session, the Council or CEO, believes it is necessary in the public interest to exclude the public from the discussion (and, if necessary, decision⁷) of a particular matter.
- 6.2. The public will only be excluded when considered proper and necessary (i.e. the need for confidentiality outweighs the principle of open decision-making). The following is an example:

⁵ Council's *Code of Practice for Meeting Procedures* sets out the Council Committees to which clause 5 applies.

⁶ Further details of the provisions applying to Information or Briefing Sessions, are contained in Council's *Information or Briefing Sessions Policy* available at ahc.sa.gov.au

⁷ Information or Briefing Sessions do not make decisions on any matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council Committee

Council is intending to bid at an auction to acquire land and would not want others involved, such as the vendor to have prior knowledge of what Council was setting as an upper limit to bid at the auction, as to do so would prejudice the position of Council and disadvantage the community.

- 6.3. Council encourages public attendance at meetings of the Council, Committees and Information or Briefing Sessions through public notification of meetings in the Council, Committee and Information or Briefing Sessions Schedule, located on Council's website.
- 6.4. Council has adopted the *Information or Briefing Sessions Policy* which provides information on the manner in which the provisions in Section 90A relating to information or briefing sessions will be managed.
- 6.5. When Council is meeting in person (i.e. in the Council Chamber) the meeting proceedings will be live streamed on a social media channel determined by the CEO. Details of the broadcast will be on the Council's website.
- 6.6. Council's position is that Workshop or Professional Development Information or Briefing Sessions that are required to be open to the public under s90A(3) will be live streamed unless the confidentiality provisions of s90(3) and (4) apply.

7. PROCESS TO EXCLUDE THE PUBLIC FROM A COUNCIL OR COUNCIL COMMITTEE MEETING

- 7.1. Before a Council or Council Committee meeting orders that the public be excluded to enable the receipt, discussion and consideration of a particular matter, the meeting must, in public, formally determine if this is necessary and appropriate, and then pass a resolution to exclude the public while dealing with that particular matter.
- 7.2. If this occurs then the public must leave the room. This means that all members of the public (including staff), unless exempted by being named in the resolution as entitled to remain, are required to leave the room. For the operation of section 90(2) a member of the public does not include a Member of the Council /Committee. The live streaming of a Council meeting will be ceased for the period that the meeting is closed to the public pursuant to an order made under section 90(2).
- 7.3. Once Council or a Council Committee has made the order, it is an offence for a person, who knowing that an order is in force, enters or remains in a room in which such a meeting is being held. It is lawful for an employee of Council or a member of the police to use reasonable force to remove the person from the room if he or she fails to leave on request.
- 7.4. Once discussion on that particular matter is concluded, the public are then permitted to re-enter or reconnect to the meeting and the broadcasting, if applicable, will recommence. If there is a further matter that needs to be considered in confidence it is necessary to again undertake the formal determination process and to resolve to exclude the public as above.

- 7.5. Please note that the Council, or the Council Committee, can by inclusion within the resolution permit a particular person or persons to remain in the meeting. An example would be allowing a ratepayer who is suffering personal hardship to remain in the meeting when their circumstances concerning the payment of rates are being discussed.
- 7.6. Council's practice is that, for the convenience of the public present at a meeting, where it is resolved to consider a matter in confidence, that the matter (unless there are pressing reasons as to why it should be debated at that point of the meeting) may be deferred until all other business has been dealt with. This is the preferred option of Council rather than asking the public to leave the room and wait for however long it takes until the matter is concluded and then invite them back to the meeting room with the possibility of the same process being repeated for a subsequent matter.

8. PROCESS TO EXCLUDE THE PUBLIC FROM AN INFORMATION OR BRIEFING SESSION⁸

- 8.1. The Council or CEO may, on a case-by-case basis, declare an information or briefing session [to which Section 90A(3) applies] discussion to be a 'confidential discussion' where the information or briefing session is a briefing session relating to information or a matter of a confidential nature within the ambit of section 90(3) of the Local Government Act [see clause 9 below for the provisions of s90(3)].
- 8.2. If an information or briefing session [to which Section 90A(3) applies] has been declared to be a 'confidential discussion', then the information or briefing session may be attended by Council/Committee Members, the CEO and any other person invited to attend by the Council or the CEO.
- 8.3. If a confidential declaration has been made in respect of only some of the matters to be discussed at an information or briefing session, then these confidential matters will normally be scheduled to be discussed at the end of the agenda for the information or briefing session. The information or briefing session will be open to the public until immediately prior to the discussion on confidential matters commencing and post the discussion, as applicable.

9. MATTERS FROM WHICH THE PUBLIC CAN BE EXCLUDED

- 9.1. In accordance with the requirements of section 90(3) of the Act, Council, or a Council Committee or an Information or Briefing Session [to which Section 90A(3) applies], may order that the public be excluded in the following circumstances:
 - (a) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*
 - (b) *information the disclosure of which—*

⁸ Further details of the provisions applying to Information or Briefing Sessions, are contained in Council's *Information or Briefing Sessions Policy* available at ahc.sa.gov.au

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- (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;*
 - (c) *information the disclosure of which would reveal a trade secret;*
 - (d) *commercial information of a confidential nature (not being a trade secret) the disclosure of which—*
 - (i) *could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
 - (ii) *would, on balance, be contrary to the public interest;*
 - (e) *matters affecting the security of the Council, members or employees of the Council, or Council property, or the safety of any person;*
 - (f) *information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;*
 - (g) *matters that must be considered in confidence in order to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;*
 - (h) *legal advice;*
 - (i) *information relating to actual litigation, or litigation that the Council or Council committee believes on reasonable grounds will take place, involving the Council or an employee of the Council;*
 - (j) *information the disclosure of which—*
 - (i) *would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and*
 - (ii) *would, on balance, be contrary to the public interest;*
 - (k) *tenders for the supply of goods, the provision of services or the carrying out of works;*
 - (l) *information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act; or*
 - (m) *information relating to a proposal to prepare or amend a designated instrument under Part 5 Division 2 of the Planning, Development and Infrastructure Act 2016 before the draft instrument or amendment is released for public consultation under that Act;*

(n) *information relevant to the review of a determination of a Council under the Freedom of Information Act 1991;*

(o) *information relating to a proposed award recipient before the presentation of the award.*

9.2. The Act provides for a definition of “personal affairs”, being a person’s financial affairs, criminal records, marital or other personal relationships, personal qualities, attributes or health status, or that person’s employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person, but does not include the personal affairs of a body corporate.

9.3. In some sections under section 90(3) of the Act a public interest balancing test must be satisfied for the ground of exclusion to apply. The “*public interest balancing test*” applies to sections:

- 90(3)(b)(ii) – ‘commercial advantage’;
- 90(3)(d)(ii) – ‘commercial information’; and
- 90(3)(j)(ii) – ‘information provided on a confidential basis’.

This test requires that public interest reasons for closing a meeting to the public must outweigh the general requirements for meetings to be held in public. This requirement to satisfy a public interest test is mirrored in certain provisions of the *Freedom of Information Act 1999 (SA)* (“the FOI Act”).

9.4. In considering whether an order should be made under section 90(2), it is irrelevant that discussion of a matter in public may [s.90(4)]:

- cause embarrassment to the Council or Committee concerned, or to members or employees of the Council; or
- cause a loss of confidence in the Council or Committee; or
- involve discussion of a matter that is controversial within the council area; or
- make the council susceptible to adverse criticism.

9.5. If a decision to exclude the public is taken, the Council, the Council Committee or an Information or Briefing Session [to which Section 90A(3) applies] is required to make a note in the minutes of the making of the order and the grounds on which it was made. Sufficient detail of the grounds on which the order was made will be included in the minutes.

10. USE OF THE CONFIDENTIALITY PROVISIONS

10.1. Any consideration of the use of the confidentiality provisions to exclude the public from the discussion of a particular matter at a meeting will require the identification of one or more of the grounds listed within section 90(3) of the Act and the factual reasons for the relevance and application of the ground(s) in the circumstances. These are listed in paragraph 9.1 of this Code.

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- 10.2. In relation to Council and Council Committee meetings, Council's policy approach is as follows:
- 10.2.1. The principle of open and accountable government is strongly supported;
 - 10.2.2. Information of the grounds on which an order to exclude the public is made will be conveyed to the public at the time of them being ordered to leave the meeting – the public will not be excluded until after a confidentiality motion has been debated and passed and sufficient reasons for the need to exclude the public given;
 - 10.2.3. Once discussion of the matter is concluded, the meeting will then consider if it is necessary to make an order that a document associated with this agenda item (including minutes) remain confidential. In determining this, the meeting will have regard to the provisions of section 91 and in particular section 91(8) which details when a Council or Committee must not order that a document remain confidential;
 - 10.2.4. If the meeting determines that it is proper and necessary to keep a document confidential, then a resolution for an order to this effect is required to be resolved by the meeting in accordance with section 91(7) of the Act. When making an order the meeting must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. ;
 - 10.2.5. Once discussion of the matter is concluded and the public have returned, the decision of the meeting in relation to this matter will be made publicly known unless the Council or Committee has resolved to order that some information remain confidential. Details relating to any order to keep information or a document confidential in accordance with section 91(7) are also to be made known.
 - 10.2.6. In all cases the objective is that the information be made publicly available at the earliest possible opportunity and that the community is informed of any Council or Committee order and the associated implications; and
 - 10.2.7. Where a person provides information to the Council or Committee and requests that it be kept confidential, Council or Committee is not able to even consider this request unless the matter is one that falls within section 90(3). If this is the case, Council or Committee will then be in a position to consider the request on its merits.
- 10.3. There is no legal requirement to resolve to “come out of confidence” or to go back into “public session”. The public may and should be invited to re-enter the meeting when consideration of the relevant Agenda Item has concluded. The public are also entitled to be present for the debate on whether any subsequent item should be considered in confidence.
- 10.4. The Council or Committee will not consider a number of agenda items “in confidence” together (i.e. en bloc). It will determine each item separately and consider the exemptions relevant to each item.

11. EXAMPLE CONFIDENTIALITY PROVISIONS

- 11.1. The Council will record in the minutes of any Council or Council Committee meetings the making of an order in accordance with sections 90(2) and (3) and section 91(7) as follows:

Example: If Council were considering the terms for a waste resources contract.

A Section 90(3)(b) order would be made before Council went into confidence such as:

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except Joe Bloggs, CEO of ABC Council and Ivana Citizen, lawyer, XYZ Lawyers, be excluded from attendance at the meeting for Agenda Item 10.1 (Terms of Waste Resources Contract).

The Council is satisfied that, pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is proposing to conduct business, and the information would prejudice the commercial position of the Council, in that the Council is currently engaged in a post tender negotiation with a preferred tenderer to finalise the terms and conditions of engagement for this service – the information to be considered in relation to this Agenda Item include detailed costings for in-house provision of waste resources services and other specific financial information, the disclosure of which would prejudice the Council's commercial position during the current ongoing negotiations.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may severely prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

If the Council resolved for the report containing the commercial information to remain in confidence, a Section 91(7) would be made at the conclusion of considering the item, such as:

That having considered Agenda Item 10.1 (Terms of Waste Resources Contract) in confidence under section 90(2) and (3)(b) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the Tender documents and related Council reports and all minutes be retained in confidence for a period of 2 years, or until a contract has been signed.

12. REVIEW OF CONFIDENTIALITY ORDERS

- 12.1. A confidentiality order made under section 91(7) of the Act must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed.
- 12.2. An order will lapse if the time or event specified has been reached or carried out. There is no need for the Council to resolve for the confidential order to be lifted. Once the order has lapsed, the minutes and/or documents automatically become public.

Orders that exceed 12 months must be reviewed annually and the Council must assess whether the grounds for non-disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential.
- 12.3. The conduct of the annual review can be delegated to the Chief Executive Office and sub-delegated to an employee of the Council if appropriate.
- 12.4. If there are any items that require a fresh confidentiality order because the original order is about to expire, then the reviewer will prepare a report to Council making recommendations with respect to each item to be retained in confidence.
- 12.5. Each item must then be addressed separately and assessed against section 90(3) and section 91(7) of the Act.
- 12.6. While a Council may delegate the power to undertake an annual review, the Council cannot delegate the power to apply sections 90(3) and 91(7) of the Act.
- 12.7. A Council may resolve to exclude the public from a meeting to discuss and undertake consideration of the recommendations arising from the annual review in confidence, subject to the application of the relevant ground under section 90(3) of the Act. Section 90(3) of the Act must be applied separately to each item and not en bloc.
- 12.8. If there is no longer any need for the confidentiality order then the Council or Council Committee may delegate to an employee of the Council the power to revoke an order made in accordance with section 91(7) of the Act. The Council or Council Committee may also include in the resolution whether any delegation is given to an employee to revoke the order and if relevant, any conditions associated with the delegation.

13. PUBLIC ACCESS TO MINUTES

- 13.1. Minutes of a meeting of Council or a Council Committee will be publicly available, within 5 days after the meeting.
- 13.2. Formal minutes are not recorded at Information or Briefing Sessions. While notes may be taken at these sessions, they will not be published on the website or made available to the public unless otherwise provided for in Council policy (see clause 14 regarding Public Access to Documents).

14. PUBLIC ACCESS TO DOCUMENTS

- 14.1. Various documents can be available for inspection and purchase (for a fee) by the public. Council may also make a document available in electronic form and place it on the Internet for public access.
- 14.2. The Council or the Council Committee will only order that a document associated with a discussion from which the public are excluded is to remain confidential if it is considered proper and necessary in the broader community interest (as per the processes described above).
- 14.3. The Council or the Council Committee can only resolve to keep minutes and/or documents confidential under section 91(7) if they were considered in confidence pursuant to sections 90(2) and 90(3).
- 14.4. In accordance with section 91(8) the Council or the Council Committee must not make an order to prevent:
 - the disclosure of the remuneration or conditions of service of an employee of the Council after the remuneration or conditions have been set or determined; or
 - the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by the Council as to why a successful tenderer has been selected; or
 - the disclosure of the amount or amounts payable by the Council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the Council after the contract has been entered into by all parties to the contract; or
 - the disclosure of the identity of land that has been acquired or disposed of by the Council, or of any reasons adopted by the Council as to why land has been acquired or disposed of by the Council.
- 14.5. Where keeping a document confidential is considered proper and necessary, a resolution to this effect is required which shall include:
 - the grounds for confidentiality; and
 - the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed – if the order has a duration of more than 12 months, the order must be reviewed at least once in every year; and
 - (if applicable) whether the power to revoke the order will be delegated to an employee of the Council. [s.91(9)]
- 14.6. Requests to access Council and Council Committee documents can be made under the *Freedom of Information Act 1991*.

- 14.6.1. Freedom of Information applications should be submitted using the correct application form and be as specific as possible to enable the correct documents to be identified.
- 14.6.2. Application forms are available from at each office of the Council that is open to the public for the general administration of Council business or on the State Records website: www.archives.sa.gov.au, under Freedom of Information, Forms for FOI Process. The application form contains details of the fees payable and fee waivers available.
- 14.6.3. Freedom of Information requests should be addressed to:
Freedom of Information Officer
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

15. ACCOUNTABILITY AND REPORTING TO THE COMMUNITY

- 15.1. A report on the use of sections 90(2) and 91(7) by the Council and Council Committees must be included in the annual report of Council as required by Schedule 4 of the Act. This supports commitment to the principle of accountability to the community. The reporting should include the following information, separately identified for both Council and Council Committees:
 - Number of occasions each of the provisions of sections 90(2) and 90(3) were utilised;
 - Number of occasions each of the provisions of sections 90(2) and 90(3) and section 91(7) were utilised, expressed as a percentage of total agenda items considered;
 - An indication of any particular issues that contributed to the use of confidentiality provisions on more than one occasion (e.g. a proposal to acquire a parcel of land was considered on 3 separate occasions);
 - Number of occasions that information originally declared confidential has subsequently been made publicly available; and
 - Number of occasions that information declared confidential has not been made publicly available and the reason for this in each case.
- 15.2. The Council's Annual Report will include details of an Information or Briefing Sessions held by Council in the preceding financial year, including their purpose, the matters discussed at workshops and professional development/training sessions and whether the public were able to attend.

16. REVIEW OF THE CODE

- 16.1. Council is required to review this Code within 12 months after the conclusion of each periodic election, therefore the next mandated review is due to occur in November 2023. However, Council has the ability to review this Code at any time if considered desirable.

17. GRIEVANCE

- 17.1. Council has established procedures for the review of decisions under section 270 of the Act for:
- Council, and its Committees;
 - employees of the Council; and
 - other persons acting on behalf of the Council.
- 17.2. Should a person be aggrieved about public access to either a meeting or a document then they can lodge an application for review of that decision under the procedures established by Council. The Procedures are available in Council's *Internal Review of Council Decisions Policy* which is available at Council's Service and Community Centres or on Council's website www.ahc.sa.gov.au.

18. DELEGATION

- 18.1. The CEO has the delegation to:
- 18.1.1. Approve, amend and review any procedures that shall be consistent with this Code.
 - 18.1.2. Make any legislative, formatting, nomenclature or other minor changes to the Code during the period of its currency.

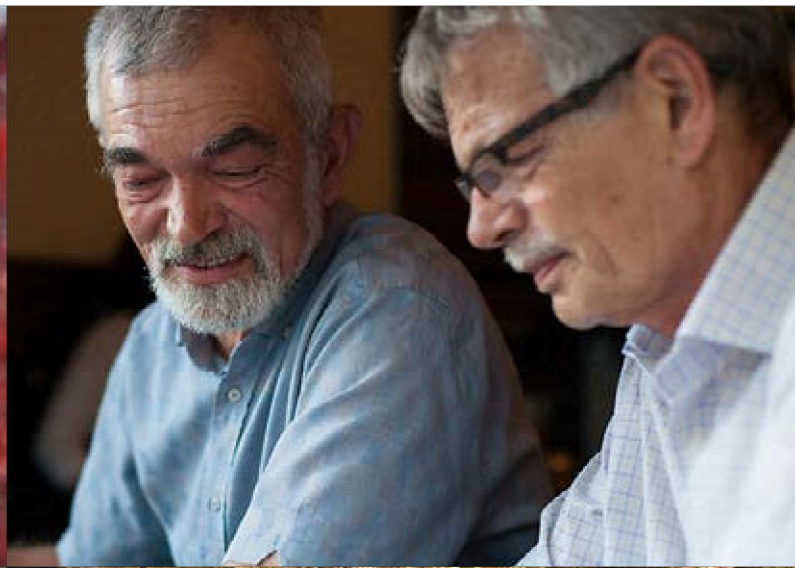
Appendix 3

Complaint Handling Policy



Council Policy

Complaint Handling



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2>COMPLAINT HANDLING</h2>
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Policy Number:	GOV-04
Responsible Department(s):	Community Capacity
Other Relevant Policies:	<i>Internal Review of Council Decisions Policy Request for Services Policy Unreasonable Complainant Conduct Policy</i>
Relevant Procedure(s):	<i>Complaint Handling Procedure Request for Service Procedure</i>
Relevant Legislation:	Local Government Act 1999, Section 270 Local Government (General) Regulations 2013, Schedule 2A
Policies and Procedures Superseded by this policy on its Adoption:	<i>Complaint Handling, 13/06/17</i>
Adoption Authority:	Council
Date of Adoption:	26 November 2019
Effective From:	9 December 2019
Minute Reference for Adoption:	Item 12.4, 281/19
Next Review:	No later than November 2023 or as required by legislation or changed circumstances

Version Control

<u>Version No.</u>	<u>Date of Effect</u>	<u>Description of Change(s)</u>	<u>Approval</u>
<u>Version control details did not exist for previous versions of this policy.</u>			
<u>1.0</u>	<u>25 February 2025</u>	<u>1. Replacement of “Mayor” with “Deputy Mayor” in clause 4.5, as per the requirements of resolution 430/24.</u> <u>2. Insertion of a cover page</u>	

COMPLAINT HANDLING POLICY

1. INTRODUCTION

- 1.1. This Policy sets out the principles and guidelines to be used when addressing complaints made about the actions of the Council, employees of the Council, or other people acting on behalf of the Council.
- 1.2. This Policy is to be read in conjunction with other relevant Council policies, especially in making the distinction between a complaint and request for a review of a Council decision.

2. OBJECTIVES

- 2.1. The objectives of this policy are:
 - To demonstrate the Council's commitment to addressing complaints in a timely, effective and fair way
 - To demonstrate the Council's commitment to using information gained from the community to improve its services and operations

3. DEFINITIONS

Complaint means an expression of dissatisfaction with a product or service delivered by the Council or its representatives that has failed to reach the standard stated, implied or expected. This includes complaints about a service that has been, or should have been delivered. A complaint may be made in any form, including verbal, written or electronic means.

A request for a **review of a decision** is distinguished from a complaint by virtue of the complainant formally requesting that the Council reconsider the decision making process and all the evidence relied on to make a decision as per the provisions of the Internal Review of Council Decisions Policy.

Feedback means those comments, which are sometimes framed as complaints, where the intent is clearly for the matter to be noted, but where there is no implied or expressed expectation of follow up, review or action.

4. POLICY STATEMENT

4.1. Principles

- 4.1.1. The Council welcomes complaints as a way of improving its services and programs as well as providing an opportunity to improve services and operations or simply to 'put things right'.
- 4.1.2. The community should be aware of, and have access to, complaint making channels and the process to lodge a complaint. The process for handling the complaint should be communicated to the complainant.

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- 4.1.3. Each complaint will be considered on its merits. Complainants will be treated fairly, with impartiality, confidentiality and transparency being applied to the extent possible.
 - 4.1.4. Complaints will be taken seriously and sufficient resourcing will be allocated to handle complaints in a professional and timely manner.
 - 4.1.5. The outcome of a complaint should be used to improve the way the Council operates.
 - 4.1.6. The manner in which a complaint is handled, and by whom, will depend on the level of complexity and seriousness of the complaint. At all times, complaints should be handled by people competent to manage the process and communicate the outcomes.
 - 4.1.7. It is not a reasonable use of the Council's, i.e. the community's resources to allocate time and money to investigating vexatious or frivolous complaints.
 - 4.1.8. Complainants should be informed of the outcome of any complaint requiring investigation.

4.2. Policy Position

- 4.2.1. Complaints will broadly be dealt with according to a three step approach, with complaints being dealt with at the first point of contact wherever possible:

Step 1 - Immediate response to resolve the complaint

Council aims to resolve complaints at the first level, the frontline. Wherever possible staff will be adequately equipped to respond to complaints at the initial point of contact.

Step 2 - Complaint escalated to a more senior officer

Where it is not possible to resolve a complaint at the initial point of contact, Council may escalate the complaint to a more senior officer. This may occur, for example, where an officer has been involved in the matter that is the subject of the complaint, where the complaint is about an issue that requires a decision to be made at a more senior level, or where a complaint concerns a matter that involves multiple departments.

Step 3 - Internal review of a Council decision

Where a complainant is dissatisfied with the outcome, they may seek an internal review as set out in the *Internal Review of Council Decisions Policy*. This is a mechanism that enables the Council to reconsider the decision making process and all the evidence relied on to make a decision, including new evidence if relevant. This process is generally a last resort in the complaint handling process, but may also be used in situations which are not able to be resolved by other means.

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- 4.2.2. No distinction will be made between the method of making the complaint, i.e. complaints will be given the same regard whether they are made remotely or in person. Complaints made through any form of media will be accepted, but depending on the seriousness and complexity of the complaint, the complainant may be requested to provide further information in a defined form.
- 4.2.3. All complaints will be recorded in an appropriate information management system in such a way that complaint information can be analysed for service improvement opportunities.
- 4.2.4. Complainants will be advised of the likely timeframe required to investigate and resolve a complaint and regularly updated as to progress where necessary.
- 4.2.5. Employees will be trained to manage complaints efficiently and effectively, and provided with a level of delegated authority appropriate for the nature of complaints they are expected to resolve.

4.2.6. Procedures

Procedures will be developed which contain guidelines on:

- Receipt of complaints
- Acknowledgment of complaints
- Initial assessment and addressing of complaints, including keeping complainants updated of any progress
- Providing reasons for decisions and options for further review available to the complainant
- Closing complaints, record keeping, redress and review

4.2.7. Remedies

Where complaints are found to be justified the Council will, where practicable, remedy the situation in a manner which is consistent and fair for both Council and complainants. The solution chosen will be proportionate and appropriate to the circumstances. As a general principle the complainant should, so far as possible, be put in the position he or she would have been in, had things not occurred as they did. This may mean providing the desired service or changing a decision. Sometimes, however, it may only be possible to offer an apology.

Where complainants make assertions that financial compensation is expected, the matter will need to be referred to the Local Government Association Mutual Liability Scheme for case management. The rules of the Scheme will be observed and this will be communicated to the complainant.

4.2.8. Feedback

Feedback which does not constitute a complaint (see definitions) will be acknowledged and the feedback will be directed to the appropriate functional area, but in most cases, a formal investigation will not occur.

4.3. Special Provisions

There are specific procedures which apply to particular types of complaints. If the complaint would be more properly dealt with by another process, this will be explained to the complainant at the outset.

For example:

- Complaints against a Council Member, the Chief Executive Officer or employees under the applicable Code of Conduct as in effect from time to time
- Freedom of Information applications
- Claims for financial compensation, e.g. 'insurance claims'
- Persons claiming protection under the *Public Interest Disclosure Act 2018*
- Decisions made under legislation other than the *Local Government Act 1999*, such as the *Development Act 1993* or *Expiation of Offences Act 1996*.
- Complaints which constitute a request for a review of a Council decision will be treated according to the provisions of the *Internal Review of Council Decision Policy*

4.4. Unreasonable complaints

4.4.1. Council may receive complaints that are unreasonable. Unreasonable Complainant Conduct is divided into five categories of conduct:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable lack of cooperation
- Unreasonable arguments
- Unreasonable behaviours

4.4.2. Complaints that escalate to unreasonable complainant conduct will be dealt with in accordance with Council's *Unreasonable Complainant Conduct Policy*.

4.5. Employee code of conduct complaints

Where a person alleges:

- an employee (or a relative of an employee) has sought or received a gift or benefit that is, or could reasonably be taken to be, intended or likely to create a sense of obligation on the part of the employee to a person or to influence the employee in the performance or discharge of the employees functions or duties; or
- an employee has failed to record, or correctly record, details of a gift or benefit received by the employee (or a relative of an employee) on the gift and benefits register; or
- the Chief Executive Officer has not appropriately maintained a register for gifts and benefits received by employees of the Council,

they may submit a complaint alleging that an employee of council has contravened or failed to comply with the Code of Conduct for Council Employees, as prescribed in Schedule 2A of the *Local Government (General) Regulations 2013*.

A complaint of this nature must be given to the Chief Executive Officer. It will be investigated and resolved according to the industrial and human resource procedures of the Council.

In the case of a complaint against the Chief Executive Officer, a complaint must be given to ~~the Deputy Mayor~~ ~~the Principal Member of the Council (Mayor)~~, except in circumstances where it would be inappropriate to do so (such as where legislation requires the matter to which the complaint relates to remain confidential). In such circumstances the matter should be dealt with in accordance with the legislative requirements.

4.6. Council Member code of conduct complaints

Where a person alleges that a Council Member has breached the provisions of the *Code of Conduct for Council Members* and/or the *Council Member Conduct Policy*, the complaint should be made to the Chief Executive Officer in accordance with the Code of Conduct Complaint Handling Procedure contained in the *Council Member Conduct Policy* (available on the Council website).

5. DELEGATION

5.1 The Chief Executive Officer has the delegation to:

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

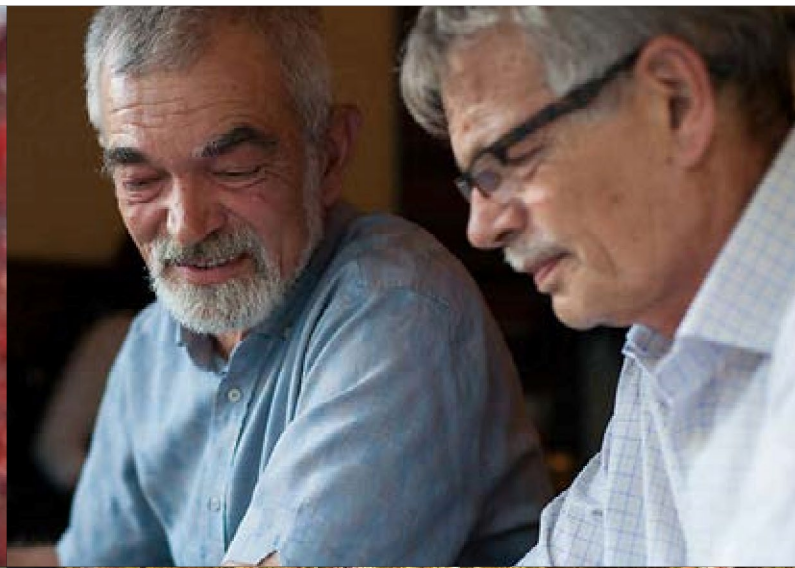
6. AVAILABILITY OF THE POLICY

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


Appendix 4
Council Members Allowance and Support Policy

Council Policy

Council Member Allowances and Support



COUNCIL POLICY

 <p>ADELAIDE HILLS COUNCIL</p>	<h3>COUNCIL MEMBER ALLOWANCES AND SUPPORT</h3>
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Policy Number:	CM-02
Responsible Department(s):	Governance & Performance
Relevant Delegations:	None
Other Relevant Policies:	<i>Behavioural Management Policy</i> <i>Council Member Conduct Policy</i> <i>Code of Practice for Meeting Procedures</i> <i>Council Member Training & Development Policy</i>
Relevant Procedure(s):	None
Relevant Legislation:	<i>Local Government Act 1999</i> <i>Local Government (Members Allowances and Benefits) Regulations 2010</i>
Policies and Procedures Superseded by this policy on its Adoption:	<i>Council Member Allowances and Benefits, 22 September 2020, Res 214/20</i>
Adoption Authority:	Council
Date of Adoption:	29 November 2022
Effective From:	30 November 2022
Minute Reference for Adoption:	Item 12.13, Res 316/22

Next Review:	This policy lapses at the Local Government General election in November 2026 or as required under legislation
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Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	27/11/18	Creation of Allowances and Support Policy	Council - Res 282/18
1.1	8/10/2020	Amendments to include provisions prohibiting the purchase of alcohol with public funds for Council Members	Council - Res 214/20
2.0	30/11/22	Legislative updates to roles of Principal Member and Councillor, revised the definition of prescribed meetings to incorporate s90A, updated Determination details, revised support provisions	Council - Re 316/22
<u>3.0</u>	<u>25/02/25</u>	<p><u>1. The addition of clause 11.6 and the amendment of clause 15.1 to satisfy the requirements of resolution 430/24.</u></p> <p><u>1.2. The insertion of a cover page.</u></p>	

COUNCIL MEMBER ALLOWANCES AND BENEFITS POLICY

1. INTRODUCTION

- 1.1 Adelaide Hills Council will ensure that the payment of Council Members' allowances, the reimbursement of expenses and the provision of benefits by the Council is accountable and transparent and in accordance with the *Local Government Act 1999* (the 'LG Act') and the *Local Government (Members Allowances and Benefits) Regulations 2010* (the 'Regulations').
- 1.2 This Policy sets out the provisions of the LG Act and Regulations in respect of Council Member allowances, expenses and support. This Policy is also provided in accordance with Section 77(1)(b) of the LG Act by specifying the types of expenses that will be reimbursed without the need for specific approval of Council every time a claim is made.
- 1.3 Council Members are paid an allowance for performing and discharging their functions and duties on Council. Section 59 of the LG Act provides (in part) that the role of a Council Member, as a member of the governing body of the Council, is to:
- (i) to act with integrity;
 - (ii) to ensure positive and constructive working relationships within the council;
 - (iii) to recognise and support the role of the principal member under the Local Government Act;
 - (iv) to develop skills relevant to the role of a member of the council and the functions of the council as a body;
 - (v) to participate in the deliberations and activities of the council;
 - (vi) to keep the council's objectives and policies under review to ensure that they are appropriate and effective; and
 - (vii) to keep the council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review;
 - (viii) to ensure, as far as is practicable, that the principles set out in section 8 of the Local Government Act are observed;

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- (ix) to participate in the oversight of the chief executive officer's performance under the council's contract with the chief executive officer; and
 - (x) to serve the overall public interest.
- 1.4 Section 58 of the Local Government Act specifies the role of the Principal Member as leader of the Council is to:
- (a) to provide leadership and guidance to the council; and
 - (b) to lead the promotion of positive and constructive working relationships among members of the council; and
 - (c) to provide guidance to council members on the performance of their role, including on the exercise and performance of their official functions and duties; and
 - (d) to support council members' understanding of the separation of responsibilities between elected representatives and employees of the council; and
 - (e) to preside at meetings of the council; and
 - (f) to liaise with the chief executive officer between council meetings on the implementation of a decision of the council; and
 - (g) to act as the principal spokesperson of the council; and
 - (h) to exercise other functions of the council as the council determines; and
 - (i) to carry out the civic and ceremonial duties of the office of principal member.
- 1.5 This Policy also explains the information that must be recorded within the Council's Register of Allowances and Benefits to ensure compliance with section 79 of the LG Act.
- 1.6 This Policy, in its entirety, will automatically lapse at the next general election of this Council, which is November 2026.

2. POLICY OBJECTIVE

- 2.1 To ensure Council Member allowances, the reimbursement of expenses and the provision of benefits, facilities and support by the Council are compliant with the *Local Government Act 1999* and *Local Government (Members Allowances and Benefits) Regulations 2010* and consistent with community expectations.

3. SCOPE & RESPONSIBILITIES

- 3.1 This Policy applies to all Council Members, who each have an obligation to abide by this Policy.
- 3.2 The Council's Chief Executive Officer has the duty to:
- (a) maintain the Register of Allowances and Benefits;
 - (b) initiate a Consumer Price Index ('CPI') review of allowances paid to Council Members (to be adjusted on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the CPI under the scheme prescribed by the Regulations); and
 - (c) ensure copies of this Policy are available for inspection by the public at the principal office of the Council.
- 3.3 In addition, the Chief Executive Officer is responsible for:
- (a) implementing and monitoring expense reimbursement procedures in accordance with the LG Act, the Regulations, this Policy; and
 - (b) ensuring a copy of this Policy is provided to all Council Members.
- 3.4 The *Council Member Allowances and Support Policy* has primacy over any other Council policies regarding allowances and/or benefits payable to Council Members. Those policies will be invalid to the extent that they are inconsistent with the provisions of this Policy.

4. POLICY STATEMENT

4.1 This Policy is underpinned by the following principles:

- (a) Council Members should not be out-of-pocket as a result of performing and discharging their Council functions and duties.
- (b) To assist Council Members in performing or discharging their official functions and duties they are entitled to be provided with a range of necessary facilities and support and to be reimbursed for expenses as specified in this policy.
- (c) Any reimbursements claimed by Council Members must be for expenses actually and necessarily incurred in performing and discharging their official Council functions and duties, which will be assessed according to the role of a Council Member under the LG Act.
- (d) Council encourages continued professional training and development for Council Members. This is seen as being necessary in terms of good governance and to the improved performance of their functions and duties.
- (e) The accountability of the Council and its Members is to its community for the use of public monies.
- (f) That the fees paid, civic expenses reimbursed and facilities and support provided to the Mayor, Deputy Mayor and Councillors are appropriate to the importance of the Office and are consistently applied and transparent.

5. DEFINITIONS

5.1 A '**prescribed committee**' means for the purposes of this determination, a committee that endures, irrespective of whether the council has assigned any particular work for the committee to perform and assists the council or provides advice to the council in any of the following areas or any combination thereof:

- Audit
- Chief Executive Officer performance review
- Corporate services
- Finance

- Governance
- Infrastructure and works
- Risk management
- Strategic planning and development

5.2 A **'prescribed meeting'** is defined under the Regulations to mean a meeting of the Council or Council committee, or an information or briefing session (s90A), , training course, advisory group meeting or similar activity which is directly or closely related to the performance or discharge of the roles or duties of the member.

5.3 A **'function or activity on the business of the Council'** includes the following official Council functions:

- Council-organised receptions, opening ceremonies, dinners, citizenship ceremonies, celebration events, remembrance ceremonies and official visits etc.;
- inspection of sites within the Council area which relate to current Council or Committee agenda items;
- meetings and functions of boards/committees to which the Council Member has been appointed by Council unless it is a remunerated position (i.e. East Waste, GRFMA, AHRWMA, S&HLGA);
- meetings related to the local government governance unless it is a remunerated position (i.e. ALGA, LGASA, LGFA, LGAMLS, LGAWCS, GAROC, etc);
- meetings of community groups and organisations as an invited Council Member – but not to attend meetings of community groups or organisations when fulfilling the role as a member of the Board of any such community group or organisation.

5.4 An **'eligible journey'** means a journey (in either direction) between the principal place of residence, or a place of work, of a Council Member, and the place of a prescribed meeting.

6. ALLOWANCES

6.1 Council Member allowances are determined by the Remuneration Tribunal on a 4 yearly basis with each determination required to be made 14 days before the close of nominations for each set of periodic elections held under the *Local Government (Elections) Act 1999*.

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- 6.2 The relevant determination for the Council term commencing in November 2022 is *Determination No. 2 of 2022 – Allowances for Members of Local Government Councils* and the *Supplementary Determination No. 5 of 2022*.
- 6.3 An allowance determined by the Remuneration Tribunal will be payable for the period:
- commencing on the conclusion of the 2022 periodic election; and
 - concluding at the time the last result of the 2026 periodic election is certified by the Electoral Commissioner under the Local Government (Elections) Act 1999.
- 6.4 Council Member allowances are to be adjusted on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the Consumer Price Index (“CPI”) under a scheme prescribed by the Regulations. Adjustments will occur on 10 November 2023, 10 November 2024, and 10 November 2025. The change in the Consumer Price Index to be applied will be the most recently available annual percentage change in the Consumer Price Index as at the date of adjustment (which will likely be the most recent relevant September quarter figure).
- 6.5 In accordance with regulation 4 of the Regulations, (and for the purposes of section 76 of the LG Act), an allowance may be paid in instalments up to 3 months in advance or 3 months in arrears of each month in respect of which an instalment is payable. Council has determined that allowances will be paid monthly in arrears.
- 6.6 The annual allowance for a Council Member is determined according to the relevant Council group. There are six Council Groups which are each explained within the determination of the Remuneration Tribunal.
- 6.7 The Adelaide Hills Council has been identified as falling within Group 2 in the current Remuneration Tribunal Determination, with an initial council member annual allowance of \$19,110.
- 6.8 The annual allowance for:
- principal members, is equal to four times the annual allowances for Council Members;
 - deputy mayor or deputy chairperson or a Council Member who is the presiding member of one or more prescribed committees is equal to one and a quarter (1.25) times the annual allowances for Council Members of that Council; and

- 6.9 An additional allowance in the form of a sitting fee is also payable for councillors who are presiding members of other Section 41 committees (who are not deputy mayors or presiding members of prescribed committees). For a Group 2 council, the allowance is \$188 per meeting limited to an aggregate amount of allowance of \$1,129 per annum.
- 6.10 In accordance with Supplementary Determination No 5. of 2022, a ~~D~~deputy ~~M~~mayor who undertakes the duties of a ~~M~~mayor for a period of one month or longer, is entitled to receive the ~~M~~mayor allowance for the entirety of the time they undertake those duties; and
- 6.11 A member of a council who holds office for part only of the period in respect of which an allowance is payable is entitled to the proportion of the allowance that the period for which the member held the office bears to the total period (section 76(11) of the LG Act).
- 6.12 An allowance under this section is to be paid in accordance with any requirement set out in the Regulations (unless the member declines to accept payment of an allowance section 76(12) of the LG Act).
- 6.13 Council Members finishing their term of office should receive their allowances until their term expires – this is at the conclusion of the elections (i.e. when the Electoral Commissioner of South Australia makes the final declaration of the results of the elections).

7. LEAVE OF ABSENCE – COUNCIL MEMBER CONTESTING ELECTION

- 7.1 If a Council Member stands as a candidate for election as a member of State Parliament, section 55A of the Act automatically grants a leave of absence from the date on which nominations for the relevant election close until the result of the election is publicly declared.
- 7.2 During the leave of absence period the Council Member:
- is not entitled to receive any Council Member allowance or reimbursement of expenses; and
 - must not use any facility, service or other form of support provided by the Council; and
 - must not carry out any function or duty as a Council Member.

7.3 A maximum penalty of \$15,000 applies for a breach of this section of the Act.

8. PRESCRIBED (MANDATORY) REIMBURSEMENTS (SECTION 77(1)(a))

8.1 Section 77(1)(a) of the LG Act provides that a Council Member is entitled to receive reimbursement of expenses of the kind prescribed in the Regulations incurred in performing or discharging official functions and duties related to 'prescribed meetings'.

Travel

8.2 Council Members are entitled to receive reimbursement for travelling expenses actually and necessarily incurred by the Council Member for travel within the Council area and associated with attendance at a "prescribed meeting" (section 77(1)(a) of the LG Act).

8.3 The following conditions apply to these reimbursements:

- (a) reimbursement for travel expenses is restricted to 'eligible journeys' (as defined in Regulation 3) provided the journey is by the shortest or most practicable route and to that part of the journey within the Council area (i.e. any travelling outside the Council area in order to attend Council or Council committee meetings is not reimbursable under section 77(1)(a) of the LG Act. For reimbursement for travel outside the Council area refer to "Council Approved Reimbursements" below).
- (b) where a Council Member travels by private motor vehicle, the rate of reimbursement is at a rate equal to the appropriate rate per kilometre prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the *Income Tax Assessment Act 1997* of the Commonwealth.
- (c) travelling by taxi, bus or other means of public transport is reimbursed on the basis of expenses 'actually and necessarily incurred', but is still limited to 'eligible journeys' by the shortest or most practicable route and to the part of the journey that is within the Council area.
- (d) the Council may aggregate claims for reimbursement of expenses that relate to journeys that do not exceed 20 kilometres and then pay them on either a quarterly or monthly basis.
- (e) claims for accident damage to Council Member's private vehicles will not be met by Council, however Council will reimburse the insurance excess.

Child/Dependent Care

- 8.3 Council Members are entitled to reimbursement for child/dependent care expenses actually or necessarily incurred by the Council Member as a consequence of the Council Member's attendance at a prescribed meeting. Child/dependent care is not reimbursed if the care is provided by a person who ordinarily resides with the Council Member.

9. TRAVEL TIME PAYMENT

- 9.1 Pursuant to the determination made by the Remuneration Tribunal, Council Members (excluding Principal Members) of non-metropolitan Councils (which includes the Adelaide Hills Council) are eligible for payment for a travel time payment where the Council Member's:
- (a) usual place of residence is within the relevant Council area and is located **at least 30kms but less than 50km** distance from their Council's principal office, via the nearest route by road - \$454 per annum
 - (b) usual place of residence is within the relevant Council area and is located **at least 50km but less than 75km** distance from their Council's principal office, via the nearest route by road - \$775 per annum;
 - (c) usual place of residence is within the relevant Council area and is located **at least 75km but less than 100km** distance from their Council's principal office, via the nearest route by road - \$1,162 per annum;
 - (d) usual place of residence is within the relevant Council area and is located **100km or more** distance from their Council's principal office, via the nearest route by road - \$1,649 per annum;

If eligible, this payment is made to a Council Member in addition to any entitlement to reimbursement of expenses incurred.

10. COUNCIL APPROVED REIMBURSEMENTS (SECTION 77(1)(b))

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- 10.1 There are additional prescribed expenses incurred by Council Members, that can be reimbursed by the Council that do not fall within the category of mandatory reimbursement outlined above.
- 10.2 Section 77(1)(b) of the LG Act provides that the Council (meaning the Council as the governing body) may approve the reimbursement of additional expenses as set out in the Regulations incurred by Council Members, either on a case-by-case basis or under a policy adopted by Council. This Policy sets out the types of approved expenses that may be reimbursed.
- 10.3 These additional types of reimbursed expenses are distinguished from the payment of allowances and from the mandatory reimbursement of travel and child/dependent care expenses associated with attendance at a prescribed meeting.
- 10.4 Regulation 6 of the Regulations sets out the types of additional expenses that may be reimbursed under section 77(1)(b) with the approval of the Council. These are:
- (a) an expense incurred in the use of a personal/private telephone, facsimile or other telecommunications device, or in the use of a form of electronic communication, on the business of the Council;
 - (b) travelling expenses incurred by the Council Member as a consequence of the Member's attendance at a function or activity on the business of the Council (other than for which the member is reimbursed under section 77(1)(a) of the LG Act);
 - (c) travelling expenses incurred by the Member in undertaking an eligible journey (i.e. prescribed meeting) to the extent that those expenses are attributable to travel outside the area of the Council;
 - (d) expenses for the care of:
 - (i) a child of the Member; or
 - (ii) a dependent of the Member requiring full-time careincurred by the Member as a consequence of the Member's attendance at a function or activity on the business of the Council (other than for which the member is reimbursed under section 77(1)(a) of the LG Act); and
 - (e) expenses incurred by the Member as a consequence of the Member's attendance at a conference, seminar, training course or other similar activity which is directly or closely

related to the performance or discharge of the roles and duties of a Council Member (other than for which the member is reimbursed under section 77(1)(a) of the LG Act).

10.5 For the purposes of this Policy, and pursuant to section 77(1)(b) of the LG Act, the Council approves the reimbursement of additional expenses of Council Members as described below.

Telecommunications

10.6 Pursuant to section 77(1)(b) of the LG Act the Council approves reimbursement of expenses incurred in the use of a personal/private telephone on the business of the Council. The following conditions apply to these expenses:

- (a) Home phone costs will be considered for reimbursement on production of itemised accounts for call charges only. Line rental fees are specifically excluded.
- (b) Mobile phone plan costs will be considered for reimbursement up to the value of the Council's Standard Monthly Plan on production of evidence of the expense. This reimbursement cannot be claimed if the Council Member is the recipient of a Mobile Phone under clause 11.3(d) of this Policy.

Travel

10.7 Pursuant to section 77(1)(b) of the LG Act the Council approves reimbursement of expenses incurred in travelling to a function or activity on Council business. The following conditions apply to these expenses:

- (a) travel both within and outside the Council area must be incurred by the Council Member as a consequence of attendance at a function or activity on the business of Council;
- (b) reimbursement is restricted to the shortest or most practicable route;
- (c) Council Members are encouraged to actively pursue cost-saving measure such as car-pooling;
- (d) where a Council Member travels by private motor vehicle, the rate of reimbursement is at a rate equal to the appropriate rate per kilometre (determined according to the engine capacity of the vehicle) prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the Income Tax Assessment Act 1997 of the Commonwealth;

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- (e) car parking fees will be reimbursed (where they are a consequence of a Council Member attending a function or activity on the business of the Council);
 - (f) travel by taxi, bus, plane or other means of public transport will be reimbursed on the basis of being expenses where they are incurred as a consequence of the Member's attendance at a function or activity on the business of the Council however such travel must still be by the shortest or most practicable route;
 - (g) where the cost of the travel for a return trip to a function or activity is anticipated to be in excess of \$500, prior approval of the Chief Executive Officer will be required;
 - (h) the Council may aggregate claims for reimbursement of expenses that relate to journeys that do not exceed 20 kilometres and then pay them on either a quarterly or monthly basis;
 - (i) claims for accident damage to Council Member's private vehicles will not be met by Council however Council will reimburse the insurance excess.

Child/Dependent Care

10.8 Pursuant to section 77(1)(b) of the LG Act the Council approves reimbursement of expenses incurred for the care of a child of a Council Member or a dependent of the Council Member requiring full time care as a consequence of the Council Member's attendance at a function or activity on the business of Council (other than expenses for which the Member is reimbursed under section 77 (1)(a) of the LG Act). The following conditions apply to these expenses:

- Child/dependent care is not reimbursed if the care is provided by a person who ordinarily resides with the Council Member.

Professional Development, Seminars and Conferences

10.9 Pursuant to section 77(1)(b) of the LG Act the Council approves reimbursement of expenses incurred in the attendance of professional development, seminars or conferences. The following conditions apply to these expenses:

- Expenses will only be reimbursed for attendance at professional development, conferences, seminars, etc. which have been approved under delegation/policy, e.g. under the Council Member Training and Development Policy.
- Expenses will normally be restricted to:
 - **Registration** – course/seminar/conference registration fees including official luncheons, dinners and tours relevant to the conference;
 - **Travel** – see clause 10.7 of this Policy;
 - **Meals** – Council will meet the cost of main meals for Council Members where any of these meals are not provided as part of the conference. These costs may include non-alcoholic beverages such as soft drinks and coffee/tea.
 - **Accommodation** – delegates will be accommodated in the hotel where the conference, seminar or training course is held or another nearby hotel of a suitable standard. Council will provide financial support for accommodation of a suitable standard, at the rate of a private room, for each Council member attending.
- For clarity, Council will not meet the cost of:
 - laundry or dry cleaning expenses;
 - any tips or gratuities paid by Council Members;
 - expenses incurred for the use of a bar fridge provided in a hotel room;
 - any expenses for alcoholic beverages; and
 - any expense incurred by any person accompanying a Member at any conference, seminar or training course.

11. FACILITIES AND SUPPORT

Council Members

- 11.1 In addition to allowances and the reimbursement of expenses, the LG Act provides that the Council can provide facilities and forms of support for use by its Council Members to assist them to perform or discharge their official functions and duties (section 78).
- 11.2 The Council must consider and specifically approve the particular facility and support as necessary or expedient to the performance or discharge of all Council Members' official functions or duties. In approving the provision of facilities and support section 78 requires that any such services and facilities must be made available to all Council Members on a uniform basis, other than those facilities or support specifically provided to the Principal Member set out below (if any).
- 11.3 Pursuant to section 78 of the LG Act, Council has considered and is satisfied that the following facilities and support are necessary or expedient for all Council Members to assist them in performing or discharging their official functions and duties:
- (a) Laptop computers will be provided subject to compliance with the terms and conditions contained in the Usage Agreement, which must be signed prior to the issuing of the device.
 - (b) Internet access via a 4G/5G connection provided with Council Member's laptop computer.
 - (c) A Council email address for Council business which should not be used for personal business. Email access to be via the 4G/5G connection on Council Members iPads. Note: Email access can be made via a standard home internet connection, however, Council will not reimburse Council Members for the cost of this internet connection.
 - (d) Mobile Phones (including SIM) will be provided subject to compliance with the terms and conditions contained in the Usage Agreement, which must be signed prior to the issuing of the device.
 - (e) While electronic data use is preferred from a sustainability perspective:
 - Reams of paper for printing.

- Stationery (such as pads, pens, diaries, etc.).
- Photocopying at a Council Service Centre (not to be used for distributing copies of documents to community members).
- (f) Meals and non-alcoholic beverages provided in association with attendance at 'prescribed meetings'.
- (g) Access to Council meeting facilities (to be booked in advance at the respective Council Service or Community Centre).
- (h) Business cards
- (i) Access to the Council Chamber at Stirling

11.4 The provision of these facilities and support are made available to all Council Members (including the Principal Member) under the LG Act on the following basis:

- they are necessary or expedient for the Council member to perform or discharge his/her official functions or duties;
- the facilities remain the Council's property regardless of whether they are used off site or not; and
- public funds are not used for the provision of alcoholic beverages to Council Members.

Principal Member

11.5 In addition to the above, Council has resolved to make available to the Principal Member (and to any acting Principal Member appointed during the Principal Member's absence) the following additional facilities and support to assist them in performing and discharging their official functions and duties:

- (a) Council will supply and maintain a motor vehicle for Council business use by the Mayor;
- (b) a Mayoral Office accessible 24/7 providing desk and meeting facilities;
- (c) provision of media and communications support and
- (d) access to administrative officer services.

11.6 In accordance with Council Resolution 430/24 on 26 November 2024, all functions, duties, responsibilities, and roles previously assigned to the Mayor have been transferred to the

Deputy Mayor. Consequently, the following additional facilities and support will be provided to the Deputy Mayor:

- (a) Council will supply and maintain a motor vehicle for Council business use by the Deputy Mayor;
- (b) Desk and meeting facilities when required;
- (c) provision of media and communications support; and
- (d) access to administrative officer services.

This provision ensures the Deputy Mayor has the necessary resources to fulfill the transferred responsibilities. However, it does not entitle the Deputy Mayor to any additional remuneration beyond the standard Deputy Mayor allowance, as determined by the Remuneration Tribunal.

11.76 In addition, although not required by the LG Act, the Council has determined that the provision of the above facilities and support are made available to Council Members on the following terms:

- each Council Member is solely responsible for those facilities released into their care and/or control for the duration of their term in office;
- all facilities must be returned to the Council at the end of each term in office, upon the office of a Member of a Council becoming vacant, or earlier at the request of the Chief Executive Officer;
- if the facilities provided to the Council Member are damaged or lost the Council Member must lodge a written report with the Council officer responsible for this Policy.
- Council Members may be held responsible for loss/damage of facilities in the absence of a satisfactory explanation.
- The use of Council facilities, support and/or services by Council Members for campaign or election purposes is not permitted under any circumstances on the basis it is not necessary or expedient to the performance or discharge of a Council Member's official functions or duties under the LG Act. The use of such facilities for electoral purposes during the election period would be a breach of section 78(3) of the LG Act.

12. OTHER REIMBURSEMENTS

- 12.1 Any additional reimbursements and facilities and support not detailed in this Policy will require the specific approval of Council prior to any reimbursements being paid, benefits being received and facilities and/or support being provided.

13. INSURANCE OF MEMBERS (SECTION 80)

- 13.1 Council will take out policies of insurance insuring every Council Member and a spouse, domestic partner or another person who may be accompanying Council Member, against risk associated with the performance or discharge of official functions or duties by members.

14. CLAIMS FOR REIMBURSEMENT

14.1 Reimbursements are to be claimed using the Council Member Expense Claim Form and submitting to the CEO's Office with relevant receipts and invoices, no later than 3 months after the expenses are incurred, and by the first week in July each year.

15. DISPUTE RESOLUTION/APEAL PROCESS

15.1 In the event that a Council Member disputes a payment, a panel consisting of the Chief Executive Officer, ~~Mayor~~, Deputy Mayor, ~~and a Presiding Member of a Committee~~ (except in circumstances where the ~~mayor or~~ Deputy Mayor or Presiding Member of a Committee is the complainant), ~~they will not form part of the panel~~ and Chief Executive Officer will make a final determination on the reimbursement of expenses for official duties. Decisions of this panel, which must be by consensus, shall be final.

16. REGISTER OF ALLOWANCES AND BENEFITS

16.1 Pursuant to section 79(1) and (2) of the LG Act, the Chief Executive Officer must maintain a Register in which he or she shall ensure that a record is kept of:

- (a) the annual allowance payable to a Council Member (in the case of section 79 (1)(a)); and
- (b) details of any expenses reimbursed under section 77(1)(b) of the LG Act (in the case of section 79(1)(b)); and
- (c) details of other benefits paid or provided for the benefit of the Member by the Council (in the case of section 79(1)(c)); or
- (d) to make a record of the provision of a reimbursement or benefit not previously recorded in the Register (in the case of section 79(2)(b)),

on a quarterly basis (see regulation 7 of the Regulations).

16.2 Reimbursements paid under section 77(1)(a) of the LG Act are not required to be recorded in the Register, however Council has taken the position that all reimbursements will be recorded in the register.

16.3 The Chief Executive Officer is required to record in the Register any changes in the allowance or a benefit payable to, or provided for the benefit of, Council Members. Accordingly, the Chief Executive Officer will update the Register each quarter.

16.4 The Register of Allowances and Benefits is available for inspection by members of the public, free of charge, at the Council's office during ordinary business hours.. The policy is also available on Council's website www.ahc.sa.gov.au.

17. REVIEW AND EVALUATION

17.1 Council Member allowances are determined by the Remuneration Tribunal on a 4 yearly basis.

17.2 This Policy will lapse at the next general election at which time the newly elected Council will be required to adopt a new policy dealing with Council Member's allowances, reimbursements and benefits for their term in office (section 77(2) LG Act).

18. DELEGATION

18.1 The Chief Executive Officer has the delegation to:

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

19. AVAILABILITY OF THE COUNCIL MEMBERS' ALLOWANCES AND SUPPORT POLICY

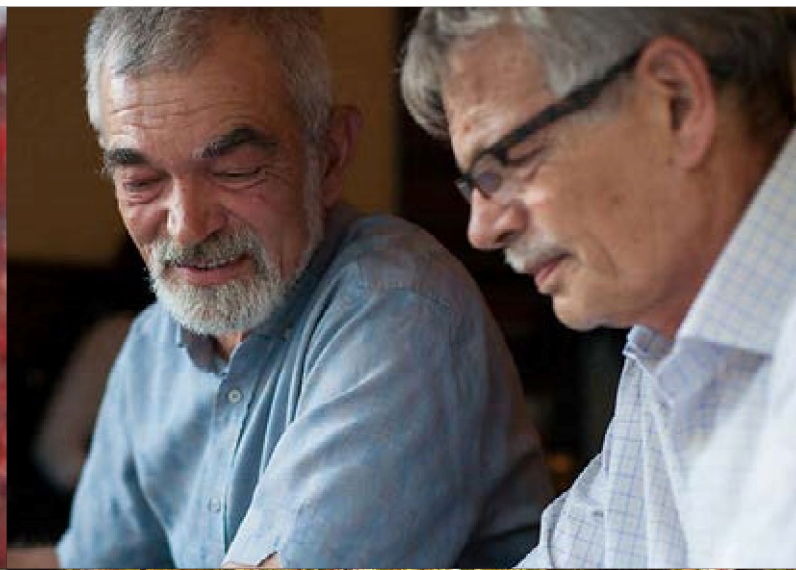
19.1 This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.ahc.sa.gov.au.

Appendix 5

Council Member Training and Development Policy

Council Policy

Council Member Training and Development



COUNCIL POLICY



COUNCIL MEMBER TRAINING & DEVELOPMENT

Policy Number:	CM-05
Responsible Department(s):	Governance & Performance
Relevant Delegations:	None
Other Relevant Policies:	Council Member Allowances and Benefits
Relevant Procedure(s):	None
Relevant Legislation	<i>Local Government Act 1999</i> <i>Local Government (General) Regulations 2013</i>
Policies and Procedures Superseded by this policy on its Adoption:	08 September 2015, Item 12.1, 43 07 August 2018, Item 12.8. 171/18
Adoption Authority:	Council
Date of Adoption:	9 July 2024
Effective From:	10 July 2024
Minute Reference for Adoption:	250/24
Review Date:	No later than September 2022 or as required by legislation

Version Control

<u>Version No.</u>	<u>Date of Effect</u>	<u>Description of Change(s)</u>	<u>Approval</u>
<u>1.0</u>	<u>25/02/2025</u>	<u>1. Replacement of “Mayor” with “Deputy Mayor” and other minor changes in clause 7.3, 7.5, 8.1-8.3, 10.1 and 10.5, as per the requirements of resolution 430/24.</u> <u>2. Insertion of a version control table.</u> <u>3. Insertion of a cover page.</u>	

COUNCIL MEMBER TRAINING & DEVELOPMENT

1. INTRODUCTION

- 1.1.** The Adelaide Hills Council is committed to providing training and development activities for its Council Members, including the mandatory training requirements under the LGA Training Standards, and recognises its responsibility to develop and adopt a policy for this purpose under Section 80A of the Local Government Act 1999 (the Act).

2. POLICY OBJECTIVE

- 2.1.** To ensure Council Members are provided opportunities to undertake training and development in accordance with the LGA Training Standards and any other appropriate training and development standards relevant to their roles in order to exercise, perform and discharge their powers, functions and duties.

3. SCOPE

- 3.1.** This Policy applies to all Council Members, who each have an obligation to abide by this Policy.

4. TRAINING & DEVELOPMENT PLAN

- 4.1.** Council will develop and adopt a Training & Development Plan so as to ensure that activities available to all Council Members contribute to the personal development of the individual and the achievement of the strategic and good governance objectives of Council.
- 4.2.** For the purposes of this Policy, attendance at meetings as the nominated representative of Council (i.e. ALGA National Assembly, LGASA General Meetings) is not a Training and Development activity although it is acknowledged that there is a development element in attendance at these fora.
- 4.3.** Particular emphasis will be given in the Training & Development Plan to the participation of all Council Members in the development of a new team following a general election as well as the orientation of first time Council Members.
- 4.4.** In preparing its Training & Development Plan the Council will utilise a range of strategies to identify the needs of Council and match these needs against its strategic and good governance objectives. This may include, but not be limited to:
- Annual assessment of the needs of Council Members
 - Annual assessment of Council and/or committee performance
 - Survey/questionnaire
 - Interviews

- Workshops

4.5. In order to carry out their roles and responsibilities to the community Council Members may require specific training and development, including, but not limited to:

- The requirements of the Local Government Act 1999 and associated regulations
- Role of Council Members
- Role of CEO and Officers
- Council Governance responsibilities
- Decision-making & problem solving
- Ethics and relationship with staff
- Strategic management planning
- Financial management
- Rating
- Role of Audit Committee
- Legal and Risk Management
- Asset Management
- Community Engagement
- Role of Development Assessment Panel including land-use planning and development assessment
- Section 41 Committees
- Advisory Groups
- Subsidiaries
- Community Wastewater Management Schemes
- Waste Management
- Whistleblowers Protection
- Fraud & Corruption Prevention
- Section 42 and 43 Committees

4.6. As a minimum, Council Members must fulfil the requirements of Regulation 8AA of the Local Government (General) Regulations 2013 regarding compliance with the LGA training standards approved by the Minister. The modules developed to meet these standards are:

- Module 1 - Introduction to Local Government - Role and function of Council Members
- Module 2 - Legal Responsibilities
- Module 3 - Council and committee meetings
- Module 4 - Financial Management and Reporting

4.7. A range of delivery methods will be required to support the training needs of Council Members, including:

- In-house workshops, seminars and briefing sessions conducted by the Council with appropriate staff, trainers and guest speakers;
- Attendance at workshops, seminars and conferences offered by training providers and industry bodies including the Local Government Association of SA, Local Government Managers Australia, other industry bodies and/or private providers offering courses for Members to gain new skills and knowledge and to network with other Council Members;
- Printed material, including training booklets and discussion papers, that may be distributed for information;

- Proficiency in using the Council provided information technology (i.e. tablet device(s), email, electronic documents)
- On-line self-paced learning

4.8. Council's Training & Development Plan will include the agreed delivery method to respond to the needs of Council Members identified during the development of the Training Plan.

5. SPECIFIC TRAINING FOR COUNCIL MEMBERS

5.1. Some of the training and development needs of Council Members will be specific to an individual's legislative and governance roles and functions (e.g. Audit Committee Member, CEO Performance Review). Preference will be given to Council Members explicit role on Council and or Committees, however, if appropriate and sufficient interest is shown, internal training sessions may be conducted to include all Council and or Committee Members.

6. ANNUAL BUDGET ALLOCATION

6.1. A budget allocation will be provided to support the training and development activities undertaken by Council Members.

6.2. Unless the training and development is aimed at a specific group of members (e.g. newly elected), numbers attending should be restricted to ensure efficient use of budgeted funds, thus enabling attendance at a range of seminars over the budget year and giving Council access to greater information.

7. ATTENDANCE AT INDIVIDUAL TRAINING AND DEVELOPMENT

7.1. Council Members are encouraged to attend all training and development sessions identified on the Training & Development Plan.

7.2. Where the session is not being conducted in-house, Council Members must make an application by completing a Training and Development Approval Form (Appendix 1) detailing the content, relevance and costs (including travel, meals, accommodation, registration fees, etc.) involved to attend.

7.3. All applications shall be forwarded to the Deputy Mayor for approval or in the case of the Deputy Mayor being the attendee, authority for approval will pass to a Presiding Member of a Committee the Deputy Mayor in consultation with the CEO. Once approved, the application is forwarded to the CEO in reasonable time to meet the training or development registration deadline.

7.4. Council Member requests to attend a training and development that does not satisfy the above criteria, or is above \$1,500, approval to attend shall be the subject of a report to Council for consideration.

7.5. Refusal of an application (by the Deputy Mayor or a Presiding Member of a Committee~~Deputy Mayor~~) will be reported to Council.

7.6. All Training and Development requests must be made prior to enrolment. Retrospective approval of Training and Development applications will not be considered.

8. REPRESENTING COUNCIL IN AN OFFICIAL CAPACITY

8.1. The Deputy Mayor, or a Presiding Member of a Committee~~the Deputy~~ in the Deputy Mayor's absence, is the principal spokesperson, and is the default representative of Council in an official capacity (e.g. National General Assembly, LGA meetings and the like, including intrastate, interstate or overseas).

8.2. There may be situations in which the Deputy Mayor and a Presiding Member of a Committee~~Deputy Mayor~~ are not able to attend official functions and the Council may authorise, by resolution, a Council Member to represent Council in an official capacity.

8.3. Where projected costs of attendance do not exceed \$1,500, the approval of costs will be considered by the Deputy Mayor, or in the case of the Deputy Mayor being the attendee, authority for approval will pass to a Presiding Member of a Committee~~the Deputy Mayor~~ in consultation with the CEO.

8.4. Where costs exceed \$1,500, requests to attend functions in an official capacity shall be the subject of a report to Council for consideration.

9. RECORD KEEPING

9.1. Any Council Member attending an external training and development activity shall provide a summary written report on the Council Members Training and Development Attendance Form (Appendix 2), at the next Council meeting (to be included as an information item in the Councillor Reports section of the agenda), outlining the nature of the training and development, the benefits gained through attendance along with feedback on ideas to enhance the training and development.

9.2. If a recommendation for action is being made, a formal report in the Council Agenda will be required.

9.3. The CEO will keep a record of all training and development attended, but particularly the mandatory training requirements. Failure to complete the mandatory training requirements in the legislated time frame amounts to a breach of the Council Members Code of Conduct.

10. PAYMENTS/REIMBURSEMENTS

10.1. Where approval has been granted by Council or the Deputy Mayor for attendance at training and development, the Council Member may seek reimbursement of expenses in accordance with the Council Member Allowances and Benefits Policy, which should be read in conjunction with this policy.

10.2. Registration and accommodation expenses will normally be arranged and paid for by council's administration prior to the event, unless otherwise requested.

10.3. Expenses will normally be restricted to:

- Registration – course/seminar/conference registration fees.
- Travel – economy class air fares or vehicular travel expenses, by the shortest practicable route, depending on convenience and cost. The rate per kilometre is as prescribed through the Local Government Association Circular in relation to Council Member Vehicle Reimbursement (in accordance with the Australian Taxation Office), as the basis for reimbursement of travelling expenses.
- Accommodation – if required, will be provided in the hotel where the conference is held, or a hotel nearby of a similar suitable standard.
- Meals – the cost of main meals where not provided as part of the course/conference.
- Other costs - incidental costs, specifically related to attendance at the course etc (i.e. taxis, fares, parking) but not infringement notices, bar costs, bar fridge costs, tips or laundry/dry cleaning service costs.

10.4. Reimbursement of incidental costs will be provided on the basis of receipts for actual expenditure with receipts required to be submitted within seven (7) working days of returning from the training and development activity.

10.5. Reimbursement will not be made for any costs incurred prior to approval of training or development by the [Deputy](#) Mayor or Council.

11. REGISTER OF ALLOWANCES AND BENEFITS

11.1. All expenses incurred by Council Members as a result of attending training and developments, as well as any other benefits paid or provided for the benefit of a Council Member attending training and development activities, will be recorded in the Council's Allowances and Benefits Register, which will be updated as required by Section 79 of the Local Government Act 1999.

12. ANNUAL REPORTING

12.1. Council's annual report will include a segment regarding the operation of this Policy, the nature of matters raised in the training plan, attendances by Members and expenditure allocated and used for training of Council Members.

13. DELEGATION

13.1. The Chief Executive Officer has the delegation to:

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

14. AVAILABILITY OF THE POLICY

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

COUNCIL MEMBER TRAINING & DEVELOPMENT APPROVAL FORM

Name:		Date:	
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Course/Program *(If applicable, please attach copy of completed registration form)*

Title:			
Date(s)			
Time:	Start:		Finish:
Provider (eg. LGTA):			
Location (address):			
Contact Phone Number:			

Course Content:

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Relevance *(including link to Strategic Management Plan)*

--

Learning Outcomes or Objectives: *(key topics, outcomes that can be applied to Council)*

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Investment *(Can be authorised by Mayor up to \$1500, report provided to Council if above)*

Description	\$	Account Number <i>(office use only)</i>
Registration:		
Travel Cost:		
Accommodation:		
Expenses:		
Other (specify):		
Total:		

Flights (if required): *Flights will be Economy class and the most cost effective available*

Preferred Flight time:	Depart:	Return:
Any other information:		

Accommodation (if required): *Accommodation will be provided in the hotel where the conference is held, or a hotel nearby of a similar suitable standard*

Preferred Accommodation:	
Address:	

Approval

Signed by Council Member:	Sign:	Date:
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Authorised by Deputy Mayor:	Sign:	Date:
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Office Use Only

Registration Form submitted	<input type="checkbox"/>	Registration Confirmed	<input type="checkbox"/>
Accommodation Booked	<input type="checkbox"/>	Flights Booked	<input type="checkbox"/>
Accommodation Details	<input type="text"/>		
Flight Details	<input type="text"/>		
Council Member provided with Itinerary	<input type="checkbox"/>	Date Completed:



COUNCIL MEMBER TRAINING & DEVELOPMENT ATTENDANCE FORM

Name:		Date:	
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Course/Program *(If applicable, please attach copy of completed registration form)*

Title:			
Date(s) Attended			
Time:	Start:		Finish:
Provider (e.g. LGTA):			
Location (address):			
Contact Phone Number:			

Course Content: *(detail the nature of the training and development)*

--

Council or Council Member Benefits of Attendance: *(detail the benefits gained through attendance)*

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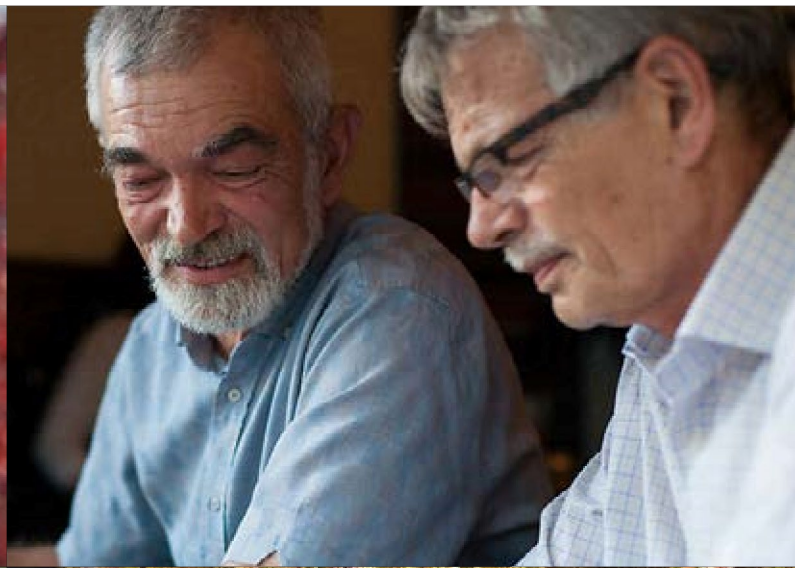
Feedback: *(detail ideas to enhance the training and development)*

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Appendix 6
Caretaker Policy

Council Policy

Caretaker



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h3>CARETAKER</h3>
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Policy Number:	GOV-06
Responsible Department(s):	Governance and Performance
Relevant Delegations:	As per the Delegations Register and as detailed in this Policy
Other Relevant Policies:	<p>Council Member Conduct <u>Behavioural Management Policy</u></p> <p>Code of Conduct for Council Employees Procurement Disposal of Assets Council Member Allowances & Support Council Member Training & Development</p>
Relevant Procedure(s):	NIL
Relevant Legislation:	<p><i>Local Government Act 1999</i> <i>Local Government (Elections) Act 1999</i> <i>Local Government (Elections) Regulations 1999</i></p>
Policies and Procedures Superseded by this policy on its Adoption:	<p>Caretaker 10/06/14, Item 12.2, 35/14 Caretaker 05/06/18, Item 12.6, 116/18</p>
Adoption Authority:	Council
Date of Adoption:	22 March 2022
Effective From:	06 April 2022
Minute Reference for Adoption:	Item 12.9, Res 62/22

Next Review:	Prior to the Election Period of the next Local Government General Election
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Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	10/06/2014	Policy Review	Council - Res 35/14
2.0	05/06/2018	Policy Review	Council - Res 116/18
3.0	22/3/2022	Policy Review	Council - Res 62/22
<u>4.0</u>	<u>25/02/2025</u>	<u>1. Replacement of "Mayor" with "Deputy Mayor" in clause 7.8 and 13.2, as per the requirements of resolution 430/24.</u> <u>1.2. Insertion of a cover page.</u>	

CARETAKER POLICY

1. INTRODUCTION

- 1.1. The *Local Government (Elections) Act 1999* (the Elections Act) was amended in 2009 to require each Council to prepare and adopt a caretaker policy to govern the conduct of the Council and its staff during the election period for a general election. Section 91A of the Elections Act stipulates that the caretaker policy must at a minimum prohibit the making of certain designated decisions by the Council during an election period.
- 1.2. This policy was updated following the commencement of section 188 of the *Statutes Amendment (Local Government Review) Act 2021*, which amended section 91A of the *Local Government (Elections) Act 1999*.

2. POLICY STATEMENT

- 2.1. It is a long established democratic principle that outgoing elected bodies should not use public resources for election campaigning, nor make decisions which may unreasonably, inappropriately, or unnecessarily bind an incoming Council.
- 2.2. This Policy affirms Council's commitment to fair and democratic elections, and adherence to this principle. This Policy includes a commitment to comply with the requirements of Section 91A of the Elections Act.

3. APPLICATION OF POLICY

- 3.1. This Policy applies throughout the election period for a general election. For the purposes of the Local Government Elections of November 2022, the policy commences on the Closing of Nominations, 12pm (noon) Tuesday 06 September 2022 and ends at the conclusion of the election, when results have been declared.

4. POLICY COVERAGE

- 4.1. This Policy applies during an election period of Council to cover:
 - (a) designated decisions as defined in the Elections Act that are made by Council; and
 - (b) use of Council resources, including:
 - materials published by Council;
 - attendance and participation at functions and events;
 - access to Council information;
 - media services issues; and
 - responsibilities of Council Employees; and

- (c) other significant decisions that are made by the Council.
- 4.2. This Policy applies to both the elected Council (Council Members) and to Council Employees and captures all 'designated decisions' of Council, a committee of Council, or a delegate of the Council – refer to Clause 6.2.
- 4.3. This Policy forms part of (and is to be read in conjunction with) the Council's *Council Member Conduct Policy* and the *Code of Conduct for Council Employees* in accordance with section 91A(7) of the Elections Act.

5. INTERPRETATION

- 5.1. In this Policy:

Chief Executive Officer means the appointed Chief Executive Officer or Acting Chief Executive Officer or nominee for the Adelaide Hills Council.

Council Employee means any person that is employed full-time, part-time or casually by the Council who receives remuneration for their work with the Adelaide Hills Council.

Council Member means an elected member of the Adelaide Hills Council.

Election period means the period commencing on the day of the close of nominations for a general election and expiring at the conclusion of the general election.

Designated Decision means a decision:

- (a) relating to the employment or remuneration of the Chief Executive Officer, other than a decision to appoint an acting Chief Executive Officer or to suspend the Chief Executive Officer for serious and wilful misconduct;
- (b) to terminate the appointment of the Chief Executive Officer;
- (c) to enter into a contract, arrangement or understanding (other than a contract for road construction, road maintenance or drainage works) the total value of which exceeds whichever is the greater of \$100,000 or 1% of the Council's revenue from rates in the preceding financial year, except if the decision:
 - i. relates to the carrying out of works in response to an emergency or disaster within the meaning of the *Emergency Management Act 2004* (SA), or under section 298 of the *Local Government Act 1999* (SA);
 - ii. is an expenditure or other decision required to be taken under an agreement by which funding is provided to the Council by the Commonwealth or State Government or otherwise for the Council to be eligible for funding from the Commonwealth or State Government;

- iii. relates to the employment of a particular Council employee (other than the Chief Executive Officer);
- iv. is made in the conduct of negotiations relating to the employment of Council employees generally, or a class of Council employees, if provision has been made for funds relating to such negotiations in the budget of the Council for the relevant financial year and the negotiations commenced prior to the election period; or
- v. relates to a Community Wastewater Management Systems scheme that has, prior to the election period, been approved by the Council;

General Election means a general election of council members held:

- (a) under section 5 of the *Local Government (Elections) Act 1999*; or
- (b) pursuant to a proclamation or notice under the *Local Government Act 1999*.

Minister means the Minister for Local Government or other minister of the South Australian government vested with responsibility for the Local Government (Elections) Act.

6. PURPOSE

- 6.1. During a Local Government election period, Council will assume a 'Caretaker mode', and will avoid actions and decisions which could be perceived as intended to affect the results of an election or otherwise to have a significant impact on or unnecessarily bind the incoming Council.
- 6.2. The purpose of this Policy is to clearly set the parameters that Council will operate within during an election period. Caretaker provisions are required pursuant to section 91A of the Elections Act and are generally regarded as necessary for the promotion of transparent and accountable government during an election period.

7. SIGNIFICANT DECISIONS

7.1. Scope

This clause applies to decisions of Council, a committee of Council, or a delegate of Council, including the Chief Executive Officer.

7.2. 'Designated decisions' prohibited by the *Local Government (Elections) Act 1999*

The following outlines those decisions which are expressly prohibited by section 91A of the Elections Act. A designated decision means a decision:

- (a) relating to the employment or remuneration of the Chief Executive Officer, other than a decision to appoint an acting Chief Executive Officer; or
- (b) to terminate the appointment of the Chief Executive Officer; or
- (c) to enter into a contract, arrangement or understanding (other than a prescribed contract) the total value of which exceeds whichever is the greater of \$100 000 or 1% of the Council's revenue from rates in the preceding financial year; or

A "**prescribed contract**" means a contract entered into by the Council for the purpose of undertaking road construction or road maintenance or drainage works.

- (d) allowing the use of Council resources for the advantage of a particular candidate or group of candidates (other than a decision that allows the equal use of Council resources by all candidates for election),

other than a decision of a kind excluded from the definition of "designated decision" by regulation.

Regulation 12 of the *Local Government (Elections) Regulations 1999* (the Election Regulations) sets out those decisions referred to in Section 91A(8)(c) as excluded from the definition of a "designated decision" if the decision:

- (a) a decision of a kind referred to in paragraph (c) of the definition if the decision—
 - (i) relates to the carrying out of works in response to an emergency or disaster within the meaning of the Emergency Management Act 2004, or under section 298 of the Local Government Act 1999; or
 - (ii) is an expenditure or other decision required to be taken under an agreement by which funding is provided to the council by the Commonwealth or State Government or otherwise for the council to be eligible for funding from the Commonwealth or State Government; or
 - (iii) relates to the employment of a particular council employee (other than the chief executive officer); or
 - (iv) is made in the conduct of negotiations relating to the employment of council employees generally, or a class of council employees, if provision has been made for funds relating to such negotiations in the budget of the council for the relevant financial year and the negotiations commenced prior to the election period; or
 - (v) relates to a Community Wastewater Management Systems scheme that has, prior to the election period, been approved by the council;
- (b) a decision of a kind referred to in paragraph (a) of the definition if the decision is for the suspension of a chief executive officer for serious and wilful misconduct.

7.3. Consequence of a making a designated decision during the election period

A designated decision made by the Council during the election period, without an exemption from the Minister, is invalid.

Any person who suffers loss or damage as a result of acting in good faith in reliance on a designated decision made in contravention of the Policy is entitled to compensation from the Council for that loss or damage.

A breach of the Policy is a breach of the *Code of Conduct for Council Members* (contained within the *Council Member Conduct Policy*) and *Code of Conduct for Council Employees*.

7.4. Application for exemption

If the Council considers that it is faced with extraordinary circumstances which require the making of a designated decision during an election period, the Council may apply in writing to the Minister for an exemption to enable the making of a designated decision that would otherwise be invalid under s91A of the Elections Act and this Policy.

If the Minister grants an exemption to enable the making of a designated decision that would otherwise be invalid under s91A of the Elections Act and this Policy, then the Council and Council Employees will comply with any conditions or limitations that the Minister imposes on the exemption.

7.5. Scheduling consideration of designated decisions

The Chief Executive Officer must ensure that 'designated decisions' are not scheduled for consideration during the 'election period'.

7.6. Designated decisions made prior to an 'election period'

This Policy applies to actual designated decisions made during an election period, not the announcement of decisions made prior to the election period.

7.7. Other significant decisions which are prohibited by operation of this Policy

Prohibited Decision	Notes
Any major policy or other decisions which will significantly affect the Council area or community or will inappropriately bind the incoming Council	This is a non-legislative policy position of Council

So far as is reasonably practicable, the Chief Executive Officer should avoid scheduling significant decisions (including major policy decisions) for consideration during an election period and, instead, ensure that such decisions:

- (a) are considered by Council prior to the election period; or

- (b) are scheduled for determination by the incoming Council.

In the context of this policy, a 'major policy' decision includes any decision:

- to spend unbudgeted monies;
- to conduct unplanned public consultation;
- to endorse a new policy;
- to dispose of Council land;
- to approve community grants; and
- any other issue that is considered a major policy decision by the CEO that is not a designated decision.

7.8. Role of the Chief Executive Officer

The determination as to whether any policy decision is major or any other decision is significant will be made by the Chief Executive Officer, after consultation with the [Deputy Mayor](#).

7.9. Considerations for urgent decisions

Where the Chief Executive Officer has determined that a decision is a major policy decision or is otherwise significant and therefore is covered by 7.7 above, and circumstances arise that require the decision to be made during the election period, the Chief Executive Officer will report this to Council.

The aim of the Chief Executive Officer's report is to assist Council Members to assess whether the decision should be deferred as a decision for the incoming Council.

The Chief Executive Officer's report to Council will address the following issues, where relevant:

- (a) Why the matter is considered 'significant';
- (b) Why the matter is considered urgent;
- (c) What are the financial and other consequences of postponing the matter until after the election, both on the current Council and the incoming Council;
- (d) Whether deciding the matter will significantly limit the policy choices of the incoming Council;
- (e) Whether the matter requires the expenditure of unbudgeted funds;
- (f) Whether the matter is the completion of an activity already commenced and previously endorsed by Council;
- (g) Whether the matter requires community engagement;
- (h) Any relevant statutory obligations or timeframes; and

- (i) Whether dealing with the matter in the election period is in the best interests of the Council area and community.

Council will consider the Chief Executive Officer's report and determine whether or not to make the decision.

8. USE OF COUNCIL RESOURCES

8.1. Use of Council resources and advantage

Council notes that Section 91A(8)(d) of the *Local Government (Elections) Act 1999* requires Council to prohibit the use of Council resources for the advantage of a particular candidate or group of candidates. This includes a candidate or candidates who are currently elected Members of the Council.

The concept of 'advantage' is broad and for the purposes of this Policy an advantage will be conferred where a decision allowing the use of Council resources favours one candidate over another.

Council resources cover a wide range of personnel, goods, services, information and opportunities and may include:

- materials published by Council;
- facilities and goods owned by the Council;
- attendance and participation at functions and events;
- access to Council information;
- media services issues; and
- stationery and equipment.

Council Members and Employees will ensure that due propriety is observed in the use of Council resources and must exercise appropriate judgement in this regard.

Council resources must be used exclusively for normal Council business during an election period and, must not be used in connection with an election other than uses strictly relating to the election process.

8.2. Use of Council resources for personal benefit

The use of Council resources for personal benefit is distinct from a designated decision of a Council regarding the use of Council resources for the advantage of a particular candidate or group of candidates.

The use of Council resources for personal benefit is regulated by legislation other than s91A of the Elections Act. The use of Council resources by a Council Member for the purposes of an election campaign will be a use of those resources for personal benefit. Council Members standing for re-election to Council must take care that they only use Council resources for normal Council business and not to assist them in campaigning.

The general duties on Council Members under s62 of the *Local Government Act 1999* include offences for improper use of information or position to gain personal advantage for the Council Member or another person.

Section 78 of the *Local Government Act 1999* provides for the use of Council resource by Council Members. Section 78(3) of the Local Government Act states:

A member of a council must not use a facility or service provided by the council under this section for a purpose unrelated to the performance or discharge of official functions or duties (unless the use has been approved by the council and the member has agreed to reimburse the council for any additional costs or expenses associated with this use).

The *Code of Conduct for Council Members* (contained within the *Council Member Conduct Policy*) also prohibit the use of Council resources for private purposes without authorisation.

The use of Council resources for personal benefit in breach of these requirements could be corruption or misconduct for the purpose of the *Independent Commission Against Corruption Act 2012*, the *Ombudsman Act 1972* and be the subject of a complaint to the relevant authority.

Conduct of a public officer that results in a substantial mismanagement of public resources may also be the subject of a complaint to the relevant authority.

Disciplinary consequences or prosecutions may ultimately result from the unauthorised use of Council resources for private purposes.

8.3. Council Publications During an 'Election Period'

8.3.1. Prohibition on publishing certain materials during an 'election period'

A decision by Council to publish information for the advantage of a particular candidate or group of candidates (other than a decision which allows for the equal use of Council resources by all candidates for election) is a designated decision and is prohibited by s91A of the Elections Act. Publishing includes publication by any medium, including but not limited to leaflets, newspapers, posters, email, websites, radio or television.

Council have a statutory responsibility to publish certain information regarding general elections. Under s12(b) of the Elections Act, Council is responsible for

the provision of information, education and publicity designed to promote public participation in the electoral processes for its area, to inform potential voters about the candidates who are standing for election in its area and to advise its local community about the outcome of the elections conducted in its area.

All election materials published by Council should fall within the types of material described in s12(b) of the Elections Act and not contain any material which would advantage a particular candidate or candidates.

'Electoral material' is defined in the Elections Act as 'an advertisement, notice, statement or representation calculated to affect the result of an election or poll'. Given that the purpose of electoral material is to persuade voters towards a particular candidate or group of candidates, it will not be appropriate for Council to publish electoral material.

Council Members are, however, permitted to publish campaign material on their own behalf (provided that they comply with ss 27 and 28 of the Elections Act)). Council Members should not assert or imply that the electoral material originates from or is endorsed by, Council. A Council Member also should not use Council resources to create or distribute his or her electoral material, including through the use of Council stationery, computers, printers, photocopiers, Council Employees or the application of Council logos.

NOTE: 'Publication' means any type of publication, including but not limited to leaflets, newspapers, posters, email, website, radio etc.

8.3.2. Council website

During an 'election period', new material which is prohibited by this Policy will not be placed on the Council website. Any information which refers to the election will only relate to the election process by way of information, education or publicity. Information about Council Members will be restricted to names, contact details, titles, membership of committees and other bodies to which they have been appointed by the Council.

8.3.3. Other Council publications

Insofar as any Council publications, such as the Annual Report, are required to be published during an election period, the content contained within them regarding Council Members will be restricted to that strictly required by the *Local Government Act 1999* and Regulations.

Council publications produced before an election period containing material which might be construed as electoral material will not be circulated or displayed during the election period. However, they may be made available to members of the public on request.

8.4. Attendance at Events and Functions During an Election Period

In this clause, reference to events and functions means gatherings involving external stakeholders to discuss, review, acknowledge, communicate, celebrate or promote a program, strategy or issue which is of relevance to Council and its community and may take the form of conferences, workshops, forums, launches, promotional activities, and social occasions such as dinners, receptions and balls.

A key consideration is the capacity in which they have been invited to the event. If they have been invited as a Council Member (i.e. Councillor Smith is invited to...) then their attendance will be in the course of Council duties. If however they are invited in a private capacity (i.e. Mr Smith is invited to...) then their attendance will not be taken to be in the course of Council duties.

It is therefore important for the Council Member to clarify the nature of the invitation to the event and prudent for the Council Member to use their best endeavours to clarify to event participants the capacity in which they are attending, particularly if intending to address the participants or undertake campaigning activities.

8.4.1. Events etc staged by external bodies

Council Members may continue to attend meetings, events and functions staged by external bodies during an election period. This includes but is not limited to LGA and regional LGA meetings, including the LGA Annual General Meeting held in October.

8.4.2. Council organised events and functions

Council organised events and functions held during the election period will be reduced to only those essential to the operation of the Council.

8.4.3. Addresses by Council Members

Council Members must not give speeches or keynote addresses at Council organised or sponsored events and functions during an election period.

Council Members may, however, make short welcome speeches or closing remarks at Council organised or sponsored events and functions during an election period.

8.4.4. Publication of promotional material

In preparing any material concerning a Council organised or sponsored function or event which will be published or distributed during the election period, such preparation will be consistent with Clause 8.3 of this policy.

8.5. Access to Council Information

Council Members continue during an election period to have a statutory right under s61 of the *Local Government Act 1999* to access Council information relevant to the performance of their functions as a Council Member. This right should be exercised with caution and limited to matters that the Council is dealing with within the objectives and intent of this Policy. Any Council information so accessed that is not publicly available must not be used for election purposes.

Council Members should take care that access to Council documents is in connection with the performance or discharge of their functions or duties of the member. Access to Council documents for the purpose of campaigning or to gain an advantage in an election is an improper use of information gained by virtue of the Council Member's position as a member of Council.

All candidates (including those that are Council Members) have equal rights of access to public information relevant to their election campaigns from Council administration. Neither Council Members nor candidates will be provided with information or advice from Council Employees that might be perceived to support an election campaign, and there shall be transparency in the provision of all information and advice during an election period.

8.5.1. Information and briefing material

Information and briefing material prepared or secured by Council Employees for a Council Member during an election period must be necessary to the carrying out of the Council Member's role and, where appropriate, provided to any candidate seeking the same information. Queries by Council Employees regarding the provision of information will be directed to the Chief Executive Officer in the first instance.

8.6. Media Service

Council's media services are directly managed by or under the supervision of the Chief Executive Officer, are provided solely to promote Council activities or initiatives and must not be used in any manner that might favour a candidate during an election period.

8.6.1. Media advice

Any request for media advice or assistance from Council Members during an election period will be referred to the Chief Executive Officer. No media advice will be provided in relation to election issues or in regard to publicity that involves specific Council Members.

8.6.2. Media releases / spokespersons

Media releases will not refer to specific Council Members during an election period. Where it is necessary to identify a spokesperson in relation to an issue, the Chief Executive Officer will generally be the appropriate person.

8.6.3. Publicity campaigns

During the election period, publicity campaigns, other than for the purpose of conducting the election in accordance with the requirements of Section 12(b) of the Elections Act, will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the Chief Executive Officer.

In any event, Council publicity during an election period will be restricted to communicating normal Council activities and initiatives without any variation in form or size.

8.6.4. Council Members

Council Members will not use their position as an elected representative or their access to Council Employees and other Council resources to gain media attention in support of an election campaign.

8.6.5. Council Employee Public Statements

During an 'election period', no Council Employee may make any public statement that relates to an election issue unless such statements have been approved by the Chief Executive Officer.

8.7. Stationary and Equipment**8.7.1. Council branding and stationery**

No Council logos, letterheads, or other Council branding or Council resources or facilities may be used for, or linked in any way with, a candidate's election campaign.

8.7.2. Equipment and facilities

Equipment and facilities provided to Council Members for the purpose of conducting normal Council business (i.e. iPads, laptops, phones, etc.) must not be used for campaigning purposes.

9. COUNCIL MEMBER CORRESPONDENCE DURING AND ELECTION PERIOD

- 9.1 All correspondence addressed to Council Members regarding Council business will continue to be forwarded to the Council Member.
- 9.2 Correspondence received directly by Council Members (e.g. direct mail, email) can continue to be answered directly by the Council Member.
- 9.3 Council Members should be mindful of their obligations under s62(4) of the *Local Government Act 1999* regarding making improper use of their position as a member of the council for advantage and also the obligations under the *State Records Act 1997* and the Council's *Records and Information Management Policy*.

10. COUNCIL EMPLOYEE RESPONSIBILITIES DURING AND ELECTION PERIOD

Prior to any election period, the Chief Executive Officer will ensure that all Council Members and Council Employees are advised in relation to the application of this *Caretaker Policy*.

10.1.1. Activities that may affect voting

Council Employees in the course of their duties must not:

- (a) Undertake an activity that may affect voting in the election, except where the activity relates to the election process and is authorised by the Chief Executive Officer;
- (b) Authorise, use or allocate a Council resource for any purpose which may influence voting in the election, except where it only relates to the election process and is authorised by the Chief Executive Officer; and
- (c) Assist Council Members in ways that are or could create a perception that they are being used for electoral purposes. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, the incident must be reported to and advice sought from the Chief Executive Officer.

11. EQUITY IN ASSISTANCE TO CANDIDATES

Council confirms that all candidates for the Council election will be treated equally.

11.1. Candidate assistance and advice

Any assistance and advice provided to candidates as part of the conduct of the Council elections will be provided equally to all candidates. The types of assistance that are available will be documented and communicated to candidates in advance.

11.2. Election process enquiries

All election process enquiries from candidates, whether current Council Members or not, are to be directed to the Local Deputy Returning Officer or, where the matter is outside of the responsibilities of the Local Deputy Returning Officer, to the Chief Executive Officer or his/her nominee.

11.3. Expenses incurred by Council Members

Payment or reimbursement of costs relating to Council Members out-of-pocket expenses incurred during an election period will only apply to necessary costs that have been incurred in the performance of normal Council duties. No reimbursements will be provided for campaigning, or for expenses that could be perceived as supporting or being connected with a candidate's election campaign.

12. PUBLIC CONSULTATION DURING AN 'ELECTION PERIOD'

12.1. Prohibition

It is prohibited under this Policy for discretionary public consultation to be undertaken during the 'election period' on an issue which is contentious unless Council specifically resolves otherwise.

For the purpose of this provision, discretionary public consultation means consultation which is not legislatively mandated and is a process which involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy.

This Policy does not prevent any mandatory public consultation required by the *Local Government Act 1999* or any other Act which is required to be undertaken to enable the Council to fulfil its functions in relation to any matter or decisions which are not prohibited by law or by this Policy.

12.2. Approval for public consultation

Where public consultation is approved to occur during an election period, the results of that consultation will not be reported to Council until after the 'election period', except where it is necessary for the performance of functions as set out at clause 8.6 above.

13. HANDLING CODE OF CONDUCT COMPLAINTS DURING AN ELECTION PERIOD

- 13.1. Any complaint against a Council Member who is also a candidate for re-election made under the Council's ~~*Behavioural Management Policy Council Member Conduct Policy*~~ during an election period will not be heard or determined by the Council during that period.
- 13.2. The Chief Executive Officer, upon receiving a complaint against a Council Member, who is also a candidate for re-election about conduct relating to the Council's ~~*Behavioural Management Policy Council Member Conduct Policy*~~, will assume the responsibilities allocated to the ~~*Deputy Mayor under the Council's in the Code of Conduct Complaint Handling Procedure under the Behavioural Standards Policy Council Member Conduct Policy*~~.
- 13.3. If the Council Member against whom the complaint is made is not returned to office after the election, the complaint will lapse.
- 13.4. Council recognises that the Electoral Commissioner has the role of investigating any alleged breach of the *Local Government (Election) Act 1999*, including alleged illegal practices.

14. DELEGATION

- 14.1. The Chief Executive Officer has the delegation to:
- Approve, amend and review any procedures that shall be consistent with this Policy; and
 - Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

15. AVAILABILITY OF THE POLICY

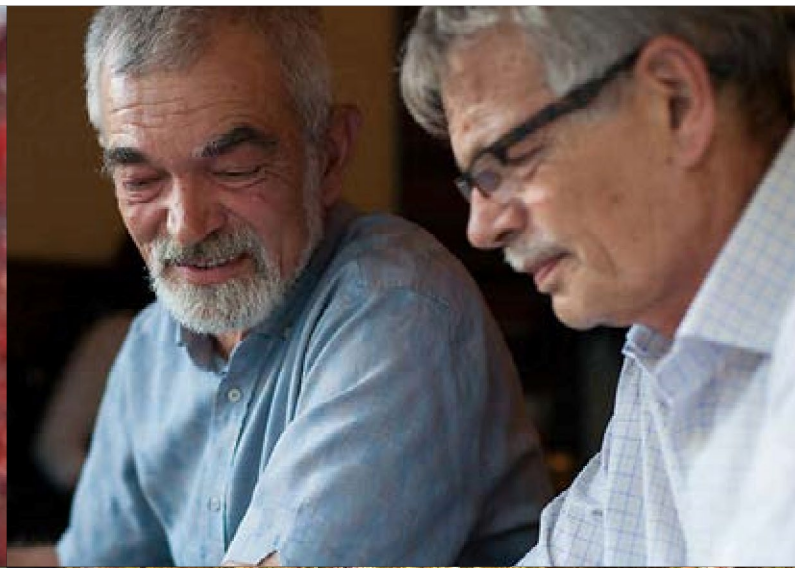
- 15.1. This Policy will be available via the Council's website www.ahc.sa.gov.au.

Appendix 7


Internal Review of Council Decision Policy

Council Policy

Internal Review of Council Decisions



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h3>INTERNAL REVIEW OF COUNCIL DECISIONS</h3>
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Policy Number:	GOV-01
Responsible Department(s):	Community Capacity
Relevant Delegations:	As per the Delegations Register and as detailed in this Policy
Other Relevant Policies:	<i>Complaint Handling Policy</i> <i>Request for Service Policy</i> <i>Unreasonable Complainant Conduct Policy</i>
Relevant Procedure(s):	Procedure contained within.
Relevant Legislation:	<i>Local Government Act 1999</i>
Policies and Procedures Superseded by this policy on its Adoption:	Internal Review of Council Decisions Policy adopted 26 November 2019
Adoption Authority:	Council
Date of Adoption:	26 July 2022
Effective From:	9 August 2022
Minute Reference for Adoption:	Item 12.13, Res 194/22
Next Review:	No later than July 2025 or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
Version control details did not exist for previous versions of this policy.			
1.0	10 December 2019	Periodic policy review.	Council, 26 November 2019
2.0	9 August 2022	Periodic policy review, incorporating changes arising from 2021 legislative reform and other matters.	Council, 26 July 2022.
3.0	25 February 2025	<p><u>1.</u> Replacement of "Mayor" with "Deputy Mayor" in clause 7.1, as per the requirements of resolution 430/24.</p> <p><u>1.2.</u> Insertion of a cover page</p>	

INTERNAL REVIEW OF COUNCIL DECISIONS POLICY

1. INTRODUCTION

- 1.1 The purpose of this policy and procedure document is to provide guidelines for how Council will deal with formal requests for internal reviews of Council decisions (including decisions by its employees and other people acting on behalf of Council).
- 1.2 The Adelaide Hills Council recognises the importance of transparency in Council decision-making and the need to provide a fair, objective and consistent process for the review of Council decisions.
- 1.3 In preparing this policy and procedure document Council has had regard to the guideline procedure developed by the South Australian Ombudsman as a result of that Office's audit of Local Government Internal Review of Council Decision Procedures in November 2016.
- 1.4 Nothing in this policy prevents a person from making a complaint to the Ombudsman at any time under the Ombudsman Act 1972.

2. OBJECTIVES

- 2.1 The objectives of this policy are:
- To demonstrate the accountability and responsibility of the Adelaide Hills Council to its ratepayers
 - To treat all parties involved fairly and equitably
 - To monitor and record all processes related to the review of Council decisions.

3. DEFINITIONS

- 3.1 For the purposes of this policy and procedure the following definitions apply:

Act means *the Local Government Act 1999*.

Applicant is a person who lodges a request for the review of a decision.

CEO refers to the Chief Executive Officer of the Adelaide Hills Council, including anyone for the time so being acting in that role.

Decision of Council or Council decision or decision (when used in the context of the purpose of the policy) is a decision of the Council or a Council Committee, a decision of an employee of Council or decisions of another person acting on behalf of Council.

A **frivolous** request for a review of a decision includes, but is not limited to, requests that have no serious purpose or value.

Merits review is a process by which a person or body, other than the original decision maker, reconsiders the facts, law and policy aspects of the original decision and determines the correct or preferable decision.

Process review is a review of the correctness of the procedures followed in making a decision.

Scheme for the resolution of disputes means a scheme established pursuant to Section 271 of the Act.

Sufficient interest means an interest in the subject matter, over and above that of the general public. For a person to have sufficient interest, they must have been, or will be, personally affected by the decision under review or be a person (including an organisation) who can demonstrate some special interest in the subject matter.

A **vexatious** request for a review of a decision includes, but is not limited to, requests made without sufficient grounds or that are submitted only to cause disruption, delay, distress or annoyance.

4. SCOPE

4.1 This Policy and Procedure will apply to all applications or requests for review of a Council decision, except for where an alternative statutory process for a review or appeal exists in other legislation.

4.2 Examples of other legislation containing statutory review or appeal processes include (but are not limited to):

- External review and appeal processes under the *Development Act 1993*
- External or internal reviews of decisions made under the *Freedom of Information Act 1991*
- A decision to issue an expiation notice under the *Expiation of Offences Act 1996*
- Reviews of orders made under Section 254 of the *Local Government Act 1999*
- Reviews of prohibition, destruction or control orders made under the *Dog and Cat Management Act 1995*
- Appeals against litter or nuisance abatement notices under the *Local Nuisance and Litter Control Act 2016*

4.3 Applicants seeking a review of a council decision should check if a specific statutory appeal or review process applies to their matter before proceeding with an application.

5. LEGISLATIVE CONTEXT

5.1 There is a legal requirement for Council to establish procedures for the review of Council decisions. The following provisions of the *Local Government Act 1999* apply to this policy:

5.2 Section 270(1) states that a council must establish procedures for the review of decisions of:

- The council;
- Employees of the council;
- Other persons acting on behalf of the council.

5.3 Section 270(2) states that the procedures must address at least the following matters:

- The manner in which an application for a review may be made
- The assignment of a suitable person to reconsider a decision under a review
- The matters that must be referred to the council itself for consideration or further consideration
- Notification of the progress and outcome of an application for a review
- The timeframes within which notifications will be made and procedures on a review will be completed
- In the case of applications relating to the impact that any declaration of rates or service charges may have had on ratepayers, to ensure that these applications can be dealt with promptly and, if appropriate, addressed through the provision of relief or concessions under the Act.

5.4 Section 270(8) states that a council must, on an annual basis, initiate and consider a report that relates to:

- The number of applications for review made under this section
- The kinds of matters to which the applications relate
- The outcome of applications under this section
- Such other matters as may be prescribed by the regulations.

5.5 The *Local Government (General) Regulations 2013* prescribe that the report required under Section 270(8) of the Act must be published in the Council's Annual Report.

5.6 Section 271 of the Act provides an option for a council to make provision for disputes between a person and the council to be dealt under a scheme involving mediation, conciliation or neutral evaluation, with the costs of any work done under such a scheme to be shared between the council and the other party.

6. POLICY STATEMENT

6.1 Adelaide Hills Council (including Committees, employees of Council and a person acting on behalf of Council) makes decisions every day which impact on members of the community. It is important that these decisions are fair and reasonable. Equally, there should be an avenue for people to ask for reasonable reviews of Council's decisions.

6.2 An internal review of a Council decision is available under section 270(1) of the Act and this policy. Internal reviews provide a mechanism that enables the Council to reconsider the decision making process and all the evidence relied on to make a decision, including new evidence if relevant. The Council will provide a fair, consistent and structured review process for any party dissatisfied with a Council decision. This policy does not and is not intended to exclude other rights and remedies available at law.

6.3 An internal review of a Council decision will examine the correctness of the procedures followed in making the decision and, in accordance with this Policy, may also examine the merits of the decision itself.

- 6.4 Internal reviews are an opportunity for the Council to review its own decision. While external help may be obtained to assist in a review, it is **not** an independent or external review process. External reviews of Council decisions are in the remit of the SA Ombudsman.
- 6.5 Council also has processes in place for dealing with customer complaints and requests for service. As a general rule, Council will encourage use of these processes in the first instance as they may offer more immediate resolution of a grievance. Council will attempt to resolve complaints about the actions of the council, employees of the council, or other persons acting on behalf of the Council under its *Complaint Handling Policy*.
- 6.6 Reasonable requests for the provision of a service by the Council or for the improvement of a service provided by the council are dealt with under the *Request for Services Policy*.
- 6.7 The formal internal review of a Council decision process is generally a last resort in the complaint handling process, and may also be used in situations which are not able to be resolved by other means. While Council encourages the use of other resolution mechanisms, it is an applicant's right to use the formal internal review process in the first instance if that is their preference.
- 6.8 Pursuant to section 270(7) of the Act, a formal request for review does not prevent a complaint being made to the Ombudsman at any time. However, as a general rule, the Ombudsman prefers that matters be addressed by Council in the first instance.
- 6.9 Although requests for review of Council decisions under this Policy are generally initiated by other parties, the Council (including the CEO) may determine to handle a complaint or other grievance using the provisions of this policy where they feel that it provides a better avenue for resolution of the matter. Subsequent to doing so, the Council will consider that an internal review under this policy has already been carried out if the same matter is raised again by either the same or another party.
- 6.10 The Council has not established a scheme for the resolution of disputes under Section 271 of the Act.

7. PROCEDURE

7.1 Making an application

- The review of a Council decision commences at the point where a formal request for a review of a Council decision is received. Council staff can help an applicant determine whether to make a request under this Policy or other statutory review processes applicable to the matter at hand, but it remains a matter for the applicant to determine.
- A formal request for a review of a decision must:
 - Be in writing, ideally using the *Internal Review of Council Decisions Application* available on Council's website
 - Be accompanied by the prescribed application fee (see below)

- Be addressed to the CEO (or in the case where the matter is about a decision made by the CEO, the matter will be referred to the Deputy Mayor for consideration by the elected Council and this Policy be read accordingly)
 - Provide full details of the decision for which the applicant is seeking a review (including how the decision impacts on their rights and/or interests) and set out clearly and succinctly the reasons for applying for the review
 - Be lodged within six (6) months of the original decision being made (with discretion provided to the CEO to allow a longer time limit to apply in particular cases. This will be assessed on a case-by-case basis).
- There is a fee of \$20.00 (prescribed under legislation) payable on application for a review of a Council decision. In practice, once an application is received, the applicant will be invoiced for the payment of the fee and consideration of the application will not proceed until the fee is paid.
 - No one should be excluded from lodging an application for review because of any difficulties they may have in representing themselves. Council staff will offer assistance where appropriate and provide it on request, including assistance in documenting the reasons for applying for the review in writing. Where necessary, access should be provided to interpreters, aids or advocates to assist applicants.

7.2 Acknowledging an application

- The CEO will formally acknowledge all requests for a review of a Council decision within five (5) working days of receiving the request. This acknowledgement will confirm the application fee and advise the applicant of the expected timeframe within which a determination will be made in respect of their request for review.
- The CEO will consider all requests for a review and may refuse to assess such an application pursuant to section 270(4) of the Act if:
 - The request is made by an employee of the Council and relates to an issue concerning the employee's employment
 - It appears that the request is frivolous or vexatious
 - The applicant does not have a sufficient interest in the matter – this will be determined on a case-by-case basis.

7.3 Undertaking the review

- Applicants will be treated equally, in accordance with good administrative practice. Council's procedures are designed to ensure that:
 - Every applicant has the opportunity to make an application for review of a decision covered by this procedure
 - An unbiased assessment is undertaken
 - Reviews will be completed as quickly as possible, while ensuring that they are dealt with at a level of authority that reflects their level of complexity
 - Decisions are based on sound evidence
 - Applicants receive information about the outcome of the review
 - Applicants will be afforded procedural fairness.

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- The CEO will assess all applicable requests for a review of a Council decision (except those which will be referred to the elected Council) and determine what action, if any, should be taken (including whether an external investigation is necessary).
 - The CEO may elect to appoint another officer or external advisor for assessment and/or preparation of a report to assist in the review process. The person appointed to assist with the review must be independent of the original decision being reviewed (i.e. have no prior involvement in the matter) so far as can be practicably achieved. An external advisor may be recommended where the decision under review is complex, raises legal questions or in circumstances where the resources required to undertake the review are not readily available within the organisation.
 - The CEO will refer a review of a Council decision to Council where the decision being reviewed was made by the elected Council or a Committee. A review of decisions made by the CEO will also be referred to the elected Council in accordance with this Policy.
 - The CEO may also decide to refer a review of a Council decision to the elected Council where:
 - The decision being reviewed relates to civic or ceremonial matters
 - The decision being reviewed is in the opinion of the CEO likely to be of interest to the wider community
 - The CEO otherwise considers, in their discretion that the matter warrants consideration by Council.
 - Where a review of a Council decision is referred to the Council, the CEO will prepare a report to Council which will include all of the relevant information about the decision being reviewed.
 - Where a request for review has been referred to Council the applicant will be advised of the date that the report will be presented to Council and will be given the opportunity to provide a written or verbal submission in relation to the report for Council's consideration.
 - In most cases, Council will use its best endeavours to ensure that requests for review will be considered and determined within 20 business days. However, in more complex cases, or if the decision is to be reviewed by Council, Committee or an external provider a review may take longer. In the event that a review exceeds 20 days, the applicant will be provided with periodic updates on the progress of the review until the review is finalised.
 - Except for in extremely limited circumstances, a merits review will be conducted. In those instances where a merits review will not be conducted, a process review will be undertaken and the applicant will be advised of this at the time the review is commenced.

7.4 Natural Justice

- Those that may be affected by a decision will be accorded natural justice, which includes the principles of procedural fairness. As part of the review process all parties with a known interest in the matter will have the opportunity to make a written submission expressing their point of view and responding to issues raised, including the provision of any relevant information. This may take the form of being invited to make an initial submission to the person assisting with the review and/or being invited to comment on provisional findings of the review before a final decision is made.
- In undertaking a review, the CEO or Council will review the decision in question to ensure that the original decision maker complied with the following procedural requirements and made the best possible decision in the circumstances having regard to the following:
 - The decision maker had the power to make the decision
 - The decision maker considered all matters which were relevant to the making of the decision at the time and did not take into account matters which were not relevant, as well as any additional relevant information or material provided by the applicant.
 - The decision maker did not exercise a discretion or power in bad faith, for an improper purpose, or while subject to duress or the influence of another person
 - The decision maker had no conflict of interest, bias or perceived bias
 - The decision maker ensured that findings of fact were based on evidence
 - The decision was reasonable
 - The decision maker considered any relevant legislation, policies or procedures
- The details of any request for review will be kept confidential in so far as it is necessary, practicable and appropriate for conducting an effective review process.
- The applicant will be informed in writing of the outcome of the review (even including where a determination is made that the decision under review be upheld).
- Adequate reasons will be recorded for all internal review determinations.

7.5 Applications under this policy relating to Rates

- This procedure applies to applications that relate to the impact that any declaration of rates or service charges may have had on ratepayers.
- Council or the CEO will give priority to such applications and consider the impact of rates and services on ratepayers and the provisions available to ratepayers for rate relief or concessions as set out in the Act (e.g. remission or postponement of payment, issuing of fines and interest, particular land use categorisation).
- Specific review mechanisms exist in the Local Government Act 1999 to try the validity of a rate or service charge. This Policy does not apply to such a decision.

7.6 Remedies

- Where the review of a decision under this Policy results in the applicant's contention(s) being upheld, an appropriate remedy will be determined that is reasonable in all the circumstances.
- The remedy chosen will be proportionate and appropriate to the outcome of the review and may include (but is not limited to):
 - Varying or revoking the original decision
 - Returning the situation to its original status (such as not pursuing the construction of something, not implementing the original decision, etc)
 - The provision of an explanation
 - Offering to enter into formal mediation
 - The offering of an apology or admission of fault
 - A change to Council policy, procedure or practice
 - The correction of Council records, noting this does not necessarily mean deleting records.
- Where appropriate, the any findings of an internal review will be considered in making improvements to Council's existing policies, practices and procedures.

7.7 Other procedural matters

- Where the Council or the CEO determines that a matter such as a complaint or other grievance should be dealt with as an internal review of decision under this policy, the other party will be advised accordingly. Once a review of this kind is completed, it will be treated as if the other party had requested the review and, as such, any subsequent request for an internal review of decision by the same or other party on the same matter will be treated as if a review has already been conducted.

8. DELEGATION

8.1 The Chief Executive Officer has the delegation to:

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

9. AVAILABILITY OF THE POLICY

9.1 This Policy will be available via the Council's website www.ahc.sa.gov.au

Appendix 8

Internal Audit Policy

Council Policy

Internal Audit



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2>INTERNAL AUDIT</h2>
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Policy Number:	GOV-18
Responsible Department(s):	Governance & Performance
Relevant Delegations:	As per the Delegations Register and as detailed in this Policy
Other Relevant Policies:	<i>Risk Management Policy Fraud & Corruption, Misconduct and Maladministration Prevention Policy Public Interest Disclosure Policy WHS and IM Policy</i>
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Local Government Act 1999</i>
Policies and Procedures Superseded by this policy on its Adoption:	Internal Audit Policy, 13 June 2017, Item 12.2, SP21/17
Adoption Authority:	Council
Date of Adoption:	24 May 2022
Effective From:	07 June 2022
Minute Reference for Adoption:	Item 12.12, 132/22
Next Review:	No later than April 2025 or as required earlier by legislation or changed circumstances.

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	1/3/2014	New Policy	SPDPC - Res 3/14
1.1	27/06/2017	Minor amendments to achieve consistency with Council policy template and updated nomenclature	SPDPC - Res SP21/17
2.0	24/5/2022	Minor amendments to achieve consistency with nomenclature changes and with the Council policy template	Council – Res 132/22
3.0	25/2/20225	Replacement of “Mayor” with “Deputy Mayor” in clause 4.2.5, as per the requirements of resolution 430/24.	

INTERNAL AUDIT POLICY

1. INTRODUCTION

- 1.1. Internal controls are essential to assist the Council to carry out its activities in an efficient and orderly manner to achieve its objectives, to ensure adherence to legislation and council policies, to safeguard the Council's assets, and to secure the accuracy and reliability of council records
- 1.2. This policy includes a definition of internal audit as it applies to the Council, a set of internal audit principles and states the responsibilities for Council Members, the Audit Committee, the Leadership team and the Governance & Performance Department.

2. POLICY STATEMENT

- 2.1. The Council is committed to maintaining a robust and integrated Governance Framework that assures stakeholders that it is pursuing its objectives and fulfilling its responsibilities with due diligence and accountability.
- 2.2. A fundamental component of this Framework is the operation of an objective assurance function that evaluates the adequacy and effectiveness of the systems of internal control within the Council.
- 2.3. The purpose of this Policy is, through the establishment of an internal audit function, to support better decision-making through a good understanding of the adequacy and effectiveness of the systems of internal controls to mitigate Council's risks.

3. DEFINITION OF INTERNAL AUDIT

- 3.1. Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve the Council's operations. It helps the Council accomplish objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes¹.
- 3.2. The Executive ~~Manager~~ Governance & Performance Officer (~~EMGP~~ Executive Governance Officer) is responsible for the management of the internal audit function within Council. Internal audits are to be conducted by suitably qualified and experienced personnel and may be insourced, cosourced or outsourced.

¹ Institute of Internal Auditors, *International Professional Practices Framework (IPPF)*, www.iaa.org.au/technical-resources

4. POLICY PRINCIPLES

4.1. The principles of the Council's approach to internal audit are:

4.2. Independence

4.2.1. Independence is essential to the effectiveness of the internal audit function.

4.2.2. The internal audit function has no direct authority or responsibility for the activities it reviews. The internal audit function has no responsibility for developing or implementing procedures or systems and does not prepare records or engage in original line processing functions or activities (except as noted below). The work of internal audit does not in any way relieve managers of their responsibilities for the development, implementation and maintenance of management control systems in their areas.

4.2.3. The [EMGPExecutive Governance Officer](#) is responsible, on a day to day basis, for the internal audit function of Council. In achieving operational independence of the internal audit function the CEO has ensured that the [EMGPExecutive Governance Officer](#) has dual reporting lines.

4.2.4. These reporting lines require that the [EMGPExecutive Governance Officer](#) must:

- report administratively to the CEO to facilitate day to day operations of the internal audit function and
- report to the Audit Committee for strategic direction and accountability of the internal audit function.

4.2.5. The [EMGPExecutive Governance Officer](#) has direct access to the [Deputy Mayor](#), the Presiding Member of the Audit Committee and the CEO. Periodic 'in camera' meetings may be held between the EMGR and the Audit Committee.

4.2.6. Where the [EMGPExecutive Governance Officer](#) has responsibility for an activity that is scheduled for review, the Audit Committee will ensure that the internal audit assignment will be managed by another employee within Council and the independence of the function is not compromised.

4.3. Authority and Confidentiality

4.3.1. Subject to compliance with Council's security policies, internal auditors are authorised to have full, free and unrestricted access to all functions, premises, assets, personnel, records, and other documentation or information that the [EMGPExecutive Governance Officer](#) or the CEO considers necessary to enable the internal auditors to undertake the audit assignment.

4.3.2. All records, documentation and information accessed in the course of undertaking internal audit activities are to be used solely for the conduct of these activities. The [EMGPExecutive Governance Officer](#) is responsible and accountable for maintaining the confidentiality of the information the internal auditors receive during the course of their fieldwork.

4.3.3. Where necessary, [EMGPExecutive Governance Officer](#) may consult with and disclose audit matters to other local government entities, normally this will only occur where these matters affect other entities, or as directed by the Audit Committee or the CEO.

4.4. Standards

4.4.1. Internal audit activities will be conducted in accordance with intent of relevant professional standards deemed appropriate and applicable including:

- International Professional Practices Framework (IPPF) issued by the Institute of Internal Auditors
- Standards relevant to internal audit issued by the Australian Society of Certified Practising Accountants and the Institute of Chartered Accountants in Australia
- The Statement on Information Systems Auditing Standards issued by the Information Systems and Control Association, and
- Standards issued by Standards Australian and the International Standards Organisation.

4.4.2. In the conduct of internal audit work, internal auditors will:

- comply with relevant professional standards of conduct
- possess the knowledge, skills and technical proficiency relevant to the performance of their duties
- be skilled in dealing with people and communicating audit, risk management and related issues effectively and
- exercise due professional care in performing their duties.

4.5. No Surprises

4.5.1. Council's approach to internal audit is that there should be 'no-surprises' at the conclusion of the audit assignment. To this end, on-going discussions will be held with management as findings emerge and conclusions are developed. At the mid-point of the audit, a formal meeting may be sought with the audit sponsor to discuss the audit and any emerging issues. If necessary, [EMGP Executive Governance Officer](#) will communicate significant matters of concern to the CEO and/or the Audit Committee prior to the completion of the final report.

5. **SCOPE**

5.1. Internal audit reviews cover all programmes and activities of the Council together with associated entities as provided for in relevant business agreements, memorandum of understanding and contracts. Internal audit activity encompasses the review of all financial and non-financial policies and operations as required.

6. **RESPONSIBILITIES**

6.1. The Council has ultimate responsibility that appropriate policies, practices and procedures of internal control are implemented and maintained in accordance with s125 of the Local Government Act 1999.

- 6.2. The **Audit Committee** is responsible for (as per the Audit Committee Terms of Reference):
- 6.2.1. monitoring and reviewing the effectiveness of the internal audit function in the in the context of the Council's overall risk management system;
 - 6.2.2. consider and make recommendation on the program of the internal audit function and the adequacy of its resources and access to information to enable it to perform its function;
 - 6.2.3. review all reports on the Council's operations from the internal auditors;
 - 6.2.4. review and monitor management's responsiveness to the findings and recommendations of the internal auditor.
- 6.3. The **Chief Executive Officer** is responsible for ensuring that an internal audit function is established, implemented and maintained in accordance with this Policy.
- 6.4. **Employees** are accountable for assisting internal auditors in the conduct of their work through the provision of accurate and timely information to audit requests, providing responses to audit reports and updates on the implementation status of actions arising from audits.
- 6.5. The **Governance & Performance Department** is responsible for the development and continuous improvement of the Council's internal audit systems and processes; the development of internal audit plans, the engagement and management of internal audit providers; the monitoring of the implementation status of audit actions; and reporting to the Chief Executive Officer and Audit Committee regarding the Council's internal audit function.

7. RELATIONSHIP TO RISK MANAGEMENT

- 7.1. Internal audit provides an independent appraisal of key internal controls within the organisation. These controls are key mitigations of inherent risk and therefore inform the risk management process and the calculation of residual risk.

8. DELEGATION

- 8.1. The CEO has the delegation to:
- Approve, amend and review any procedures that shall be consistent with this Policy; and
 - Make any legislative, formatting, nomenclature or other minor changes to the Policy during the period of its currency.

9. AVAILABILITY OF THE POLICY

- 9.1. This Policy will be available via the Council's website www.ahc.sa.gov.au

Appendix 9


Behavioural Management Policy

Council Policy

Behavioural Management



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	BEHAVIOURAL MANAGEMENT
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Policy Number:	CM -01
Responsible Department(s):	Governance & Performance
Relevant Delegations:	As per the Delegations Register and as detailed in this Policy
Other Relevant Policies:	Nil
Relevant Procedure(s):	Nil
Relevant Legislation:	Local Government Act 1999
Policies and Procedures Superseded by this policy on its Adoption:	<i>Council Member Conduct Policy</i>
Adoption Authority:	Council
Date of Adoption:	As per Government Gazette No.79, 17 November 2022
Effective From:	17 November 2022
Minute Reference for Adoption:	29 November 2022, Item 12.14, Res 317/22
Next Review:	As required by legislation (within 12 months of gazettal) or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	17/11/22	Mandated policy as gazetted on 17 November 2022	Council - Res 317/22
<u>2.0</u>	<u>25/02/25</u>	<u>Replacement of "Mayor" with "Deputy Mayor" and other minor changes in clauses 4.1, 4.4, and 5, as per the requirements of resolution 430/24.</u>	

BEHAVIOURAL MANAGEMENT POLICY

1. Purpose

This Policy has been prepared and adopted pursuant to section 262B of the *Local Government Act 1999* (the Local Government Act).

This *Behavioural Management Policy* forms part of the Behavioural Management Framework for council members and sets out the approach to the management of complaints about the behaviour of council members. It sets out the process to be adopted where there has been an alleged breach of the *Behavioural Standards for Council Members*, this *Behavioural Management Policy* and/or any *Behavioural Support Policy* adopted by the Council (the **behavioural requirements**).

2. Glossary

Behavioural Management Framework – comprises four components:

- The legislative framework within which all council members must operate;
- The *Behavioural Standards for Council Members*, determined by the Minister for Local Government, which apply to all council members in South Australia;
- The mandatory *Behavioural Management Policy* (this document) relating to the management of behaviour of council members and adopted pursuant to section 262B of the Local Government Act;
- Optional *Behavioural Support Policy* (or policies) designed to support appropriate behaviour by council members and adopted pursuant to section 75F of the Local Government Act.

behavioural requirements – in this document refers collectively and individually to the *Behavioural Standards for Council Members*, the *Behavioural Management Policy* and any *Behavioural Support Policies* adopted by the Council.

Behavioural Standards for Council Members – established by the Minister for Local Government, and published as a notice in the SA Government Gazette, specifying standards of behaviour to be observed by members of councils; and providing for any other matter relating to behaviour of members of councils.

frivolous – includes without limitation, a matter of little weight or importance, or lacking in seriousness.

misbehaviour – is defined in section 262E of the *Local Government Act 1999* as:

- a) A failure by a member of a council to comply with a requirement of the council under section 262C(1); or
- b) A failure by a member of a council to comply with a provision of, or a requirement under, the council's behavioural management policy; or
- c) A failure by a member of a council to comply with an agreement reached following mediation, conciliation, arbitration or other dispute or conflict resolution conducted in relation to a complaint under Division 1

person responsible for managing the complaint means, subject to any resolution of the Council to the contrary –

- a) the Deputy Mayor;
- b) if the complaint relates to or involves the Deputy Mayor;
- i. the Deputy Mayor an elected member selected by the CEO, taking into account perceived conflicts of interest, apprehended bias, and other matters;
 - ii. Should it not be appropriate for the CEO to select an elected member (such as if they have a conflict of interest), an elected member selected by the Executive Governance Officer, taking into account perceived conflicts of interest, apprehended bias, and other matters
- ~~b)c) if the complaint relates to or involves the Mayor and Deputy Mayor, another council member appointed by Council.~~

repeated misbehaviour – is defined in section 262E of the *Local Government Act 1999* as a second or subsequent failure by a member of a council to comply with Chapter 5 Part 4 Division 2 (Ch 5- Members of council, Pt 4-Member integrity and behaviour, Div 2-Member behaviour)

serious misbehaviour – is defined in section 262E of the *Local Government Act 1999* as a failure by a member of a council to comply with section 75G (Health and safety duties)

trivial – includes without limitation, a matter of little worth or importance; that is trifling; or insignificant.

vexatious – includes a matter raised without reasonable grounds or for the predominate purpose of causing annoyance, delay or detriment, or achieve another wrongful purpose

3. Principles

Nothing in this Policy is intended to prevent council members from seeking to resolve disputes and complaints in a proactive, positive and courteous manner before they are escalated.

The following principles will apply:

- Where a council member considers there has been behaviour that is inconsistent with the **behavioural requirements**, a council member may, in appropriate circumstances, seek to respectfully and constructively raise this issue with the member concerned, without the need to lodge a complaint under this Policy;
- If a matter proceeds to a complaint, all council members will continue to comply with the procedures set out in this Policy and support the person responsible for managing the complaint;
- a consistent approach to the assessment, investigation and resolution of complaints will be adopted to facilitate timely and efficient resolution and minimisation of costs;
- Where required, Council may engage the assistance of skilled advisors and support persons in the assessment, investigation and resolution of complaints and avoid adopting an unreasonably legalistic approach.
- ongoing training and relevant resources will be provided to all council members to ensure they have the skills and knowledge necessary to perform their role in accordance with the **behavioural requirements** and the *Local Government Act 1999*.
- Training and relevant support will be provided to persons with specific obligations under this Policy to facilitate the management, reporting and resolution of complaints alleging a breach of the **behavioural requirements**.

Council will manage complaints under this Policy with as little formality and technicality and with as much expedition as the requirements of the matter and the *Local Government Act* allow and with proper consideration of the matter. Council is not bound by rules of evidence but will inform itself in the manner considered most appropriate given the nature of the complaint.

4. The Complaint Management Process

This Policy sets out the procedures for dealing with an allegation of a breach of the **behavioural requirements** applying to council members. These procedures do not apply to complaints about council employees or the council as a whole.

A complaint made in accordance with this Policy must be lodged within 6 months of the behaviour that is inconsistent with the **behavioural requirements** occurring. A decision may be made to accept a complaint lodged more than 6 months after the behaviour that is inconsistent with the **behavioural requirements** occurring on a case-by-case basis, at the discretion of the person responsible for managing the complaint.

Community members can lodge a complaint with the Council in accordance with this Policy but cannot lodge a complaint directly with the Behavioural Standards Panel.

4.1. Dispute versus Complaint

It is important to distinguish between a dispute and a complaint. A dispute is generally a difference of opinion or disagreement between two parties. It may involve a heated discussion or some other unsatisfactory exchange between parties but may not amount to conduct inconsistent with the **behavioural requirements**. Ideally disputes will be handled directly by the parties involved and will not escalate to a complaint requiring action (even informal action) under this Policy. The [Deputy Mayor](#) (or another person) may play a role in facilitating a resolution to a dispute.

This Policy is intended to deal with matters where conduct is alleged to have been inconsistent with the behavioural requirements, rather than where members of council have differences of opinion, even when robustly put.

4.2. Confidentiality

Complaints made in accordance with this Policy will be managed on a confidential basis until such a time as they are required to be reported to Council in a public meeting in accordance with this Policy or are otherwise lawfully made public or disclosed.

Access to information relating to complaints and information about complaints will be limited to parties to the complaint and individuals with a responsibility within the complaint handling process or as otherwise provided for within this Policy¹.

A person who has access to information about a complaint (including the complainant and the person complained about) must not directly, or indirectly disclose to any person (including to a council member) that information except:

- For the purpose of dealing with the complaint
- Where required by law
- For the purpose of obtaining legal advice or legal representation, or medical or psychological assistance from a medical practitioner, psychologist or counsellor
- Where the disclosure is made to an external party, investigating the complaint, or mediator/ conciliator engaged in accordance with this Policy

¹ There are circumstances in the *Work Health and Safety Act 2012* where information must be disclosed, for example where the health and safety of an employee is at risk.

- Where the information has been made public in accordance with this Policy or this Policy otherwise authorises or requires the disclosure of the information.

This is not to be confused with formal consideration at a Council Meeting of any matter arising from application of this Policy. Items presented to Council must be assessed on a case-by-case basis in accordance with the requirements of section 90 of the *Local Government Act 1999*.

A complainant may request their identity be kept confidential from the person complained about. This does not constitute an anonymous complaint. The person responsible for managing the complaint will consider such requests on a case-by-case basis, having regard to any applicable legal requirements.

4.3. Stages of Action

This Policy has three distinct stages to the approach that will be taken to address complaints about the behaviour of Council Members:

- Part 1: Informal Action: Where the matter can be resolved directly between the parties.
- Part 2: Formal Action: Where the matter cannot be resolved using informal action and a formal process of consideration is required.
- Part 3: Referrals to the Behavioural Standards Panel: the circumstance under which the Mayor, the Council or other authorised person(s) will make a referral.

4.4. Part 1: Informal action

Council encourages informal resolution of concerns regarding behaviour alleged to be contrary to the ***behavioural requirements***. A person may therefore consider raising the matter directly with the council member concerned.

Alternatively, a person may raise their concern with the Deputy Mayor on an informal basis. If the concerns relate to or involve the Deputy Mayor the person may raise the matter with a Presiding Member of a Committee the Deputy Mayor (if appointed) or other council member appointed by the Council as the person responsible for managing complaints under this Policy.

If the Deputy Mayor or person responsible for managing the complaint considers that access to resources to support impacted parties and facilitate early resolution of the matter should be provided, the Deputy Mayor or person responsible for managing the complaint will request the CEO to facilitate access to relevant resources. The CEO will not refuse any reasonable request for resources made in accordance with this Policy.

4.4.1. Record keeping

Where the Deputy Mayor or person responsible for managing the complaint addresses the matter through informal action, a record should be made setting out:

- Details of the complainant
- Details of the person complained about
- A summary of the matter
- A summary of actions taken in response
- Details of agreed actions (if any)

If informal action does not successfully resolve the matter, the record may be made available to an investigation process as provided for under this Policy or to the Behavioural Standards Panel.

4.5. Part 2: Formal action

This Part sets out the process for formal action in response to a complaint regarding the behaviour of council members and addresses the manner in which a complaint will be:

- Received
- Assessed
- Investigated
- Resolved
- Recorded

A complaint made under the Behavioural Management Policy must:

- Be received in writing. Subject to an alternative resolution of the Council, a complaint should be marked with “Confidential Council Member Complaint” and forwarded to the relevant email or physical address as published on the Council’s website.
- Provide the name of the council member who has allegedly breached the **behavioural requirements**, the name and contact details of the complainant, the name and contact details of the person submitting the complaint (if different to the complainant) and the name and contact details of any witnesses or other persons able to provide information about the complaint.
- Be specific (including identifying the **behavioural requirements** the complainant alleges have been breached)
- Provide as much supporting evidence as possible to assist an investigation, including the grounds and circumstances of the complaint (e.g. where, when, impact of the behaviour, actions taken to try to resolve the issue, relevant records or documents)
- Identify the outcome being sought
- Be lodged within six (6) months of the alleged conduct occurring on the basis that it is important to address alleged breaches of behavioural requirements in a timely manner (with discretion provided to the person responsible for managing the complaint to allow a longer time limit to apply in particular cases. This will be assessed on a case-by-case basis).

4.5.1. Receipt of a Complaint

This step is an administrative process undertaken by the CEO or delegate:

- receipt
- initial acknowledgement
- record keeping; and
- allocation of the matter to the person responsible for managing the complaint.

The CEO or delegate does not undertake an assessment of the merits of the complaint.

Receipt of the complaint will be acknowledged within 2 business days or as soon as reasonably practicable and a copy of this Policy will be provided to the person making the complaint.

The complaint should be directed to the person responsible for managing the complaint in accordance with this Policy.

A complainant may withdraw their complaint at any stage.

4.5.2. Initial complaint assessment

An initial assessment is not an investigation or adjudication of a complaint and no findings as to the merits of the complaint will be made at this stage.

Step 1

The person responsible for managing the complaint will undertake an assessment of it to determine whether the content of the complaint relates to the **behavioural requirements** and whether the conduct occurred in the context of the council member carrying out their official functions and duties.

In undertaking the assessment, the person responsible for managing the complaint will have regard to the following matters² :

- the person that is making the complaint (or on whose behalf the complaint has been made) has a sufficient interest in the matter
- the complaint is trivial, frivolous or vexatious or not made in good faith
- the complaint has been lodged with another authority
- the subject matter of the complaint has been or is already being investigated by the Council or another body
- it is unnecessary or unjustifiable for the Council to deal with the complaint
- the council has dealt with the complaint adequately.

Step 2

If the person responsible for managing the complaint considers the matter warrants further consideration, the person complained about should be advised that a complaint has been received and is undergoing an initial assessment in accordance with this Policy. They should be provided a summary of the matter, at a sufficient level of detail, to understand the nature of the allegations and enable them to provide a preliminary response. This may be achieved by a discussion between the person responsible for managing the complaint and the person complained about, taking into account the principles of this Policy. The person complained about may have a support person present during any discussions.

The person complained about should be given a reasonable opportunity, but no more than ten business days, to provide a response to support the initial assessment. The person responsible for managing the complaint may provide a longer period of time for provision of a response at their discretion. The person responsible for managing the complaint should have regard to any response provided in determining the action resulting from the initial assessment.

Action from initial assessment

The person responsible for managing the complaint will determine what action will result from the initial assessment. A matter may proceed to formal consideration under this Policy, unless there are grounds to take one of the following actions pursuant to section 262B(2)(b):

- refusing to deal with the complaint³
- determining to take no further action

² The person responsible for managing the complaint will also have regard to whether the council has obligations to report the matter to either the Local Government Association Mutual Liability Scheme (LGAMLS) or the Local Government Association Workers Compensation Scheme (LGAWCS), pursuant to the Rules of those Schemes and council's agreement with those bodies.

³ Section 270(4a)(a)(i) of the *Local Government Act 1999* precludes a review of a decision to refuse to deal with the complaint.

- referring to an alternative resolution mechanism or to propose training for relevant parties (e.g. facilitated discussion, provision of training, mediation, arbitration, conflict resolution, etc.)
- referring the matter to another body or agency (e.g., the Ombudsman SA or the Behavioural Standards Panel)

The outcome of the initial assessment will be advised to the complainant and person complained about in writing as far as is permitted by law.

Refusing to deal with the complaint/Determining to take no further action

Where the person responsible for managing the complaint makes a decision not to proceed with formal consideration of the matter the following steps should be taken:

- the complainant must be provided written reasons explaining the decision⁴
- the person complained about should be provided with a brief summary of the complaint and the reasons for not proceeding.
- a record of these steps and the decision not to proceed should be made.

Whilst a matter may not proceed, the person responsible for managing the complaint may discuss the issues informally with the parties and identify strategies to build skills, facilitate positive relationship development and reduce the likelihood of repeat occurrences.

Decision to refer to alternative resolution mechanism

The person responsible for managing the complaint may form the view that the optimal way to deal with the complaint is to implement an alternative resolution mechanism such as facilitated discussion, mediation, arbitration, conflict resolution or training.

The person responsible for managing the complaint should discuss the use of a proposed alternative resolution mechanism with the complainant and the person complained about to determine whether there is support for this approach.

If so, the person responsible for managing the complaint should request the CEO take steps to facilitate access to appropriate internal or external support (not being for the purposes of obtaining legal advice) for parties to the complaint. The CEO will not refuse any reasonable request for resources made in accordance with this Policy.

The complainant and the person complained about should be provided written confirmation of the alternative resolution mechanism to be used for the purposes of resolving the complaint.

Decision to refer to another body or agency

Where the person responsible for managing the complaint makes a decision to refer the matter to another body or agency the person will follow any direction from that body or agency regarding what information is to be provided to the complainant and the elected member complained about regarding the referral.

Decision to proceed to formal consideration

Where the person responsible for managing the complaint makes a decision to proceed to formal consideration the following steps should be taken:

- the person complained about should be provided with a copy of this Policy, contact details of the person responsible for managing the complaint and a summary document setting out:

⁴ Section 262D, Local Government Act 1999

- the specific provision(s) of the ***behavioural requirements*** alleged to have been breached; and
- the circumstances where this breach is alleged to have occurred.
In circumstances where the complainant has not requested their identity be kept confidential, a copy of the complaint may be provided in full.
- the complainant should be advised of the decision to proceed and the contact details of the person responsible for managing the complaint.

4.5.3. Formal consideration

Where a decision to formally consider the complaint has been made the person responsible for managing the complaint will determine how to proceed:

- The person responsible for managing the complaint may determine that they are the appropriate person to formally consider the complaint; or
- The person responsible for managing the complaint may determine to engage a third party to formally consider the complaint, for example:
 - an investigator who will report to the person responsible for managing the complaint; or
 - an external service provider with skills relevant to the matter who will report to the person responsible for managing the complaint.

If the person responsible for managing the complaint determines a third party should be engaged, they will request the CEO to facilitate engagement of an appropriate service provider. The CEO will not refuse any reasonable request for resources made in accordance with this Policy.

The person responsible for managing the complaint will advise both the complainant and the person complained about that they are able to have a support person accompany them during discussions relating to the complaint.

It is the expectation of Council that both the complainant and the person complained about will cooperate with any such process to consider the complaint and, if requested, participate in meetings in a timely manner.

Failure by the elected member complained about to comply with this requirement may be taken into account when considering the actions to be taken under section 262B(2)(e) of the Local Government Act and may constitute grounds for referral to the Behavioural Standards Panel for misbehaviour.

Further consideration by the person responsible for managing the complaint (or the third party engaged), may (at the discretion of that person) involve:

- explore the complaint with the complainant and the person who is the subject of the complaint
- speaking with other persons who have been nominated by the parties to have observed the behaviour
- speaking directly with witnesses to the conduct complained about
- requesting the provision of information or documents relevant to the investigation, which may include access to audio or video recordings of meetings.

During the formal consideration of a matter appropriate records should be kept by the person responsible for managing the complaint.

4.5.4. Report

The person responsible for managing the complaint (or the third party engaged) should ensure a report is prepared summarising the matter and setting out their findings, conclusions and recommendations. The report should set out:

- Allegations made in the complaint
- Summary of evidence to which the investigation had regard
- Findings
- Conclusions
- Recommendations

A report will generally include a recommended action for the parties to consider and/or participate in such as, but not limited to the imposition of sanctions as per the Local Government Act:

- Discussions with parties to the complaint to seek agreement
- Formal mediation if not already undertaken
- Conciliation
- Arbitration
- Education and further training

A copy of the draft report should be provided to the parties to the complaint who should be given a reasonable opportunity, but no more than ten business days, to make submissions in relation to the draft report. The person responsible for managing the complaint (or the third party engaged) may provide a longer period of time for lodgement of submissions to the draft report at their discretion. The person responsible for managing the complaint (or the third party engaged) should have regard to any submissions made in preparing a final report.

Outcome – No breach found

Where the finding is that no breach of the ***behavioural requirements*** has occurred, a final report should be prepared by the person responsible for managing the complaint (or third party engaged) and provided to the complainant and the person complained about.

The complaint will remain confidential in accordance with the requirements of this Policy, except at the request of the person complained about. If such a request is made, a copy of the final report will be tabled⁵ at the next practicable Council meeting. If no such request is received, no further action will be taken.

Outcome – agreed actions (breach found)

Where the finding is that a breach of the ***behavioural requirements*** has occurred and the complainant and the person complained about⁶ agree to a path for resolution, that agreement will be documented including matters such as:

- actions to be undertaken
- responsibility for completing actions
- timeframes for completion of actions
- what will occur if there is a repeat of the behaviours complained about
- monitoring arrangements for completion of actions

⁵ Note that the complainants identity may need to be redacted

⁶ Where the conduct complained about is not raised by the person directly affected by the conduct it will usually be appropriate to discuss the proposed resolution with that person prior to finalising agreement. This is intended to apply in a circumstance where the 'victim' is not the complainant to provide them a reasonable opportunity to have input into the resolution

- what will occur if the actions aren't completed
- confirmation that the matter is considered resolved

The agreement reached will be made in writing, including a commitment by parties to the complaint to abide by the agreement (which may be by electronic means). A copy of the agreement will be retained by each party and a copy held in Council records.

The complaint will remain confidential in accordance with the requirements of this Policy except at the request of the person complained about. If such a request is made, a copy of the final report will be tabled⁷ at the next practicable Council meeting. The matter must be reported in the Council's Annual Report which must contain the information required by the regulations⁸.

Outcome – no agreed action (breach found)

Where the finding is that a breach of the ***behavioural requirements*** has occurred and the parties to the complaint have failed to reach agreement as to the resolution of the matter a final report should be presented to Council for determination. The person responsible for managing the complaint should request the CEO to include the final report in the Council Agenda as soon as practicable.

4.5.5. Actions of Council

Where the parties are not able to agree on an approach to resolve the matter, the matter will be provided to Council for determine the actions to be taken which may include:

- taking no further action;
- passing a censure motion in respect of the member;
- requiring the member to issue a public apology (in a manner determined by the Council)
- requiring the member to undertake a specified course of training or instruction;
- removal or suspension from one or more offices held in the member's capacity as a member of the Council or by virtue of being a member of the Council – but not the office of Member of the Council.

If Council determines to take action, a report on the matter must be considered at a meeting open to the public⁹.

Where Council determines to take no further action, the complainant will be advised of this along with reasons, which may include:

- a) the ground that, having regard to all the circumstances of the case, it is unnecessary or unjustifiable for the council to deal with or continue to deal with the complaint;
- b) the ground that the subject matter of the complaint has been or is already being investigated, whether by the council or another person or body; or
- c) the ground that the council has dealt with the complaint adequately.

In making a determination under section 262C(1) Council should be reasonably prescriptive about the manner and time periods in which the action must be completed. Section 262E defines a failure to comply with a requirement of the council under 262C(1) as 'misbehaviour' which may result in a referral to the Behavioural Standards Panel.

⁷ Note that the complainants identity may need to be redacted.

⁸ Schedule 4(1)(d), *Local Government Act 1999*

⁹ Section 262C(2), *Local Government Act 1999*

The matter must be reported in the Council's Annual Report which must contain the information required by the regulations¹⁰.

4.6. Behavioural Standards Panel

The Behavioural Standards Panel is an independent statutory authority consisting of three members and has powers to impose sanctions on council members who breach the **behavioural requirements**.

In accordance with section 262Q of the *Local Government Act 1999* a complaint alleging misbehaviour, repeated misbehaviour or serious misbehaviour may be made to the Panel by certain persons as set out below. The Panel's jurisdiction arises in the circumstances set out below:

Legislative definition	Plain language explanation
<p>misbehaviour means—</p> <p>(a) a failure by a member of a council to comply with a requirement of the council under section 262C(1); or</p> <p>(b) a failure by a member of a council to comply with a provision of, or a requirement under, the council's behavioural management policy; or</p> <p>(c) a failure by a member of a council to comply with an agreement reached following mediation, conciliation, arbitration or other dispute or conflict resolution conducted in relation to a complaint under Division 1;</p>	<p>Misbehaviour means:</p> <p>(a) a council member fails to take the action required by council; or</p> <p>(b) a council member fails to comply with this policy; or</p> <p>(c) a council member fails to comply with an agreement reached pursuant to this policy</p>
<p>repeated misbehaviour means a second or subsequent failure by a member of a council to comply with Chapter 5 Part 4 Division 2;</p>	<p>A second or subsequent breach of the behavioural requirements</p>
<p>serious misbehaviour means a failure by a member of a council to comply with section 75G.</p>	<p>A breach of health and safety duties (including sexual harassment) as set out in section 75G of the <i>Local Government Act 1999</i></p>

A complaint alleging misbehaviour, repeated misbehaviour or serious misbehaviour by a member of council may be referred to the Panel by¹¹:

- A resolution of the council;
- the Mayor; or
- at least 3 members of the council
- Responsible person under 75G – direction not to attend meeting.

¹⁰ Schedule 4(1)(d), *Local Government Act 1999*

¹¹ Section 262Q, *Local Government Act 1999*

Behavioural Standards Panel Contact Officer

Council must appoint a person as the contact officer for matters referred to the Behavioural Standards Panel. The contact officer is responsible for the provision of information to and receipt of notice from the Behavioural Standards Panel.

5. Responsibilities

The Deputy Mayor, ~~Deputy Mayor (if appointed)~~ or ~~other council member appointed by the council~~ as the person responsible for managing complaints is responsible under this Policy to:

- Perform the tasks bestowed upon the person responsible for dealing with a complaint pursuant to this Policy
- In consultation with the CEO, facilitate access to resources to support impacted parties and resolve the concerns raised in a timely manner prior to the matter becoming serious, or escalating to a formal complaint.
- In consultation with the CEO, engage external resources to assist with investigation and resolution of matters.

The CEO (or delegate) is responsible under this Policy to:

- manage the administrative receipt, acknowledgement, record keeping and allocation of a complaint lodged in accordance with this Policy
- facilitate access to external resources to support the resolution of complaints lodged in accordance with this Policy.

The Behavioural Standards Panel Contact Officer (appointed by the council) is responsible under this Policy to:

- comply with any lawful request of the Panel for information related to a matter under consideration.
- receive and respond to notices relating to matters under consideration by the Panel.

Where the Behavioural Standards Panel Contact Officer is not the CEO, the Contact Officer should keep the CEO informed of the status of matters under consideration by the Panel.

6. Related Legislation

Independent Commission Against Corruption Act 2012

Local Government Act 1999

Ombudsman Act 1972

Public Interest Disclosure Act 2018

Appendix 10


Advisory Group Operation Conduct Policy

Council Policy

Advisory Group Operation and Conduct



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2 style="margin: 0;">ADVISORY GROUP OPERATION AND CONDUCT</h2>
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Policy Number:	GOV-15
Responsible Department(s):	Governance & Performance
Other Relevant Policies:	<i><u>Behavioural Management Policy</u></i> <i>Council Member Conduct</i> <i>Information or Briefing Sessions</i> <i>Volunteer Engagement</i>
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Local Government Act 1999</i> <i>Local Government (General) Regulations 2013</i>
Policies and Procedures Superseded by this policy on its Adoption:	<i>Advisory Group Operation & Conduct Policy, 18 December 2018, Item 12.3, 326/18</i>
Adoption Authority:	Council
Date of Adoption:	22 March 2022
Effective From:	5 April 2022
Minute Reference for Adoption:	57/22
Next Review:	No later than March 2025 or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	2/1/2019	Initial Adoption	Council – Res 326/18
1.1	9/11/2021	Consequential amendments from adoption of <i>Information or Briefing Sessions Policy</i>	Council – Res 226/21
2.0	5/4/22	Streamlining of recruitment <u>recruitment</u> procedures and removal of special meeting provisions	Council – Res 57/22
<u>3.0</u>	<u>25/2/25</u>	<u>Replacement of “Mayor” with “Deputy Mayor” in clauses 6.5, 7.2, and 16.5, as per the requirements of resolution 430/24.</u>	

ADVISORY GROUP OPERATION AND CONDUCT POLICY

1. INTRODUCTION

- 1.1 Council has used Advisory Groups (in various forms) over many years to provide advice to the Administration (i.e. Council Officers) and, ultimately, to the Council in relation to a variety of subject matters.
- 1.2 While the specific composition arrangements of each Advisory Group vary, they provide the means by which the Administration can access technical and/or community advice to inform the development of Council strategies, policies and initiatives. They also allow community members with the right skills and interests in a matter to influence decision making and direction.
- 1.3 In contrast to the more formal meeting structures such as Council and Council Committees (created under s41 of the *Local Government Act 1999*), Advisory Groups do not have any legal standing but, due to the membership containing Council Members, are required to comply with the information or briefing sessions legislative provisions contained in Section 90A of the *Local Government Act 1999* and Council's adopted policy positions contained in the *Information or Briefing Sessions Policy*.

2. OBJECTIVES

- 2.1 The objectives of this policy are:
- To provide clear guidance to Council Members, Officers and Independent Members on the operational arrangements and conduct expectations of Advisory Groups; and
 - To ensure that Advisory Groups are conducted in accordance with the applicable obligations contained in legislation and Council policy.

3. DEFINITIONS

- 3.1 **"Executive Officer"** means the Council Officer appointed by the Chief Executive Officer to coordinate and conduct the respective Advisory Group
- 3.2 **"Information or briefing session"** is a session to which more than one (1) member of the council or a council committee is invited by the council or the chief executive officer (CEO) of the council to attend or be involved in for the purpose of providing information or a briefing to attendees [Section 90A(1)].
- 3.3 **"Electronic means"** includes a telephone, computer or other electronic device used for communication.

4. SCOPE

- 4.1 This policy applies to all Council Members, Officers and Independent/Community Members appointed to, or supporting, Advisory Groups.

5. POLICY STATEMENT

- 5.1 Council values the experience and specialist knowledge that exists in the Adelaide Hills community and its partnering organisations and is committed to seeking opportunities to access this expertise for use in developing Council strategies, policies and initiatives.

6. ROLE AND FUNCTIONS

- 6.1 An Advisory Group is a group formed by Council to provide advice to its Executive Officer on specific matters the Executive Officer is seeking advice on.
- 6.2 For clarity, it is not a committee formed pursuant to Section 41 of the *Local Government Act 1999* which would provide advice direct to Council.
- 6.3 Each Advisory Group has a Terms of Reference adopted by Council and the Group is expected to stay within these terms.
- 6.4 Advisory Groups will not commission work on their own initiative or have any decision making powers delegated by Council, but rather provide advice to their Executive Officer.
- 6.5 Given that Advisory Groups provide advice to their Executive Officer, it is appropriate that only the Deputy Mayor, Council's the CEO and where delegated, the Executive Officer, be the media spokespersons on behalf of the Group.

7. MEMBERSHIP

- 7.1 The membership of each Advisory Group is set out in the respective Terms of Reference.
- 7.2 The Deputy Mayor is an ex-officio member of all Advisory Groups.
- 7.3 Council Members can attend meetings of all Advisory Groups.

8. APPOINTMENTS

- 8.1 Appointments to Advisory Groups shall be at the Council's sole discretion and be based upon the skills, knowledge and experience of appointees relevant to the Advisory Group.

Independent Members

- 8.2 In the general course of events, the selection process will commence upon positions becoming vacant, or on the approach to positions becoming vacant at the end of a term(s) of membership, without needing reference back to Council, unless changes to the Terms of Reference or the continuance of an Advisory Group is being considered.
- 8.3 The selection process for Advisory Groups will begin with an advertising campaign calling for independent member nominations. Advertising will be through Council's website, newspapers, council service centres and libraries. Interested parties will be requested to submit a written application which will identify responses to the selection criteria.

- 8.4 The selection process for independent members will be conducted by a Selection Panel comprising one (1) Council Member (drawn from the Council Members currently on the Advisory Group), Council's Chief Executive Officer (or delegate), and the Executive Officer.
- 8.5 Recommendations for independent membership of Advisory Groups will be made by the Selection Panel to Council and appointment will be made by resolution.
- 8.6 Where all independent member positions are not filled in a selection process or a casual vacancy occurs, the Executive Officer will endeavour to find appropriate candidates and the Selection Panel will consider these as they arise. The Chief Executive Officer will have the delegation to appoint the recommended candidate for the balance of the independent members' term on that Advisory Group.

Council Members

- 8.7 Council Members will be appointed to Advisory Groups by resolution of the Council.

Partnering Organisation Nominees

- 8.8 For a small number of Advisory Groups, the Terms of Reference provide for membership of nominees of partnering organisations. As such there is no selection process by Council.

9. TERM OF OFFICE

- 9.1 The term of office for Independent Members on an Advisory Group will be two (2) years or such other time as resolved by Council at the time of appointment.
- 9.2 The term of office for Council Members will be two (2) years or such other time as resolved by Council.
- 9.3 Casual vacancies may be filled using the selection process with any appointment(s) made by resolution of Council. Where a vacancy occurs less than six (6) months before the expiry of the term of office, the vacancy may remain unfilled.

10. STATUS OF OFFICE OF MEMBERS

- 10.1 Independent Members of Advisory Groups (except partnering organisation nominees) have status and will be registered as volunteers of the Council and are insured in accordance with the Volunteer Insurance Policy that is part of the Council's membership of the Mutual Liability Scheme.
- 10.2 Independent Members are not indemnified by the Council against any liability arising as a result of their actions or omissions related to their involvement with the Advisory Group or undertaken in connection with their role as a member of an Advisory Group.
- 10.3 Council Members' involvement with an Advisory Group constitutes the exercise of official functions and duties of office of an elected member under the *Local Government Act 1999*. Council Members are, therefore, protected from civil liability in their role as Advisory Group members pursuant to section 39 of the *Local Government Act 1999*.

11. MEETINGS

- 11.1 An Advisory Group shall meet at least four times per year, or more frequently if determined by the Executive Officer in consultation with the Group Members.

-
- 11.2 The Executive Officer will determine the meeting schedule in consultation with Advisory Group Members.
- 11.3 A special meeting may be convened by the Executive Officer to consider a matter of urgency with at least five calendar days' notice.
- 11.4 While Advisory Groups do not make formal decisions, there is no specific requirement for a quorum. If however the Executive Officer determines that the likely number of attendees will be insufficient to generate the required advice, the meeting will be cancelled and alternative communication methods used.
- 11.5 In accordance with clauses 6.2.7-8 of the *Information or Briefing Sessions Policy*, meetings will be open to the public under s90A(3) unless the confidentiality provisions of s90(3) apply. Meetings will not be conducted by electronic means and will not be live streamed.
- 11.6 Publication of meeting details on Council's website will be in accordance with clause 6.2.9 of the *Information or Briefing Sessions Policy*.

12. PRESIDING MEMBER

- 12.1 The Executive Officer (or their delegate) will be the Presiding Member of the Advisory Group.
- 12.2 The role of the Presiding Member includes:
- Overseeing and facilitating the conduct of meetings in accordance with *Local Government Act 1999*, the *Local Government (General) Regulations 2013* and the *Information or Briefing Sessions Policy*; and
 - Ensuring all Group Members have an opportunity to participate in discussions in an open and encouraging manner

13. AGENDAS

- 13.1 The Executive Officer will determine the matters to be discussed at the Advisory Group meeting on the basis of the advice required.
- 13.2 Only matters listed on the published Agenda will be discussed during the Advisory Group meeting.
- 13.3 The Agenda will be distributed to Members by email no later than five (5) days prior to the next meeting date.

14. MINUTES

- 14.1 As an Advisory Group is not a formal meeting of Council, the minutes will reflect this lack of formality but will (as minimum) record:
- The place, date and time at which the information or briefing session was held;
 - The meeting attendees and apologies;
 - The topics discussed; and

- Recommendations arising from the discussion and advice provided to the Executive Officer (see Recommendations section below).

15. RECOMMENDATIONS OF ADVISORY GROUPS

- 15.1 Advisory Groups provide advice to their Executive Officer which may be in the form of recommendations.
- 15.2 These recommendations will be made by consensus. Consensus decision-making is a group decision making process that seeks the consent of all participants. Consensus may be defined as an acceptable resolution, one that can be supported, even if not the "favourite" of each individual.
- 15.3 The minutes will record if consensus on a matter was not able to be achieved
- 15.4 An Advisory Group may make recommendations on changes to these Terms of Reference to its Executive Officer to enhance achievement of the Advisory Group's purpose and role.

16. CONDUCT OF ADVISORY GROUP MEMBERS

- 16.1 Council Members and Council Officers have conduct standards set by both legislation and policy and are required to comply with these in the context of Advisory Group meetings.
- 16.2 Independent/Community Members will be expected to:
- a) Comply with Council's policies in relation to volunteers (where applicable);
 - b) Be honest and fair when dealing with all persons present at meetings;
 - c) Deal with information received in their capacity as a member in a responsible manner;
 - d) Be aware of any conflicts (real or perceived) between their role as a Group Member and their private interests and disclose these conflicts either prior to the relevant matter being discussed or as soon as the conflict becomes apparent;
 - e) Endeavour to provide accurate information to the Group and to the public at all times; and
 - f) Endeavour to establish and maintain respectful relationships with all Group members and Council staff, regardless of difference of views and opinions.
- 16.3 Matters presented to an Advisory Group as confidential shall be dealt with and remain in confidence until such time as confidentiality is withdrawn as advised by the Executive Officer.
- 16.4 A Member of an Advisory Group may be removed from office on the grounds that:
- He or she was absent, without leave from the Advisory Group, from two or more consecutive meetings; or
 - Has made public statements that may be detrimental to the effective functioning of the Advisory Group; or

- Has, or is, behaving in a way which is detrimental to the smooth, efficient and effective workings of the Advisory Group.

16.5 The determination as to whether a Member's conduct constitutes grounds for removal from office will be made by a Reference Panel comprising the Deputy Mayor, Chief Executive Officer (or delegate) and the Executive Officer. The Reference Panel will observe the principles of natural justice in making any decision to remove a member from office. That is, the member will be given an opportunity to comment in relation to any adverse allegations against him/her and in relation to any proposal that he/she be removed from office. Any comments made by the member will be taken into account by the Reference Panel before a decision is made.

17. DELEGATION

17.1 The Chief Executive Officer has the delegation to:

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

18. AVAILABILITY OF THE POLICY

18.1 This Policy will be available on the Council's website www.ahc.sa.gov.au.

Correspondence for Noting



63 Mount Barker Road
Stirling SA 5152
Phone: 08 8408 0400
Fax: 08 8389 7440
mail@ahc.sa.gov.au
www.ahc.sa.gov.au

17 February 2025

Dear Lions Club of Torrens Valley,

On behalf of the Council, I am writing to acknowledge and thank the Lions Club of Torrens Valley for the well-organised Australia Day long weekend celebrations. Your event provided a great opportunity for the community to come together and mark the occasion.

Your efforts in planning and coordinating the activities ensured that the event was enjoyable and inclusive, with a range of activities that catered to different members of the community, contributing to a positive atmosphere.

Events like these are valuable in bringing people together and fostering a sense of community. We appreciate the work that went into making it happen and recognise the contributions of organisers, volunteers, and community groups.

Thank you again for your efforts.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Greg G', with a stylized flourish at the end.

Greg Georgopoulos
Chief Executive Officer

Confidential Items

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.1

Responsible Officer: Zoë Gill
Executive Governance Officer
Office of the CEO

Subject: Audit Committee Confidential Minutes (17 February 2025)

For: Decision

1. Audit Committee Confidential Minutes (17 February 2025) – 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
- Director Environment & Infrastructure, David Waters
- Director Corporate Services, Gary Lewis
- Director Community & Development, Jess Charlton
- Executive Governance Officer, Zoë Gill
- Minute Secretary, Skye Ludzay
- IT Support, Tom Portas

be excluded from attendance at the meeting for Agenda Item 19.1: (*Audit Committee Confidential Minutes (17 February 2025)*) 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)(b) and (e) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is:

- concerning matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person; the disclosure of which could reasonably be expected to expose sensitive cyber security information to cybercriminals and/or nefarious actors.
- 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 (2) 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.

3. Audit Committee Confidential Minutes (17 February 2025) – 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)(b) and (e) 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	Nil
Related Attachments	Until Further Order
Minutes	Nil
Other (presentation, documents, or similar)	Nil

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

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.2

Responsible Officer: Zoë Gill
EXECUTIVE GOVERNANCE OFFICER
OFFICE OF THE CEO

Subject: POLICY AMENDMENTS – ELECTED MEMBERS ACCESS TO LEGAL
ADVICE POLICY

For: Decision

1. Policy Amendments – Elected Members Access to Legal Advice Policy – 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
- Director Environment & Infrastructure, David Waters
- Director Corporate Services, Gary Lewis
- Director Community & Development, Jess Charlton
- Executive Governance Officer, Zoë Gill
- Minute Secretary, Skye Ludzay
- IT Support, Tom Portas

be excluded from attendance at the meeting for Agenda Item 19.2: (Policy Amendments – Elected Members Access to Legal Advice Policy) 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. Policy Amendments – Elected Members Access to Legal Advice Policy – Confidential Item

3. Mayor Seeking Legal Advice Policy – 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 Further Order
Related Attachments	Nil
Minutes	Nil
Other (presentation, documents, or similar)	Nil

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

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 February 2025
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.3

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

Subject: Ashton Landfill

For: Decision

1. Ashton Landfill – 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
- Director Environment & Infrastructure, David Waters
- Director Corporate Services, Gary Lewis
- Director Community & Development, Jess Charlton
- Executive Governance Officer, Zoë Gill
- Coordinator Landfills and Emergency Management, John McArthur
- Minute Secretary, Skye Ludzay
- IT Support, Tom Portas
- Legal advisor, Michael Kelledy

be excluded from attendance at the meeting for Agenda Item 18.X: (Ashton Landfill) which will consider this item in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff and others in attendance, as specified above, be excluded to enable Council to consider, discuss and make decisions in relation to 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) and also section 90(3)(h) on the basis that the Council will be receiving 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.

2. Ashton Landfill – Confidential Item

3. Ashton Landfill – 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) 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 Further Order
Related Attachments	Until Further Order
Minutes	Until Further Order
Other (presentation, documents, or similar)	NIL

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