



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Mayor Bill Spragg

Councillors	Ward
Councillor Ron Nelson Councillor Jan-Claire Wisdom	Manoah
Councillor Ian Bailey Councillor Jan Loveday	Marble Hill
Councillor Kirrilee Boyd Councillor Nathan Daniell Councillor John Kemp	Mt Lofty
Councillor Val Hall Councillor Lynton Vonow Councillor Andrew Stratford	Onkaparinga Valley
Councillor Linda Green Councillor Malcolm Herrmann	Torrens Valley

Notice is hereby 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 23 January 2018
6.30pm
63 Mt Barker Road Stirling

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

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

Andrew Aitken
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 23 January 2018
6.30pm
63 Mt Barker Road Stirling

ORDER OF BUSINESS

Council Vision

Nurturing our unique place and people

Council Mission

Delivering activities and services which build a resilient community, sustain our built and natural environment and promote a vibrant economy

1. COMMENCEMENT

2. OPENING STATEMENT

"Council acknowledges that we meet on the traditional lands of the Peramangk and Kaurna people and we recognise their connection with the land.

We understand that we do not inherit the land from our ancestors but borrow it from our children 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
- 3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 12 December 2017

That the minutes of the ordinary meeting held on 12 December 2017 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. PRESIDING MEMBER'S OPENING REMARKS

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1. Questions Adjourned
Nil

7.2. Questions Lying on the Table
Nil

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

8.1. Petitions
8.1.1. Pedestrian Crossing, Milan Terrace Stirling

8.2. Deputations
Nil

8.3. Public Forum

9. PRESENTATIONS (by exception)
Nil

10. QUESTIONS ON NOTICE
Nil

11. MOTIONS ON NOTICE

11.1. Balhannah Railway Station
That the Chief Executive Officer writes to the Department of Planning, Transport and Infrastructure requesting advice on future plans for the disused Railway Station at Balhannah.

12. OFFICER REPORTS – DECISION ITEMS

- 12.1. Capital Program Review & Amendments
That the Amended Capital Works Program contained in Appendix 1 be endorsed and deferred projects given priority consideration in development of the 2018-19 Capital Works Program.
Adopt the proposed Capital Works variations as outlined in Appendix 1 that includes a decrease in Capital Expenditure of \$3.85m.
- 12.2. Road Exchange – Mt Torrens Walking Loop
To issue a Road Process Order pursuant to the Roads (Opening & Closing) Act 1991 to ... (see agenda)
- 12.3. Section 43 Membership – Southern & Hills Local Government Association
That in relation to the Southern & Hills Local Government Association Board:
a. *To appoint to the board member position until November 2018.*
b. *To appoint to the board member position until November.....*
c. *To appoint to the deputy board member position for November*
- 12.4. Frick Street Lobethal 40kph zone
That Council endorses the introduction of a 40km/h speed limit on Frick Street for all vehicles for the duration of the interim operations.
That the CEO write to DPTI seeking the introduction of a 40km/h speed limit on Frick Street for all vehicles for the duration of the interim operations.
- 12.5. By-Law Review
Council adopts the indicative By-law Review Schedule as contained in Appendix 1

13. OFFICER REPORTS – INFORMATION ITEMS

- 13.1. Highercombe Golf Course
- 13.2. ICT & IS Strategic Plan 2017 – 2020
- 13.3. Corporate Plan

14. MISCELLANEOUS ITEMS

- 14.1. Status Report – Council Resolutions Update

15. QUESTIONS WITHOUT NOTICE

16. MOTIONS WITHOUT NOTICE

17. REPORTS

- 17.1. Council Member Reports
- 17.2. Reports of Members as Council/Committee Representatives on External Organisations
- 17.3. CEO Report

18. REPORTS OF COMMITTEES

- 18.1. Council Assessment Panel – 13 December 2017
That the minutes of the CAP meeting held on 13 December 2017 as supplied, be received and noted.
- 18.1.1. Council Assessment Panel – 10 January 2018
That the minutes of the CAP meeting held on 10 January 2018 as supplied, be received and noted.
- 18.2. Strategic Planning & Development Policy Committee
Nil
- 18.3. Audit Committee
Nil
- 18.4. CEO Performance Review Panel
Nil

19. CONFIDENTIAL ITEMS

- 19.1. Independent Members Audit Committee & CEO Performance Review Committee

20. NEXT MEETING

Tuesday 27 February 2018, 6.30pm, 63 Mt Barker Road, Stirling

21. CLOSE MEETING



Council Meeting/Workshop Venues 2018

DATE	TYPE	LOCATION	MINUTE TAKER
FEBRUARY 2018			
Tues 13 February	Workshop	Woodside	N/A
Wed 14 February	Council Assessment Panel	TBA	Karen Savage
Mon 19 February	Audit Committee	Stirling	TBA
Tues 20 February	Professional Development	Stirling	N/A
Tues 27 February	Council	Stirling	Pam Williams
MARCH 2018			
Tues 13 March	Workshop	Woodside	N/A
Wed 14 March	Council Assessment Panel	TBA	Karen Savage
Tues 20 March	Professional Development	Stirling	N/A
Tues 27 March	Council	Stirling	Pam Williams
APRIL 2018			
Tues 10 April	Workshop	Woodside	N/A
Wed 11 April	Council Assessment Panel	TBA	Karen Savage
Tues 17 April	Professional Development	Stirling	N/A
Tues 24 April	Council	Stirling	Pam Williams
Mon 30 April	Audit Committee	Stirling	TBA

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

Community Forums 2018

6.00 for 6.30pm

(dates and venues to be confirmed)

DATE	LOCATION
Tuesday March (date to be advised)	Kersbrook
Tuesday 8 May 2018	Bradbury/Longwood
Tuesday 14 August 2018	Montacute

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 in duration, 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 subject matter of the proposed deputation;
 - whether it is within the powers of the Council;
 - relevance to the Council agenda nominated – and if not, relevance to the Council's powers or purpose;
 - the integrity of the request; and
 - the size and extent of the agenda for the particular meeting.

8.3 PUBLIC FORUM

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

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

Item 4 Minutes of Council

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 12 DECEMBER 2017
63 MT BARKER ROAD STIRLING**

In Attendance:

Presiding Member: Mayor Bill Spragg

Members:

Councillor	Ward
Councillor Ron Nelson Councillor Jan-Claire Wisdom	Manoah
Councillor Ian Bailey Councillor Jan Loveday	Marble Hill
Councillor Kirrilee Boyd Councillor Nathan Daniell Councillor John Kemp	Mt Lofty
Councillor Lynton Vonow Councillor Andrew Stratford	Onkaparinga Valley
Councillor Linda Green Councillor Malcolm Herrmann	Torrens Valley

In Attendance:

Terry Crackett	Director Corporate Services
Peter Bice	Director Engineering & Assets
Marc Salver	Director Strategy & Development
David Waters	Director Community & Customer Service
Lachlan Miller	Executive Manager Governance & Performance
John McArthur	Manager Waste Health & Regulatory Services
Leah Maxwell	Regional Waste Coordinator
Pam Williams	Minute Secretary

1. COMMENCEMENT

The meeting commenced at 6.07pm.

2. OPENING STATEMENT

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kaurna people and we recognise their connection with the land.

We understand that we do not inherit the land from our ancestors but borrow it from our children 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.”

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 12 DECEMBER 2017
63 MT BARKER ROAD STIRLING**

3. APOLOGIES/LEAVE OF ABSENCE

3.1. Apology

Cr Val Hall

3.2. Leave of Absence

Nil

3.3. Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1. Council Meeting – 28 November 2017

Moved Cr Malcolm Herrmann

296/17

S/- Cr Nathan Daniell

That the minutes of the ordinary meeting held on 28 November 2017 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4.2. Special Council Meeting – 21 November 2017

Moved Cr Ian Bailey

297/17

S/- Cr Kirrilee Boyd

That the minutes of the special meeting held on 21 November 2017 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1. Conflict of Interest, Cr Malcolm Herrmann , Item 12.5 Code of Conduct Complaint

Under Section 74 of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a Material Conflict of Interest in Item 12.5 Code of Conduct Complaint, the nature of which is as follows:

- I may suffer a detriment

Cr Malcolm Herrmann intends to leave the chamber when this item is discussed.

**ADELAIDE HILLS COUNCIL
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5.2. Conflict of Interest, Cr Linda Green, Item 12.5 Code of Conduct Complaint

Under Section 75a of the *Local Government Act 1999* Cr Linda Green disclosed a Perceived Conflict of Interest in Item 12.5 Code of Conduct Complaint, the nature of which is as follows:

- I am a fellow Ward Councillor

Cr Linda Green intends to remain in the chamber and vote when this item is discussed.

5.3. Conflict of Interest, Mayor Bill Spragg , Item 12.5 Code of Conduct Complaint

Under Section 74 of the *Local Government Act 1999* Mayor Bill Spragg disclosed a Material Conflict of Interest in Item 12.5 Code of Conduct Complaint, the nature of which is as follows:

- I am the Complainant

Mayor Bill Spragg intends to leave the chamber when this item is discussed.

6. PRESIDING MEMBER'S OPENING REMARKS

Nil

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1. Questions Adjourned

Nil

7.2. Questions Lying on the Table

Nil

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

8.1. Petitions

Nil

8.2. Deputations

Nil

8.3. Public Forum

Nil

9. PRESENTATIONS

Nil

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MINUTES OF ORDINARY COUNCIL MEETING
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10. QUESTIONS ON NOTICE
Nil

11. MOTIONS ON NOTICE
Nil

12. OFFICER REPORTS – DECISION ITEMS

12.1. Road Closures and Mergers with Adelaide Hills Business and Tourism Centre Land at Lobethal

Moved Cr Ian Bailey
S/- Cr Linda Green

298/17

Council resolves:

1. That the report be received and noted
2. To make Road Process Orders pursuant to the *Roads (Opening and Closing) Act 1991* to:
 - a. in relation to Preliminary Plan No 17/44 (*Appendix 1*), close and merge the land identified as "A" with Allotment 202 in Deposited Plan No 65382 comprised in Certificate of Title Volume 5933 Folio 649, close and merge the land identified as "B" with Allotment 87 in Filed Plan No 4620 comprised in Certificate of Title Volume 5897 Folio 5199, and close and merge the land identified as "C" with Allotment 201 in Deposited plan No 60535 comprised in Certificate of Title Volume 5897 Folio 516
 - b. in relation to Preliminary Plan No 17/45 (*Appendix 2*), close and merge the land identified as "E" with Allotment 62 in Deposited Plan No 74988 comprised in Certificate of Title Volume 6004 Folio 394
 - c. in relation to Preliminary Plan No 17/45, create an easement for sewer purposes in favour of SA Water for a distance of approximately one metre across the narrowest portion of "E".
3. The closed roads be excluded as Community Land pursuant to section 193(4a) of the Local Government Act 1999.
4. To authorise the Chief Executive Officer (or delegate) to finalise and sign all necessary documentation to close the above portions of closed road pursuant to this resolution.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
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12.2. Draft Waste & Resource Recovery Service Policy

Moved Cr Malcolm Herrmann
S/- Cr Jan Loveday

299/17

Council resolves:

1. That the report be received and noted.
2. To approve the draft *Waste and Resource Recovery Service Policy* at Appendix 1 for public consultation in accordance with the provisions of *Council's Public Consultation Policy*.
3. That the CEO be authorised to make any formatting, nomenclature or other minor changes to the policy prior to being released for public consultation.
4. Following community consultation, a follow up report be provided to Council for consideration and adoption of a final *Waste and Resource Recovery Service Policy*.

Carried Unanimously

12.3. Elector Representation Review Certification

Moved Cr Linda Green
S/- Cr Jan Loveday

300/17

Council resolves:

1. That the report be received and noted.
2. To recognise that the Adelaide Hills Council's Elector Representation Review process has been completed.

Carried

DIVISION

Cr John Kemp called for a division.

The Mayor set aside his ruling.

In the affirmative (10)

Councillors Boyd, Kemp, Daniell, Vonow, Stratford, Herrmann, Green, Loveday, Nelson, Wisdom

In the negative (1)

Councillor Bailey

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

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 12 DECEMBER 2017
63 MT BARKER ROAD STIRLING**

12.4. Determination of Time and Place of Council Meetings, Workshop Sessions, Professional Development Sessions and Community Forums in 2018

**Moved Cr Kirrilee Boyd
S/- Cr Ian Bailey**

301/17

Council resolves that:

- 1. The report be received and noted.**
- 2. The Ordinary Council meeting schedule, commencing at 6.30pm, to be held at 63 Mt Barker Road, Stirling be adopted, as follows:**
 - **Tuesday, 23 January 2018**
 - **Tuesday, 27 February 2018**
 - **Tuesday, 27 March 2018**
 - **Tuesday, 24 April 2018**
 - **Tuesday, 22 May 2018**
 - **Tuesday, 26 June 2018**
 - **Tuesday, 24 July 2018**
 - **Tuesday, 28 August 2018**
 - **Tuesday, 25 September 2018**
 - **Tuesday, 23 October 2018**
- 3. Note that Special Council meeting times and venues are determined by the Chief Executive Officer.**
- 4. That regarding Workshop Sessions and Professional Development Sessions:**
 - a. Workshop Sessions be scheduled ordinarily at 6.30pm on the 2nd Tuesday of each month, to be held at 36 Nairne Road, Woodside.**
 - b. Professional Development Sessions be scheduled ordinarily at 6.30pm on the 3rd Tuesday of each month, to be held at 63 Mt Barker Road, Stirling.**
 - c. The Chief Executive Officer be delegated to make changes to the informal gathering schedule and locations.**
- 5. That regarding Community Forums:**
 - a. Community Forums to be held in 2018 in accordance with the following indicative schedule:**
 - i. Tuesday, 13 March 2018 – Kersbrook**
 - ii. Tuesday, 8 May 2018 – Bradbury/Longwood**
 - iii. Tuesday, 14 August 2018 - Montacute**
 - b. The Chief Executive Officer be delegated to make changes to the Community Forum schedule and locations.**

Carried Unanimously

**ADELAIDE HILLS COUNCIL
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Cr Malcolm Herrmann declared a Material Conflict of Interest at Agenda Item 12.5 Code of Conduct Complaint.

Mayor Bill Spragg declared a Material Conflict of Interest at Agenda Item 12.5 Code of Conduct Complaint.

Cr Linda Green declared a Perceived Conflict of Interest at Agenda Item 12.5 Code of Conduct Complaint and remained in chamber and voted.

6.35pm Cr Malcolm Herrmann & Mayor Spragg left the Chamber.

Deputy Mayor Jan-Claire Wisdom took the Chair as Acting Mayor.

12.5. Code of Conduct Complaint

Lachlan Miller, Executive Manager Governance & Performance, advised the Council in accordance with the provisions of s120(4), that during the course of the investigation a Conflict of Interest under s120 of the *Local Government Act 1999* became apparent. As such the COI was disclosed to the CEO and Mr Miller did not continue to act in relation to the matter for the remaining duration of the investigation. Following the preparation of the agenda item the CEO, in accordance with s120(2)(b), provided approval for Mr Miller to act in relation to the matter for the purposes of providing advice to Council regarding the provisions of Act, Regulations, Codes, Policies and Procedures relevant to the matter.

Moved Cr John Kemp
S/- Cr Jan Loveday

Council resolves:

1. That the report be received and noted
2. To note that having investigated the alleged breach of the Council Member Conduct Policy (incorporating the Code of Conduct for Council Members), the Local Government Governance Panel finds that Cr Malcolm Herrmann has breached clauses 2.6, 2.7, and 2.8 of the Code of Conduct for Council Members and clause AH8 of the Council Member Conduct Policy.
3. To censure Cr Malcolm Herrmann for breaching clauses 2.6, 2.1, and 2.8 of the Code of Conduct for Council Members and clause AH8 of the Council Member Conduct Policy.
4. To request that Cr Malcolm Herrmann make a written and public apology for breaching clauses 2.6, 2.1 and 2.8 of the Code of Conduct for Council Members and clause AH8 of the Council Member Conduct Policy.
5. To submit the breaches of Part 3 of the Code of Conduct for Council Members to the Ombudsman for investigation under Section 263 of the *Local Government Act 1999*.

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The Mover, with the consent of the Seconder and leave of the meeting, changed the wording to “suspected” breaches in recommendation 5 and corrected the numbering in recommendation 3.

Moved Cr John Kemp
S/- Cr Jan Loveday

302/17

Council resolves:

1. That the report be received and noted
2. To note that having investigated the alleged breach of the Council Member Conduct Policy (incorporating the Code of Conduct for Council Members), the Local Government Governance Panel finds that Cr Malcolm Herrmann has breached clauses 2.6, 2.7, and 2.8 of the Code of Conduct for Council Members and clause AH8 of the Council Member Conduct Policy.
3. To censure Cr Malcolm Herrmann for breaching clauses 2.6, 2.7, and 2.8 of the Code of Conduct for Council Members and clause AH8 of the Council Member Conduct Policy.
4. To request that Cr Malcolm Herrmann make a written and public apology for breaching clauses 2.6, 2.7 and 2.8 of the Code of Conduct for Council Members and clause AH8 of the Council Member Conduct Policy.
5. To submit the suspected breaches of Part 3 of the Code of Conduct for Council Members to the Ombudsman for investigation under Section 263 of the Local Government Act 1999.

Carried

DIVISION

Cr Ian Bailey called for a division.

The Acting Mayor set aside her ruling.

In the affirmative (5)

Councillors Boyd, Kemp, Daniell, Vonow, Loveday

In the negative (4)

Councillors Nelson, Bailey, Stratford, Green

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

**ADELAIDE HILLS COUNCIL
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7.11pm Cr Malcolm Herrmann & Mayor Bill Spragg returned to the Chamber.

Mayor Bill Spragg resumed the Chair.

12.6. Register of Confidential Items

Moved Cr Jan Loveday
S/- Cr John Kemp

303/17

That Council resolves:

1. That the report be received and noted.
2. 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 resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence for a period as specified below:

**SPDPC Meeting 22 April 2014
AHRWMA**

Section 90(3)(b) Information the disclosure of which 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 would, on balance, be contrary to the public interest; and

Section 90(3)(d) – commercial information of a confidential nature (not being a trade secret) the disclosure of which 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 would, on balance, be contrary to the public interest.

Remain confidential until legal proceedings and deliberations have concluded

3. 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 resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence for a period as specified below:

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**Council Meeting 25 October 2016
CWMS Expression of Interest**

Section 90(3)(d) – commercial information of a confidential nature (not being a trade secret) the disclosure of which 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 would, on balance, be contrary to the public interest.

Remain confidential until 26 September 2018.

4. 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 resolves that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence for a period as specified below:

**Audit Committee Meeting 13 February 2017
ICT Security Risk Assessment Action Implementation Update**

Section 90(3)(e) – matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;

Remain confidential until 6 November 2018.

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

Carried Unanimously

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12.7. Delegations Review – December 2017

Moved Cr Malcolm Herrmann
S/- Cr Ian Bailey

304/17

Council resolves:

1. That the report be received and noted
2. That, having conducted its quarterly review of Council's Delegations Register, in accordance with Section 44(6) of the *Local Government Act 1999*, the Council:

2.1 Revocation

Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts:

- 2.1.1 Community Titles Act 1996
- 2.1.2 Crown Land Management Act 2009
- 2.1.3 Heavy Vehicle National Law (South Australia) Act 2013
- 2.1.4 Housing Improvement Act 1940
- 2.1.5 Land & Business (Sale & Conveyancing) Act 1994
- 2.1.6 Liquor Licensing Act 1997
- 2.1.7 Private Parking Areas Act 1986
- 2.1.8 Strata Titles Act 1988
- 2.1.9 Work Health and Safety Act 2012

2.2 Delegations made under the *Local Government Act 1999*

2.2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Appendices 3, 4, 5, 6, 7, 8, 9 & 10 (each of which is individually identified as indicated below) are hereby delegated this 12th day of December 2017 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

- *Community Titles Act 1996 (Appendix 3)*
- *Crown Land Management Act 2009 (Appendix 4)*
- *Heavy Vehicle National Law (South Australia) Act 2013 (Appendix 5)*
- *Land & Business (Sale & Conveyancing) Act 1994 (Appendix 6)*
- *Liquor Licensing Act 1997 (Appendix 7)*

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- *Private Parking Areas Act 1986 (Appendix 8)*
- *Strata Titles Act 1988 (Appendix 9)*
- *Work Health and Safety Act 2012 (Appendix 10)*

2.2.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

Carried Unanimously

12.8. Council Resolutions Update

Moved Cr Ron Nelson
S/- Cr Linda Green

305/17

That Council resolves:

1. The Council Action List be received and noted
2. The following completed item be removed from the Action List:

Date	Meeting	No	Heading
25/08/2015	Ordinary Council	108/15	Draft District Masterplan
28/03/2017	Ordinary Council	64/17	Traffic Assessment August St Birdwood
26/04/2017	Ordinary Council	94/17	Road Safety Berry Hill Road Kenton Valley
13/06/2017	SPDPC	SP24/17b	Liquor Licensing Policy Review
13/06/2017	SPDPC	SP26/17b	Revocation of Recreational Use of Council Reserves & Public Space Policy
27/06/2017	Ordinary Council	131/17	CEO Performance Review 2017 - Internal Process
25/07/2017	Ordinary Council	156/17	Adelaide Hills (War Memorial)

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Date	Meeting	No	Heading
			Swimming Centre Options Paper
26/09/2017	Ordinary Council	210b/17	Establishment of Council Assessment Panel (CAP) and appointment of Independent Panel Members
26/09/2017	Ordinary Council	210c/17	Establishment of Council Assessment Panel (CAP) and appointment of Independent Panel Members
26/09/2017	Ordinary Council	215b/17	Membership of Audit Committee
26/09/2017	Ordinary Council	218a/17	CEOPRP Recruitment Independent Member
26/09/2017	Ordinary Council	211b/17	Asset Management Policy
24/10/2017	Ordinary Council	241/17	Draft Dog and Cat Animal Management Plan 2018 - 2022
24/10/2017	Ordinary Council	247/17	Stirling Market Traffic Control
24/10/2017	Ordinary Council	254/17	Boral Quarry, Lobethal – Impact on Ground
6/11/2017	Audit Committee	AC49/17	Policy Reviews
14/11/2017	Special Council	263/17	Buffers Policy
14/11/2017	Special Council	264/17	Code of Practice for Access to Council Committee & Designated Informal Gathering Meetings & Documents
14/11/2017	Special Council	265/17	Management of Built Heritage Policy
14/11/2017	Special Council	266/17	Order Making Policy
14/11/2017	Special Council	266/17	Order Making Policy
14/11/2017	Special Council	268/17	Review of Advisory

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Date	Meeting	No	Heading
			Groups
14/11/2017	Special Council	263/17	Buffers Policy
14/11/2017	Special Council	264/17	Code of Practice for Access to Council Committee & Designated Informal Gathering Meetings & Documents
14/11/2017	Special Council	265/17	Management of Built Heritage Policy
28/11/2017	Ordinary Council	274/17	MON Council Assessment Panel Sitting Fees
28/11/2017	Ordinary Council	276/17	2016-17 End of Year Financial Results
28/11/2017	Ordinary Council	278/17	2017-18 Community Grants
28/11/2017	Ordinary Council	286/17	2017-18 Budget - Budget Review 1
28/11/2017	Ordinary Council	287/17	Policy Reviews - Debt Recovery & Account Reconciliation Policy
28/11/2017	Ordinary Council	288/17a	Delegations Policy for Determination of DAs by CAP

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 12 DECEMBER 2017
63 MT BARKER ROAD STIRLING**

12.9. Building Better Regions Fund

Moved Cr Jan-Claire Wisdom **306/17**
S/- Cr Malcolm Herrmann

1. That the report be received and noted.
2. That an application be made to the Building Better Regions Fund for the establishment of the Arts & Heritage Hub at Lobethal with a Council contribution of up to \$1,306,000.
3. That an application be made to the Building Better Regions Fund for sealing part of Croft Road, Lenswood with a Council contribution of up to \$163,000.
4. That the Chief Executive Officer, or delegate, be authorised to finalise the Council's funding submission.
5. That funding offers arising from the application be referred back to the Council for consideration.

Carried Unanimously

13. OFFICER REPORTS – INFORMATION ITEMS

13.1. Community Strategy Progress Report

Moved Cr Kirrilee Boyd **307/17**
S/- Cr Lynton Vonow

Council resolves that the report be received and noted.

Carried Unanimously

13.2. Ombudsman SA Annual Report

Moved Cr Linda Green **308/17**
S/- Cr Jan Loveday

Council resolves that the report be received and noted.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 12 DECEMBER 2017
63 MT BARKER ROAD STIRLING**

13.3. Ombudsman's Correspondence – Complaint re Internal Review of Council Decision - Elector Representation Review

Moved Cr John Kemp
S/- Cr Nathan Daniell

309/17

Council resolves that the report be received and noted.

Carried Unanimously

14. MISCELLANEOUS ITEMS
Nil

15. QUESTIONS WITHOUT NOTICE
Nil

16. MOTIONS WITHOUT NOTICE
7.57pm Cr Nelson left the Chamber
8.00pm Cr Nelson returned to the Chamber

17. REPORTS

17.1. Council Member Activities

Mayor Spragg reported on the signing of a Statement of Support for the World Heritage Project by the three key Groups who represent the Kurna people.

Cr John Kemp

- 4 December, The Hut CC Board Meeting
- 5 December, Stirling Business Association Christmas Function
- 7 December, Advisory Group Appreciation event
- 8 December, Mt Lofty Districts Historical Society Christmas Function
- 12 December, meeting with Minister Ian Hunter re: Heritage Agreements Woorabinda Bushland Reserves
- 12 December, Coventry Library 10 year Anniversary

Cr Malcolm Herrmann

- 7 December, Information meeting on DPA Local Heritage, Woodside
- 7 December, Advisory Groups reception, Verdun
- 10 December, Top of the Torrens exhibition launch, Birdwood
- 10 December, Lights of Lobethal Official Opening, Lobethal
- 12 December, Coventry Library 10th Anniversary, Stirling

Cr Ron Nelson

- 4 December, Bradbury CFS
- 7 December, Scott Creek Progress Association

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 12 DECEMBER 2017
63 MT BARKER ROAD STIRLING**

Cr Boyd

- 24 November Woollen Mill Art Prize,
- 7 December, Advisory Groups reception, Verdun

Cr Linda Green

- 25 October, RLMAG, Woodside
- 4 November, Productive and changing landscapes (World Heritage), Tanunda
- 11 November, Remembrance Day, Houghton
- 13 November, Mt Torrens District Community Association meeting, Mt Torrens
- 16 November, East Waste Board meeting, Norwood
- 20 November, Co-farming, Mt Barker
- 24 November, Council's 20 Anniversary Arts opening, Lobethal
- 10 December, Springhead School closure

Cr Lynton Vonow

- 4 December, AHBTC Advisory Group, Woodside
- 6 December, WCCC (Bird in Hand gold mine) meeting, Woodside
- 12 December, Freight Train Bypass Task group meeting, Stirling

Cr Andrew Stratford

- 10 December, Lights of Lobethal Official Opening, Lobethal

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

8.02pm Cr Nathan Daniell left the Chamber

8.04pm Cr Nathan Daniell returned to the Chamber

17.3. CEO Report

Marc Salver, Director Strategy & Development, on behalf of the CEO, provided Council with a verbal Corporate Update.

- World Heritage Project Kurna support
- Burning Permits
- New service stations
- Rural Property Addressing Paracombe
- Resilient Australia Award to Scott Creek, Ironbank, Bradbury & Longwood
- Wishing everyone a happy Christmas

18. REPORTS OF COMMITTEES

18.1. Council Assessment Panel

Nil

18.2. Strategic Planning & Development Policy Committee

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 12 DECEMBER 2017
63 MT BARKER ROAD STIRLING**

18.3. Audit Committee
Nil

18.4. CEO Performance Review Panel
Nil

8.11pm Cr Kemp & Jan-Claire Wisdom left the meeting

19. CONFIDENTIAL ITEMS

19.1. Australia Day Awards 2018 – Exclusion of the Public

Moved Cr Ian Bailey
S/- Cr Andrew Stratford

310/17

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

- Director Engineering & Assets, Peter Bice
- Director Strategy & Development, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community & Customer Service, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1: (Australia Day Awards 2018) 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), the disclosure of which could reasonably be expected to publicise the personal affairs of the Australia Day Award nominees, in that details of their nominations will be discussed.

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

Carried Unanimously

8.13pm Cr John Kemp & Cr Jan-Claire Wisdom returned to the Chamber.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 12 DECEMBER 2017
63 MT BARKER ROAD STIRLING**

19.1.2. Australia Day Awards 2018 – Period of Confidentiality

Moved Cr Jan Loveday
S/- Cr Nathan Daniell

312/17

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, including provision of information on an embargoed basis to the media and to award winners themselves, Council, having considered Agenda Item 19.1 in confidence under sections 90(2) and 90(3) (a) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the presentation of the awards on 26 January 2018.

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

Public Forum

Mayor Spragg invited Oliver Hopkins to address Council from the Gallery.

Oliver Hopkins – Bike Track and thanking Council for support.

20. NEXT MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 23 January 2018 from 6.00pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 8.22pm.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2018
AGENDA BUSINESS ITEM**

Item: 8.1.1

Originating Officer: Peter Bice, Director Engineering & Assets

Responsible Director: Peter Bice, Director Engineering & Assets

Subject: Petition – Pedestrian Crossing Milan Tce Stirling

For: Information

SUMMARY

A petition with 60 signatories was delivered to Council by the Member for Heysen, Isobel Redmond MP, on 15 December 2017. The petition states:

We, the undersigned, wish to express the immediate need for a safe pedestrian crossing on Milan Terrace adjacent to the Stirling Hospital. This road is becoming increasingly dangerous for pedestrians who wish to access the Hospital from the carpark opposite and for residents who live in the vicinity and need to cross Milan Terrace.

RECOMMENDATION

Council resolves that the petition with 60 signatories requesting a pedestrian crossing on Milan Terrace Stirling adjacent to the Stirling Hospital, be received and noted.

Background/Context – Peter Bice, Director Engineering & Assets

Officers have investigated the options for pedestrian crossings on Milan Terrace and make the following comments:

- There is a designated existing crossing point at the western end of the car park
- There is an attempt at defining a crossing area with line marking and pavement bars
- We will undertake some maintenance of tree branches to increase sight lines

Officers further note that the crossing distance is quite short. There is probably not enough width to place a central refuge. It is preferable to make crossing short and where possible not have a central refuge.

The approach for vehicles travelling west is very clear to the crossing point and, with the tree branch removal, the sight lines for vehicles travelling east will be improved.

The installation of a Zebra Crossing (painted on road surface with vehicles required to give way to pedestrians) may not be the appropriate installation as the approach speeds are reasonably high, especially from the west (mean speeds should be below 30km/h for these installations). Further, the installation of a painted crossing at this point would generally be in shade which makes the line marking less effective and less visible to traffic.



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2018
AGENDA BUSINESS ITEM**

Item: 11.1 Motion on Notice

Originating from: Cr Malcolm Herrmann

Subject: Balhannah Railway Station

Strategic Plan Goal: 3: Places for people and nature

1. MOTION

I move:

That the Chief Executive Officer writes to the Department of Planning, Transport and Infrastructure requesting advice on future plans for the disused Railway Station at Balhannah.

2. BACKGROUND

The former railway station has been disused for many years and is attracting graffiti. The grounds are untidy, buildings vandalised and some residents believe that the area is a potential fire risk. They are seeking information on what plans the Department may have for its future use.





3. OFFICER'S RESPONSE – Peter Bice, Director Engineering & Assets

The Department of Planning, Transport and Infrastructure (DPTI) has determined that the site is surplus to its requirements.

DPTI made an application for demolition for the building however the State Heritage Unit did not support that due to the heritage significance of the building.

DPTI undertook a land division of the site to create 3 allotments, including an allotment for the old station building.

The building assessment undertaken by DPTI revealed that the likely costs to restore the building would be in the vicinity of \$2M as 80% of the structure would need to be replaced and there are significant issues.

DPTI approached Council to ascertain if Council had any interest in obtaining ownership of the building. A condition of DPTI to Council taking ownership was that Council undertook the building restoration. An assessment of the size of the land parcel, location, costs to restore the building and likely community benefit was undertaken and it was determined that this site was not suitable for consideration. The option was discussed with the Property Advisory Group and a letter was sent to DPTI in April 2017 advising that Council was not interested in taking ownership of the building/site.

In a phone conversation with DPTI on 15 January 2018 it was confirmed that:

- The land/building was still determined to be surplus to requirements
- The requirement by the State Heritage Unit to restore the building and the cost to do so made the site unsuitable for sale
- DPTI are considering their options for the site and will likely be seeking Ministerial direction about the State Heritage Unit position

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2018
AGENDA BUSINESS ITEM**

Item: 12.1

Originating Officer: Peter Bice, Director Engineering & Assets

Responsible Director: Peter Bice, Director Engineering & Assets

Subject: Capital Program 2017/18 - Review and Amendments

For: Decision

SUMMARY

As foreshadowed in the 2017-18 Budget – Budget Review 1 report (Item 12.12) on 28 November 2017, with the proposed Capital Program including carry forwards now over \$22.4m this report has been prepared so that Council may appropriately consider suggested amendments to the program.

Following in-depth review of the 2017-18 Capital Projects, which has included scope clarification and each project's individual challenges being assessed, an informed judgement around realistic delivery levels can be made.

It is appropriate for the deferment of some of the projects given this review, particularly given the impact of the proposed carry forward projects which are still being worked on in the 2017-18 financial year. It is suggested that the projects are not deferred by way of carry forward, but form the base of the 2018-19 Program. This will align the investment with our capacity to deliver.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. That the Amended Capital Works Program contained in Appendix 1 be endorsed and deferred projects given priority consideration in development of the 2018-19 Capital Works Program.**
 - 3. Adopt the proposed Capital Works variations as outlined in Appendix 1 that includes a decrease in Capital Expenditure of \$3.85m.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 3 Places for people and nature
Strategy 3.5 We will take a proactive approach, and a long term view, to
 infrastructure maintenance and renewal

Delivery of the capital program plays an important role in enabling a thriving and prosperous community.

➤ Legal Implications

The undertaking of formal budget reviews is a requirement of the *Local Government Act 1999*, and the *Local Government (Financial Management) Regulations 2011*.

➤ Risk Management Implications

The redistribution of Projects will assist in mitigating the risk of:

Unrealistic project delivery resulting in unsustainable investment to be carried forward to 2018/19

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

This will enable the focus for the remainder of 2017-18 to be on delivery of projects with a high likelihood of completion, and realign investment in a more sustainable and achievable way.

➤ Financial and Resource Implications

The amended Capital Program will reduce the net 2017-18 capital budget by \$3.85m, of which \$3.06m will help to form the 2018-19 Capital Program considerations.

➤ Customer Service and Community/Cultural Implications

A wide range of stakeholders will need to be contacted in regards to any projects which are delayed to ensure that the appropriate rationale and messaging are outlined. Projects have been selected in such a way that they are not going to cause significant issues by delaying them, and will not create any undue risk.

➤ Environmental Implications

Not applicable.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Staff across the organisation have been involved in undertaking this review, to ensure that a wide range of considerations have been considered prior to determining project delivery feasibility as part of the 2017-18 Capital program.

Council Committees: Nil

Council Workshops: Nil

Advisory Groups: Nil

Administration: Andrew Aitken – Chief Executive Officer
Terry Crackett - Director Corporate Services
Mike Carey – Manager Financial Services
Ashley Curtis – Manager Civil Services
David Collins – Manager Sustainable Assets
Chris Janssan – Manager Open Space
Various Functional Staff in relation to individual projects

Community: Nil

2. BACKGROUND

As foreshadowed in the Budget Review 1 report on 28 November 2017, with the proposed capital program including carry forwards now over \$22.4m, this report has been prepared so that Council can appropriately consider some amendments to the capital works program.

3. ANALYSIS

In striving to maximise project delivery for 2017-18 project delivery staff have employed a number of strategies which have included the packaging up or grouping together of similar capital works projects, implementation of panel contracts. The value of the program which now includes 'Carry Forward' projects from 2016-17 is significant at \$22.4m. However, the challenge to deliver is not simply about the high dollar value, but relates to the volume and complexity/sensitivity of projects included in the program.

Council's program delivery and project officers have considered their projects, with particular regard to challenges associated with individual projects, which may impact on their scheduled delivery for 2017-18. Additional Project Officers and a Civil Projects Coordinator have joined the team in the past 2 months, bringing significant Capital Project delivery and Engineering experience which has enabled a high level of rigour for the review, and increase to our delivery capacity. The resulting information this has helped to inform an amended program.

Traditionally, councils have faced significant challenges in delivering Capital programs within the confines of a Financial Year. One of these is the time needed to meet the necessary requirements of Council's procurement and contractor management processes which ensure best value for money. The reality of many projects is that scoping, surveying, detailed design work and seeking approvals all take considerable time and so are often the deliverables in the first year of a project, with construction/delivery in the second year. This is acknowledged as part of the benefit of Council moving to the rolling 3 year Capital Program.

With the amended 2017-18 capital program, and resetting the project investment to sustainable levels, the current and future levels of carry forwards is expected to reduce.

Essentially, there will always be carry forwards, but an opportunity now exists to align the expenditure into the appropriate financial year. This forms the next phase of transition to the rolling program, with the principle being that projects deferred into next year, given that they have already undergone consultation as part of the 17/18 Annual Business Planning process, is that they would be prioritised as projects to be undertaken in 18/19.

Whilst it is anticipated that there is a high likelihood of delivery on the revised program, subject to Budget Review 2, there still may be some changes to occur, such as any actions as a result of the detailed AHBTC review.

There are some projects where amendments to the original scope have been identified as a result of rigorous project and on-site assessment, which in some cases will require increased investment – but will provide a more suitable outcome. In other instances, the outcomes which were targeted have now been achieved through more cost effective solutions, which were able to be delivered by our own operations teams within existing operational budgets.

In terms of Sport and Recreation projects, there are a number of projects which were originally identified for delivery in the 2017-18 year which are now deemed more appropriate to be deferred until broader strategic approaches have been finalised. Examples of this are the turf and hard surface upgrades, and in these cases, increased budget amounts to enable a more appropriate scale of delivery are suggested in some instances.

Council staff have spent considerable time assessing each project to ensure we have a high level of confidence that delivery will occur, except in the most unexpected or exceptional circumstances.

The table below summarises the impact on each asset class of the proposed amended Capital Program for 2017-18:

ASSET CLASS	CURRENT BUDGET	REVISED BUDGET	VARIATION	INTENDED 18/19
Bridges				
	\$545,000	\$345,000	-\$200,000	\$250,000
Buildings				
	\$4,404,886	\$4,318,896	-\$85,990	\$81,000
Community Wastewater Management System (CWMS)				
	\$791,670	\$835,000	\$43,330	\$0
Footpaths				
	\$1,861,270	\$884,270	-\$977,000	\$990,000
Kerbing				
	\$414,000	\$236,000	-\$178,000	\$70,000
Retaining Walls, Street Furniture, Guardrail and Bus Stops				
	\$637,510	\$408,070	-\$229,440	\$265,000
Sealed Roads - Pavements				
	\$3,181,259	\$2,451,000	-\$730,259	\$427,500
Sealed Roads - Seals				
	\$2,706,770	\$2,206,770	-\$500,000	\$0
Shoulder work				
	\$500,000	\$500,000	\$0	\$0
Sport & Recreation				
	\$754,696	\$371,976	-\$382,720	\$540,000
Stormwater				
	\$844,379	\$499,379	-\$345,000	\$365,000
Unsealed				
	\$1,292,533	\$1,292,533	\$0	\$0
Other (including capitalised costs)				
	\$1,516,335	\$1,346,335	-\$170,000	\$170,000
ICT				
	\$778,234	\$706,500	-\$71,734	\$30,000
Library				
	\$78,329	\$78,329	\$0	\$0
Fleet				
	\$1,253,729	\$1,253,729	\$0	\$0
Plant and Equipment				
	\$21,600	\$21,600	\$0	\$0
FLOODING EVENT PROJECTS				
	\$855,514	\$731,739	-\$123,775	\$0
TOTAL INFRASTRUCTURE PROGRAM	\$22,437,714	\$18,387,126	-\$3,850,588	\$3,063,500

In terms of how the different types of amendments have contributed to the financial makeup of the Capital Program reduction, the following table summarises by amendment type:

AMENDMENT	2017/18 BUDGET REDUCTION
DEFERRED	\$2,144,000.00
START 17/18 FINISH 18/19	\$507,500.00
CANCEL (NOT REQUIRED)	\$210,500
CANCEL (DELIVERED OPERATIONALLY)	\$219,665

In addition to the above, there are a small number of individual project amendments within asset classes which are detailed in the complete amended Capital Program as Appendix 1.

4. OPTIONS

Council has the following options:

- I. Agree to the Amended Capital Program and associated Budget Amendments as outlined in Appendix 1 (Recommended)
- II. Not agree to the deferral and continue to attempt the delivery of the existing Capital Program (Not Recommended)

5. APPENDIX

- (1) Amended 2017-18 Capital Program

Appendix 1

Amended 2017-18 Capital Program

Line #	Proj #	Project Name	Budget	Revised Budget (17/18)	Variation	Intended 18/19	Action	Comments for report
2	Bridges							
3	3203	Hartley Vale Road, Kenton Valley - Rehabilitation	\$150,000.00	\$150,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
4	3414	Spring Street, Kersbrook, Culvert	\$250,000.00	\$50,000.00	-\$200,000.00	\$250,000.00	Start 17/18 finish 18/19	Stage 1 works will be completed in 2017/18, which will include detailed design and local drainage improvements along the western side of Spring St. Stages 2 (driveway culverts) and stage 3 (main culvert) will be completed in year 2 and 3 of the Annual Business Plan (AMP) respectively.
5	3500	Concrete patching and repair programme, region wide - YR 1	\$50,000.00	\$50,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
6	3501	Oakwood Road, Oakbank - hard road closure gates	\$20,000.00	\$20,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
7	3502	Onkaparinga Valley Road, Balhannah - footbridges (design only)	\$10,000.00	\$10,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
8	3503	Onkaparinga Valley Road, Oakbank - footbridges (design only)	\$15,000.00	\$15,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
9	3504	Valley Road, Montacute - ford	\$50,000.00	\$50,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
10			\$545,000.00	\$345,000.00	-\$200,000.00	\$250,000.00		
11	Buildings							
12	3107	Toilets Demolition: Various: Buildings	\$55,000.00	\$55,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works are associated with Crafers Hall Building Project and will be completed in 2017/18.
13	3113	Retirement villages renewals, refurbishments and building compliance upgrades, region wide	\$170,000.00	\$170,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
14	3139	Piccadilly Netball/ Tennis Contr for new building	\$30,000.00	\$0.00	-\$30,000.00	\$30,000.00	Defer to 18/19	These funds are allocated as a Council contribution toward the new building at the Piccadilly Netball and Tennis site, however the club still needs to secure grant funding to complete the project. Council's contribution can therefore be postponed until 2018/19.
15	3214	Adelaide Hills Business & Tourism Centre	\$230,722.00	\$230,722.00	\$0.00	\$0.00	WORKSHOP	To be discussed with Council at an upcoming workshop
16	3215	Aldgate Oval Sporting Storage Shed	\$85,000.00	\$85,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
17	3216	Asbestos Removal Program	\$26,075.00	\$26,075.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
18	3219	Bridgewater Oval - Replacement of canteen and storage shed	\$15,990.00	\$50,000.00	\$34,010.00	\$0.00	To Be Completed 17/18	Value of funds carried forward from 2016/17 was insufficient, hence budgeted amount need to be increased to match actual costs.
19	3224	Heathfield Depot - Chemical and Fuel Storage Shed Upgrade	\$29,599.00	\$29,599.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
20	3229	Stirling Institute - Extension/ upgrade of facility	\$140,000.00	\$140,000.00	\$0.00	\$0.00	Completed	Works Complete
21	3413	Stirling Library fitout works	\$50,000.00	\$50,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
22	3505	AHBTC Masterplan and Divestment Project	\$1,940,000.00	\$1,940,000.00	\$0.00	\$0.00	WORKSHOP	To be discussed with Council at an upcoming workshop
23	3506	AHBTC Masterplan and Divestment Project - activation of	\$488,000.00	\$488,000.00	\$0.00	\$0.00	WORKSHOP	To be discussed with Council at an upcoming workshop
24	3507	Bushland Park, Lobethal - function/hire/public toilet building	\$15,000.00	\$15,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
25	3508	External Fire Services Upgrade Heathfield	\$77,000.00	\$77,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
26	3509	External Fire Services Upgrade Stirling Offices	\$138,000.00	\$138,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
27	3510	General upgrades and maintenance, region wide - assets	\$480,000.00	\$480,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
28	3511	Hawks Soccer Club Change Rooms, Woodside	\$50,000.00	\$0.00	-\$50,000.00	\$0.00	Cancel	Hawks Soccer Club applied to the Office for Recreation and Sport for a grant, but were unsuccessful, hence Council's contribution is no longer required.
29	3512	Montacute Institute - acoustic improvements	\$10,500.00	\$10,500.00	\$0.00	\$0.00	Completed	Works Complete
30	3513	Mt Torrens Township reserve upgrade - Mt Torrens, Buildings	\$40,000.00	\$0.00	-\$40,000.00	\$51,000.00	Defer to 18/19	Additional time is required to allow for Council to meet the special heritage requirements and associated approvals applicable to Mt Torrens. Those approvals will be sought in 2017/18 to facilitate construction in 2018/19.
31	3514	Roof anchor and access safety points, region wide	\$40,000.00	\$40,000.00	\$0.00	\$0.00	Completed	Works Complete
32	3515	Woodside Office - security system upgrade	\$25,000.00	\$25,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
33	67803215	Crafers Hall: Crafers: Buildings	\$75,000.00	\$75,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
34	69605215	AHBTC Buildings, Lobethal	\$45,000.00	\$45,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
35	72805215	Draft Masterplan, AHBTC Buildings	\$149,000.00	\$149,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
36			\$4,404,886.00	\$4,318,896.00	-\$85,990.00	\$81,000.00		
37	Community Wastewater Management System (CWMS)							
38	3516	Birdwood CWMS, Church Street - pump shed replacement	\$50,000.00	\$50,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
39	3517	Birdwood Pump Station 1 to lagoons rising main replacement (design only)	\$40,000.00	\$40,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
40	3518	General pump replacement - region wide	\$35,000.00	\$25,000.00	-\$10,000.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18

41	3519	Kersbrook control cabinet - renewal	\$30,000.00	\$30,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
42	3520	Mt Torrens CWMS - Gravity\Rising main upgrade	\$500,000.00	\$610,000.00	\$110,000.00	\$0.00	To Be Completed 17/18	This project will upgrade and extend the CWMS rising main in Mt Torrens, and is critical infrastructure to service the Dunfield Estate development. When considering the preferred tenderer's quote for these works, plus design and superintendency costs, an increase in budget is required.
43	3521	Pump station and treatment plant - SCADA upgrade region wide	\$20,000.00	\$10,000.00	-\$10,000.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
44	3522	Stirling pump station - renewal	\$35,000.00	\$20,000.00	-\$15,000.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
45	3523	Valve automation, Birdwood, CWMS	\$30,000.00	\$15,000.00	-\$15,000.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
46	3524	Woodside Pump station renewal	\$35,000.00	\$35,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
47	61907215	Pump Stations Upgrade, Regionwide	\$16,670.00	\$0.00	-\$16,670.00	\$0.00	Cancel	This project is superseded by the general pump replacement project (3518), so is no longer required.
48			\$791,670.00	\$835,000.00	\$43,330.00	\$0.00		
49	Footpaths							
50	3073	Bridgewater Oval, Bridgewater, Footpaths	\$10,000.00	\$10,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
51	3240	Amy Gillett Bikeway - Contribution to Extension	\$500,000.00	\$0.00	-\$500,000.00	\$500,000.00	Defer to 18/19	If Open Spaces and Place for People funding application is successful, construction will begin in 2018/19.
52	3251	Walking Trail Plan	\$23,770.00	\$23,770.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
53	3525	Aldgate Township Car Park - footpaths (Paving Renewal)	\$15,000.00	\$15,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
54	3526	Amy Gillet Tiers/ Onkaparinga Road, Woodside, connection	\$100,000.00	\$30,000.00	-\$70,000.00	\$70,000.00	Start 17/18 finish 18/19	Detailed design to be completed in 2017/18, with construction to be completed by end of 2018 calendar year.
55	3527	Amy Gillett bikeway, Woodside - signage	\$1,500.00	\$1,500.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
56	3528	Cromer Road / William Street, Birdwood, school crossing	\$25,000.00	\$25,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
57	3529	Footpath along Olivedale St, Birdwood	\$85,000.00	\$85,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
58	3530	Footpath Renewal Program - Region Wide	\$150,000.00	\$150,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
59	3531	Kurla Road, Balhannah - footpaths	\$30,000.00	\$30,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
60	3532	Lobethal Main Street upgrade - design only (associated with	\$10,000.00	\$0.00	-\$10,000.00	\$10,000.00	Defer to 18/19	Proposal to defer this design work pending progress of the AHBTC project.
61	3533	Longwood Road, Heathfield - pedestrian improvements	\$65,000.00	\$0.00	-\$65,000.00	\$65,000.00	Defer to 18/19	Although a concept exists for these works, additional time is required to facilitate community consultation, to be undertaken in 2017/18 with construction scheduled for 2018/19.
62	3534	Mt Barker Road, Stirling - footpath replacement	\$37,000.00	\$37,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
63	3535	New Footpath Program - Region Wide 2017/18	\$135,000.00	\$135,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
64	3536	Oakbank Street, Stirling - footpaths	\$32,000.00	\$0.00	-\$32,000.00	\$0.00	Cancel	This proposal has been made redundant by the closure of the Oakbank St gate to the Stirling oval, and the project is no longer required.
65	3537	Piccadilly Road - footpath/walking track	\$15,000.00	\$15,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
66	3538	Piccadilly Road, Crafers - footpath renewal	\$50,000.00	\$50,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
67	3539	Protea Park / Lesley Crescent, Crafers - new paths	\$26,000.00	\$26,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
68	3540	Rostrevor Road, Stirling - replace existing stairway	\$35,000.00	\$0.00	-\$35,000.00	\$35,000.00	Defer to 18/19	Staff propose to postpone these works until next financial year to allow more to time to develop a solution that meets the requirement s of the Disability Discrimination Act. This is linked with project 3541
69	3541	Rostrevor Road, Stirling - western stairway and path	\$35,000.00	\$0.00	-\$35,000.00	\$40,000.00	Defer to 18/19	Staff propose to postpone these works until next financial year to allow more to time to develop a solution that meets the requirement s of the Disability Discrimination Act. Tis is linked with project 3540.
70	3542	Sandow Road, Verdun - pedestrian crossing of Onkaparinga River (Design Only)	\$10,000.00	\$0.00	-\$10,000.00	\$0.00	Cancel	This does not provide linkage to any other trails, and so is not going to be progressed unless the consideration as part of the Trails Strategy Review currently being undertaken highlights otherwise.
71	3543	Scott Street, Kersbrook - footpath	\$76,000.00	\$76,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
72	3544	Sheoak Road, Crafers West - footpath	\$50,000.00	\$50,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
73	3545	Sturt Valley Road, Stirling - footpath and guardrails	\$250,000.00	\$50,000.00	-\$200,000.00	\$250,000.00	Defer to 18/19	Preliminary design indicates that the allocated budget is insufficient to deliver the required scope of works at this challenging site. It is proposed to defer construction into 2018/19, to allow more time to review possible solutions. Detailed design and some embankment stabilisation works are proposed to be completed this FY from the allocated budget.
74	3546	Upper Sturt Road Footpath/Walking Trail Stage 1, Upper Sturt, footpaths	\$20,000.00	\$0.00	-\$20,000.00	\$20,000.00	Defer to 18/19	Propose to defer project to allow time to complete the trail strategy in 2018/19. This project would then form part of the trails strategy implementation in 2018/19.
75	3547	Walking Trail Plan, region wide	\$20,000.00	\$20,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
76	3548	Wembley Avenue, Bridgewater - footpath upgrade	\$35,000.00	\$35,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
77	3647	Gumeracha Main St Master Plan	\$20,000.00	\$20,000.00	\$0.00		To Be Completed 17/18	Works will be completed in 2017/18
78			\$1,861,270.00	\$884,270.00	-\$977,000.00	\$990,000.00		
79	Kerbing							
80	3549	Fairview Road, Aldgate - traffic improvements for Aldgate	\$95,000.00	\$95,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
81	3550	Junction Road, Balhannah - kerbing renewal	\$108,000.00	\$0.00	-\$108,000.00	\$0.00	Defer to 18/19	Current design is only preliminary, with additional scoping required. Recommend to postpone these works to next FY, allowing time to finalise design in 17/18. Linked to 3612.
82	3551	Mt Barker Road, Stirling - kerbing	\$70,000.00	\$0.00	-\$70,000.00	\$70,000.00	Defer to 18/19	These works need to be deferred pending adjacent stormwater investigation, associated with project 3515

83	3552	Pomona Road, Stirling - northern end kerbing renewal	\$11,000.00	\$11,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
84	3553	Region wide (kerb renewal associated with Footpath	\$50,000.00	\$50,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
85	3554	Region wide (kerb renewal associated with reseal programme)-	\$80,000.00	\$80,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
86			\$414,000.00	\$236,000.00	-\$178,000.00	\$70,000.00		
87	Retaining Walls, Street Furniture, Guardrail and Bus Stops							
88		Bus Stops						
89	3555	Improvements to informal 'Park and Ride' areas - Region wide	\$37,000.00	\$37,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
90	3556	Mt Torrens shelter adjacent Townsend Street Reserve	\$11,000.00	\$0.00	-\$11,000.00	\$0.00	Defer to 18/19	This is being incorporated into Project 3513.
91	3557	Relocate and upgrade to bus stop 46 (north), Mt Barker Road,	\$40,000.00	\$0.00	-\$40,000.00	\$40,000.00	Defer to 18/19	Further liaison with DPTI and community required re location.
92		Guardrails						
93	3558	Knotts Hill Road, Basket Range - new guardrail	\$99,760.00	\$99,760.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
94		Retaining Walls						
95	3559	Aldgate Township - car park exit retaining wall and path retaining wall	\$20,000.00	\$20,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
96	3560	Bridgewater Oval, Bridgewater - retaining walls	\$8,000.00	\$8,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
97	3561	Heathfield Oval - retaining wall north of the club	\$45,000.00	\$5,000.00	-\$40,000.00	\$40,000.00	Start 17/18 finish 18/19	Proposal to complete design works in 2017/18 FY with construction scheduled for 2018/19.
98	3562	Heathfield Oval - southern end retaining wall	\$75,000.00	\$5,000.00	-\$70,000.00	\$65,000.00	Start 17/18 finish 18/19	Proposal to complete design works in 2017/18 FY with construction scheduled for 2018/19.
99	3563	Wembley Avenue no21, Bridgewater - retaining wall	\$60,000.00	\$60,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
100		Street Furniture						
101	3128	War Memorials Program, Regionwide	\$17,220.00	\$17,220.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
102	3266	Barbeque Renewal Program	\$6,030.00	\$6,030.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
103	3564	Mt Torrens entrance sign - contribution to stone wall and entry	\$7,500.00	\$7,500.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
104		Traffic Management						
105	3416	August Street, Birdwood, Traffic Management	\$11,000.00	\$12,560.00	\$1,560.00	\$0.00	Completed	Works Complete
106	3565	Installation of raised retro reflective markers on unlit roads -	\$20,000.00	\$20,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
107	3566	Pomona Road Roundabout, Stirling - replacement of annulus	\$20,000.00	\$20,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
108	3567	Roundabout Landscaping Upgrade - Region wide	\$70,000.00	\$0.00	-\$70,000.00	\$120,000.00	Defer to 18/19	Verdun, Crafers and Piccadilly roundabouts landscaping should commence in September 2018 and completed by the end of December (DPTI have advised that there are some logistical and methodology elements, which also involved SA Water, which will not enable it to occur before this time). Additional Budget Required in 18/19.
109	3646	Security Bollards - Druid Ave, Stirling	\$90,000.00	\$90,000.00	\$0.00		To Be Completed 17/18	Works will be completed in 2017/18
110			\$637,510.00	\$408,070.00	-\$229,440.00	\$265,000.00		
111	Sealed Roads - Pavements							
112	3302	Forreston Road - embankment slip repair	\$40,000.00	\$0.00	-\$40,000.00	\$40,000.00	Defer to 18/19	On Private Land. Further investigation required to determine project feasibility.
113	3568	Druid Avenue, Stirling (Design Only)	\$6,500.00	\$6,500.00	\$0.00	\$0.00	Completed	Works Complete
114	3569	Fairview Road, Aldgate - road widening	\$20,000.00	\$20,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
115	3570	Glebe Road, Balhannah - traffic management	\$8,000.00	\$8,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
116	3571	Heath Road, Crafers West - road widening	\$25,000.00	\$0.00	-\$25,000.00	\$0.00	Cancel	Upon review, impact on trees and local amenity would be too great. Low traffic environment suggests work not required. No guardrail required. Cost of relocating utilities would represent poor value for money.
117	3572	Heather Road no19, Aldgate - pavement reshaping	\$12,000.00	\$12,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
118	3573	Heathfield Road, Heathfield - road reconstruction	\$550,000.00	\$550,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
119	3574	Lower Hermitage Road, Upper Hermitage - road widening	\$710,000.00	\$355,000.00	-\$355,000.00	\$355,000.00	Start 17/18 finish 18/19	Proposal to complete design works and commence construction in 2017/18, and complete construction in 2018/19, due
120	3575	Millar Road, Upper Hermitage - intersection upgrade	\$65,000.00	\$32,500.00	-\$32,500.00	\$32,500.00	Start 17/18 finish 18/19	Proposal to complete design works and commence construction in 2017/18, and complete construction in 2018/19, due
121	3576	Mt Torrens - car park at end of Amy Gillett	\$22,000.00	\$22,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
122	3577	Oakwood Road, Oakbank - seals	\$190,000.00	\$100,000.00	-\$90,000.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
123	3578	Oxford Road, Aldgate - parking improvements	\$25,000.00	\$25,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
124	3579	Paratoo Road, Stirling - traffic improvements	\$13,500.00	\$0.00	-\$13,500.00	\$0.00	Cancel	Placement of big stones along the side of the road had been suggested, but on review is not warranted. Council staff have spoken to local resident that this would not happen due to liability issues associate with this type of structure on the edge of the road, and no issues were raised.
125	3580	Pavement and Design (to undertake assessment and renewal options for year 2 and 3 projects)	\$60,000.00	\$60,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
126	3581	Pavement Renewals as per Asset Management Plan assessments - YEAR 1	\$504,259.00	\$365,000.00	-\$139,259.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
127	3582	Road Extensions, region wide	\$20,000.00	\$20,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
128	3583	Shannon Street, Birdwood - parking bay	\$35,000.00	\$35,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
129	3584	Sturt Grove, Upper Sturt- seals	\$35,000.00	\$0.00	-\$35,000.00	\$0.00	Completed	Works Complete
130	3585	Swamp Road, Lenswood - pavement reconstruction	\$840,000.00	\$840,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
131			\$3,181,259.00	\$2,451,000.00	-\$730,259.00	\$427,500.00		
132	Sealed Roads - Seals							
133	3284	Blockers Road, Basket Range - Reseals	\$84,300.00	\$84,300.00	\$0.00	\$0.00	Completed	Works Complete

134	3586	Fairview Road, Aldgate - reseal	\$80,000.00	\$80,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
135	3587	Lenswood Church - carpark upgrade	\$8,000.00	\$8,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
136	3588	Paech Brothers Road, Balhannah - seal	\$60,000.00	\$60,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
137	3589	Seal Renewals based on Asset Management Plan assessments -	\$2,444,470.00	\$1,944,470.00	-\$500,000.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
138	3590	Sealing of short sections of unsealed roads that intersect sealed	\$30,000.00	\$30,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
139			\$2,706,770.00	\$2,206,770.00	-\$500,000.00	\$0.00		
140	Shoulder work							
141	3591	Region Wide (shoulder associated with reseal programme)	\$100,000.00	\$100,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
142	3592	Regional wide Washouts	\$100,000.00	\$100,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
143	3593	Region wide Renewal Priorities 10km High priority - 10km and \$	\$300,000.00	\$300,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
144			\$500,000.00	\$500,000.00	\$0.00	\$0.00		
145	Sport & Recreation							
146	3119	Signage Replacement, Stirling S&R	\$18,720.00	\$0.00	-\$18,720.00	\$0.00	Cancel	These works have been completed and listed carried forward amount is no longer required.
147	3169	Woodside Swimming Pool - Replacement Return Line	\$25,000.00	\$25,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
148	3178	Master Plan Heathfield Recreation Grounds	\$23,830.00	\$23,830.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
149	3310	Summertown Tennis Court - Refurbishment	\$20,000.00	\$20,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
150	3594	Ashton Oval - Fire Fighting Tank	\$27,000.00	\$27,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
151	3595	Balhannah - Gillesston Reserve - dog park improvements	\$14,000.00	\$0.00	-\$14,000.00	\$14,000.00	Defer to 18/19	Further scoping is required. Prior to works being undertaken
152	3596	Basket Range Tennis Court - Reconstruction	\$60,000.00	\$0.00	-\$60,000.00	\$60,000.00	Defer to 18/19	Further scoping is required. Prior to works being undertaken
153	3597	Bridgewater Oval (Football change room site) - site remediation	\$40,000.00	\$40,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
154	3598	Bridgewater Oval Master Plan Implementation - matched	\$20,000.00	\$20,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
155	3599	Heathfield Oval Master Plan Implementation - matched funding	\$20,000.00	\$20,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
156	3600	Playspace Replacement Program	\$150,000.00	\$0.00	-\$150,000.00	\$300,000.00	Defer to 18/19	These works are to be deferred to 2018/19 to allow time for the Playspace Framework to be adopted. They will then form part of the implementation of that framework.
157	3601	Recreational Ground Renewals and Upgrade, Region wide	\$76,000.00	\$76,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
158	3602	Sport & Recreation Facilities - hard surfaces	\$86,000.00	\$0.00	-\$86,000.00	\$86,000.00	Defer to 18/19	These works are proposed to be deferred to 2018/19 to allow time for renewal program to be prioritised, in conjunction with the Asset management Plan review.
159	3603	Sport & Recreation Facilities - turf surfaces	\$40,000.00	\$0.00	-\$40,000.00	\$80,000.00	Defer to 18/19	These works are proposed to be deferred to 2018/19 to allow time for renewal program to be prioritised, in conjunction with the Asset management Plan review.
160	3604	Sport & Recreation Facilities - Yr 1 - Driveway, carpark, drainage	\$40,000.00	\$40,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
161	3605	Stirling Oval Spectator & Community Space	\$40,000.00	\$40,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
162	3606	Woodside Recreation Grounds - minor improvements to picnic	\$4,000.00	\$4,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
163	71212115	Mount Torrens Trail Stage 1: S&R	\$10,146.00	\$10,146.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
164	68403215	Mylor Tennis Courts: Mylor: Buildings	\$15,000.00	\$1,000.00	-\$14,000.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
165	3648	Woodside Recreation Grounds WSUD	\$25,000.00	\$25,000.00	\$0.00		To Be Completed 17/18	Works will be completed in 2017/18
166			\$754,696.00	\$371,976.00	-\$382,720.00	\$540,000.00		
167	Stormwater							
168	3129	John Street Woodside stormwater network addition	\$61,100.70	\$61,100.70	\$0.00	\$0.00	Completed	Works Complete
169	3131	Lange Crescent Birdwood stormwater network addition	\$19,602.00	\$19,602.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
170	3322	Nairne Road 62-66, Woodside - Stormwater	\$39,760.20	\$39,760.20	\$0.00	\$0.00	Completed	Works Complete
171	3324	Pirralilla Pl, Stirling - Stormwater Renewal	\$33,000.09	\$33,000.09	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
172	3327	Tolmer Rd/ Ridge Rd 31, Woodside - Stormwater	\$16,910.00	\$16,910.00	\$0.00	\$0.00	Completed	Works Complete
173	3396	Pirralilla Pl, Stirling - damage	\$9,006.25	\$9,006.25	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
174	3607	Aldgate Oval, Aldgate -drainage	\$30,000.00	\$30,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
175	3608	Basket Range Road 22-26, Uraidla - pipe / pit renewal	\$50,000.00	\$50,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
176	3609	Beavis Court, Gumeracha - drainage upgrade	\$45,000.00	\$0.00	-\$45,000.00	\$0.00	Cancel	Sit has been assssed, and the drainage issues represent nuisance runoff only; therefore no works required.
177	3610	Grivell Road, Verdun - stormwater works	\$60,000.00	\$0.00	-\$60,000.00	\$60,000.00	Defer to 18/19	These works are proposed to be deferred to 2018/19 to allow time for additional investigation and scope definition.
178	3611	Gumeracha - Stormwater Master plan (Design only)	\$20,000.00	\$50,000.00	\$30,000.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
179	3612	Junction Road , Balhannah -stormwater upgrade	\$180,000.00	\$15,000.00	-\$165,000.00	\$200,000.00	Defer to 18/19	Current design is only preliminary, with additional scoping required. Recommend to postpone these works to next FY, allowing time to finalise design in 17/18. Linked to 3550.
180	3613	Kain Avenue 21, Bridgewater - pipe / pit renewal	\$25,000.00	\$25,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
181	3614	Kidney Street, Uraidla - easement drainage - pipe renewal due	\$20,000.00	\$20,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
182	3615	Mill Road, Lobethal - new stormwater	\$15,000.00	\$0.00	-\$15,000.00	\$15,000.00	Defer to 18/19	additional time is required to clarify scope.
183	3616	Minor Stormwater projects (Pits, Pipe Crossings, Headwalls,	\$40,000.00	\$40,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
184	3617	Mount Barker Road, Stirling - renewal of failed stormwater pipe	\$90,000.00	\$0.00	-\$90,000.00	\$90,000.00	Defer to 18/19	additional time is required to clarify scope.
185	3618	Old Mount Barker Road 122, Aldgate - minor stormwater works	\$25,000.00	\$0.00	-\$25,000.00	\$0.00	Cancel	Site was investigated by council's project manager with consultant, and the works are not required.
186	3619	Stormwater Master Planning - Aldgate	\$25,000.00	\$60,000.00	\$35,000.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
187	3620	William Street, Birdwood - stormwater management	\$10,000.00	\$0.00	-\$10,000.00	\$0.00	Cancel	Stormwater investigation (in the vicinity of the Bleeze St intersection) was completed operationally. Drainage issues along William St are not significant compared to other priorities throughout the Council area, and further works are not recommended at this time
188	3621	Wycombe Road, Aldgate - stormwater renewals	\$30,000.00	\$30,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18

189			\$844,379.24	\$499,379.24	-\$345,000.00	\$365,000.00		
190	Unsealed							
191	3334	Blockers Hill Road, Basket Range - re-sheet	\$154,000.00	\$154,000.00	\$0.00	\$0.00	Completed	Works Complete
192	3342	Edwards Street, Crafers - Road Extension	\$34,269.00	\$34,269.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
193	3622	Berry Hill Road, Kenton Valley	\$20,000.00	\$20,000.00	\$0.00	\$0.00	Completed	Works Complete
194	3623	Re-sheet - Osborne Road, Kersbrook	\$23,000.00	\$23,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
195	3624	Unsealed renewals (resheet) as per Asset Management Plan	\$1,061,264.00	\$1,061,264.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
196			\$1,292,533.00	\$1,292,533.00	\$0.00	\$0.00		
197	Other							
198	3176	Cemeteries Upgrade - Yr 1	\$40,000.00	\$40,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
199	3177	Finding Workable Solutions	\$45,000.00	\$0.00	-\$45,000.00	\$45,000.00	Defer to 18/19	Now Hands on SA. Project scope being reassessed.
200	3625	Crafers to Stirling Bikeway, Stirling	\$125,000.00	\$0.00	-\$125,000.00	\$125,000.00	Defer to 18/19	DPTI Works not proceeding this financial year. Scope to be clarified.
201	3626	Extension of Stirling Cemetery - Yr 1 (Tree Removal due to	\$30,000.00	\$30,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
202	3627	Green bins for town areas - Council wide.	\$5,000.00	\$5,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
203	3628	Installation of Coolaman Sculpture - Gumeracha	\$10,000.00	\$10,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
204	3629	Mylor Oval fence replacement.	\$10,000.00	\$10,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
205	3630	Norton Summit Tree Removal - At Risk Trees	\$30,000.00	\$30,000.00	\$0.00	\$0.00	Completed	Works Complete
206	3631	Power Supply Stirling Lawns	\$10,000.00	\$10,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
207	3632	Street Litter Bin Cage Replacement - Ongoing	\$10,000.00	\$10,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
208	3633	Woodside Pool Heater Replacement (Prior to season)	\$40,000.00	\$40,000.00	\$0.00	\$0.00	Completed	Works Complete
209	4000	Project Management Costs	\$1,095,450.00	\$1,095,450.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
210	70329215	Sculpture Trail	\$65,885.00	\$65,885.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
211			\$1,516,335.00	\$1,346,335.00	-\$170,000.00	\$170,000.00		
212	ICT							
213	3147	EDRMS - Renewal of Systems, Regionwide	\$60,500.00	\$0.00	-\$60,500.00	\$0.00	Cancel	These works are associated with the Organisational Information Management System implementation project (3640),
214	3150	GIS Mapping Renewal, Regionwide	\$15,000.00	\$15,000.00	\$0.00	\$0.00	Completed	Works Complete
215	3153	UPS/Air Con Maintenance Renewal: Regionwide	\$20,000.00	\$20,000.00	\$0.00	\$0.00	Completed	Works Complete
216	3372	E-Development - Stage 2	\$25,000.00	\$25,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
217	3634	Cemetery Management System - Online	\$30,000.00	\$20,000.00	-\$10,000.00	\$10,000.00	Start 17/18 finish 18/19	Implementation to begin in February 2018 - go live likely to be August/ September 2018 - Final payment.
218	3635	Contact Centre Software	\$30,000.00	\$30,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
219	3636	Council Members Tablet Renewal	\$25,000.00	\$25,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
220	3637	CRM Functionality and Web Forms	\$30,000.00	\$30,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
221	3638	Mobility Devices Renewal	\$40,000.00	\$40,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
222	3639	Open Office - MS VAV Platform	\$20,000.00	\$0.00	-\$20,000.00	\$20,000.00	Defer to 18/19	Reviewed with mike Carey and agreed for Finance team, to defer to Oct-Nov 2018
223	3640	Organisational Information Management System Implementation	\$195,000.00	\$255,500.00	\$60,500.00	\$0.00	To Be Completed 17/18	Solution currently being implemented, test system in place and UAT to commence in feb 2018. Increase in budget is only due to incorporating the EDRMS - Renewal of Systems project.
224	3641	PA System Council Meetings	\$60,000.00	\$60,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
225	3642	Virtual Reality Hub - TVCC	\$7,000.00	\$7,000.00	\$0.00	\$0.00	Completed	Works Complete
226	70329215	Enterprise Asset Management System Implementation	\$220,734.00	\$179,000.00	-\$41,734.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
227			\$778,234.00	\$706,500.00	-\$71,734.00	\$30,000.00		
228	Library							
229	3158	Library Furnishings Upgrade	\$12,517.00	\$12,517.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
230	3643	Develop a 'Reading Room' at Norton Summit Community Centre.	\$12,000.00	\$12,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
231	3644	Coffee Vending Machines Replacement	\$14,200.00	\$14,200.00	\$0.00	\$0.00	Completed	Works Complete
232	3645	Library Counter and Self Check Upgrades	\$39,612.00	\$39,612.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
233			\$78,329.00	\$78,329.00	\$0.00	\$0.00		
234	Fleet							
235	3160	Plant & Fleet Program	\$1,253,729.00	\$1,253,729.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
236			\$1,253,729.00	\$1,253,729.00	\$0.00	\$0.00		
237	Plant and Equipment							
238	3378	Speed Advisory Signs.	\$12,000.00	\$12,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
239	3379	Stand-up desks.	\$9,600.00	\$9,600.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
240			\$21,600.00	\$21,600.00	\$0.00	\$0.00		
241	SUBTOTAL INFRASTRUCTURE (exclusive of FLOODING		\$21,582,200.24	\$17,655,387.24	-\$3,726,813.00	\$3,063,500.00		
242								
243	FLOODING EVENT PROJECTS (excludes operational costs)							
244	3382	Burdetts Rd, Basket Range - Reconstruction	\$17,500.00	\$17,500.00	\$0.00	\$0.00	Completed	Works Complete
245	3384	Debneys Rd, Basket Range - Flood Repairs	\$50,000.00	\$0.00	-\$50,000.00	\$0.00	Cancel	The issues at this site were able to be resolved through our routine maintenance functions, so a capital project is no longer required.

246	3386	Ford Damage - Regionwide	\$17,500.00	\$17,500.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
247	3387	Fox Creek Rd, Cudlee Creek - Major slip	\$11,000.00	\$11,000.00	\$0.00	\$0.00	Completed	Works Complete
248	3388	Hollands Creek Rd, Cudlee Creek - Slip	\$15,500.00	\$15,500.00	\$0.00	\$0.00	Completed	Works Complete
249	3390	Knotts Hill Rd, Marble Hill - low side slip	\$40,000.00	\$40,000.00	\$0.00	\$0.00	Completed	Works Complete
250	3393	Montacute Rd, Montacute - Reconstruction	\$81,600.00	\$81,600.00	\$0.00	\$0.00	Completed	Works Complete
251	3394	Mt Barker Rd, Aldgate - Embankment and Footpath Reconstruction	\$59,075.00	\$0.00	-\$59,075.00	\$0.00	Cancel	The issues at this site were able to be resolved through our routine maintenance functions, so a capital project is no longer required.
252	3401	Sturt Valley Rd, Stirling - Embankment Stabilisation	\$40,000.00	\$40,000.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
253	3403	Unsealed Roads - Region wide	\$458,500.00	\$458,500.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
254	3404	Valley Rd, Montacute	\$22,000.00	\$22,000.00	\$0.00	\$0.00	Completed	Works Complete
255	3405	Wyse Rd, Basket Range - Flood Repairs	\$14,700.00	\$0.00	-\$14,700.00	\$0.00	Cancel	The issues at this site were able to be resolved through our routine maintenance functions, so a capital project is no longer required.
256	3409	Bridgewater Oval - Rectification Works	\$28,139.00	\$28,139.00	\$0.00	\$0.00	To Be Completed 17/18	Works will be completed in 2017/18
257			\$855,514.00	\$731,739.00	-\$123,775.00	\$0.00		
258	TOTAL INFRASTRUCTURE PROGRAM		\$22,437,714.24	\$18,387,126.24	-\$3,850,588.00	\$3,063,500.00		

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2018
AGENDA BUSINESS ITEM**

Item: 12.2

Originating Officer: Natalie Westover, Manager Property Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Road Exchange – Mt Torrens Walking Loop

For: Decision

SUMMARY

The Mt Torrens Walking Loop is identified in the *Adelaide Hills 20 Year Trail Strategy & Action Plan 2014*.

The walking loop includes a connection between Springhead Road and Lenger Road along a section of unmade road reserve. The unmade road reserve between Springhead Road and Lenger Road does not run in a straight line between those roads but rather traverses around a triangular section of land owned by Brian Bruce Willison. The section of unmade road reserve physically severs the continuity of the 2 pieces of land owned by Mr Willison.

By agreement with Mr Willison, it is proposed to close the portion of the unmade road marked “A” on Preliminary Plan 17/0041 attached as **Appendix 1** to be merged with Mr Willison’s land which will merge the 2 pieces of Mr Willison’s land, in exchange for the opening of the section of unmade road marked “1” on Preliminary Plan 17/0041 attached as **Appendix 1** currently owned by Mr Willison.

The road exchange will result in a straight section of walking trail between Springhead Road and Lenger Road.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
2. To issue a Road Process Order pursuant to the *Roads (Opening & Closing) Act 1991* to:
 - a. Close and merge the land identified as “A” in Preliminary Plan No 17/0041 (**Appendix 1**) with Allotment comprising pieces 81 & 82 in Filed Plan No. 218134 comprised in Certificate of Title Volume 6025 Folio 732 owned by Brian Bruce Willison
 - b. Open the land identified as “1” in Preliminary Plan No 17/0041 as public road being portion of Allotment comprising pieces 81 & 82 in Filed Plan No. 218134 comprised in Certificate of Title Volume 6025 Folio 732 owned by Brian Bruce Willison
3. The closed road be excluded as Community Land pursuant to the *Local Government Act 1999*

4. **To undertake the road exchange for nil consideration with the Council to pay all necessary costs to effect this resolution**
 5. **To authorise the Chief executive Officer (or delegate) to finalise and sign all necessary documentation to effect the road exchange and this resolution**
-

1. **GOVERNANCE**

➤ **Strategic Management Plan/Council Policy**

Goal 1 Prosper

Strategy 1.7 We will connect key walking trails and cycling routes to make it easier for people to keep active in the Hills

The road exchange process results in a direct walking trail between Springhead Road and Lenger Road in Mt Torrens.

The Mt Torrens Walking loop is identified in the Council's Adelaide Hills 20 Year Trail Strategy & Action Plan 2014.

➤ **Legal Implications**

The road exchange process is undertaken pursuant to the provisions of the *Roads (Opening & Closing) Act 1991* which will have the effect of closing a portion of existing unmade public road in exchange for the opening of a section of public road currently in private ownership.

➤ **Risk Management Implications**

The road exchange process will assist in mitigating the risk of a non-preferred community walking trail outcome and hindrance to a landowner's preferred use of their land leading to a lack of community confidence in Council achieving preferred and practical outcomes.

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

Achieving preferred and practical outcomes for the community is an existing control and does not require the creation of a new mitigation action.

➤ **Financial and Resource Implications**

The road exchange process will be managed within existing resource and budget allocations.

The cost of the road exchange process is approximately \$8,500.

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

Not Applicable

➤ **Environmental Implications**

Not Applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Director Engineering & Assets
Projects Coordinator

Community: Public notification was undertaken in accordance with the requirements of the *Roads (Opening & Closing) Act 1991* and the Council's *Public Consultation Policy* including 2 letters to the adjoining land owners on 8 September 2017 and 26 October 2017, notices in *The Courier* on 13 September 2017 and *The Weekender Herald* on 14 September 2017, notice in the *Government Gazette* on 24 October 2017 and notifications to the statutory authorities on 8 & 17 November 2017. Council has not received any objections or requests for easement as a result of the notification process. A copy of the consultation report is attached as **Appendix 3**.

2. **BACKGROUND**

The Mt Torrens Walking Loop was identified in the *Adelaide Hills 20 Year Trail Strategy & Action Plan 2014*.

The walking loop includes a connection between Springhead Road and Lenger Road along a section of unmade road reserve. The unmade road reserve between Springhead Road and Lenger Road does not run in a straight line between those roads but rather traverses around a triangular section of land owned by Brian Bruce Willison. The section of unmade road reserve physically severs the continuity of the 2 pieces of land owned by Mr Willison.

Currently, the portion of unmade road reserve identified as "A" on the Preliminary Plan attached as **Appendix 1** and highlighted in yellow on the aerial photo attached as **Appendix 2** is rented to Mr Willison to manage and use as part of his primary production use of his land.

The portion of Mr Willison's land identified as "1" on the Preliminary Plan attached as **Appendix 1** and highlighted in orange on the aerial photo attached as **Appendix 2** is licensed to Council for the purpose of the development of the walking trail and pedestrian access by the public.

The Council has undertaken fencing works on this section of land to enable pedestrian access along the area identified as "1" and restrict access along the area identified as "A".

By agreement with Mr Willison, it is proposed to close the portion of the unmade road marked “A” to be merged with Mr Willison’s land which will merge the 2 pieces of Mr Willison’s land, in exchange for the opening of the section of unmade road marked “1” currently owned by Mr Willison.

The road exchange will result in a straight section of walking trail between Springhead Road and Lenger Road.

A road exchange process was commenced in September 2017.

3. ANALYSIS

Public consultation has been undertaken in accordance with the requirements of the *Roads (Opening & Closing) Act 1991* and the Council’s Public Consultation Policy with no objections or requests for easement received.

To achieve the desired straight section of walking trail between Springhead Road and Lenger Road, the road exchange is considered appropriate.

4. OPTIONS

Council has the following options:

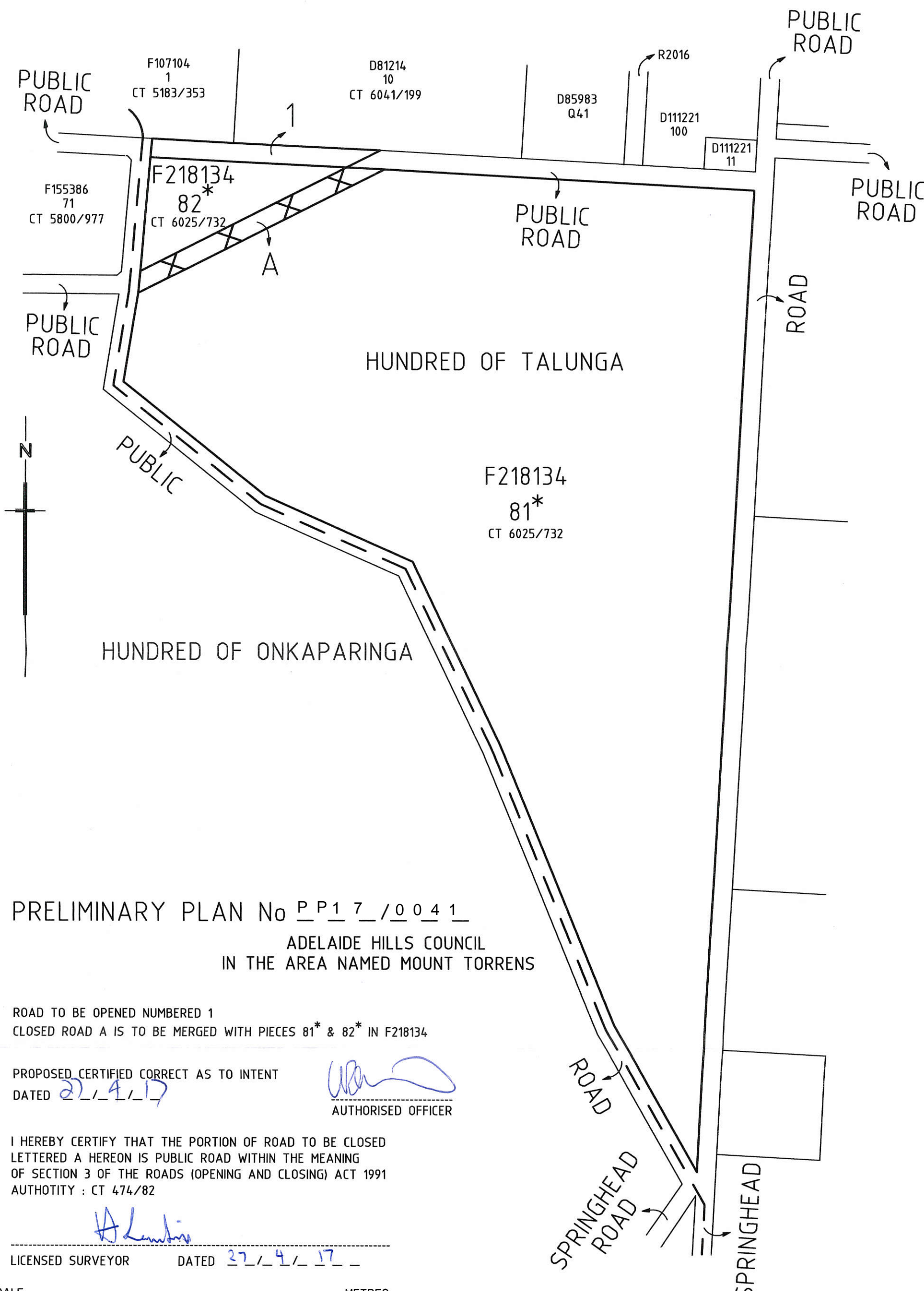
- I. Resolve to issue a road process order in accordance with the recommendation (Recommended)
- II. Resolve not to issue a road process order in accordance with the recommendation which will result in the Mt Torrens walking trail not having the preferred straight section of trail between Springhead Road and Lenger Road (Not Recommended)

5. APPENDICES

- (1) Preliminary Plan
- (2) Aerial Photo
- (3) Copy of Consultation Report

Appendix 1

Preliminary Plan



PRELIMINARY PLAN No P P 1 7 / 0 0 4 1

ADELAIDE HILLS COUNCIL
IN THE AREA NAMED MOUNT TORRENS

ROAD TO BE OPENED NUMBERED 1

CLOSED ROAD A IS TO BE MERGED WITH PIECES 81* & 82* IN F218134

PROPOSED CERTIFIED CORRECT AS TO INTENT

DATED 27 / 4 / 17


AUTHORISED OFFICER

I HEREBY CERTIFY THAT THE PORTION OF ROAD TO BE CLOSED
LETTERED A HEREON IS PUBLIC ROAD WITHIN THE MEANING
OF SECTION 3 OF THE ROADS (OPENING AND CLOSING) ACT 1991
AUTHORITY : CT 474/82


LICENSED SURVEYOR

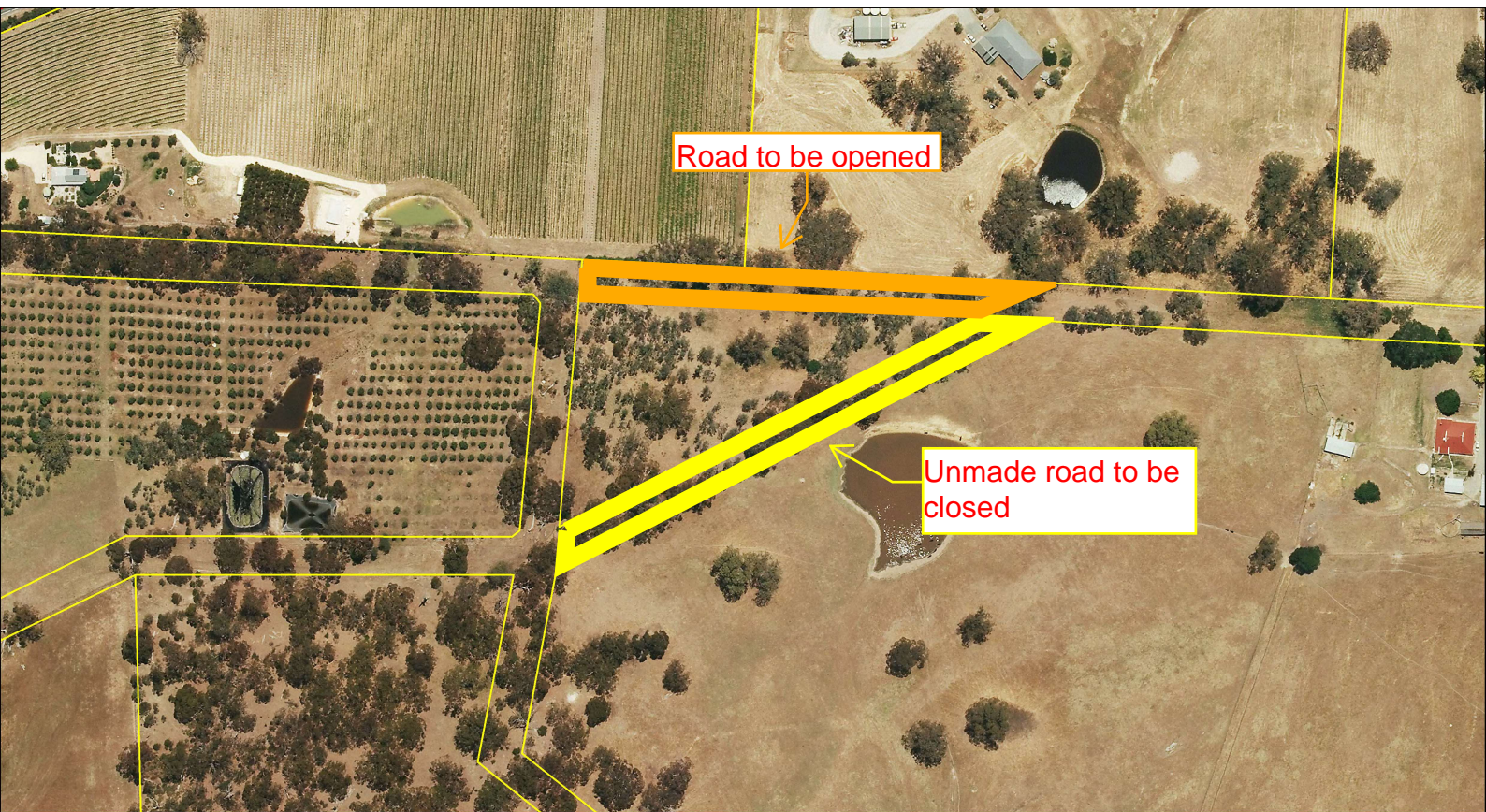
DATED 27 / 4 / 17

SCALE
0 80 160 240 320 400 METRES

ALL DIMENSIONS ARE IN METERS - DO NOT SCALE DRAWINGS

Appendix 2

Aerial Photo



Road to be opened

Unmade road to be closed

Appendix 3

Consultation Report



Adelaide Hills

COUNCIL

PUBLIC NOTICE

***Portion of unmade Road Reserve between Springhead Road and Lenger
Road Mt Torrens***

PROPOSED ROAD EXCHANGE

CONTENTS

- 1. Reasons for the Proposal**
- 2. Purpose of the Proposal**
- 3. Identification of the Land**
- 4. Public Consultation Notice**

PROPOSAL FOR ROAD EXCHANGE FOR PORTION OF UNMADE ROAD RESERVE BETWEEN SPRINGHEAD ROAD AND Lenger ROAD MT TORRENS

Roads (Opening & Closing) Act 1991

REPORT

1. Reasons for the Proposal.

Council is seeking to realign the existing unmade road reserve to create a straight unmade road section between Springhead Road and Lenger Road to facilitate the Mt Torrens Walking Loop.

The existing road alignment is shown in Diagram A.

The proposed road alignment is shown in Diagram B.

The Mt Torrens Walking Loop is identified in green in Photo A.

The Preliminary Plan identifying the road to be closed and the land to be opened as road is included as Plan A.

2. Purpose of the Proposal

A road exchange process is required to facilitate the realignment of the unmade road with the adjoining land owner under the *Roads (Opening & Closing) Act 1991*.

The road exchange will result in a section of unmade road reserve being closed as public road (marked pink on Diagram B) and amalgamated with the adjoining land and a section of the adjoining land owner's land being opened as public road (marked blue on Diagram B).

3. Identification of the Land

Diagram A – Existing Road Alignment



Diagram B – Proposed Road Alignment

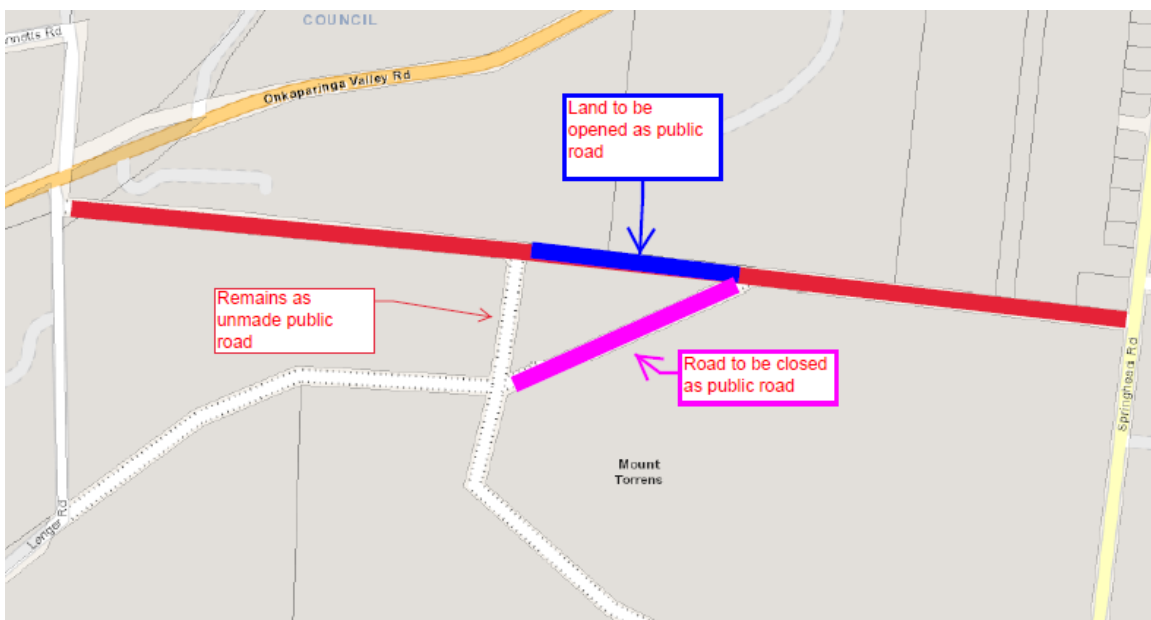
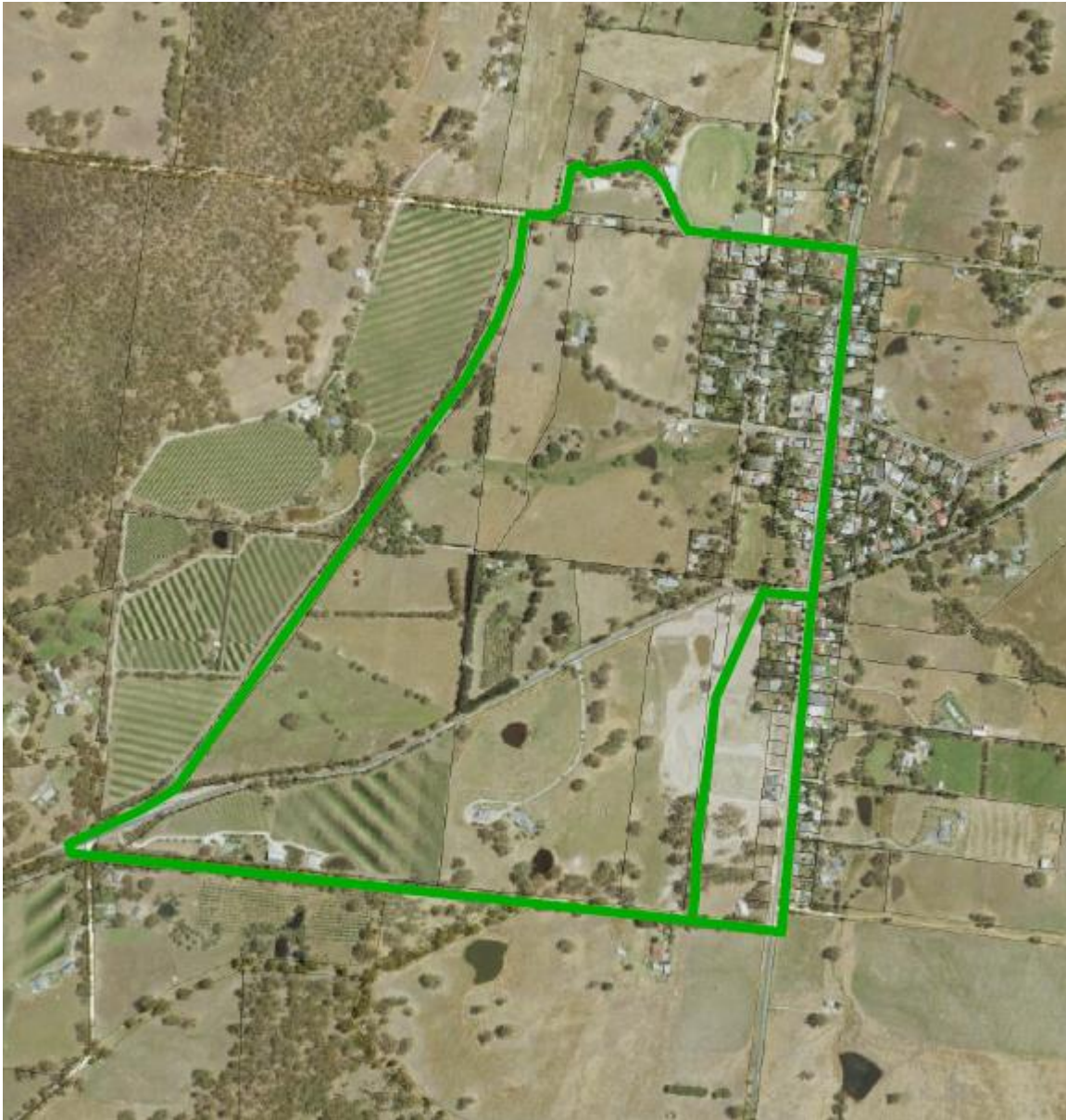
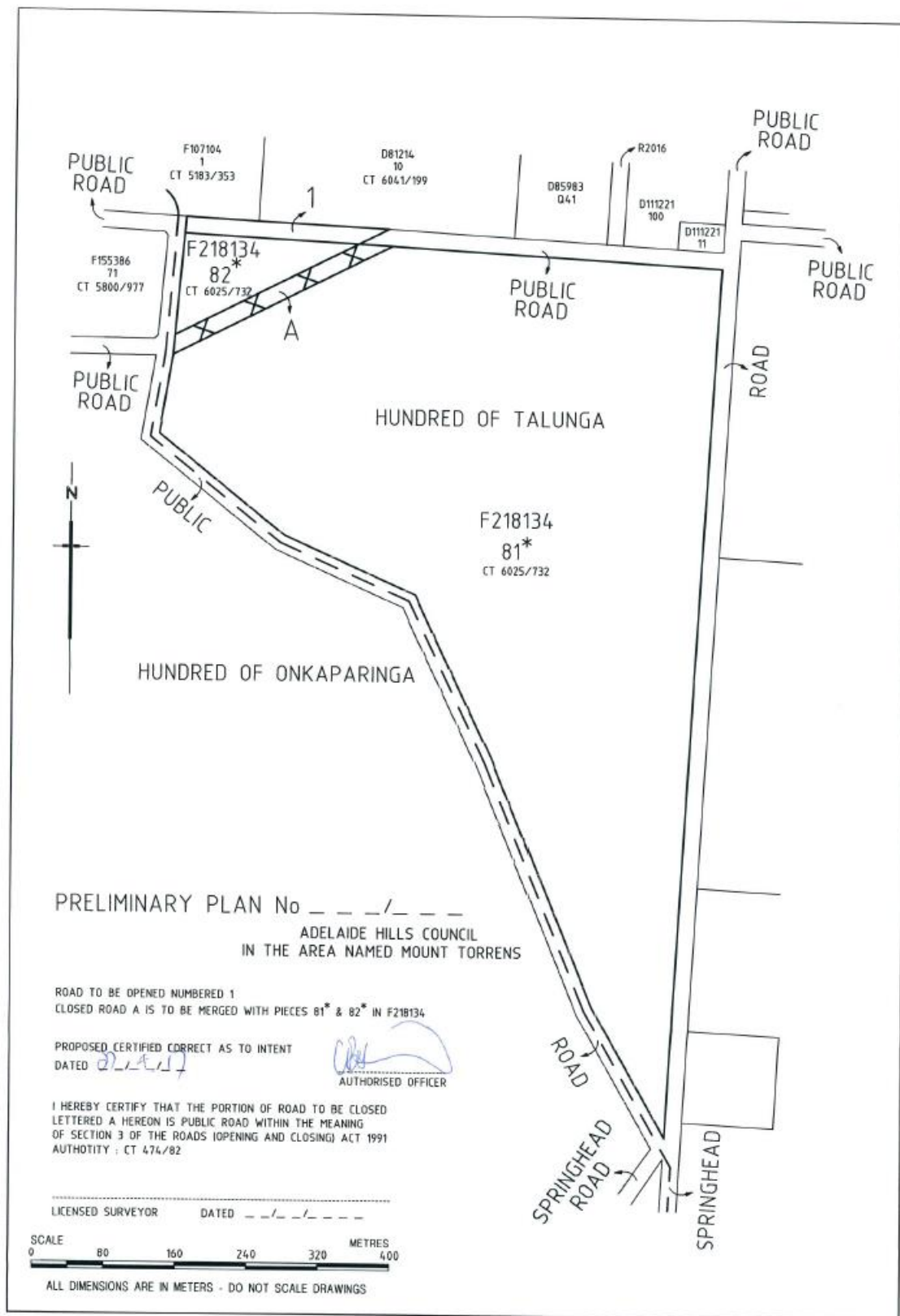


Photo A – Mt Torrens Walking Loop



Plan A – Preliminary Plan



4. Public Consultation Notice

**Roads (Opening And Closing) Act 1991
Road Opening and Closing
Un-made public road, Mount Torrens**

IN accordance with Section 10 of the Roads (Opening and Closing) Act 1991, notice is hereby given that Adelaide Hills Council proposes to make a Road Process Order to open as road portion of allotment 82 in FP218134 numbered “1” on Preliminary Plan 17/0041 and in exchange to close the Public Road between pieces 81 and 82 in FP218134 as shown marked “A” on Preliminary Plan 17/0041 and the road to be closed transferred to Brian Willison.

A preliminary plan of the proposal, and a statement, are available for public inspection at the Adelaide Hills offices, Stirling Service Centre, 63 Mount Barker Road, Stirling and Woodside Service Centre, 28 Onkaparinga Valley Road, Woodside or at the Adelaide office of the Surveyor-General, during normal office hours.

Any person may object to the proposal (and any adjoining landowner or other person substantially affected by the proposed road closure may apply for an easement relative to the closure). Such objection (or application for an easement) must be made in writing to the Adelaide Hills Council, P.O. Box 44, Woodside, S.A. 5244, within 28 days of the date of this notice. If a submission is made, the Adelaide Hills Council is required to give notice of a time and place at which a meeting will be held to consider the matter, so that the person making the submission (or a representative) may attend to support the submission, if desired.

Any submission must set out the full name and address of the person making the submission, and must be fully supported by reasons (and any application for the grant of an easement must give full particulars of the nature and location of the easement and where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed). A copy of the submission must be forwarded to the Surveyor-General at Adelaide.

Dated 13 September 2017

A. Aitken, Chief Executive Officer

PP 17/0041

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday, 23 January 2018
AGENDA BUSINESS ITEM**

Item:	12.3
Originating Officer:	Lachlan Miller, Executive Manager Governance & Performance
Responsible Director:	Terry Crackett, Director Corporate Services
Subject:	Section 43 Regional Subsidiary Membership – Southern & Hills Local Government Association
For:	Decision

SUMMARY

Adelaide Hills Council (AHC) is a member of the Southern & Hills Local Government Association (S&HLGA) which is established as a regional subsidiary under s43 of the *Local Government Act 1999*. The constituent councils are AHC, Mount Barker District Council, Alexandrina Council, District Council of Yankalilla, City of Victor Harbor, and Kangaroo Island Council with each Constituent Council having two members on the S&HLGA Board.

The S&HLGA Charter requires that the Constituent Councils' appointees shall be not less than one Elected Member of the Constituent Council and the other appointee may be a Council Officer. Further the Constituent Council may appoint either an Elected Member or a Council Officer as the Deputy Board Member.

In November 2014, Council appointed Mayor Bill Spragg and CEO Andrew Aitken as Board Members, and Cr Jan Loveday as the Deputy Board Member. Mayor Spragg resigned from the Board (and the Presidency) in December 2017 and the terms of appointment for the CEO and Cr Loveday have now expired.

The purpose of this report is to seek the nomination and election of a member for the S&HLGA Board as follows:

- Board Member (to be an Elected Member with the term of appointment until the end of this current Council term, November 2018);
- Board Member (to be an Elected Member or a Council Officer with the term of appointment for the former until the end of this current Council term, November 2018 and if the latter, for a period determined by the Council); and
- Deputy Board Member (to be an Elected Member or a Council Officer with the term of appointment for the former until the end of this current Council term, November 2018 and, if the latter, for a period determined by the Council).

RECOMMENDATION

That Council resolves:

1. That the report be received and noted.
2. That in relation to the Southern & Hills Local Government Association Board:
 - a. To appoint to the board member position until November 2018.
 - b. To appoint to the board member position until November.....
 - c. To appoint to the deputy board member position for November

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal	Organisational Sustainability
Strategy	Governance

The appointment of members to the regional subsidiaries is an important element of Council's commitment to open and transparent decision making which facilitates public accountability.

➤ Legal Implications

Section 43 of the *Local Government Act 1999* sets out the processes for the establishment of regional subsidiaries.

Regional subsidiaries can be established to provide a specific service or services to carry out a specified activity or to perform a function of the councils.

To establish a s43 regional subsidiary a resolution from each constituent council is required, a terms of reference and other mandated arrangements agreed and Ministerial approval granted.

➤ Risk Management Implications

The establishment of appropriately and effectively constituted regional subsidiaries will assist in mitigating the risk of:

Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

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

➤ **Financial and Resource Implications**

There are a number of financial implications in relation to the regional subsidiaries however this report concerns the appointment of Council Members to the boards of these regional subsidiaries rather than a discussion regarding the operations of these bodies.

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

There are no customer service implications regarding the appointment of Council members to the subsidiaries boards.

➤ **Environmental Implications**

Not applicable.

➤ **Community Engagement/Consultation**

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Consultation occurred with the CEO and staff of the Governance & Performance Department.

Community: Not Applicable

2. **BACKGROUND**

Southern & Hills Local Government Association (SHLGA)

SHLGA is a regional subsidiary with the following constituent councils: Mount Barker District Council, City of Victor Harbor, District Council of Yankalilla, Adelaide Hills Council, Alexandrina Council, and the Kangaroo Island Council.

SHLGA (see Charter at **Appendix 1**) has been established for the following purposes:

- To work collaboratively with the LGA to achieve the aims and objectives of the LGA.
- To encourage, promote, protect and foster an efficient and effective autonomous, democratic system of local government elected by and responsible to local communities.
- To identify available resources within the region and to co-ordinate or assist in co-ordinating the management of these resources for the betterment of their region's community.
- To encourage, assist, seek out, determine, assess and respond to the needs and aspirations of the region's constituents.
- To develop, encourage, promote, foster and maintain consultation and co-operation between local government authorities, State and Commonwealth Governments and their instrumentalities.

- To develop, encourage, promote, foster and maintain the financial and economic well-being and advancement of the region and if desirable for such purpose to undertake, establish, acquire, conduct or dispose of any business, enterprise, undertaking or venture which in the opinion of S&HLGA is necessary, desirable or convenient.
- To effectively liaise and work with the State and Commonwealth Governments and their instrumentalities on a regional basis for the general enhancement of the region.

Clause 7.3 of the Charter provides that:

- Each of the Constituent Councils will appoint two persons to the Board. The Constituent Councils' appointees shall be not less than one elected member of the Constituent Council and the other appointee may be a Council Officer.
- Each Constituent Council may appoint either an Elected Member or a Council Officer as Deputy Board Member who may attend Board Meetings in the place of a Council Board Member who is absent.

The term of office for the board and deputy board member will be determined by the Constituent Council.

At its 25 November 2014 meeting, Council appointed Mayor Spragg and CEO Andrew Aitken as Board Members and Cr Jan Loveday as the Deputy Board Member for a three year term.

Election Process for Positions

The voting procedure for filling vacancies will be as per the *Code of Practice for Council Meeting Procedures*. Council's Code of Practice sets out the process for determining the appointment to Council appointed positions as follows:

- Nominations will be called for the position/s to be filled
- Council Members absent from the meeting may nominate for a position in writing/email in advance to the CEO to have their nomination recognised
- If there are more nominees than positions to be filled, an election will be necessary
- The CEO (or another Council staff member) will be appointed as the Returning Officer and may enlist other Council staff to assist with the conduct of the vote and the count
- The method of voting will be by secret ballot
- Each Council Member (including the Mayor) shall have one vote
- The voting method to be used for both single and multiple member elections is the preferential system
- Ballot papers will be provided and the nominee's names drawn to determine the order on the ballot paper
- In the event of a tie, the result will be decided by drawing lots, the candidate first drawn being the candidate excluded
- After all votes have been cast, the Returning Officer shall publicly announce the final votes cast for each candidate and formally declare the result of the election
- The ballot papers from each secret ballot will be shredded
- Each appointment is by way of a resolution of the Council and is for the remainder of the Council term, unless otherwise resolved for that position.

3. ANALYSIS

Council's membership on these regional subsidiaries is important given their ability to both provide services and financial returns and to incur risks and liabilities for Council.

The voting procedure for filling vacancies will be as per the Code of Practice for Meeting Procedures.

In considering membership of the S&HLGA, Council may wish to consider factors including:

- the charter, functions, operations and legislative framework of the S&HLGA
- the role and responsibilities of a board member
- the current skills, knowledge and suitability of Council Members and Officers to hold these positions
- opportunities to provide professional development of Council Members and Officers
- the areas of interest for Council Members and Officers
- current and future time commitments of Council Members and Officers

4. OPTIONS

The Council has the following options:

- I. To resolve to make the appointments to the SHLGA position as identified following the established process to fill each position.
- II. To decide not to make any or all of the appointments to SHLGA at this time.

5. APPENDIX

- (1) SHLGA Charter

Appendix 1

SHLGA Charter

LOCAL GOVERNMENT ACT 1999**SOUTHERN & HILLS LOCAL GOVERNMENT ASSOCIATION***Notice of Alteration to the Charter*

PURSUANT to Clause 21 of the Charter and Clause 19, Part 2, Schedule 2 of the Local Government Act 1999, the Charter published in the *Gazette* on 10 May 2007 at pages 1909 to 1915 was amended by unanimous resolution of the District Council of Mount Barker on 16 May 2011, City of Victor Harbor on 23 May 2011, District Council of Yankalilla on 19 May 2011, Adelaide Hills Council on 24 May 2011, Alexandrina Council on 1 August 2011, Kangaroo Island Council on 8 June 2011 and The Barossa Council on 17 May 2011.

The Charter, as amended, of the Southern & Hills Local Government Association is set out below:

1. INTERPRETATION

‘absolute majority’ means a majority of the whole number of the members.

‘Act’ means the Local Government Act 1999.

‘Association’ means the Southern & Hills Local Government Association.

‘Council’ means a Council as constituted under the Local Government Act 1999.

‘LGA’ means the Local Government Association of South Australia.

‘S&HLGA’ means the Southern & Hills Local Government Association.

2. ESTABLISHMENT

The S&HLGA is established by the Constituent Councils as a regional subsidiary pursuant to Section 43 and Schedule 2 (‘the Schedule’) of the Local Government Act 1999 (‘the Act’).

This Charter governs the affairs of the S&HLGA.

3. CONSTITUENT COUNCILS

The Authority is established by the District Council of Mount Barker, City of Victor Harbor, District Council of Yankalilla, Adelaide Hills Council, Alexandrina Council, Kangaroo Island Council and The Barossa Council (‘the Constituent Councils’).

The Authority is subject to the joint direction of the Constituent Councils.

4. PURPOSE OF THE ASSOCIATION

4.1 To work collaboratively with the LGA to achieve the aims and objectives of the LGA.

4.2 To encourage, promote, protect and foster an efficient and effective autonomous, democratic system of local government elected by and responsible to local communities.

4.3 To identify available resources within the region and to co-ordinate or assist in co-ordinating the management of these resources for the betterment of their region’s community.

4.4 To encourage, assist, seek out, determine, assess and respond to the needs and aspirations of the region’s constituents.

4.5 To develop, encourage, promote, foster and maintain consultation and co-operation between local government authorities, State and Commonwealth Governments and their instrumentalities.

4.6 To develop, encourage, promote, foster and maintain the financial and economic well-being and advancement of the region and if desirable for such purpose to undertake, establish, acquire, conduct or dispose of any business, enterprise, undertaking or venture which in the opinion of S&HLGA is necessary, desirable or convenient.

4.7 To effectively liaise and work with the State and Commonwealth Governments and their instrumentalities on a regional basis for the general enhancement of the region.

5. POWERS

S&HLGA will have the following powers (in addition to and without prejudice to any other powers herein expressed or implied or by virtue of any other legislation applicable):

5.1 To subscribe to, become a member of and/or co-operate with any other association or organisation whose objects are altogether or in part similar or complementary to those of S&HLGA and on such terms as S&HLGA deems appropriate.

5.2 To enter into any arrangements with any Government or authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of S&HLGA.

5.3 To raise revenue through subscriptions or levies from Constituent Councils. To apply for grants from Government Agencies and to seek sponsorship from business enterprise.

5.4 To print or publish any newspapers, periodicals, books, leaflets, treatise, or other writing that S&HLGA may think desirable for the promotion of its objects.

- 5.5 To acquire, deal with and dispose of real and personal property (wherever situated) and rights in relation to real and personal property.
- 5.6 To enter into any kind of contract or arrangement.
- 5.7 To invest funds and in doing so to take into account Part 4 of Chapter 9 of the Act.
- 5.8 To establish committees for the following purposes:
 - 5.8.1 inquiring into and reporting on any matter within the terms of reference determined by the Board;
 - 5.8.2 exercising, performing and discharging delegated powers, functions or duties;
 - 5.8.3 investigating opportunities for resource sharing within the region and implementing strategies to take advantage of any such opportunities;
 - 5.8.4 a member of a committee established in accordance with Clause 10.8 holds office at the pleasure of the Board;
 - 5.8.5 the President of the S&HLGA shall be an *ex officio* member of all committees.
- 5.9 To delegate any function or duty except for any of the powers set out in Section 44 of the Local Government Act 1999, (where such powers are applicable to a Subsidiary).
- 5.10 To do anything else necessary or convenient for, or incidental to, the exercise, performance or discharge of its powers, functions or duties.

6. SOURCES OF REVENUE

The sources of revenue of the S&HLGA may include:

- 6.1 Subscriptions to be applied equally from Constituent Councils under such terms and conditions determined by the Board.
- 6.2 Service charges for services to Constituent Councils under such terms and conditions determined by the Board.
- 6.3 Grants from Government Agencies and the LGA.
- 6.4 Sponsorship from business enterprise.
- 6.5 Loan funds or overdraft, on such conditions as the S&HLGA sees fit for the purpose of the S&HLGA:
 - 6.5.1 A proposal for borrowing by the S&HLGA must be provided to each Constituent Council.
 - 6.5.2 The proposal to borrow must be approved by an absolute majority of the Constituent Councils in writing before it can be considered by the Board.
 - 6.5.3 An Order to Borrow must be approved an absolute majority of the Board.
- 6.6 Interest from the investment of funds.

7. THE BOARD—ROLE AND MEMBERSHIP

- 7.1 The S&HLGA will be governed by a Board.
- 7.2 The Board is responsible for the administration of the affairs of the S&HLGA. The Board must ensure insofar as it is practicable, that the Authority observes the objectives set out in this Charter, that information provided to the Constituent Councils is accurate and that Constituent Councils are kept informed of the solvency of the S&HLGA as well as any material developments which may affect the operating capacity and financial affairs of the S&HLGA.
- 7.3—
 - 7.3.1 Each of the Constituent Councils will appoint two persons to the Board. The Constituent Councils' appointees shall be not less than one elected member of the Constituent Council and the other appointee may be a Council Officer.
 - 7.3.2 Each Constituent Council may appoint either an Elected Member or a Council Officer as Deputy Board Member who may attend Board Meetings in the place of a Council Board Member who is absent.
 - 7.3.3 The Board may appoint observers to the Board. Such appointees will not be entitled to vote at meetings.
 - 7.3.4 Board members shall not be entitled to receive a sitting fee.
- 7.4 A certificate signed by the Chief Executive Officer of the appointing Constituent Council will be sufficient evidence of appointment.
- 7.5 The President shall preside over all meetings of the Board.
- 7.6 In the absence of the President, the Deputy President will preside over meetings of the Board.

- 7.7 In the absence of the President and Deputy President, the Board will elect a temporary Acting Chairperson from amongst their members.

8. TERM OF OFFICE—THE BOARD

- 8.1 Subject only to the following subclauses, the term of office of each member of the Board will be as determined by the Constituent Council responsible for the appointment of the member.
- 8.2 The Board may by a two-thirds majority vote of the members present (excluding the member subject to this Clause):
- 8.2.1 make a recommendation to the Constituent Council responsible for the appointment of the relevant member, seeking the appointing body's approval to terminate the appointment of the member.
- 8.3 The Constituent Council which appointed the member whose term of office has become vacant will be responsible to appoint the replacement member.

9. PROCEEDINGS OF THE BOARD

- 9.1 Subject only to the extent that they are modified by this Clause, the proceedings of the Board will be the same as those for committees of Council as defined in Part 2 of Chapter 6 of the Act and in accordance with the Regulations for 'Other Committees' comprised in Parts 1, 3 and 4 of the Local Government (Proceedings at Meetings) Regulations 2000.

References in Part 2 of Chapter 6 of the Act to 'the Chief Executive Officer' shall be read as if they were references to the Executive Officer of the Authority and references to 'the Council' or 'the committee' shall be read as if they were references to the Authority.

To the extent that this Charter and the Act and its associated Regulations are silent, the Board may determine its own meeting procedures.

- 9.2 Subject only to the special provisions of this Clause, no meeting of the Board will commence until a quorum of members is present and no meeting may continue unless there is a quorum of members present. A quorum of members will comprise half the members plus one. A time limit of 30 minutes shall apply from the advertised time of the meeting in which to reach a quorum. Failure to reach a quorum within this time limit shall result in a failed meeting.
- 9.3 At the commencement of a telecommunications meeting, each Board member must announce his/her presence to all other Board members taking part in the meeting. A Board member must not leave a telecommunication meeting by disconnecting his/her, audio-visual or other communication equipment, unless that Board member has previously notified the Chairperson of the meeting.
- 9.4 In the event that there is not a quorum present at two consecutive meetings of the Board, then an extraordinary meeting of the Board may be convened in the same manner as for a special meeting (see Clause 6.1), at which the business which was on the agendas for the two previous but failed meetings may be transacted at the extraordinary meeting of the Board where the requirement for a quorum is that there be at least one member representing each of the Constituent Councils in attendance. Decisions made at such a meeting will be binding on the subsidiary and all members of the Board and the Constituent Councils.
- 9.5 Subject only to any specific requirement of this Charter, all matters for decision at a meeting of the Board will be decided by a simple majority of the members present and entitled to vote on the matter. Both members from each Constituent Council present are entitled to vote on a matter. Voting members are entitled only to a deliberative vote. Board members may not vote by proxy.
- 9.6 In the event of equality of votes, the Chairperson will not have a casting vote and the matter will be deemed to have lapsed and may at some later time be reconsidered.
- 9.7 Meetings of the Board will be held at such time and such place as the Board decides subject only to the requirement that there will be at least one meeting in every two calendar months.
- 9.8 A special meeting of the Board may be held at any time and may be called at the request of the Chairperson or at the written request of eight members of the Board representing all of the Constituent Councils.
- 9.9 Notice of all meetings will be given in accordance with the provisions applicable to a committee meeting under Part 2 of Chapter 6 of the Act and the associated Regulations.
- 9.10 Meetings of the Board will be open to the public unless the Board so resolves to exclude the public pursuant to section 90 of the Act.
- 9.11 All members must keep confidential all documents and any information provided to them in confidence for their consideration prior to a meeting of the Board.
- 9.12 The Board must ensure that accurate written minutes of its proceedings are kept and are produced for verification at the subsequent meeting of the Board.

10. OFFICES OF THE BOARD

- 10.1 The Board shall elect, from the elected member Board members of different Constituent Councils, at the February meeting following the Local Government periodical elections and then every two years thereafter, the following offices for a period of two years:
 - 10.1.1 President, who shall be the Chairperson of the Board;
 - 10.1.2 Deputy President, who shall be the Deputy Chairperson of the Board.
- 10.3 A Board member cannot be elected to the same office for more than two consecutive terms.

11. PROPRIETY OF MEMBERS OF THE BOARD

- 11.1 The principles regarding conflict of interest prescribed in the Act will apply to all members of the Board as if they were elected members of a Council.
- 11.2 The members of the Board will not be required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.
- 11.3 The members of the Board will at all times act in accordance with their duties of confidence and confidentiality and individual fiduciary duties including honesty and the exercise of reasonable care and diligence with respect to the Board as required by Part 4, Division 1, Chapter 5 of the Act and Clause 23 of Part 2 of Schedule 2.

12. ADMINISTRATIVE MATTERS

- 12.1 There will be an Executive Officer of the S&HLGA appointed by the Board on terms and conditions to be determined by the Board.
- 12.2 The Executive Officer will be responsible to the Board:
 - 12.2.1 to ensure that the policies and lawful decisions of the S&HLGA are implemented in a timely manner;
 - 12.2.2 for the efficient and effective management of the operations and affairs of the S&HLGA;
 - 12.2.3 to provide advice and reports to the Board on the exercise and performance of the S&HLGA powers and functions; and
 - 12.2.4 to give effect to the principles of human resource management generally applicable within the local government industry.
- 12.3 The Executive Officer has such powers, functions and duties prescribed by this Clause and as determined necessary by the Board from time to time to ensure the efficient and effective management of the operations and affairs of the S&HLGA.
- 12.4 The Board may employ other officers and it may authorise the Executive Officer to employ such other officers on its behalf as are required for the efficient and effective management of the operations and affairs of the Authority.
- 12.5 The Board may engage professional consultants and it may authorise the Executive Officer to engage professional consultants to provide services to the S&HLGA to ensure the proper execution of its decisions, the efficient and effective management of the operations and affairs of the S&HLGA and for giving effect to the general management objectives and principles of personal management prescribed by this Charter.

13. BUSINESS PLAN

- 13.1 The S&HLGA shall have a rolling Business Plan in respect of the ensuing four years.
- 13.2 The Business Plan must:
 - 13.2.1 state the services to be provided by the S&HLGA;
 - 13.2.2 identify how the S&HLGA intends to manage service delivery;
 - 13.2.3 identify the performance targets which the S&HLGA is to pursue;
 - 13.2.4 provide a statement of financial and other resources and internal processes that will be required to achieve the performance targets and objectives of the S&HLGA; and
 - 13.2.5 specify the performance measures that are to be used to monitor and assess performance against targets.
- 13.3 Prior to setting the draft budget each year the S&HLGA must review the Business Plan in conjunction with the Constituent Councils.

14. BUDGET

- 14.1 The S&HLGA must prepare a budget for the forthcoming financial year.
- 14.2 The budget must:
 - 14.2.1 deal with each principal activity of the S&HLGA on a separate basis;

- 14.2.2 be consistent with and account for activities and circumstances referred to in the S&HLGA's business plan;
- 14.2.3 identify the amount of surplus (deficit) brought forward from the previous year;
- 14.2.4 identify the amount of subscription to be made by each Constituent Council;
- 14.2.5 be submitted in draft form to each Constituent Council before 30 April for information of its proposed contribution for the ensuing year; and
- 14.2.6 not be adopted by the Authority until after 31 May but before 30 September.
- 14.3 The adoption of the budget requires a two-thirds majority of the Board members present.
- 14.4 The S&HLGA must provide a copy of its budget to each Constituent Council within five business days after adoption.
- 14.5 The S&HLGA must reconsider its budget in accordance with Regulation 7 of the Local Government (Financial Management) Regulations 1999.
- 14.6 The S&HLGA must submit to each Constituent Council for approval, any proposed amendment to the budget that provides for an additional financial contribution by the Constituent Councils.

15. ACCOUNTING

The S&HLGA must ensure that its accounting records, accounts and financial statements are prepared and maintained in accordance with all relevant Australian Accounting Standards. See Regulations 8 and 9, Local Government (Financial Management) Regulations 1999, in relation to particular accounting practices.

16. FINANCIAL MANAGEMENT

- 16.1 The S&HLGA shall maintain an operations bank account and such other accounts as it may determine from time to time. The operators of all bank accounts shall be the President and Executive Officer and not less than two members appointed at the AGM where any two of the bank operators are required to operate the accounts.
- 16.2 The Executive Officer shall cause adequate and proper books of account to be kept in relation to all affairs of the S&HLGA.
- 16.3 The Executive Officer shall prepare a draft Operations Manual for the Executive Committee and following any amendment, shall adopt the Operations Manual and make recommendations on the implementation of the manual.
- 16.4 The S&HLGA shall give due regard to Chapter 9, Part 4 of the Act when investing funds.
- 16.5 The financial year for the S&HLGA is from 1 July to 30 June.

17. AUDIT

- 17.1 The S&HLGA must appoint an Auditor.
- 17.2 The S&HLGA must provide its audited financial statements to the Chief Executive Officer of each Constituent Council by 30 September. See Part 5, Local Government (Financial Management) Regulations 1999, in relation to the S&HLGA's audit responsibilities.

18. REPORTS AND INFORMATION

- 18.1 The S&HLGA must submit its annual report on its work and operations including its audited financial statements, to each Constituent Council before 30 September.
- 18.2 Within two weeks following each ordinary meeting of the Board the Constituent Councils shall be provided with a Key Outcomes Summary of the meeting that shall include the Achievements Against the Business Plan Report for those meetings that it is received by the Board.
- 18.3 The Board shall report at any other time at the written request of a Constituent Council on matters being undertaken by the S&HLGA. Any such report shall be provided to all Constituent Councils.

19. THE SEAL

- 19.1 The S&HLGA will have a common seal which may be affixed to documents requiring execution under common seal and must be witnessed by the Chairperson of the Board and one other Board member present at the meeting.
- 19.2 The common seal must not be affixed to a document except to give effect to a resolution of the Board. The Executive Officer will maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with particulars of the persons who witnessed the fixing of the seal and the date.
- 19.3 The Board may by instrument under seal authorise a person to execute documents on behalf of the S&HLGA. The Executive Officer will maintain a register of such resolutions and details of any documents executed in this way, together with particulars of the person executing the document.

20. DISPUTES

- 20.1 In the event of any dispute or difference between one or more Constituent Councils and the S&HLGA concerning the operations or affairs of the Authority, the dispute process shall be initiated by a Constituent Council serving a notice of dispute on the S&HLGA with a contemporaneous copy being served on all other Constituent Councils. The Constituent Councils:
- 20.1.1 will attempt to settle the dispute or difference by negotiating in good faith;
 - 20.1.2 if good faith negotiations do not settle the dispute or difference within one month of the dispute arising then the dispute shall be referred to an expert for determination. The expert shall be a person with the skills and expertise necessary to resolve the dispute and shall be nominated by the President of the Local Government Association of South Australia. The expert is an expert and not an arbitrator. The expert's determination shall be final and binding on the Constituent Councils. The costs of the expert will be apportioned and payable in accordance with the expert's determination;
 - 20.1.3 if the dispute is unable to be resolved by the expert within six months then any Constituent Council may request the Minister to dissolve the S&HLGA; and
 - 20.1.4 notwithstanding the existence of a dispute or difference, the Constituent Councils will continue to meet their obligations to the S&HLGA.

21. ALTERATION TO THE CHARTER

- 21.1 This Charter may be amended by unanimous resolution of the Constituent Councils.
- 21.2 The Executive Officer of the S&HLGA must ensure that the amended Charter is published in the *Gazette*.
- 21.3 Before the Constituent Councils vote on a proposal to alter this Charter they must take into account any recommendations of the Board.

22. ADDITION OF NEW MEMBER

- 22.1 The Board may consider the addition of a new member to the S&HLGA.
- 22.2 The Constituent Councils must resolve unanimously to approve the addition of a new member to the S&HLGA and must obtain Ministerial approval.
- 22.3 The Charter shall be amended in accordance with the provisions of this Charter to address any new addition.

23. WITHDRAWAL OF A CONSTITUENT COUNCIL

- 23.1 Subject to the approval of the Minister, a Constituent Council may withdraw from the S&HLGA by giving not less than six months notice of its intention to do so to all other Constituent Councils and the Executive Officer.
- 23.2 In any event a withdrawal cannot become effective until 30 June following the expiry of the six months in the preceding subclause. Until withdrawal becomes effective, the Constituent Council proposing withdrawal from the Authority will remain liable for all financial contributions in the remaining period and through its members on the Board, the responsibility of ensuring the continued proper conduct of the affairs of the Authority.
- 23.3 A withdrawing Constituent Council is not entitled to any refunds of any contributions made.

24. CIRCUMSTANCES NOT PROVIDED FOR

- 24.1 If any circumstances arise to which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, S&HLGA will have the power to determine what action may be taken to ensure the effective administration and objectives of S&HLGA provided that such action will be determined at a meeting of S&HLGA.

25. WINDING UP

- 25.1 In addition to the provisions of Clause 33 of Schedule 2 of the Act, the S&HLGA may be wound up by the Constituent Councils.
- 25.2 In the event of dissolution and after payment of all expenses any surplus assets shall be returned to Constituent Councils in proportion to the subscription paid in the financial year prior to the passing of the resolution to dissolve.
- 25.3 In the event of dissolution where there are insufficient funds to pay all expenses due by S&HLGA a levy shall be struck to cover the deficiency, such levy being in proportion to the subscription payable in the financial year prior to dissolution.

26. INSOLVENCY

In the event of the insolvency of the S&HLGA each Constituent Council shall be responsible for the liabilities of the Association in proportion to the subscription payable in the financial year prior to its insolvency.

F. PEDLER, Executive Officer

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2018
AGENDA BUSINESS ITEM**

Item: 12.4

Originating Officer: David Collins, Manager Sustainable Assets

Responsible Director: Peter Bice, Director Engineering and Assets

Subject: 40km/h Speed Limit Frick Street, Lobethal

For: Decision

SUMMARY

The purpose of this report is to seek Council endorsement to apply a 40 km/h speed limit in Frick Street, Lobethal.

Thomas Foods International (TFI) is seeking to increase the use of the Lobethal Abattoir to offset the production loss due to the significant fire at its Murray Bridge site. Several State Government agencies have been working with TFI since the fire to identify assistance measures to assist the company. The Department of Planning, Transport and Infrastructure (DPTI) has been working with Council to establish temporary access for additional vehicles, including B Double vehicles, to access the Lobethal Abattoir.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. That Council endorses the introduction of a 40km/h speed limit on Frick Street for all vehicles for the duration of the interim operations.
 3. That the CEO write to DPTI seeking the introduction of a 40km/h speed limit on Frick Street for all vehicles for the duration of the interim operations.
-

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 1	People and business prosper
Strategy 1.6	We will work with other levels of government to address transport needs for business.

There is a need for all levels of government to work together and seek to address a situation that assist a significant regional employer (TFI) to retain employment for as many staff as possible.

➤ **Legal Implications**

The State Government will undertake the legal aspects of applying the lower speed limits to Frick Street.

➤ **Risk Management Implications**

The introduction of a 40kph will assist in mitigating the risk of:

Additional traffic interaction between trucks and cars, leading to amenity and safety implications to local residents.

Inherent Risk	Residual Risk	Target Risk
High (4C)	Medium (4D)	Medium

➤ **Financial and Resource Implications**

Not Applicable

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

The use of Frick Street by additional heavy vehicles during this period may reduce amenity for residents. The lower speed limit will assist in noise levels along Frick Street and lower speeds will improve the safety of interaction between light and heavy vehicles along Frick Street.

➤ **Environmental Implications**

Not Applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

The nature of this event limits the amount of community consultation that can be undertaken. The State Government will undertake the distribution of community information. Council officers are included in discussion on the proposed community information.

The following officers have had the main involvement in the temporary route access proposal.

Administration:

- Andrew Aitken, CEO
- Peter Bice, Director Engineering and Assets
- Marc Salver, Director Strategy and Development
- Helen Smith, Community Planning & Engagement Coordinator
- Mel Bright, Economic Development Officer
- Peter Muller, Civil Projects Technical Officer

2. BACKGROUND

As Council members would be aware, TFI had a recent significant fire at its Murray Bridge plant.

TFI is seeking to utilise the Lobethal, Abattoir to offset some of their production loss that the fire at Murray Bridge has caused.

Recently a proposal to upgrade a transport route from Murray Bridge to Lobethal commenced public consultation. This proposal relates to access provision between the TFI operations at Murray Bridge and Lobethal.

Due to the fire, the State Government has been working with TFI to provide greater access to Lobethal to allow the company to undertake additional meat processing at the Lobethal site.

This proposal includes additional light and heavy truck movements into the Lobethal facility. The main access route will be via Frick Street.

As part of the assistance package the State Government is seeking to allow interim B-Double access along the route from Murray Bridge to Lobethal.

Acknowledging the additional local impact, a number of mitigation strategies are being put in place to facilitate safe access. This includes a number of speed restrictions along the route including a proposal for 40km/h on Frick Street.

As Frick Street is under the care and control of Adelaide Hills Council, the State Government and National Heavy Vehicle Regulator are seeking Council support for a lower speed limit.

3. ANALYSIS

The proposal to include a 40 km/h speed limit appears to be an appropriate use of this regulatory control acknowledging the amenity and concerns regarding the interaction with additional traffic the local community may have.

The length of Frick Street is 490m and it is intended that the 40km/h apply to the full length. The 40km/h speed limit will be signposted accordingly.

4. OPTIONS

Council has the following options:

- I. Support the proposal to apply a 40km/h speed limit (Recommended)
- II. Retain the existing default urban speed limit of 50km/h (Not Recommended)

5. APPENDIX

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2018
AGENDA BUSINESS ITEM**

Item: 12.5

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Responsible Director: Terry Crackett, Manager Corporate Services

Subject: By-Law Review

For: Decision

SUMMARY

By-Laws are a regulatory instrument created under the provisions of the *Local Government Act 1999*. They are effectively 'local laws' established by councils for '...the good rule and government of the area, and for the convenience, comfort and safety of its community.' (s246(2)).

Council currently has the following by-laws:

- No. 1 – Permits and Penalties
- No. 2 – Moveable Signs
- No. 3 – Local Government Land
- No. 4 – Roads
- No. 5 – Dogs
- No. 6 – Cats
- No. 7 – Bird Scarers

By-laws remain in force for a maximum period of seven years and Council's current by-laws will expire on 1 January 2019.

The purpose of this report is to outline the key actions and timeframes involved in the 'making' of by-laws. It is not intended to discuss the content of the current or proposed by-laws as this will be an important part of the 'making' process.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. Council adopts the indicative By-law Review Schedule as contained in Appendix 1
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal Places for people and nature

Having in place a suite of appropriate and effective ‘local laws’ facilitates the community’s ability to live, work and interact in a harmonious manner through the minimisation of activities that can adversely impact the amenity of the Council area.

➤ Legal Implications

Chapter 12, Part 1 of the *Local Government Act 1999* (the Act) sets out the legislative provisions for the making and enforcement of by-laws within local government. An extract of the Act regarding the powers, principles and rules regarding by-laws is in **Appendix 2**.

Council’s current suite of by-laws will expire on 1 January 2019.

➤ Risk Management Implications

The ‘making’ of appropriate and legislatively compliant by-laws will assist in mitigating the risk of:

Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

Note that there are many other controls that are in place to mitigate this risk.

➤ Financial and Resource Implications

The costs specifically associated with this report relate to the ‘making’ of the by-laws which include legal, consultancy and advertising costs (which are estimated at \$10,000) in addition to the use of internal staffing resources. These costs have been incorporated in the adopted budget.

➤ Customer Service and Community/Cultural Implications

It is reasonable to assume that the community could expect Council to have an appropriate suite of by-laws to assist in the management and protection of the amenity and well-being of the community.

➤ Environmental Implications

The making of the by-laws themselves does not have any environmental implications however the effect of the by-laws, specifically ‘Local Government Land’, ‘Dogs’ and ‘Cats’ do have environmental impacts.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Council has discussed the by-law ‘making’ process in workshops associated with the development of the *Animal Management Plan*.

Advisory Groups: A number of Advisory Groups have discussed matters relating to the potential content of the new suite of by-laws but not necessarily the by-law ‘making’ process.

Administration: Consultation has occurred with the Waste, Health and Regulatory Services Department and the Governance and Performance Department.

Community: Not Applicable

2. BACKGROUND

Council currently has the following by-laws:

- No. 1 – Permits and Penalties
- No. 2 – Moveable Signs
- No. 3 – Local Government Land
- No. 4 – Roads
- No. 5 – Dogs
- No. 6 – Cats
- No. 7 – Bird Scarers

The by-laws were made by a resolution of Council at its 23 August 2011 meeting.

The by-laws remain in force for a period not exceeding seven years and, as such will expire on 1 January 2019.

3. ANALYSIS

Since the making of the current by-laws in 2011 there have been changes to legislation (i.e. *Dog and Cat Management Act 1995, Local Nuisance and Litter Control Act 2015*), a review of Council’s strategic goals and strategies (including the *Animal Management Plan*) and shifts in community sentiment relating to matters dealt with in the by-laws. These factors will inform the development of the proposed by-laws

An indicative schedule for the development and ‘making’ of the by-laws is in **Appendix 1** and it sets out the various legislative requirements associated with the ‘making’ of the by-laws.

The schedule provides for a series of workshops in the February to April period prior to Council’s approval of the proposed by-laws for agency referral and public consultation.

4. OPTIONS

Council has the following options:

- I. To adopt the indicative By-law Review Schedule in Appendix 1 in its current or amended form (Recommended)
- II. To not adopt the By-law Review Schedule in Appendix 1 at this time, doing so will place the timely development of the new suite of by-laws at risk potentially resulting in a period where there are no by-laws in effect for the Adelaide Hills Council. (Not Recommended)

5. APPENDICES

- (1) By-law Review Schedule (Indicative, v 1.0)
- (2) Extract of s246, 247 and 248 of the *Local Government Act 1999*

Appendix 1

By-law Review Schedule (Indicative, v 1.0)

By-Law Review Schedule

January – December 2018

V1.0 (17/1/18) – Please note that this is an indicative timetable only and is subject to updates as the project progresses.

Date	Key Activity
February - April	Development (drafting) of by-law content (through workshops planned in each month)
24 April (Ordinary Council)	Proposed by-laws are approved for agency referral and public consultation
1 May- 12 June	Agency referrals (42 days) – the Dog & Cat Management Board requires the referral at least 21 days before the by-laws are released for public consultation
29 May – 21 June	Public consultation (21 days) - s249(1)
3 July (Special Council)	Council considers submissions and amends by-laws as required - s249(2) - If substantial changes are required to be made to the proposed by-laws, it will be necessary to re-consult.
17 July	Certification of by laws by legal practitioner - s249(4)
23 July (Ordinary Council)	By-laws made by resolution of the Council (two thirds of the members of the council must be present and the resolution must be supported by an absolute majority of members of the council) - s294(3)
7 August	Publish by-laws in the Gazette - s249(5)
7 August – 7 December	By-laws cannot come into operation less than four months after the day in which it is published in the Gazette or from a later day or days - s249(5)
7 December	By-laws can come into effect from this date

Appendix 2

*Extract of s246, 247 and 248 of the
Local Government Act 1999*

Chapter 12—Regulatory functions

Part 1—By-laws

246—Power to make by-laws

- (1) Subject to this or another Act, a council may make by-laws—
 - (a) that are within the contemplation of this or another Act; or
 - (b) that relate to a matter in relation to which the making of by-laws is authorised by the regulations under this or another Act.
- (2) Without limiting subsection (1), a council has a general power to make by-laws for the good rule and government of the area, and for the convenience, comfort and safety of its community.
- (3) Subject to this or another Act, a by-law made by a council may—
 - (a) operate subject to specified conditions; and
 - (b) refer to or incorporate, wholly or partially and with or without modification, a code, standard or other document prepared or published by an authority or body, either as in force at the time the by-law is made or as in force from time to time; and
 - (c) be of general or limited application, and provide for exemptions; and
 - (d) make different provision according to the persons, things or circumstances to which it is expressed to apply; and
 - (e) provide that the by-law, or a provision of a by-law, applies only within a part or parts of the area as the council may determine from time to time; and
 - (f) provide that a matter or thing is to be determined, dispensed with, regulated or prohibited according to the discretion of the council, a specified person, authority or body, or a person holding a specified office; and
 - (g) fix a minimum as well as a maximum penalty for any breach of a by-law, or a maximum penalty only, or a general maximum penalty applicable to several by-laws, provided that the maximum penalty so fixed does not exceed \$750, and in the case of a continuing offence fix a further penalty not exceeding \$50 for every day on which the offence or breach of the by-law continues; and
 - (h) in a case of a by-law relating to the driving, parking or standing of vehicles—
 - (i) impose, modify or restrict any evidentiary burden on a party to proceedings for an offence against the by-law, or provide for other matters in respect of evidence or the proof of any matter; and
 - (ii) fix entrance fees or parking fees; and
 - (iii) provide that the owner and the driver of a vehicle driven, parked or standing in contravention of the by-law are each guilty of an offence and liable to the relevant penalty.

- (4) If a code, standard or other document is adopted under subsection (3)(b) as it is in force from time to time, an alteration to the code, standard or other document will not take effect for the purposes of the by-law before a day on which notice of that alteration is published by the council in the Gazette and in a newspaper circulating in the area of the council.
- (4a) If a council makes a determination under subsection (3)(e), the council must ensure that notice of the determination is published in the Gazette and in a newspaper circulating in the area of the council.
- (5) Expiation fees may be fixed for alleged offences against by-laws by—
 - (a) by-laws; or
 - (b) the council,but an expiation fee fixed by the council cannot exceed 25 per cent of the maximum fine for the offence to which it relates.
- (6) In any proceedings for an offence against a by-law under subsection (3)(h)—
 - (a) an allegation in a complaint that a person named in the complaint was the owner of a specified vehicle on a specified day will be taken to be proved in the absence of proof to the contrary; and
 - (b) if it is proved that a vehicle was driven, parked or left standing in contravention of the by-law it will be presumed, in the absence of evidence to the contrary, that the vehicle was so driven, parked or left standing by the owner of the vehicle.
- (7) Despite a preceding subsection, the owner and driver of a vehicle cannot both be convicted of an offence arising out of the same circumstances and so conviction of the owner exonerates the driver and conversely conviction of the driver exonerates the owner.

247—Principles applying to by-laws

A by-law made by a council must—

- (a) be consistent with the objectives of the provision that authorises the by-law and accord with the provisions and general intent of the enabling Act; and
- (b) adopt a means of achieving those objectives that does not—
 - (i) unreasonably burden the community; or
 - (ii) make unusual or unexpected use of the power conferred by the enabling Act (having regard to the general intent of the Act); and
- (c) avoid restricting competition to any significant degree unless the council is satisfied that there is evidence that the benefits of the restriction to the community outweigh the costs of the restriction, and that the objectives of the by-law can only be reasonably achieved by the restriction; and
- (d) avoid unreasonable duplication or overlap with other statutory rules or legislation; and
- (e) avoid regulating a matter so as to contradict an express policy of the State that provides for the deregulation of the matter; and

(f) avoid breaching principles of justice and fairness; and

(g) be expressed plainly and in gender neutral language,

but a by-law cannot be challenged on the ground that it is inconsistent with one or more of these principles.

248—Rules relating to by-laws

(1) A by-law made by a council must not—

(a) exceed the power conferred by the Act under which the by-law purports to be made; or

(b) be inconsistent with this or another Act, or with the general law of the State; or

(c) without clear and express authority in this or another Act—

(i) have retrospective effect; or

(ii) impose a tax; or

(iii) purport to shift the onus of proof to a person accused of an offence; or

(iv) provide for the further delegation of powers delegated under an Act; or

(d) unreasonably interfere with rights established by law; or

(e) unreasonably make rights dependent on administrative and not judicial decisions.

(2) If a by-law is inconsistent with a trust that applies to real or personal property held by the council, the by-law does not, to the extent of the inconsistency, apply in relation to that property.

(3) This section does not affect the validity of a by-law made before the commencement of this section.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2018
AGENDA BUSINESS ITEM**

Item: 12.6

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Council Resolutions Update including 2 year update to outstanding resolutions

For: Decision

SUMMARY

The Action List is updated each month and outlines actions taken on resolutions passed at Council meetings. The completed items are removed from the list each month. In some cases actions can take months or years to be completed.

In March 2015, Council resolved that outstanding resolutions passed before 31 March 2013 would be the subject of a report outlining the reasons why the resolutions have not been completed, detailing what actions have been taken and an estimated date of completion.

While the above resolution referred to a date, the duration was two (2) years and the intent of the Council's resolution has been carried forward as a prudent accountability mechanism.

RECOMMENDATION

That Council resolves:

- 1. The Council Action List be received and noted**
- 2. The following completed item be removed from the Action List:**

Date	Meeting	No	Heading
22/04/2014	Ordinary Council	86	AHRWMA – Period of Confidentiality
22/02/2016	Audit Committee	15	IT Security Audit - Period of Confidentiality
15/08/2016	Audit Committee	37	ICT Security Assessment Action Implementation Update - Period of Confidentiality
23/05/2017	Ordinary Council	110/17c	Green Organics Service Review
9/08/2017	Special Council	170/17	Heathfield Resource Recovery Centre Management
26/09/2017	Ordinary Council	206/17	Multicultural Action Plan
26/09/2017	Ordinary Council	215c/17	Membership of Audit Committee
26/09/2017	Ordinary Council	225/17	Supporting the Arts
26/09/2017	Ordinary Council	218b/17	CEOPRP Recruitment Independent Member
26/09/2017	Ordinary Council	218c/17	CEOPRP Recruitment Independent Member
24/10/2017	Ordinary Council	245/17	Elector Representation Review – Submissions Report and Determination
24/10/2017	Ordinary Council	248/17	Age Friendly Community Strategic Plan
24/10/2017	Ordinary Council	249/17	Future of Hills Voice Magazine
8/11/2017	CEO Performance Review Panel	CEO21/17	CEO Performance Review 2017 - Confidential Item
8/11/2017	CEO Performance Review Panel	CEO24/17	2017 CEO Remuneration Review
8/11/2017	CEO Performance Review Panel	CEO22/17	CEO Performance Review 2017 - period of confidentiality
8/11/2017	CEO Performance Review Panel	CEO25/17	2017 CEO Remuneration Review - period of confidentiality
28/11/2017	Ordinary Council	277/17	2016-17 Annual Report Adoption
28/11/2017	Ordinary Council	283/17	Revocation of Community Land - Closed Roads in Kenton Valley, Birdwood, Mt Torrens
28/11/2017	Ordinary Council	287/17b	Policy Reviews - Debt Recovery & Account Reconciliation Policy
28/11/2017	Ordinary Council	288/17	Delegations Policy for Determination of DAs by CAP
28/11/2017	Ordinary Council	295/17	CEO Performance & Remuneration Review
28/11/2017	Ordinary Council	295/17	CEO Performance & Remuneration Review - Period of Confidentiality
12/12/2017	Ordinary Council	301a/17	Determination of Time & Place of Council Meetings, Workshop Sessions, Professional Development Sessions and Community Forums in 2018
12/12/2017	Ordinary Council	303/17	Register of Confidential Items
12/12/2017	Ordinary Council	304/17	Delegations Review - December 2017
12/12/2017	Ordinary Council	306/17	Building Better Regions Fund
22/04/2014	Ordinary Council	86	AHRWMA – Period of Confidentiality
22/02/2016	Audit Committee	15	IT Security Audit - Period of Confidentiality

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal Organisational Sustainability
Strategy Governance

The timely completion of Council resolutions assists in meeting legislative and good governance responsibilities and obligations.

➤ Legal Implications

Not applicable

➤ Risk Management Implications

Regular reporting on outstanding action items will assist in mitigating the risk of:

Actions arising from Council resolutions may not be completed in a timely manner

Inherent Risk	Residual Risk	Target Risk
High (4C)	Medium (4E)	Medium (4E)

➤ Financial and Resource Implications

Not applicable

➤ Customer Service and Community/Cultural Implications

Not applicable

➤ Environmental Implications

Not applicable

➤ Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community

Not applicable

2. BACKGROUND

At its meeting of 24 March 2015 Council resolved:

That the CEO provides a report to the 28 April 2015 Council meeting in relation to outstanding resolutions passed before 31 March 2013 outlining the reasons why the resolutions have not been completed, detailing what actions have been taken and an estimated date of completion.

The contents of this report formed a workshop discussion with Council Members on 3 May 2017.

While the above resolution referred to a date, the duration was two (2) years and the intent of the Council's resolution has been carried forward as a prudent accountability mechanism.

3. ANALYSIS

The Action list has been updated to provide Council with information regarding outstanding actions. Completed resolutions are identified in the recommendation for removal from the Action List.

There are currently no resolutions requiring a 2 year update.

4. OPTIONS

Council has the following options:

- I. Note the status of the outstanding items and the proposed actions
- II. Resolve that other actions are required.

5. APPENDIX

- (1) Action List

Appendix 1

Action List

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
6/07/2010	Ordinary Council	B177/10	Approval to Register Drainage Easements Over Properties at 8 Tolmer Road and 2, 4 and 6 Gale Street Woodside	That Drainage easements over 8 Tolmer Road and 2, 4 and 6 Gale Street, Woodside in favour of Council, being land owned by Mr Aubrey, Ms Brunialti, Ms Hall and Housing SA respectively, be secured at no fee with Council meeting all legal and title production costs of approximately \$3000. Once approval has been secured from Mr Bellwood for the property at 10 Tolmer Road, Woodside for an easement in favour of Council over these existing pipes that Council proceed with executing this easement at no cost to the owner. If the easement is not granted then Council approve that the process for compulsory acquiring this easement be granted. The Mayor and CEO be authorised sign and to affix the Council seal to all necessary documentation	Terry Crackett	In Progress	31/12/2017	Easements for 4 & 6 Gale St and 8 & 10 Tolmer Rd have been completed and registered. Owner of 2 Gale Street has not responded to any requests for the signing of documents. Recent advice has informed that CWMS infrastructure is covered by the Water Industry Act 2012 and easements to protect Council's rights to access and maintain this infrastructure are not essential, it is proposed to rely on the WIA provisions in relation to 2 Gale Street rather than progress a compulsory acquisition process. A further report will be provided to Council in February 2018
28/08/2012	Ordinary Council	214/12	Kersbrook Stone Reserve – Heritage Agreement	Chief Executive Officer, or delegate, be authorised to take all necessary actions to bring the Heritage Agreement into effect	Peter Bice	In Progress	30/06/2018	Land has been rededicated with an effective date of 30.6.17. Heritage Agreement notation will now be progressed.
22/04/2014	Ordinary Council	86	AHRWMA – Period of Confidentiality	That the documents and reports pertaining to this matter, including discussions and considerations, be retained in confidence until the legal action has been concluded, but no longer than 12 months, pursuant to section 91(9)	Marc Salver	Completed	3/12/2018	Retain in confidence. Legal case concluded on 4 December 2017 and judgement is expected to be handed down in 9 to 12 months from now.
13/05/2014	SPDPC	30/14	Adelaide Hills Trails Network Strategy	1. The Adelaide Hills 20 Year Trail Network Strategy & Action Plan be adopted; 2. An implementation plan be prepared by staff in 2014 to inform spending priorities for consideration in future budgets	Peter Bice	In Progress	30/04/2018	An Implementation plan is currently being developed, with key priorities to be identified. This should be completed early 2018.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
27/05/2014	Ordinary Council	95/14	William St Birdwood Street Furniture, plaque	<p>That Council, as a consequence of the SPDPC resolution No 29 dated 13 May 2014, approves:</p> <p>1. The construction of a piece of street furniture and installation in William Street Birdwood, in the vicinity of where the trees will be removed, provided suitable timber is available from those trees.</p> <p>2. The erection of a plaque acknowledging the residents who donated funds to plant the initial avenue.</p> <p>3. Place a memorial with names in the Birdwood Institute in consultation with the Friends of the Birdwood Institute.</p> <p>4. Suitable timber to be made available to the Friends of the Birdwood Institute (FBI) to enable the Committee to make some small wood pieces (e.g. bowls) to display in the Institute.</p> <p>5. The CEO investigate a source of funds for the projects.</p> <p>1 and 2 to be undertaken in consultation with the community.</p>	Peter Bice	In Progress	30/04/2018	<p>We are currently seeking advice to see if the timber is seasoned and ready to be used.</p> <p>Met residents and ward councillor on site. Currently awaiting further information from Birdwood Institute, and we will schedule works once the logistics of installation are finalised. Pending material suitability A budget bid will be put in 18/19 budget to build a seat.</p>
24/03/2015	Ordinary Council	57/15	Confidential Item - Morella Grove	As per confidential minute	Peter Bice	In Progress	27/02/2018	Report to Council in February 2018 outlining options.
22/09/2015	Ordinary Council	140/15	Highercombe Golf Course - relocating 5 Allotments	That no further action be taken in relation to the sale or relocation of the five (5) land titles that form part of the Highercombe Golf Course until a review of the Golf Course, which may form a part of the Sport and Recreation Strategy 2009-19 Review is completed	Terry Crackett	In Progress	31/12/2017	<p>Whilst the Sport and Recreation Plan as recently been adopted by Council a review of options in relation to the Highercombe Golf Course is yet to be undertaken.</p> <p>Workshop undertaken with Council on 6 December 2017, report being presented to Council at 23 January 2018 meeting.</p>
19/01/2016	Ordinary Council	6a/16	Amy Gillett Bikeway Extension	The CEO investigates all funding options including how the Jack Bobridge Bikeway in the Barossa Valley was funded.	Peter Bice	In Progress	30/06/2018	The Open Space and Places for People funding application was submitted for Round 2 (for the Mt Torrens to Birdwood section). The successful projects should be announced in February 2018. Council is also exploring a joint application with neighbouring Councils for a broader Cycle Network connection project.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
22/02/2016	Audit Committee	15	IT Security Audit - Period of Confidentiality	That the report, related attachments, the minutes of Committee and the discussion of the subject matter be retained in confidence until ICT Security Risk Assessment recommendations have been addressed and no longer than 12 months from the establishment of this order.	Terry Crackett	Completed		Upon internal review it is agreed this IT Security Audit report have its confidential status removed and be published.
22/03/2016	Ordinary Council	59/16	Sturt Valley Road reconstruction	<p>2. That a capital budget allocation of \$160,000 be provided in the 2015/16 financial year for the reconstruction of a 230m section of Sturt Valley Road, Stirling.</p> <p>3. That a further report be presented to Council for consideration regarding the possible placement of a footpath or walking trail along sections of Sturt Valley Road prior to installing any additional safety barriers</p>	Peter Bice	In Progress	23/01/2018	<p>Engineering Consultants will provide design options this FY with construction intended for 2018/19.</p> <p>Preliminary design indicates current budget of \$250,000 is insufficient, and more time is required to review possible solutions. Design costs plus embankment stabilisation required this FY, estimated at \$50,000.</p>
22/03/2016	Ordinary Council	69/16	Land Acquisition Colonial Drive Norton Summit	Negotiate with the Anglican Church and CFS regarding the proposed boundary realignment and the preparation of preliminary plans	Terry Crackett	In Progress	31/12/2017	<p>Progressing as per resolution with draft boundary realignment plans being prepared for further discussion between the parties. Plans have been provided to the relevant parties for consideration and negotiation. A valuation of land has been received and information provided to the Norton Summit Anglican Church for consideration. This item has been released from</p>
26/04/2016	Ordinary Council	83/16	Croft & Harris Road Precinct, Lenswood	<p>2. That the Office for Recreation and Sport and Department of Planning, Transport and Infrastructure be approached to discuss any potential funding opportunities to undertake bituminising works up to where the bicycle access occurs.</p> <p>3. That a further report be presented on potential road treatments for Croft Road Lenswood and the surrounding road network once additional data has been collected on peak traffic numbers generated through a major event and staff continue negotiations with ForestrySA regarding infrastructure improvements for Cudlee Creek Forest Reserve.</p>	Peter Bice	In Progress	28/02/2018	A Building Better Regions Fund application was submitted in round 2 (which closed December 19). This was in partnership with Bicycle SA, and Forestry SA. There was also in principle support from DEWNR towards the project. We anticipate hearing whether it has been successful in February 2018.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
24/05/2016	Ordinary Council	91/16	Road Closure portion Sinkinson Road Mt Torrens	<p>2. To make a Road Process Order to the Surveyor-General to close and then merge a portion of road into the adjoining property at 20 Sinkinson Road, Mount Torrens, being Allotment 53 in Filed Plan 155968, Certificate of Title 5779/569. The portion of road is more particularly delineated and marked 'A' on Preliminary Plan No. 15/0040, as detailed in Appendix 1 to this report.</p> <p>3. Subject to closure of the above mentioned portion of unformed public road, that:</p> <p>a. It not to be placed on the Community Land Register; and</p> <p>b. It be sold to Mr and Mrs Hort, the owners of the property at 20 Sinkinson Road, Mt Torrens, for market value plus all other fees, charges and GST that may be applied. A Land Management Agreement be entered into with consideration to be given to limiting the mature height of trees at the start of the unmade road and to planting fire resistant native trees on the southern boundary.</p> <p>4. To authorise the Mayor and Chief Executive Officer to finalise and sign all necessary documentation to close and sell the above portion of closed road.</p>	Terry Crackett	In Progress	30/11/2017	<p>Final plan has been prepared. Land owner has obtained a valuation which is considered acceptable.</p> <p>Final documents have been executed and provided to conveyancer for lodgement with the Surveyor General.</p>
24/05/2016	Ordinary Council	105/16	Land at Houghton Request to Purchase	<p>The acquisition of the land described as CT 5363/842 and CT 5363/452 consisting of two parcels of land, one 819m2 the other 36m2 respectively, and currently owned by R J Day and B E Day for nil consideration. Council to pay all transfer fees, charges and GST that may be applied.</p> <p>To undertake a Section 210 process for the conversion of private road to public road for the land described as CT 5343/355 of 27m2 currently owned by Marinus Maughan and Alick Stephen Robinson.</p> <p>To negotiate and accept a transfer of the land described as CT 5343/354 of 476m2 from the City of Tea Tree Gully for nil consideration.</p> <p>To negotiate and accept a transfer or vesting of the land described as CT 5421/887 from the Department of Planning, Transport & Infrastructure for nil consideration.</p>	Terry Crackett	In Progress	31/12/2017	<p>The acquisition from RJ & BE Day has been completed and registered at the Lands Titles Office.</p> <p>The Section 210 process is yet to be commenced.</p> <p>City of Tea Tree Gully have confirmed their agreement for the transfer of land however a revocation of community land process is required. Staff are investigating if the land can be vested rather than transferred.</p> <p>The request to DPTI for the transfer of land has been made and awaiting a response.</p>

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
12/07/2016	SPDPC	29/16	MON - Woodforde Road and Reserve Naming	<p>1. Staff pursue, with the developer, the inclusion of indigenous names within Hamilton Park and in relation to future stages</p> <p>2. A progress report be made to Council or the Strategic Planning & Development Policy Committee within 3 months</p>	Peter Bice	In Progress	30/04/2018	Council staff are still working with the developers in regard to final reserve designs, and will then meet on site with the Kaurua Elders to consider the appropriate naming.
26/07/2016	Ordinary Council	133/16	Future of Harms Avenue Birdwood	That the CEO investigates the future of Harms Avenue East of Wegener Road Birdwood , including consultation with adjoining land owners and DPTI and provides a report to Council /SPDPC by December 2016	Terry Crackett	In Progress	31/12/2017	<p>Initial investigations undertaken to confirm any encroachments onto Harms Road with none detected.</p> <p>Has been discussed with Property Advisory Group, difficulty in closing the road for sale to adjoining land owners unless all land owners are in agreement.</p> <p>Investigations to determine if there are any</p>
15/08/2016	Audit Committee	37	ICT Security Assessment Action Implementation Update - Period of Confidentiality	That the report, related attachments, the minutes of Committee and the discussion of the subject matter be retained in confidence until ICT Security Risk Assessment actions have been addressed	Terry Crackett	Completed		Upon internal review it is agreed this IT Security Audit report have its confidential status removed and be published.
23/08/2016	Ordinary Council	163/16	Piccadilly CFS Relocation	<p>2. To delegate to the Chief Executive Officer , following consultation with the CFS, to determine the area of the portion of Atkinson Reserve to be used as the site of the Proposed CFS Location</p> <p>3. To commence a community consultation process, for a minimum period of 21 clear days in accordance with AHC's public consultation policy, in relation to the proposed:</p> <p>3.1 amendment of the Community Land Management Plan for that portion of Atkinson Reserve identified as the Proposed CFS Location from the current Category 4 Recreation and Sport to Category 6 – CFS</p> <p>3.2 lease to the CFS for use as a CFS station (the proposed term being 21 years with an option to renew for another 21 years) of the Proposed CFS Location</p> <p>3.3 road closure of an area of unmade road reserve adjacent to Atkinson Reserve as identified in Appendix 2 ("Road Closure Land") to provide overflow car-parking for both the CFS station and users of Atkinson Reserve</p> <p>3.4 the adoption of a community land management plan for the Road Closure Land for use as car parking conditional upon the Council issuing a Road Process Order</p> <p>4. That Council's approval (as land owner) be given to the CFS to submit a Development Application for the</p>	Terry Crackett	In Progress	31/12/2017	DA granted by DPTI on 15 December 2017. Council awaiting receipt of draft lease from CFS.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
27/09/2016	Ordinary Council	183/16	MON Undergrounding Power in Gumeracha	1. That the Chief Executive Officer, after consultation with Gumeracha Community Association or its representatives, explore the potential for undergrounding the power lines in the main street (Albert Street), Gumeracha with the Power Lines Environment Committee (PLEC), and report to council	Peter Bice	In Progress	30/06/2018	Follow up discussions held with State Government Agency. Further discussions with the Power Line Environment Committee (PLEC) have demonstrated willingness to consider the project as a potential inclusion for 2020/21. Intended to be included in Year 3 of the Capital Program to be developed as
25/10/2016	Ordinary Council	220	CWMS Expression of Interest – Period of Confidentiality	That the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until 31 December 2017 except public statements which	Marc Salver	In Progress	30/06/2018	Retain in confidence. CWMS Expression of Interest process still being progressed
7/12/2016	Special Council	272/16	Contract for Sale Portion of AHBTC site	A Contract for Sale and Purchase for the sale of proposed Lot 301 in the draft community plan attached as Appendix 2 be negotiated and entered into between the Council and Adelaide Hills Craft Brewing Company Pty Ltd for a sale price of ##### subject to the following conditions: Issuance of an approval for the land division application (community title) of the draft community	Terry Crackett	In Progress	30/06/2018	Resolution has been fully released from confidentiality. Contract being finalised including draft scheme documents for the new community corporation with Purchaser and Council's lawyers
7/12/2016	Special Council	276/16	Retirement Villages Review	As per confidential minute	Terry Crackett	In Progress	30/08/2017	This item has been released from confidentiality. Expression of Interest period closed on 31 August 2017. A confidential workshop was be presented to
7/12/2016	Special Council	267/16	Woorabinda Bushland Reserves Heritage Agreement	2. That the Chief Executive Officer, or delegate, be authorised to commence discussions with DEWNR in regard to entering into individual Heritage Agreements, over the following Council properties: a. Council owned land located at 9 Woorabinda Drive, Stirling (Woorabinda) described in Certificate of Title 5292 Folio 381 b. Council owned land located at 9 Ethel Street , Stirling (Stirling Park) described in Certificate of Title 5315 Folio 98 c. Council owned land located at 71 Longwood Road, Heathfield (Hender Reserve) Certificate of Title 5753 Folio 715 d. Council owned land located at 34 Madurta Avenue, Aldgate (Madurta Reserve) described in Certificate of Title 5902 Folio 219 3. That following the assessment by DEWNR, a further report be brought back to Council prior to approval to enter into the Heritage Agreements	Peter Bice	In Progress	30/06/2018	The Woorabinda Heritage Agreement applications are in draft, the process for application is now underway. Applications for the Woorabinda BR Heritage Agreements were completed on the 7th of December 2017. Currently in assessment with DEWNR.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
13/12/2016	Ordinary Council	281/16	Piccadilly CFS Relocation	<p>2. Pursuant to s202 of the Local Government Act 1999, a lease be granted to the CFS for the portion of Atkinson Reserve identified as "Proposed Lease Area" in the plan attached as Appendix 1 for a term of 21 years with a right of renewal for a further 21 years subject to the following conditions:</p> <p>a. lease terms being substantially in accordance with and consistent with other leases of Council land to the CFS</p> <p>b. receipt of development approval for the construction of a station building substantially in accordance with the building plan attached as Appendix 1</p> <p>c. partial surrender of the existing lease from the Piccadilly Valley Community Recreation Centre (PVCRC)</p> <p>3. Subject to a lease being granted under item 2 above, the Community Land Management Plan for Atkinson Reserve be amended to reflect that the use of that portion of the land identified as Proposed Lease Area in Appendix 1 is changed from Category 4 Recreation & Sport Facilities to Category 6 CFS Purposes.</p> <p>4. The CEO and Mayor be authorised to sign all necessary documentation to give effect to this resolution.</p>	Terry Crackett	In Progress	22/12/2017	<p>DA granted by DPTI 15 December 2017.</p> <p>Council awaiting receipt of draft lease from CFS.</p> <p>Refer 163/16 resolution</p>
24/01/2017	Ordinary Council	7/17	Cromer Cemetery Revocation of Community Land	<p>a report be prepared and submitted to the Minister for Local Government seeking approval for the revocation of the community land classification of a portion of the land contained in Certificate of Title Volume 5880 Folio 219 identified in red on the plan attached as Appendix 1.</p>	Terry Crackett	In Progress	22/12/2017	<p>DEWNR have requested that the revocation be put on hold whilst they investigate the requirements to alter the trust affecting the land and undertake an assesment of the native vegetation on the land, this is likely to take some months.</p>
24/01/2017	Ordinary Council	10/17	Tolmer Road CWMS Easements	<p>resolution no. 1 of B177/2010 of 6 July 2010 be rescinded.</p> <p>Consideration for the creation of the CWMS easements be paid to the affected land owners as follows:</p> <p>a. 2 Gale Street \$8,600</p> <p>b. 4 Gale Street \$8,700</p> <p>c. 8 Tolmer Road \$10,060</p> <p>3. The Mayor and CEO be authorised to sign all necessary documents to effect the grant of easements.</p>	Terry Crackett	In Progress	31/12/2017	<p>Easement for 4 Gale Street has been completed.</p> <p>Easement for 8 Tolmer Road has been completed..</p> <p>Land owner of 2 Gale Street has not responded to any requests to sign and return easement documentation.</p> <p>Refer resolution B177/10</p>

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
13/02/2017	Audit Committee	AC16/17	ICT Security Risk Assessment Action Implementation Update - Period of Confidentiality	That the report, related attachments, the minutes of Committee and the discussion of the subject matter be retained in confidence until ICT Security Risk Assessment actions have been addressed	Terry Crackett	In Progress	30/04/2018	Retain in confidence until additional security measures are undertaken.
28/02/2017	Ordinary Council	53/17	Community Wastewater Management Systems Review – Period of Confidentiality	That the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until 30 June 2018	Marc Salver	In Progress	30/06/2018	Retain in confidence. CWMS Expression of Interest process still being progressed
28/03/2017	Ordinary Council	71/17	Celebrating 20 Years of AHC	<p>That in recognition of the 20th anniversary of the formation of the Adelaide Hills Council, and subject to confirmation of funding as part of the budget setting process, the following initiatives be planned for the second half of 2017:</p> <p>a. A Special Council Meeting, to be held at Lobethal Bushland Park (the site of the first meeting of the newly formed Adelaide Hills Council), with a plaque unveiled to recognise the site and the first Council Members.</p> <p>b. A casual function, to which former Council Members of the Adelaide Hills Council and the antecedent councils are invited, to be held in conjunction with the Special Council Meeting, with local history groups invited to make a short presentation.</p> <p>c. A once-off community art exhibition be held for people resident or active in the Adelaide Hills Council community, at a location generally central to the Hills, with an acquisitive prize to be awarded to the winner in commemoration of the anniversary.</p> <p>d. The Council's Playford Trust Scholarship be promoted as a 20th anniversary scholarship, with an emphasis on awarding it to a local young person pursuing further study, who has demonstrated community involvement and who has future</p>	David Waters	In Progress	28/02/2018	<p>The art exhibition and prize was opened on 24 November 2017.</p> <p>The Special Council Meeting was held on 21 November at Lobethal Bushland Park.</p> <p>Playford Trust Scholarship will be promoted in Q4 2017.</p> <p>The honour roll concept being developed is based on an online gallery of past winners of the Citizen, Young Citizen and Community Event of the Year awards. Each winner's profile will include a photo and brief citation. Civic Award winners will also be listed. Expected launch - soon after Australia Day 2018.</p>

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
26/04/2017	Ordinary Council	84/17	Arts & Heritage Hub	<p>1. That Council receives and notes the Arts and Heritage Hub Report produced by the Task Group as contained in Appendix 2.</p> <p>2. That the Council notes the aspirations and goals as communicated by the community through the consultation process and interpreted by the appointed task group, and adopts them as the vision for the Arts and Heritage Hub.</p> <p>3. That a suitably qualified consultant with expertise in the area of heritage and arts planning be engaged to develop a Business Plan for the evolution of the Arts and Heritage Hub in line with the vision, which accommodates the identified heritage and arts outcomes and incorporates:</p> <ul style="list-style-type: none"> • Short, medium and long term goals • Optimum use of space • Community capacity building • Program and exhibition planning • Financial viability and modelling ongoing costs. <p>4. That the Business Plan be referred back to the Council for consideration prior to further funding commitments or significant decisions being made.</p>	David Waters	In Progress	28/02/2018	<p>A consultant has been appointed (via a selected quotation process) to undertake this work, which is now underway. Due to be workshopped with Council Members in January with a report to Council in February 2018.</p> <p>Activation proceeds in earnest however, with a recent youth art exhibition and 2 x SALA events involving both the museum group and H.Art.</p>
23/05/2017	Ordinary Council	110/17c	Green Organics Service Review	That Council Administration in conjunction with East Waste complete a review of commercial green organics services and the green bin service as a whole and this review, along with an updated Waste,	Marc Salver	Completed	30/04/2018	This review has been completed. However, the Green Organics service is an element of the recent Draft Waste & Resource Recovery Policy which was reported to Council in December 2017 and was approved for release
27/06/2017	Ordinary Council	138/17	Review of Rating Policy re Differential Rate for Commercial Property	That Council consider as part of its review of the Rating Policy the appropriateness of the current higher differential rate for commercial property.	Terry Crackett	In Progress	24/04/2018	The review of Rating Policy for 2018/19 will commence later this financial year. This review will consider the appropriateness of the current higher differential rate for commercial property and be presented to the Annual Business Plan and Budget Workshop currently proposed for April 2018.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
25/07/2017	Ordinary Council	155/17	Reserve Gifting Proposal - Dunnfield Estate, Mt Torrens	<p>Subject to the approval of the land division variation application 473/D38/2011 by the Development Assessment Commission and the required Council engineering approvals for the infrastructure, being obtained:</p> <p>1. That council accepts from Paul & Michele Edwards (the Developer), the donation of additional reserve land as described in Appendix 6 – Amended Plan of Division rev K dated 16.06.2017 Agenda Item 14.1, subject to the following conditions:</p> <p>The Council specified construction standards are met The cost of all works are to be met by the Developer The Developer enters into a legally binding Landscape Maintenance Agreement to agreed maintenance standards for a period of ten (10) years The landscaping works are completed within two (2) years from the date of final approval.</p> <p>2. That, in the event that there is a dispute between the Council and the Developer, the dispute is referred to an Independent Arbiter for resolution, with costs being shared equally by the parties.</p>	Peter Bice	In Progress	30/03/2018	In the process of drafting a maintenance agreement to work through with the Developer.
25/07/2017	Ordinary Council	157/17	Sport & Recreation Facility Grants - Guidelines Review	<p>To adopt the Sport and Recreation Facility Grant Guidelines as contained in Appendix 1</p> <p>To authorise the Chief Executive Officer to make any formatting, nomenclature or other minor changes to the Guidelines during the period of its currency</p> <p>The CEO review and report on the Guidelines by the 31 August 2018.</p>	Peter Bice	In Progress	28/08/2018	Guidelines will be reviewed by 31 August 2018.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
25/07/2017	Ordinary Council	159b/17	Lobethal Recreation Ground - Transfer of Land	<p>That the Subject Land be transferred to the Lobethal Recreation Ground Sports Club Inc (LRGSCI) for the consideration of one (1) dollar subject to the following:</p> <p>Each party meeting their own costs and expenses for the transfer</p> <p>LRGSCI granting the Council a first right of refusal to repurchase the land for one (1) dollar should the Subject Land cease to be owned by the LRGSCI and/or used for community recreation purposes</p> <p>LRGSCI be responsible for the day to day maintenance and cleaning of the public toilets and public playground and associated infrastructure to the standard required by Council</p> <p>The LRGSCI, if requested, grant a long term lease to Council for the area identified in Appendix 7 for one (1) dollar per annum</p> <p>The LRGSCI granting the Council a long term licence over the site of the public toilets and public playground for the purposes of structural maintenance, audit and insurance.</p> <p>The Mayor and CEO be authorised to sign all necessary documents to effect the Transfer of the Subject Land.</p>	Terry Crackett	In Progress	30/11/2017	Draft contract and transfer documents have been provided to LRGSCI for review. LRGSCI have advised that they want to get planning approval for the boundary realignment before they complete the transfer transaction.
8/08/2017	SPDPC	SP39/17	Update on Primary Production Lands DPA	<p>That as a result of the implementation of the new planning reforms and the introduction of the <i>Planning, Development & Infrastructure Act 2016</i>, Council supports staff working with DPTI to prepare the Rural Planning Policy element of the Planning & Design Code in a manner consistent with the issues and investigations outlined in the second Statement of Intent for the Primary Production Lands DPA</p> <p>That reports be prepared for future SPDPC meetings as milestones are reached and notable work is released for comment.</p>	Marc Salver	In Progress	21/12/2018	A draft Collaborative Work Program regarding the development of the Planning & Design Code has been prepared and will be executed shortly and staff will provide further updates as this work progresses this year

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
8/08/2017	SPDPC	SP42/17	Public Liability Insurance for Community Owned & Managed Halls	That the costs of public liability insurance for community owned and managed halls be referred to the Chief Executive Officer for consideration with the preparation of the Community and Recreation Facilities Framework.	Terry Crackett	In Progress	22/12/2017	Council staff to meet with LGRS to discuss options for public liability insurance on 13 October. Subject to any further investigations required, a report will then be prepared for presentation to Council.
9/08/2017	Special Council	170/17	Heathfield Resource Recovery Centre Management	Enter into negotiations with the Adelaide Hills Region Waste Management Authority to develop a Management Agreement for the operation of the Heathfield Resource Recovery Centre with a preference for a term of five years plus an option to Council to extend the agreement for a further five years Subject to a negotiated position being reached that is acceptable to the Chief Executive Officer as outlined in 2a above, and before 25 November 2017, execute the Management Agreement with the Adelaide Hills Region Waste Management Authority for the operation of the Heathfield Resource Recovery Centre.	Marc Salver	Completed	30/11/2017	Negotiations completed, agreement has been executed.
22/08/2017	Ordinary Council	188/17	Code of Conduct Complaint - Cr Val Hall	To note that having investigated the alleged breach of the Council Member Conduct Policy (incorporating the Code of Conduct for Council Members), the Local Government Governance Panel finds that Cr Val Hall has breached clause 2.2 of the Code of Conduct for Council Members and clauses AH1, AH3, AH5 of the Council Member Conduct Policy. To take no action against Cr Hall for an alleged breach of Part 2.5 of the Code (and associated Council Member Conduct Policy). To request that Cr Val Hall make a public apology for breaching clause 2.2 of the Code of Conduct for Council Members and clauses AH1, AH3, AH5 of the Council Member Conduct Policy.	Terry Crackett	In Progress	23/01/2018	A letter advising the outcome has been sent to Cr Hall.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
26/09/2017	Ordinary Council	205/17	Rural Property Addressing	That, in consultation with the City of Tea Tree Gully and affected residents, the Chief Executive Officer provides a report by 27 March 2018 on the proposal submitted by residents, that Rural Property Addresses be provided to properties on Range Roads North and South, Upper Hermitage and Churchett Road Paracombe, being boundary roads between the City of Tea Tree Gully and the Adelaide Hills Council.	Peter Bice	In Progress	27/03/2018	Council are working with TTG to consult on proposed Rural Property Addressing being provided on the stated roads. A report summarising the Community Consultation outcomes will be presented to Council at the February 2018 Meeting.
26/09/2017	Ordinary Council	206/17	Multicultural Action Plan	That the draft Multicultural Action Plan 2017-2020, as contained in Appendix 1 be adopted. To delegate to the Chief Executive Officer the discretion to make any non-significant grammatical and/or content changes to the draft Multicultural Action Plan 2017-2020 for publication purposes.	David Waters	Completed	31/12/2017	Now on the Council's website.
26/09/2017	Ordinary Council	207a/17	Heritage Agreement Reports - Woorabinda Bushland Reserves	1. That Heritage Agreements be entered into between the Council and the Minister for Sustainability, Environment and Conservation pursuant to section 23(5) of the <i>Native Vegetation Act 1991</i> for the conservation, management and protection of native flora and fauna in relation to the following properties: Council owned land located at 9 Woorabinda Drive, Stirling (Woorabinda) described in Certificate of Title 5292 Folio 381 Council owned land located at 9 Ethel Street, Stirling (Stirling Park) described in Certificate of Title 5315 Folio 98 Council owned land located at 34 Madurta Avenue, Aldgate (Madurta Reserve) described in Certificate of Title 5902 Folio 219	Peter Bice	In Progress	30/06/2018	The Woorabinda Heritage Agreement applications are in draft, the process for application is now underway. Applications for the Woorabinda BR Heritage Agreements were completed on the 7th of December 2017. Currently in assessment with DEWNR.
26/09/2017	Ordinary Council	207b/17	Heritage Agreement Reports - Woorabinda Bushland Reserves	That the Heritage Agreements retain the existing Dog Access Arrangements currently in place in each of those properties. That the Heritage Agreements be registered with the Lands Titles Office pursuant to section 23b of the Native Vegetation Act 1999.	Peter Bice	In Progress	30/06/2018	Existing dog access arrangements within a Heritage Agreement will be requested during HA application. The implementation of legislation to sit with Health and Regulatory Services and Lands Title Office registration for AHC Property action. Applications for the Woorabinda BR Heritage Agreements were completed on the 7th of December 2017. Currently in assessment with DEWNR.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
26/09/2017	Ordinary Council	207c/17	Heritage Agreement Reports - Woorabinda Bushland Reserves	That the Community Land Management Plans for the above properties be reviewed and updated to reflect the provisions of the Heritage Agreements including community consultation (where necessary) as required under section 197 of the Local Government Act 1999. That the Chief Executive Officer be authorised to sign all necessary documentation to effect this resolution.	Peter Bice	In Progress	30/06/2018	Community Land Management Plan review and update is in readiness. On receipt of Heritage Agreement notification over the Woorabinda Bushland Reserves, we will then initiate the CLMP review and the CEO to then authorise (sign) as required. Applications for the Woorabinda BR Heritage Agreements were completed on the 7th of December 2017. Currently in assessment with DEWNR.
26/09/2017	Ordinary Council	207d/17	Heritage Agreement Reports - Woorabinda Bushland Reserves	That a separate report be brought back to Council in relation to a Heritage Agreement for the land under the care, control and management of Council located at 71 Longwood Road, Heathfield (Hender Reserve) in Crown Record 5753 Folio 715 following receipt of further advice from the Land Titles Office and Native Vegetation Branch of the Department of Environment, Water and Natural Resources regarding the dedicated purpose of the land and options for registration of the Heritage Agreement over Crown Land.	Peter Bice	In Progress	27/03/2018	A separate Council report will be provided following clarification on the Heritage Application process in respect to the Crown Land status of Hender Reserve.
26/09/2017	Ordinary Council	209/17	Road Realignment - Bonython Road Summertown	To purchase the area of land being 105m2 identified in red on the plan attached as Appendix 1 from Linda Marie Ferrari for the consideration of \$2,000 (excl. GST) plus all reasonable costs to vest as public road. That the Mayor and CEO be authorised to sign all necessary documentation to effect this resolution.	Terry Crackett	In Progress	22/12/2017	Documentation signed by parties and is being processed through Lands Titles Office.
26/09/2017	Ordinary Council	215c/17	Membership of Audit Committee	Under Section 72, to determine that Chapter 5, Part 4, Division 2 of the <i>Local Government Act 1999</i> regarding the Register of Interests applies to Audit Committee Independent Members from the commencement of the next membership term.	Terry Crackett	Completed	23/01/2018	Candidates will be advised at the time of enquiry (i.e. prior to the lodgement of expressions of interest) or at the booking of an interview time. Primary returns for new members due in six weeks of appointment.
26/09/2017	Ordinary Council	215/17	Membership of Audit Committee	To appoint Cr John Kemp and Cr Jan Loveday as members of the Audit Committee Independent Member Selection Panel.	Terry Crackett	Completed	8/01/2018	Panel convened (electronically) at for shortlisting.
26/09/2017	Ordinary Council	225/17	Supporting the Arts	That Appendix 2 of the AHC Role in Supporting the Arts be updated to incorporate Mt Barker District Council's activities in the Arts.	David Waters	Completed	3/01/2018	Information has been obtained from MBDC and Council Members provided an updated report with the additional information.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
26/09/2017	Ordinary Council	226/17	Supporting the Arts Action Plan	That a report come back to Council with an Action Plan in Supporting the Arts by the Council meeting in March 2018.	David Waters	In Progress	31/03/2018	Work is proceeding on the development of an Action Plan.
26/09/2017	Ordinary Council	233c/17	CWMS Review Update	The CEO undertake an open market expression of interest process for the divestment of Council's CWMS assets and if relevant incorporating other councils Probity advice services are maintained throughout the open market expression of interest process	Marc Salver	In Progress	21/09/2018	Probity services are to be maintained through open market expression of interest process.
26/09/2017	Ordinary Council	233d/17	CWMS Review Update	A further report be provided to Council outlining the outcome of the open market process undertaken.	Marc Salver	In Progress	21/09/2018	Action to commence following completion of resolution 233c/17.
26/09/2017	Ordinary Council	234/17	CWMS Review Update - Period of Confidentiality	An order be made that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until 26 September 2018.	Marc Salver	In Progress	26/09/2018	Report, related attachments and the minutes of Council held in confidence.
26/09/2017	Ordinary Council	218b/17	CEOPRP Recruitment Independent Member	Under Section 72, to determine that Chapter 5, Part 4, Division 2 of the <i>Local Government Act 1999</i> regarding the Register of Interests applies to CEO Performance Review Panel Independent Member from the commencement of the next membership term.	Terry Crackett	Completed	23/01/2018	Candidates will be advised at the time of enquiry (i.e. prior to the lodgement of expressions of interest) or at the booking of an interview time. Primary returns for new members due in six weeks of appointment.
26/09/2017	Ordinary Council	218c/17	CEOPRP Recruitment Independent Member	To appoint Cr Ian Bailey and Cr Jan Loveday as members of the CEO Performance Review Panel Independent Member Selection Panel	Terry Crackett	Completed	11/01/2018	Panel convened (electronically) for shortlisting.
24/10/2017	Ordinary Council	242/17	Mobile Food Vending Businesses	That community and stakeholder engagement in relation to Council's location rules commence once the <i>Local Government (General) (Mobile Food Vendors) Variation Regulations 2017</i> are confirmed as final. The community and stakeholder engagement include: Seeking input from those residents and food businesses located near the preliminary locations proposed in the Mobile Food Vending Businesses report for the operation of Mobile Food Vending	Marc Salver	In Progress	1/03/2018	Stage 1 community consultation in progress from 10/1/18 to 31/1/18 to inform development of preliminary Location Rules to be presented to Council for adoption in February 2018. Stage 2 consultation to commence March / April 2018 to engage with key stakeholders to refine location rules adopted in February.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
24/10/2017	Ordinary Council	242/17	Mobile Food Vending Businesses	In the event that the draft <i>Local Government (General) (Mobile Food Vendors) Variation Regulations 2017</i> change substantially to a point determined by the CEO where the preliminary proposed locations outlined in this Mobile Food Vending Businesses report are no longer suitable for the operation of Mobile Food Vending Businesses, the CEO be delegated to: Identify alternative preliminary locations for the community engagement process proposed by the Mobile Food Vending Businesses report for the purposes of Council's location rules. Following completion of the community and stakeholder engagement, a further report be provided to Council outlining the results of the engagement undertaken and make recommendations in relation to adoption of location rules	Marc Salver	In Progress	1/03/2018	Stage 1 consultation on Food Trucks open from 10 January to 31 January 2018. Feedback to be considered and where appropriate incorporated into preliminary draft Location Rules for Council consideration and adoption at February 2018 Council meeting.
24/10/2017	Ordinary Council	245/17	Elector Representation Review – Submissions Report and Determination	Refer minutes	Terry Crackett	Completed	12/12/2017	Report lodged with the Electoral Commission SA on 10 November 2017. ECSA advised
24/10/2017	Ordinary Council	246/17	Road Closure and Disposal – Chapel Road, Lobethal	To make a Road Process Order pursuant to the <i>Roads (Opening & Closing) Act 1991</i> to: close and merge the land identified as "A" in Preliminary Plan No 16/0020 (<i>Appendix 3</i>) with Allotment 28 in Filed Plan No 155743 comprised in Certificate of Title Volume 5502 Folio 372 create an easement for transmission of electricity in favour of Distribution Lessor Corporation create a free and unrestricted right of way in favour of Allotment 13 being the land in CT Volume 5502 Folio 373 accept consideration in the amount of \$40,000 (excl. GST) as detailed in <i>Appendix 3</i> of this report. The issuing of the Road Process Order is subject to: Boral Resources (SA) Ltd agreeing to enter into a Land Management Agreement with Council for the preservation of the native vegetation for the protection of native flora and fauna on the areas identified in the report attached as <i>Appendix 7</i> which is to be lodged with the Land Titles Office in conjunction with the Road Process Order. Boral Resources (SA) Ltd paying all fees and charges associated with the road closure process. The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i> . To authorise the Chief Executive Officer (or delegate) to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution.	Terry Crackett	In Progress	31/03/2018	Draft Land Management Agreement is being reviewed by Boral. Surveyor has been instructed to prepare final plan and road process order.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
24/10/2017	Ordinary Council	248/17	Age Friendly Community Strategic Plan	That the <i>Draft Age Friendly Community Strategic Plan</i> as contained in Appendix 1 be adopted. That the Chief Executive Officer be authorised to make any formatting or non-significant grammatical and/or content changes to the Draft Age Friendly Community Strategic Plan for publication purposes during the period of its currency.	David Waters	Completed	31/12/2017	The plan is now published on the Council's website.
24/10/2017	Ordinary Council	249/17	Future of Hills Voice Magazine	Following the December 2017 edition, that Hills Voice hardcopy be discontinued and that alternative communication methods be pursued including: A campaign through Adelaide Hills Council website, service centres, e-news and other channels to encourage opt-in to the monthly Hills Voice eNews. Increased advertising in local newspapers. Increased focus on provision of printed	David Waters	Completed	31/12/2017	Final edition of Hills Voice delivered late November/early December and included information about how to get information from Council in future.
24/10/2017	Ordinary Council	250/17	DEWNR Fuel Reduction on Private Lands Program	That DEWNR's Strategic Fuel Reduction program is approved for the Adelaide Hills Council region	Peter Bice	In Progress	31/05/2018	Following Council's endorsement of DEWNR's Strategic Fuel Reduction program on the 24/10/2017, the ongoing program has commenced, with prescribed burns completed at Heathfield Stone Reserve on the 10/10/2017 and the Crafers West site on the 9/11/2017. Both burns were successful
24/10/2017	Ordinary Council	261/17	Sale of Land at Adelaide Hills Business and Tourism Centre - CONFIDENTIAL ITEM	As per confidential minute	Terry Crackett	In Progress	30/06/2018	Progressing per confidential minutes
24/10/2017	Ordinary Council	262/17	Sale of Land at Adelaide Hills Business and Tourism Centre - Period of Confidentiality	Review confidential item for release - the subject matter be retained in confidence until the earlier of settlement of the property transactions or 12 months.	Terry Crackett	In Progress	30/06/2018	
6/11/2017	Audit Committee	AC60/17	Internal Audit Actions Implementation - Period of Confidentiality	That the report, related attachments, the minutes of Committee and the discussion of the subject matter be retained in confidence until the Internal Audit Actions have been addressed.	Terry Crackett	In Progress	30/04/2018	Retain in confidence until additional security measures are undertaken.
8/11/2017	CEO Performance Review	CEO21/17	CEO Performance Review 2017 - Confidential Item	As per confidential minute	Andrew Aitken	Completed	28/11/2017	Council received a report on the outcome of the CEO's Performance Review and made a
8/11/2017	CEO Performance Review	CEO24/17	2017 CEO Remuneration Review	That no increase is paid as part of the 2017 performance review due to the renegotiation of the new Employment Agreement and Total Employment Cost Package that commenced from 1 July 2017.	Andrew Aitken	Completed	28/11/2017	Council received a report regarding the annual remuneration review and made a decision on Tuesday 28/11/2017.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
8/11/2017	CEO Performance Review	CEO22/17	CEO Performance Review 2017 - period of confidentiality	that the report, related attachments and the minutes of the Panel and the discussion and considerations of the subject matter be retained in confidence until the CEO has been advised in writing, but not longer than 1 month from the date of the decision of Council.	Andrew Aitken	Completed	15/12/2017	Correspondence to advise the CEO of Council's decision was provided to the CEO, letter dated 5/12/17.
8/11/2017	CEO Performance Review	CEO25/17	2017 CEO Remuneration Review - period of confidentiality	<p>Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing the Panel's decision(s) in this matter in the performance of the duties and responsibilities of office, the Panel, having considered at Agenda Item 10.2 in confidence under sections 90(2) and 90(3)(a) of the Local Government Act 1999, that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> that the report, related attachments and the minutes of the Panel and the discussion and considerations of the subject matter be retained in confidence until the CEO has been advised in writing, but not longer than 1 month from the date of the decision of Council.</p> <p>Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i>, that the Panel delegates the power to revoke the confidentiality order to the Chief Executive Officer, or his sub-delegate.</p>	Andrew Aitken	Completed	15/12/2017	Correspondence to advise the CEO of Council's decision was provided to the CEO, letter dated 5/12/17.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
14/11/2017	Special Council	268/17	Review of Advisory Groups	<p>To cease the Hills Voice Reference Panel</p> <p>Nominations for Australia Day awards to be assessed only by staff and a report for decision to come to Council</p> <p>Any grant applications currently considered by advisory groups will be assessed only by staff and a report for decision to come to Council</p> <p>To 'in principle' retain Council and Community/Independent Members on Advisory Groups</p> <p>That the Chief Executive Officer prepares a report for the Council's consideration at a future meeting regarding the appropriateness of the current governance arrangements for the Advisory Groups including, but not limited to, whether they would benefit from an alternate structure (such as a s41 Committee), a revised Terms of Reference in their current form, or to be ceased.</p>	Terry Crackett	In Progress	27/02/2018	Further consultation occurring with Council Members, ELT and AG EOs.
28/11/2017	Ordinary Council	275/17	Adelaide Hills (War Memorial) Swimming Centre Progress Report	<p>That the CEO continue the consultation and engagement process with stakeholders, to further inform a broader master planning exercise at the Woodside Recreation Ground, including the Adelaide Hills (War Memorial) Swimming Pool</p> <p>That a further report to Council be provided once the Master Plan is completed.</p>	Peter Bice	In Progress	30/06/2018	We are continuing to engage and consult key stakeholders.
28/11/2017	Ordinary Council	277/17	2016-17 Annual Report Adoption	<p>The 2016-17 Annual Report, as contained in Appendix 1, be adopted.</p> <p>That the Chief Executive Officer be authorised to make minor content, formatting or design changes necessary for publication purposes.</p> <p>Copies of the Annual Report be provided to: each member of the Council the Presiding Members of both Houses of Parliament the South Australian Local Government Grants Commission</p>	David Waters	Completed	31/12/2017	Report provided to the relevant authorities by the due date.
28/11/2017	Ordinary Council	280/17	Draft Play Space Policy	<p>That the draft Play Space Policy contained in Appendix 1 be endorsed for consultation for a period of nine weeks, commencing 30 November, 2017, with the inclusion of a definition of Crown Land and the concept of a local playspace be refined.</p>	Peter Bice	In Progress	2/02/2018	Consultation underway.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
28/11/2017	Ordinary Council	281/17	LED Streetlight Review	That Council awaits on the outcomes from the LGASA process and for the outcomes of this report to inform a transition to LED street lighting A further report to Council to be provided following the completion of the LGASA process and subsequent review of the most appropriate model for Adelaide Hills Council to adopt	Peter Bice	In Progress	22/05/2018	Council is awaiting the outcome of the LGASA process.
28/11/2017	Ordinary Council	282/17	Rededication of Crown Land - Hender Reserve	To apply to the Department of Environment, Water and Natural Resources to revoke the existing dedication of the land contained in Crown Record Volume 5753 Folio 715 described as Section 1527 Hundred of Noarlunga in the area named Heathfield known as Hender Reserve ("Land") for recreation purposes To apply to the Department of Environment, Water and Natural Resources to dedicate the Land for Recreation and Conservation Purposes – Heritage Agreement subject to the draft conditions that are attached as <i>Appendix 2</i> To authorise the CEO to finalise the conditions of dedication subject to them being substantially in accordance with the draft conditions attached as <i>Appendix 2</i> To authorise the CEO to sign all necessary documents to effect this resolution	Terry Crackett	In Progress	30/06/2018	Application for rededication has been lodged with DEWNR.
28/11/2017	Ordinary Council	283/17	Revocation of Community Land - Closed Roads in Kenton Valley, Birdwood, Mt Torrens	That the community land classification over the land listed below be revoked: Closed Road A in Road Plan No. 1793 in the area named Kenton Valley contained in Certificate of Title Volume 6191 Folio 686 Closed Road B in Road Plan No. 1793 in the area named Kenton Valley contained in Certificate of Title Volume 6191 Folio 687 Closed Road S in Road Plan No. 1793 in the area named Mount Torrens contained in Certificate of Title Volume 6191 Folio 688 Closed Road U in Road Plan No. 1793 in the area named Birdwood contained in Certificate of Title Volume 6193 Folio 468	Terry Crackett	Completed	11/01/2018	
28/11/2017	Ordinary Council	284/17	Revocation of Community Land - Dunnfield Development Mt Torrens	A report be prepared and submitted to the Minister for Planning seeking approval to revoke the community land classification of Allotment 1 in Filed	Terry Crackett	In Progress	31/01/2018	Draft report being reviewed to be sent to Minister in January 2018

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
28/11/2017	Ordinary Council	285/17	Road Widening - Murray Road Inglewood	<p>To purchase the area of land, being 124m2, identified in red on the plan attached as Appendix 1 ("Land") from Bruce William MacGillivray and Julie Meredith MacGillivray for the consideration of \$1,168.36 (excl. GST) plus all reasonable costs to vest the Land as public road</p> <p>That the Mayor and CEO be authorised to sign all necessary documentation to effect this resolution</p>	Terry Crackett	In Progress	30/06/2018	Documentation prepared and being circulated for signing by Conveyancer
28/11/2017	Ordinary Council	287/17b	Policy Reviews - Debt Recovery & Account Reconciliation Policy	<p>With an effective date of 12 December 2017, to revoke the 15 December 2015 Debt Recovery Policy and to adopt the Debt Recovery Policy, as contained in Appendix 1.</p> <p>With an effective date of 12 December 2017, to revoke the 10 March 2015 Account Reconciliation Policy, as attached in Appendix 2</p>	Terry Crackett	Completed	12/12/2017	Debt Recovery Policy posted and Account Reconciliation Policy removed from website on 12 December 2017
28/11/2017	Ordinary Council	288/17	Delegations Policy for Determination of DAs by CAP	<p>With an effective date of 12 December 2017, to revoke the Delegations Policy for the Determination of Development Applications by Council's Development Assessment Panel adopted on 22 November 2016 and to adopt the Delegations Policy for the Determination of Development Applications by Council's Assessment Panel as contained in Appendix 1</p>	Marc Salver	Completed	12/12/2017	Delegations Policy for the Determination of Development Applications by Council's Assessment Panel posted on website on 12 December 2017
28/11/2017	Ordinary Council	295/17	CEO Performance & Remuneration Review	<p>That the CEO 'exceeds expectations' in relation to the 2017 CEO Performance Review</p> <p>To update the position description key responsibilities as follows:</p> <p>3.1 'Stakeholder Management and Communication' update point 9 to read: '<i>9. liaise with community and business groups to facilitate economic growth and community development for the AHC district.</i>'</p> <p>3.2 'Operational Management, Governance and Major Projects', update point 4 to read: '<i>4. Endeavour to have major projects completed on time and within budget and project status is regularly monitored and communicated to CM's.</i>'</p> <p>That no increase is paid as part of the 2017 performance review due to the renegotiation of the new Employment Agreement and Total Employment Cost Package that commenced from 1 July 2017</p>	Andrew Aitken	Completed	15/12/2017	Correspondence to advise the CEO of Council's decision was provided to the CEO, letter dated 5/12/17.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
28/11/2017	Ordinary Council	295/17	CEO Performance & Remuneration Review - Period of Confidentiality	That the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the CEO has been advised in writing, but not longer than one month from the date of the decision of Council. Also relates to release of item 10.1 'CEO Performance Review 2017' and 10.2 '2017 CEO Remuneration Review' form 8 November CEO Performance Review Panel meeting.	Andrew Aitken	Completed	15/12/2017	Correspondence to advise the CEO of Council's decision was provided to the CEO, letter dated 5/12/17.
12/12/2017	Ordinary Council	298/17	Road Closures and Mergers with Adelaide Hills Business and Tourism Centre Land at Lobethal	<p>To make Road Process Orders pursuant to the <i>Roads (Opening and Closing) Act 1991</i> to:</p> <ul style="list-style-type: none"> in relation to Preliminary Plan No 17/44 (<i>Appendix 1</i>), close and merge the land identified as "A" with Allotment 202 in Deposited Plan No 65382 comprised in Certificate of Title Volume 5933 Folio 649, close and merge the land identified as "B" with Allotment 87 in Filed Plan No 4620 comprised in Certificate of Title Volume 5897 Folio 5199, and close and merge the land identified as "C" with Allotment 201 in Deposited plan No 60535 comprised in Certificate of Title Volume 5897 Folio 516 in relation to Preliminary Plan No 17/45 (<i>Appendix 2</i>), close and merge the land identified as "E" with Allotment 62 in Deposited Plan No 74988 comprised in Certificate of Title Volume 6004 Folio 394 in relation to Preliminary Plan No 17/45, create an easement for sewer purposes in favour of SA Water for a distance of approximately one metre across the narrowest portion of "E". The closed roads be excluded as Community Land pursuant to section 193(4a) of the Local Government Act 1999. To authorise the Chief Executive Officer (or delegate) to finalise and sign all necessary documentation to close the above portions of closed road pursuant to this resolution. 	Terry Crackett	In Progress	30/04/2018	Road closure documentation signed and returned to surveyor for lodgement with Surveyor General.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
12/12/2017	Ordinary Council	299/17	Draft Waste & Resource Recovery Service Policy	To approve the draft <i>Waste and Resource Recovery Service Policy</i> at Appendix 1 for public consultation in accordance with the provisions of <i>Council's Public Consultation Policy</i> . That the CEO be authorised to make any formatting, nomenclature or other minor changes to the policy prior to being released for public consultation.	Marc Salver	In Progress		Preparing consultation material for community engagement in February 2018.
12/12/2017	Ordinary Council	299/17	Draft Waste & Resource Recovery Service Policy	Following community consultation, a follow up report be provided to Council for consideration and adoption of a final <i>Waste and Resource Recovery Service Policy</i>	Marc Salver	In Progress		Preparing consultation material for community engagement in February 2018.
12/12/2017	Ordinary Council	301a/17	Determination of Time & Place of Council Meetings, Workshop Sessions, Professional Development Sessions and Community Forums in 2018	The Ordinary Council meeting schedule, commencing at 6.30pm, to be held at 63 Mt Barker Road, Stirling be adopted, as follows: Tuesday, 23 January 2018 Tuesday, 27 February 2018 Tuesday, 27 March 2018 Tuesday, 24 April 2018 Tuesday, 22 May 2018 Tuesday, 26 June 2018 Tuesday, 24 July 2018 Tuesday, 28 August 2018 Tuesday, 25 September 2018 Tuesday, 23 October 2018 Note that Special Council meeting times and venues are determined by the Chief Executive Officer. That regarding Workshop Sessions and Professional Development Sessions: a. Workshop Sessions be scheduled ordinarily at 6.30pm on the 2nd Tuesday of each month, to be held at 36 Nairne Road, Woodside. b Professional Development Sessions be scheduled ordinarily at 6.30pm on the 3rd Tuesday of each month, to be held at 63 Mt Barker Road, Stirling. c. The Chief Executive Officer be delegated to make changes to the informal gathering schedule and locations.	Terry Crackett	Completed	10/01/2018	Council dates posted on website and advertised 10-11/1/18. Community forum dates and venues to be finalised under delegation.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
12/12/2017	Ordinary Council	301b/17	12.4. Determination of Time and Place of Council Meetings, Workshop Sessions, Professional Development Sessions and Community Forums in 2018	That regarding Community Forums: Community Forums to be held in 2018 in accordance with the following indicative schedule: Tuesday, 13 March 2018 – Kersbrook Tuesday, 8 May 2018 – Bradbury/Longwood Tuesday, 14 August 2018 – Montacute The Chief Executive Officer be delegated to make changes to the Community Forum schedule and locations.	David Waters	In Progress	31/08/2018	Bookings are being made for suitable venues at each of the nominated locations.
12/12/2017	Ordinary Council	302/17	Code of Conduct Complaint	To note that having investigated the alleged breach of the Council Member Conduct Policy (incorporating the Code of Conduct for Council Members), the Local Government Governance Panel finds that Cr Malcolm Herrmann has breached clauses 2.6, 2.7, and 2.8 of the Code of Conduct for Council Members and clause AH8 of the Council Member Conduct Policy. To censure Cr Malcolm Herrmann for breaching clauses 2.6, 2.7, and 2.8 of the Code of Conduct for Council Members and clause AH8 of the Council Member Conduct Policy. To request that Cr Malcolm Herrmann make a written and public apology for breaching clauses 2.6, 2.7 and 2.8 of the Code of Conduct for Council Members and clause AH8 of the Council Member Conduct Policy. To submit the suspected breaches of Part 3 of the Code of Conduct for Council Members to the Ombudsman for investigation under Section 263 of the Local Government Act 1999	Terry Crackett	In Progress	27/02/2018	A letter advising of the Council's resolutions has been sent to Cr Herrmann. The suspected breaches of Part 3 of the Code have been referred to the Ombudsman.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
12/12/2017	Ordinary Council	303/17	Register of Confidential Items	<p>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 resolves that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence for a period as specified below:</p> <p>SPDPC Meeting 22 April 2014</p> <p>AHRWMA</p> <p>Section 90(3)(b) Information the disclosure of which 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 would, on balance, be contrary to the public interest; and</p> <p>Section 90(3)(d) – commercial information of a confidential nature (not being a trade secret) the disclosure of which 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 would, on balance, be</p>	Terry Crackett	Completed	19/01/2018	Register has been updated to reflect new confidentiality orders applied.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Comments
12/12/2017	Ordinary Council	304/17	Delegations Review - December 2017	<p>Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts:</p> <p>2.1.1 Community Titles Act 1996</p> <p>2.1.2 Crown Land Management Act 2009</p> <p>2.1.3 Heavy Vehicle National Law (South Australia) Act 2013</p> <p>2.1.4 Housing Improvement Act 1940</p> <p>2.1.5 Land & Business (Sale & Conveyancing) Act 1994</p> <p>2.1.6 Liquor Licensing Act 1997</p> <p>2.1.7 Private Parking Areas Act 1986</p> <p>2.1.8 Strata Titles Act 1988</p> <p>2.1.9 Work Health and Safety Act 2012</p> <p>2.2 Delegations made under the <i>Local Government Act 1999</i></p> <p>2.2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Appendices 3, 4, 5, 6, 7, 8, 9 & 10 (each of which is individually identified as indicated below) are hereby delegated this 12th day of December 2017 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such</p>	Terry Crackett	Completed	19/01/2018	Delegations & sub delegations have been updated and sub-delegatons are on Council's website.
12/12/2017	Ordinary Council	306/17	Building Better Regions Fund	<p>That an application be made to the Building Better Regions Fund for the establishment of the Arts & Heritage Hub at Lobethal with a Council contribution of up to \$1,306,000.</p> <p>That an application be made to the Building Better Regions Fund for sealing part of Croft Road, Lenswood with a Council contribution of up to \$163,000.</p> <p>That the Chief Executive Officer, or delegate, be authorised to finalise the Council's funding submission.</p> <p>That funding offers arising from the application be referred back to the Council for consideration.</p>	David Waters	Completed	3/01/2018	The funding application was submitted on the closing date of 19 December 2017.
12/12/2017	Ordinary Council	311/17	Australia Day Awards 2018 - Confidential Item	As per confidential minute	David Waters	In Progress	26/01/2018	
12/12/2017	Ordinary Council	312/17	Australia Day Awards 2018 - Period of Confidentiality	until the presentation of the awards on 26 January 2018.	David Waters	In Progress	26/01/2018	

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2018
AGENDA BUSINESS ITEM**

Item: 13.1

Originating Officer: Natalie Westover, Manager Property Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Highercombe Golf Course – 5 Allotments

For: Information

SUMMARY

Council owns the Highercombe Golf Course at Paracombe and it is currently leased to the Highercombe Golf and Country Club Inc. The land holding contains five (5) land titles which have been the subject of Council reports over a number of years regarding the potential for disposal.

This report sets out the history of the actions in relation to the Golf Course over the last decade.

A review of the Highercombe Golf Course will be undertaken closer to the expiry of the lease and management agreement to The Highercombe Golf & Country Club Inc in accordance with the resolution of Council of 22 September 2015.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 3 Places for people and nature
Strategy 3.5 We will take a proactive approach, and long term view, to
 infrastructure maintenance and renewal

➤ **Legal Implications**

Not Applicable

➤ **Risk Management Implications**

Council's determination with respect to the 5 allotments at the Highercombe Golf Course will assist in mitigating the risk of:

Under or unutilised council facilities (buildings, open spaces, road reserves) result in the loss of economic and social returns for Council and the community.

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

Note: There are many other controls that assist in mitigating this risk and decisions regarding Highercombe are not significant enough to bring about a reduction in the risk rating from Residual to Target.

➤ **Financial and Resource Implications**

Not Applicable

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

Not Applicable

➤ **Environmental Implications**

Not Applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

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Council Committees: Not Applicable

Council Workshops: Workshop undertaken on 6 December 2017

Advisory Groups: Not Applicable

Administration: Sport & Recreation Planner

Community: Not Applicable

2. BACKGROUND

The golf course land was transferred by the Minister for Local Government to the City of Tea Tree Gully in 1963 pursuant to the *Public Parks Act 1943*.

In the realignment of Council boundaries in 1976, the golf course land was annexed to the then District Council of Gumeracha.

The golf course land came to be in the ownership of the Adelaide Hills Council in 1997 upon the amalgamation of the four Councils.

The golf course land comprises 6 parcels of land including five allotments close to the Paracombe Road & Lower North East Road intersection.

The golf course land is used as a golf course and community recreation area.

The buildings and surrounding area are leases to The Highercombe Golf & Country Club Inc to operate the golf course facility. The lease commenced on 1 September 2012 for an initial term of seven years which expires on 31 August 2019. The lease provide for a further five year extension at the option of the lessee.

The lessee pays an annual rent of approximately \$6,250pa and 3.5% of green fees received which equates to approximately \$2,500pa. The lessee is responsible for the maintenance and outgoings for the site with the exception of structural maintenance and asbestos, fire and pest inspections which are the responsibility of Council.

The Lease does not contain a redevelopment or relocation clause. As the lessee is entitled to “quiet enjoyment” under the lease, any amendment to the current golf course arrangements would need the express consent of the lessee.

The golf course land is managed by The Highercombe Golf & Country Club Inc. under a related management agreement for the same time period as the lease.

At the meeting of 7 April 2009, the Council resolved the following:

10.6.1. Highercombe Golf Club – relocating building allotments

16.51.2 Paul Haylock

**Moved Cr David Paschke
S/- Cr Ian Bailey**

**Carried
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That Council instructs staff to investigate the option to relocate the five building allotments on the course, of a size in keeping with the character of the area, to an alternate location on the grounds, with a report to be submitted to Council for a decision to proceed to sale if the option is deemed feasible.

A Division was requested by Cr Brinkley

The Mayor set aside his ruling and called for a division.

In the affirmative (9) Crs Gale, Bailey, Stratford, Nelson, Hall, Purdie, Paschke, Hosking, Spragg

In the negative (2) Crs Kemp & Brinkley

On the basis of the results of the division, the Mayor declared the motion
CARRIED.

The report to Council of 22 September 2015 provided the following additional background in relation to the investigations of sale options:

2. BACKGROUND

Historical investigation of Sale Options

In 2005 property owners adjacent to the golf course expressed an interest in purchasing the five land titles at the Highercombe Golf Course to facilitate a subdivision of their land. The parties were advised at that time of a proposed review of the golf course and that the titles would be offered by public tender if they were determined to be excess to requirements.

The proposed review of the golf course included:

- a detailed design of the STEDS lagoons
- identifying the most advantageous layout for the Council owned golf course
- a cost benefit analysis of the upgrade options.

The review concluded that it was not desirable to dispose of the golf course titles at that time.

At its 7 April 2009 meeting, Council resolved to instruct staff *"to investigate the option to relocate the five building allotments on the course, of a size in keeping with the character of the area, to an alternate location on the grounds, with a report to be submitted to Council for a decision to proceed to sale if the option is deemed feasible."*

To progress the above resolution, a land surveyor was engaged to explore options for the sale of the allotments. In summary the land surveyor concluded:

- That each of the existing titles had a transferable building right.
- The sale of the lots at the western end of the course fronting Paracombe Rd (refer Appendix 1 – *"existing & proposed sites for the lots"*) would be extremely problematic given the lots laid across the 16th fairway and green so the course would have to be altered substantially.
- The most favourable relocation site both from the perspective of proposed value with minimal impact on the golf course was at the eastern end on fairways 4 and 5, refer Appendix 1.
- The proposed relocation of the titles provided better compatibility with surrounding parcel sizes and maintained the accessibility to mains water, telecom and power infrastructure on Paracombe Road. Nevertheless, the ETSA high voltage power line (easement) should be given a reasonably wide berth.

It was considered that five (5) allotments each of approx. 2,000m² at this proposed location would have both the highest sale value and least impact on the golf course. There was further discussion at this time around the relocation of the five titles but the matter was not formally reported to Council.

At its 22 November 2011 meeting, Council resolved *"that the Chief Executive Officer investigate the future use and opportunities associated with the five (5) vacant blocks of land on the Highercombe Golf Course in consultation with the Highercombe Golf Club and Country Club Management Committee, after which the matter be referred to the Property Advisory Group for consideration prior to a report being prepared for the Council."*

Analysis undertaken and presented in the 22 September 2015 report identified the following:

3. ANALYSIS

The 5 allotments

Appendix 1 is a plan which shows the current location of the five (5) allotments towards the south-western side of the course along Paracombe Road and numbered 6, 7, 8, 9 and 10 (also shown in enlargement E1). The Appendix also shows a proposed relocation site for the five (5) allotments on the south-eastern edge of the course at the corner of Paracombe and Murphy Roads and numbered 21, 22, 23, 24 and 25 (also shown in enlargement E3).

Open Space Implications

The golf course is Council-owned, it is a significant piece of open space and it currently serves as an active recreation site. Decisions regarding the disposal of the five allotments have the potential to significantly impact on future usage, operating and ownership models for the golf course.

Council is currently in the process of recruiting a Sport and Recreation Planner. The role will include the review of the Sport and Recreation Strategy 2009-19 which will provide a more holistic approach to the options regarding the golf course.

Legal Matters

A legal opinion received on the disposal of community land, dated 22 April 2010, states that State Government assistance was provided to acquire the community land and, if the Council does not resolve to use the proceeds of the disposal for the development of other community land, the Minister may require the Council to pay the Crown a proportion of the sale proceeds.

Revocation of the community land status, involving public consultation, would be required prior to disposal and it is likely given the nature of the land parcels that objections would be received. Any recommendation from Council to revoke the classification, following consideration of the objections received, would require the Minister's approval.

The Golf Club's position on the sale of the allotments

No further consultation has occurred with the Golf Club following the discussions in 2009 by the land surveyor on behalf of Council.

The land surveyor has advised that the Golf Club indicated an expectation to receive a significant proportion of the net proceeds from the sale, and the Club had a reluctance to realign its course if it did not receive a benefit. While the Lease and Management Agreement do not create a legal right to these claims, the Minister could potentially indicate that that sale proceeds are used in this manner and/or returned to State Government.

Issues associated with the sale of the five titles in their **current** location

- Development of the titles would not be consistent with the character of the area and has the potential to cause land use conflicts given the surrounding area is largely used for primary production activities.
- The golf course would require significant redevelopment as existing fairways pass through the allotments.
- There is a high likelihood that objections to the revocation of the community land status would be received and/or the Minister may not approve the revocation.
- The proceeds from the proposed sale may require a portion to be returned to the State Government unless spent on improvements to local facilities.
- Mains water, communications and power are all available (infrastructure on Paracombe Road).

Issues associated with the sale of the five titles in the **proposed** location

- Development of the titles would not be consistent with the character of the area and has the potential to cause land use conflicts given the surrounding area is largely used for primary production activities.
- Mains water, communications and power are all available (infrastructure on Paracombe Road).
- The ETSA high voltage power line easement does limit flexibility.
- The golf course would still require significant redevelopment to accommodate the allotments as existing fairways pass through the allotments.
- Development Assessment Commission (DAC) is the planning authority for a boundary realignment in the Mt Lofty water catchment and the impact on the primary production zone (orchards) could create a conflict in land use.
- Crown Law advice via DAC states that relocating titles within the watershed primary production zone is non-complying.

Land value of the allotments

The golf course site is valued by the Valuer General (VG) as a whole so an indicative value for the lots without involvement of a Valuer cannot be easily gained. There are no lots of similar size adjacent to the golf course.

The VG land value for 2 adjacent properties to the Golf Course (both over 4,000m²) is approx. \$74/sq m. If a rate of \$100/sq m is applied to the 5 lots in their current location the gross sale value is estimated to be between \$500,000 - \$600,000. The sale of 48 Paracombe Rd in Oct 2013 (4,149m² with house for \$600,000) tends to verify this estimate.

The allotments in the proposed relocation site are approximately 2,000m² each and as such the gross sale value is estimated at \$1,000,000.

At the meeting of 22 September 2015, the Council resolved the following:

14.6. Highercombe Golf Course – Relocating 5 Allotments

Moved Cr Malcolm Herrmann
S/- Cr Lynton Vonow

140

Council resolves:

1. That the report be received and noted.
2. That no further action be taken in relation to the sale or relocation of the five (5) land titles that form part of the Highercombe Golf Course until a review of the Golf Course, which may form a part of the Sport and Recreation Strategy 2009-19 Review, is completed.

Carried Unanimously

3. ANALYSIS

Further analysis undertaken has identified the following:

- Costs to redevelop fairways and greens, provide service connections and sales costs to facilitate the sale of five residential allotments, in either the existing or proposed location, would be significant and substantially reduce the net financial outcome of a sale.
- Without the express consent of The Highercombe Golf & Country Club In, the sale could not proceed.
- The net financial return to Council may be subject to conditions that it be applied to other community land projects or be returned to the State Government.
- The sale of the five allotments and redesign of the golf course could significantly impact future options and development opportunities for the golf course.
- At this time it is not considered viable or beneficial to proceed with the relocation of the five allotments for a possible sale.

It is not considered beneficial to progress with a full review of the golf course and operations whilst the current lease and management agreement are in place.

No further action in relation to this item is proposed at this time.

A full review of the golf course and operations to identify future options and development opportunities will be undertaken prior to the expiration of the lease, either in the initial term expiring in 2019 or in the renewed term expiring in 2024. Options for relocation of allotments and redesign of the golf course will be considered as part of that review.

4. OPTIONS

Council has the following options:

- I. Receive the report (Recommended)
- II. Not receive the report (Not Recommended)

5. APPENDIX

- (1) Identification of Golf Course Land

Appendix 1

Identification of Golf Course Land

ALL DATA IS APPROX. ONLY
SUBJECT TO SURVEY

THIS PLAN HAS BEEN PREPARED FOR
A PLANNING APPLICATION AND
UNLESS WRITTEN PERMISSION HAS BEEN GRANTED
BY VESKA & LOHMEYER SURVEYORS
IT SHOULD NOT BE USED FOR ANY
OTHER PURPOSE ESPECIALLY CONTRACTS.



VESKA & LOHMEYER PTY. LTD. SURVEYING CONSULTANTS 44 HUTCHINSON STREET — MOUNT BARKER 5251 Ph: 8398 3050 Fax: 8398 3850 ABN: 18 007 839 410 Email: admin@veskalohmeyer.com.au			
DATE 16/09/2009	FIELD —	DRAWN KH	
REF No 8157	CHK —	REV 02	

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2018
AGENDA BUSINESS ITEM**

Item: 13.2

Originating Officer: Matt Strapps, Manager Information Systems

Responsible Director: Terry Crackett, Director Corporate Services

Subject: ICT & IS Strategic Plan 2017 - 2020

For: Information

SUMMARY

Technological advancements provide the opportunity to capitalise on state of the art service delivery, by enhancing the customer experience in meeting community expectations, and enabling Adelaide Hills Council to maximise operational efficiencies, whilst meeting compliance and legislative requirements.

The *ICT & IS Strategic Plan* appended to this report has been developed to ensure that Adelaide Hills Council continues to maintain and support innovative, robust technology and applications. It also strives for greater access to services for our community, in a technological environment that is continually evolving.

It also supports the delivery of the key technology based strategies in the Explore section of Council's *Strategic Plan* and progresses outcomes of the 2017 CEO Performance Target to increase Council's Digital Footprint to support community connectivity with the provision of internet services in townships.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 4	Explore
Strategy 4.2	We will explore the opportunities that emerging technologies present to people living, working, visiting or doing business in our district
Strategy 4.3	We will offer greater access to services and realise business efficiencies through online services.

The *ICT & IS Strategic Plan* supports the delivery of these two core strategic outcomes that specifically relate to Councils use of technology. The strategies foster innovation and encourage our people to explore solutions through technology.

Corporate Plan 2017-2020

The *ICT & IS Strategic Plan* supports the Corporate Plan, Processes, Systems and Customer Service priority areas 22, 23, 24, 25. These priority areas relate to how Council uses its information systems to support improved customer experiences, streamline business process and integrate systems; to pursue a single source of truth managed in the appropriate line of business system.

➤ **Legal Implications**

Not Applicable

➤ **Risk Management Implications**

The *ICT & IS Strategic Plan* will assist in mitigating the risk of:

Having no ICT & IS Strategic Plan in place leading to unsuitable technology acquisitions, poor systems implementations and an inability to provide service to customers and meet information management legislative requirements

Inherent Risk	Residual Risk	Target Risk
High (4C)	Low (1D)	Low (1D)

The *ICT & IS Strategic Plan* mitigates these risks to and supports both strategic organisation outcomes and ongoing organisational sustainability.

➤ **Financial and Resource Implications**

Not Applicable

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

The ICT & IS supports the delivery of Council's *Customer Service Framework*, by allowing for improved customer experience and continued automation of processes.

➤ **Environmental Implications**

Not applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Yes

Advisory Groups: Not Applicable

Administration: ICT and IS Strategy and Innovation Panel comprising of;
Melissa Bright – Economic Development Coordinator
Rebecca Shepherd – Manager Community Development
Alexis Black – Team Leader Environmental Health
Chris Janssan – Manager Open Space
David Collins - Manager Sustainable Assets
Bernie Vogelsang – Digital Services Team Leader
James Sinden – Manager ICT
Matt Strapps – Manager Information Systems
Jessica Charlton – Coordinator Service Strategy and Innovation
Natalie Westover – Manager Property Services
Vanessa Nixon – E-Development Officer
Executive Leadership Team

Community: Not Applicable

2. **BACKGROUND**

Information Communication Technology and Information Systems (ICT & IS) have radically changed the way we do business and interact with our community. Technological advancements are continually providing new ways to design, develop, automate and deliver efficient services to the community and support greater levels of collaboration and engagement.

As our community's lives shift to online services and emerging technologies, there is a greater need for the organisation to meet community expectations, enabling user friendly online services that facilitate and encourage customer interaction and engagement in an environment of constant technological change.

Integral to community engagement and provision of exceptional customer service experiences Council needs to be at the forefront of technology, embracing and leveraging from emerging technologies, that provide both business and community benefits. This has become the '**expected normal**' of a modern and progressive Council, which also acts to instil a high level of confidence and greater interaction with our customers.

3. **ANALYSIS**

The *ICT & IS Strategic Plan* ensures that Council has an agreed framework for the provision of technology based solutions across the organisation, both for the administration and community. The framework supports the consideration, selection and implementation of appropriate systems and devices that should integrate seamlessly with existing systems, thus avoiding budgetary spend on products not fit for purpose. This is to ensure not only an innovative and outcome focused technology program, it also ensures solutions are aligned to the strategic direction of the organisation, but are also secure and sustainable throughout their lifecycle.

4. **OPTIONS**

Council has the following options:

1. Receiving the Report (recommended)
2. Not receive the Report (not recommended)

5. **APPENDIX**

- (1) ICT & IS Strategic Plan 2017 – 2020

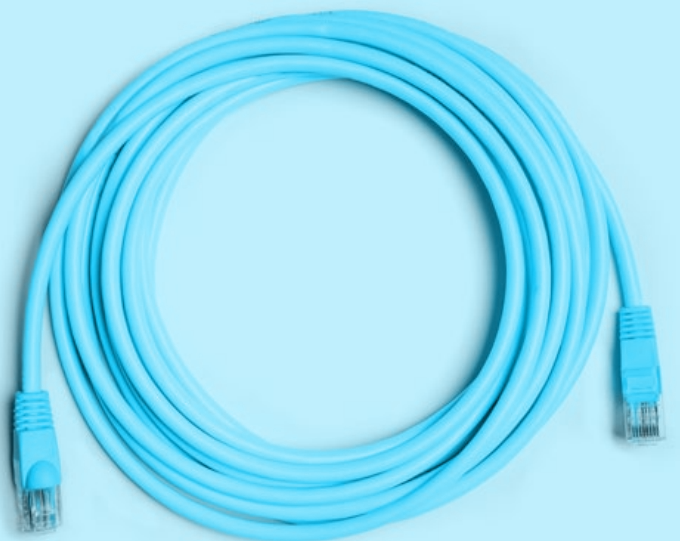
Appendix 1

ICT & IS Strategic Plan 2017 - 2020

*Information Communication Technology
and Information Systems*

ICT & IS Strategic Plan

2017 – 2020



Contents

3	Executive Summary
4	Strategy
5	Customer Profile
5	Technology Profile
6	Trends and Considerations
7	<i>Goal 1</i> Access
7	<i>Goal 2</i> Collaborate
7	<i>Goal 3</i> Explore
7	<i>Goal 4</i> Inform



Executive summary

Adelaide Hills Council aims to use technology to deliver opportunity, better services and liveability for our community.

This Strategy details the collaboration between community and technology. To create a smart community, people must be the focus. Council will work with the community to focus on digital technology that provides better local services, increases economic opportunities and makes the Adelaide Hills an even better place to live.



The Adelaide Hills Council is a diverse region, predominantly rural with substantial residential and township areas. The Council district encompasses a total land area of 795 square kilometres.

Residential development varies from the more urban areas of the foothills and the main settlement areas of Crafrers, Stirling, Heathfield, Aldgate and Bridgewater, to the numerous smaller townships and villages. The dispersed population is provided for with numerous facilities and community services including libraries, community centres, recreation facilities and halls.

The unique character of the Adelaide Hills Council area and its proximity to metropolitan Adelaide has created opportunities for tourism and unstructured recreation. Commercial, tourism and agricultural activities form a strong economic base for the district.

Council's Strategic Plan 'Your Adelaide Hills' provides a focus for Council's service delivery. Adopted in 2016, it is our plan to make the Adelaide Hills a 'place for everyone'.

The Strategic Plan helps us focus on those areas which need new or renewed attention to address emerging community needs and trends.

To meet changing community expectations Council needs to be agile. Our strategies, policies, processes and systems must be current and relevant to community needs. We must embrace flexibility and be prepared to change. In recognising and realising opportunities, we must manage risks to achieve our objectives.

As the world changes, Council needs to be aware of the impacts on its community and advocate accordingly. In an increasingly fast-paced and technological world, opportunities to connect are crucial. A connected community is inclusive, welcoming, engaged, empowered and dynamic. Its members are confident and resilient.

It is now easier than ever before for people to connect, and more people connect on the go, bringing new ideas and expectations. This means new opportunities but also challenges. As it becomes easier and more affordable to connect online, demand for online services and experiences grows, as do expectations of what can be achieved online, including how the community interacts with Council.

New technologies can allow greater, more efficient access to services and information and significantly enhance Council's engagement with its geographically dispersed population.

The ICT & IS strategy will guide Council and the wider community in capitalising on emerging digital technologies and creative industries and address these challenges. In doing so, it addresses objectives of Council's Strategic Plan – to improve the quality of life of residents, the efficiency and transparency of governance, and overall sustainability and prosperity of the Hills.

Four goals guide the implementation of this Strategy

Goal 1 Access

Council strives to provide access to systems that support high quality customer experiences

Goal 2 Collaborate

Council will seek to maintain a variety of external relationships to leverage benefits

Goal 3 Explore

Council needs to explore emerging technologies and the new opportunities they present

Goal 4 Inform

Council highly values reliable, accurate and relevant information

Strategy

Why we need an ICT & IS Strategy

Information Communication Technology and Information Systems (ICT & IS) have radically changed the way we do business and interact with our community. Technological developments are continually providing new ways to design, develop and deliver services, automate existing services and more effectively consult and engage with a broader range of stakeholders.

As our community's lives shift to online services and emerging technologies, our organisation and the community want to interact, engage and do business in a digital world, anywhere, anyplace, anytime.

Council needs to be at the forefront of technology, embracing it and utilising it.

This has become the 'expected normal' of a modern and progressive Council.

There are many challenges in this rapidly changing and transforming space. Not only are there physical challenges of connectivity with the terrain of our region, keeping up with this new 'expected normal' challenges both our back-end systems as well as stretching our resources and knowledge.

This Strategic Plan provides a map that guides future ICT & IS investment and service delivery strategies to contribute to efficient Council operations.



In summary this Strategic Plan aims to provide three important benefits:

-  To align technology with the Council's strategic goals, enabling a contribution to Council's strategic objectives.
-  To enable ICT & IS systems to be fully integrated and managed Council-wide, where the needs of our customers are fully considered and satisfied.
-  To build relationships between the ICT & IS teams and our customers, securing a commitment to the ICT strategy as all stakeholders are involved in the process.

Profiles

Customer profile



180

Over 180 individual staff and external contractors are supported by the ICT & IS teams.



Seven

Our internal customers are based at seven main locations, many of them are using mobile technology in the field.



89%

Data from the 2016 Census shows that 89% of dwellings within the AHC community area have at least one person who uses the internet from the dwelling.



Diverse

The internet may have been accessed from a fixed link connection, satellite connection, a mobile phone, a tablet or an Internet of Things (IoT) device such as a smart TV. This reflects the changing face of technology.

Snapshot



Population

38,863 (ABS Census 2016)



Council area

795km²



Density

0.5 people per hectare



Median age

44 (39 greater Adelaide)



Dwellings

15,454



Work at home

7.3%



High average income



Low unemployment



High labour participation



High education levels



High levels of internet connectivity

Technology profile

Council has a significant investment in a range of technologies to support its operations and provide its customers with current technology where possible. The ICT & IS Teams support and maintain a number of systems from a service delivery perspective.



Renew

ICT Infrastructure renewed regularly on an operating lease with scheduled replacement cycles



Access

Ability to access systems and information from multiple locations including work & home



VR

VR System rolled out for Community Centre use



Managed

Overall, in total there are 1200 devices that are managed and maintained



Software

There are over 90 individual software packages deployed



Wi-Fi

There are over 18 Wi-Fi Access Points installed in council facilities



Servers

There are over 100 virtualised servers operating on physical servers



Print

There are 20 Multi-Function print devices for both staff and community use



300mb/s

Council has its own Microwave network, supporting speeds of up to 300mb/s between locations



Fibre

Council has extensive fibre network, linking directly with our data-centre located in Mile End



Devices

Over 100 computers and tablets for community use in libraries and community centres



Mobiles

Over 250 mobile devices supported

Trends and considerations

Smart City Initiatives

The Smart Cities concept is a trend that is accelerating in our space.

Concepts such as smart lighting, big data, use of drones and Internet of Things (IoT) networks are increasingly being used in our space. There will be opportunities for external funding and other incentives provided by other levels of Government for AHC to potentially take advantage of.

Digital Connectivity

The district has high levels of internet connectivity but speed and reliability varies.

The NBN network is being progressively rolled out and most of the district should be covered by mid-2018

Workforce Mobility

There are ever increasing demands for both office and field based staff to have access to corporate systems, records and applications in the field 24/7. This demand is becoming more complex as many systems require more sophisticated devices in the field.

Subscription Solutions

The proliferation of online subscription based solutions, offers many opportunities for Council to use bespoke solutions to solve discrete problems. There are however many challenges with these solutions, especially related to connectivity to other line of business systems, legislative and record keeping requirements, potential data loss and little control around ongoing financial commitments.

Self Service Customer Experience

Being able to access services in an online environment has become the expected norm with large sections of our community.

Being able to ensure this online experience is consistent with the in-house experience is essential to a successful customer experience and the recurring use of the online service systems.

Automation of Transactional Processing

Many new systems and solutions offer the ability to automate processes that are currently performed manually. This is further enhanced with improved integration between systems and the ability for information to be shared across multiple lines of business systems.



Goals

Goal 1 Access

Council strives to provide access to systems that support high quality customer experiences

1.1 We will maintain high levels of security to ensure system availability and integrity

1.2 We will continue to evolve our service delivery models

1.3 We will use cloud, on premise and hybrid models as appropriate

1.4 We will endeavour to deliver a consistent user experience across all access options

Goal 2 Collaborate

Council will seek to maintain a variety of external relationships to leverage benefits

2.1 We will maintain membership, support initiatives and engage with relevant sector organisations

2.2 We will seek to collaborate with Government and other institutions

2.3 We will collaborate with our systems providers to enhance and improve service delivery

2.4 We will engage and collaborate within our organisation to capitalise on the broad depth of knowledge

Goal 3 Explore

Council needs to explore emerging technologies and the opportunities they present

3.1 Explore opportunities to seek out, and make available, useful and appropriate data to and from external organisations.

3.2 We will explore with our community opportunities to provide suitable and value for money technology based services

3.3 We will explore external funding and income generating opportunities related to technology as they support strategic outcomes

3.4 We will explore offering greater access to services and realise business efficiencies through online services

Goal 4 Inform

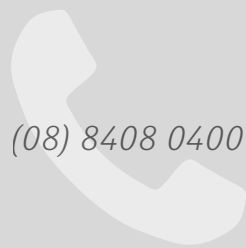
Council highly values reliable, accurate and relevant information

4.1 We will work towards a systems structure where a single source of truth can be managed and maintained.

4.2 We will continue to develop and improve our usage and management of organisational information

4.3 We will ensure that data is appropriately secured, protected and recoverable

4.4 We will provide information from systems to inform decision making and process improvement



(08) 8408 0400



mail@ahc.sa.gov.au



ahc.sa.gov.au



fb.com/adelhillsCouncil



PO Box 44, Woodside SA 5244



@adelaidehillscouncil



@AHCouncil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2018
AGENDA BUSINESS ITEM**

Item: 13.3

Originating Officer: Megan Sutherland, Executive Manager Organisational Development

Subject: Corporate Plan

For: Information

SUMMARY

The report provides an overview of the process undertaken to complete the new Corporate Plan (the Plan).

The Plan was developed through a process of consultation, involving a number of different people and positions across the organisation.

The Plan is now provided for Council Member information.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal	Organisational Sustainability
Strategy	Our organisation

Our organisation needs to be agile and capable of delivering the Council's long term community objectives and annual priorities. Built on a continuous improvement philosophy, our Corporate Plan seeks to develop a high performing and service focused culture.

➤ **Legal Implications**

Not applicable.

➤ **Risk Management Implications**

The implementation of the Corporate Plan will assist in mitigating the risk of:

Lack of effective corporate planning will impact on resource planning leading to inability to effectively manage resources and meet strategic priorities.

Inherent Risk	Residual Risk	Target Risk
Extreme (4A)	Medium (3D)	Medium (3D)

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

➤ **Financial and Resource Implications**

Certain parts of the Plan will require finances to implement. This would be covered by the annual departmental budget process.

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

The Corporate Plan has been developed with the purpose of enabling the organisation to improve how work and processes are undertaken, by extension this flows on to how services are provided to the community and residents.

➤ **Environmental Implications**

Not applicable.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: The CEO Performance Review Panel received periodic updates on the development of the Corporate Plan, given its status as a 2016-17 Performance Target.

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Executive Leadership Team

Community: Not Applicable

2. **BACKGROUND**

With the establishment of a new Strategic Plan, it was timely to undertake the process of reviewing and redeveloping the organisations Corporate Plan (the Plan).

The Corporate Plan is an internal document that ‘seeks to develop a high performing and service focused culture through an emphasis on’ the elements (below) contained within. The Plan focuses on the development of our people and organisation, enabling and supporting the implementation of the Strategic Plan initiatives.

The Corporate Plan has been developed through a consultative process with relevant staff.

3. ANALYSIS

The first step was a review of the previous plan and assessment of the framework to develop the plan, and then the consultative process began.

The Strategic Leadership Team (Managers and other key positions within the organisation) provided feedback on the 6 elements to be contained in the Plan. The elements include:

- Leadership
- People
- Strategy and policy
- Partnerships and Resources
- Processes, systems and customer service; and
- Results

From this workshop, a draft with key concepts was developed for each element. This document was the focus of further discussion with the Corporate Plan Team consisting of:

- Megan Sutherland (Executive Manager Organisational Development)
- Lachlan Miller (Executive Manager Governance & Performance)
- Jess Charlton (Coordinator Service Strategy & Innovation)
- Mike O'Donnell (ICT Support Officer)
- Paul Liebelt (Field Inspections Officer)
- Lynne Griffiths (Community & Cultural Development Officer)

Concepts and actions were developed to a point where a draft Plan was completed.

The Executive Leadership Team (ELT), over a number of meetings, assessed and refined the elements until a final version of the Plan was complete.

Further consultation with Managers to assess timeframes and specific strategies finalised the process. The ELT adopted the Plan.

The Plan has been developed into a format that reflects Council's publication format and is provided for your information.

4. OPTIONS

Not applicable.

5. APPENDIX

- (1) Corporate Plan

Appendix 1

Corporate Plan

Corporate Plan

2017 – 2020



Corporate Direction

Contents

- 2 Corporate Direction
- 3 Corporate Plan Purpose and Structure
- 4 Work Health and Safety
- 5 Leadership
- 6 People
- 7 Strategy and Policy
- 8 Partnerships and Resources
- 9 Processes, Systems and Customer Service
- 11 Results

The Adelaide Hills Council's strategic purpose is to make the Adelaide Hills a place for everyone. With this in mind, it has adopted a number of bold and exciting community-focussed objectives which will be achieved through a range of practical and deliverable actions. These are outlined in the Council's Strategic Plan, your adelaide hills.

This Corporate Plan outlines how a high performing culture will be developed throughout the organisation to enable the Council to deliver on the objectives in an innovative, cost effective and timely manner.

As an organisation we need to:

- Provide **value for money** to the community
- **Innovate** and continuously improve
- **Communicate and collaborate** in a respectful and meaningful way
- Deliver excellent **customer service and experience**
- **Engage with the community** and involve them in decision making
- Actively **develop our people and leaders**
- Create **equal opportunity** for all.

Working together, and exercising boldness, sound judgement and compassion, we can become an organisation with an even more enviable reputation for achieving great organisational and community outcomes!

Andrew Aitken
Chief Executive Officer

Purpose and Structure

To be a successful organisation – one that has the right people in the right jobs, that focuses on developing its people and the organisation, that achieves identified strategies, that seeks to improve its processes and systems to deliver a better customer experience, that utilises partnerships internally and externally to achieve greater outcomes – an appropriate management framework is used.

The framework Council uses focuses on an holistic view of the organisation, where all the elements fit and work together. Development in these areas enables an organisation to achieve sustainable success. These elements are:

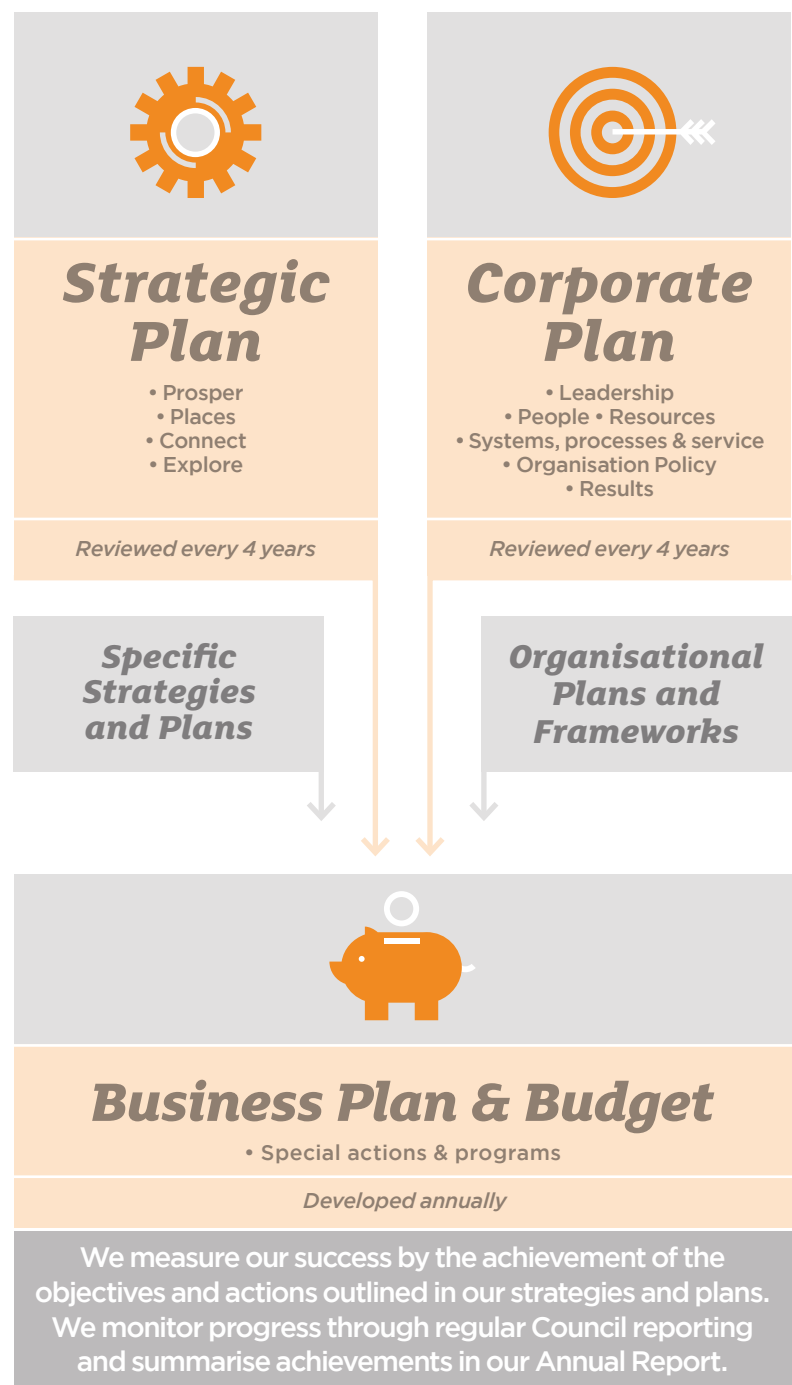
- Leadership
- People
- Strategy and Policy
- Partnerships and Resources
- Processes, systems and customer service
- Results

WHS is a critical element to manage across the organisation and through all processes. Although not an element itself, it is an overarching principle and practice that must be managed at all times.

For this reason, WHS activities are included under the relevant elements to ensure we are continuing to focus on improvement of WHS as part of the way we work, as part of our culture.

Planning and development of the Council's administration happens through the Corporate Plan which aims to develop our organisation to ensure we are all capable of delivering the Council's long term community objectives and annual priorities.

Council's role



Work Health and Safety

Managing WH&S is a core part of the way we do things at Adelaide Hills Council. The Council has a broad risk profile associated with its work in the community and in the organisation.

<p>AHC is committed to providing a workplace that:</p>	<ul style="list-style-type: none"> • Is safe and healthy for all employees, volunteers, contractors and visitors • Minimises, manages and controls risks within the work environment • Minimises the risk of injury and ill health at work • Complies with the Work Health and Safety (WH&S) Act 2012 and the Performance Standards for Self-Insured employers.
<p>AHC strives to fully integrate work health and safety into all aspects of its activities and planning through:</p>	<ul style="list-style-type: none"> • Leadership commitment • Planning and implementing WH&S policies, procedures, safe operating procedures and the WH&S Improvement Plan • Exercising due diligence to ensure WH&S obligations are met • Effectively implementing controls and corrective actions • Effectively communicating and consulting with employees • The provision of training and awareness on WH&S issues • Proactively managing rehabilitation and early return to work • Measuring and evaluating the effectiveness of the implementation • Reviewing and revising the system to enable continual improvement • Encouraging innovative solutions.

Timeframes have been decided for all Objectives and are shown using the following key:

● Primary action timing

○ Ongoing implementation or further development

Leadership

We will have leaders who shape the future and make it happen and who are role models for positive and optimistic behaviour. We want our leaders throughout the organisation to proactively inspire people and create a culture of involvement, ownership, empowerment, improvement, inclusion, positive behaviour, responsibility and accountability.

Priority Areas and Strategic Plan (SP) Linkages	Key Actions	Department	2017/18	2018/19	2019/20
1. Corporate Values SP: <i>Our organisation</i>	Investigate and decide the role and benefit of corporate values for AHC. If decided to have organisational values, develop and implement the values for AHC.	Organisational Development	●	○	○
2. WHS Commitment from all People Leaders SP: <i>Work Health and Safety</i>	Identify ways to ensure leaders are dedicating sufficient time to managing WHS and ensure connectivity between the safety system and daily work activities. Provide more frequent feedback on achievements in WHS across the organisation.	Organisational Development	●	○	○
3. People Leaders SP: <i>Our organisation</i>	Educate People Leaders in the expectations of being a People Leader and conduct quarterly People Leader sessions (including development and education). Individual improvements in leadership are identified and monitored through the People Leader 4X8 6 Month Planner process. Further develop People Leaders in coaching and performance management to enable effective conversations with their people and development of both them and their people. Develop a Leadership and Accountability policy/procedure.	Organisational Development	●	○	○
4. Process and System Improvement SP: <i>Our organisation Customer Service Commitment</i>	Establish requirements and accountability for People Leaders to undertake service improvement, including customer experiences, through review and implementation of improved processes and systems, that include the assessment of customer needs. Ensure all departments are involved in process improvement to enable a consistent application across the organisation.	Service Improvement	●	○	○
5. Coaching and Mentoring SP: <i>Our organisation</i>	Develop and implement a mentoring and coaching program to include informal and formal options.	Organisational Development	●	○	○
6. Development of Future Leaders SP: <i>Our organisation</i>	Explore the opportunities for people to develop and gain experience in leadership roles. Update the Acting Procedure to provide clarity of the process.	Organisational Development		●	○
7. Decision Making SP: <i>Our organisation</i>	Arrange training for relevant employees on their decision making responsibilities and considerations as Public Officers.	Organisational Development	●	○	○

People

We will realise the full potential of our people for the achievement of organisational, community and personal goals. We value and promote diversity, inclusion and fairness and strive to improve the way we involve and empower our people. We aim to care for, communicate, reward and recognise in a way that inspires people.

Priority Areas and Strategic Plan (SP) Linkages	Key Actions	Department	2017/18	2018/19	2019/20
8. People Development SP: <i>Our organisation</i>	Clarify the Learning and Development framework. Undertake a review and update of the Training and Development Procedure and include the L&D framework. Address in the procedure 1. Responsibility for provision of different L&D activities 2. Sharing of knowledge and expertise of current employees organisationally. Ensure corporate induction processes include in depth training for all employees in the use of CRM and the EDRMS.	Organisational Development		●	○
9. Induction Process SP: <i>Work Health and Safety</i> SP: <i>Our Organisation</i>	Investigate the options to make the WHS induction process more specific to the role and to understand personal responsibility (on-line modules to be considered) Ensure training in responsibilities as a Public Officer is included in the induction process.	Organisational Development		●	○
10. Reward and Recognition SP: <i>Our organisation</i>	Review and update the Reward and Recognition policy/procedure, including the investigation of contemporary approaches to team and individual reward	Organisational Development	●		
11. Performance Process SP: <i>Our organisation</i>	Review the 4X8 process to ensure Council's performance and development process is valued across the organisation and provides the best opportunity for each employee to meet their full potential, feel valued and achieve great organisational outcomes Finalise the Council's performance and development process for field employees, and undertake training and implementation.	Organisational Development	●	○	○
12. Diversity and Inclusion SP: <i>Our organisation</i>	Establish a Diversity and Inclusion Team and develop an organisational D&I statement Undertake organisation wide Disability Awareness training Research and implement a Diversity and Inclusion Policy/Procedure.	Organisational Development	●	○	
13. Recruitment and Selection SP: <i>Our organisation</i>	Review and update our Recruitment and Selection Policy/Procedure to ensure practices are contemporary and include a focus on recruiting people that fit the organisation we want AHC to be.	Organisational Development	●	○	

Strategy and Policy

We will review, develop and implement policies, plans and objectives to deliver our strategy.

Priority Areas and Strategic Plan (SP) Linkages	Key Actions	Department	2017/18	2018/19	2019/20
14. Policy Development SP: Governance	Review and update the Policy development process for both internal policy and Council adopted policy Develop a process for producing procedures relating to Council Policies.	Governance and Performance		●	○
15. Strategic Plan and other strategies and functional plan management SP: Risk and Responsibility	Establish a process to develop and report on: <ul style="list-style-type: none"> the strategic plan to deliver the strategy over the required timeframe (that includes resourcing, timing and integration with other Council strategies and plans) the functional plan/strategy over the required timeframe (that includes resourcing, timing and integration with other Council strategies and plans). 	Governance and Performance	●	○	○

Partnerships and Resources

We will pursue positive internal and external partnerships and manage internal resources in order to support policy and strategy and the effective operation of our processes.

Priority Areas and Strategic Plan (SP) Linkages	Key Actions	Department	2017/18	2018/19	2019/20
16. Better utilise existing LG networks SP: Collaboration on public policy setting	<p>Explore opportunities to raise organisational awareness of existing networks and contacts across Council to better canvas options and achieve outcomes.</p> <p>Identify further opportunities for a range of employees to enter and participate in LG networks.</p>	Corporate Services	●	○	○
17. External networks and Communication SP: Collaboration on public policy setting	<p>Identify and document existing and potential external partnerships and how involved with AHC for organisational use and enhance our service delivery outcomes.</p> <p>Ensure AHC assesses when it is appropriate to partner with others, prior to making the commitment.</p>	Governance and Performance			●
18. Accommodation SP: Our organisation	Define and progress accommodation requirements for the organisation.	Property Services	●	○	○
19. Knowledge Management SP: Our Organisation	<p>Review, update and communicate organisational standards on system use, including:</p> <ul style="list-style-type: none"> • What systems are to be used for what purposes and • Required storage processes and management 	Service Improvement		●	○
20. Resource Planning SP: Our Organisation	Leaders regularly reviewing resource requirements in line with the organisational strategic and corporate plan priorities and with a focus on innovation.	Organisational Development		●	○

Processes, Systems and Customer Service

We strive to consistently add value for customers by understanding, anticipating and fulfilling needs, expectations and opportunities. We achieve this through continuous improvement and systems innovation.

Priority Areas and Strategic Plan (SP) Linkages	Key Actions	Department	2017/18	2018/19	2019/20
21. Project Management Framework SP: <i>Risk and responsibility</i>	Finalise an adaptable /scalable project management framework that can be applied to any Council project. All project and program scopes to include identification of all strategic stakeholders and partnering opportunities.	Engineering and Assets		●	○
22. WHS System and Data Management SP: <i>Work Health and Safety</i>	Implement an integrated system for the management of WHS processes and data. (Skytrust) Introduce to Hills Hub a dashboard showing key statistics to raise the profile of events and actions in WHS.	Organisational Development	●	○	○
23. One Point of Customer Contact SP: <i>Customer Service Commitment</i>	Improve customer experience interactions by: • Resolving more enquiries at the first point of contact • Developing CRM as the first point of call system to manage customer requests, enquiries and feedback • Improving knowledge management for customer service (eg. Knowledge articles/scripting) • Redesigning service delivery processes • Continuing to improve our performance reporting	Service Improvement	●	○	○
24. System Integration SP: <i>Customer Service Commitment</i>	Clarify and document how and when employees are to use organisational systems to manage internal processes. Reduce duplication and improve processes through system integration. Undertake a more strategic assessment of IS infrastructure with a view to reduce and/or better utilise current and future systems, including the budget and financial systems.	Information Systems		●	○
25. Service Delivery Innovation SP: <i>Customer Service Commitment</i>	Consider, develop, review or update the following approaches to service delivery across the organisation: • Using an On-line customer portal • Focus on automating outdated or manual systems • Ensure we have non-digital and digital options	Service Improvement	●	○	○
26. Sustainable Continuous Improvement SP: <i>Our organisation</i>	Drive further process improvements across teams and with a focus on customer experience, efficiency and simplicity including automating manual processes.	Service Improvement	●	○	○

Processes, Systems and Customer Service

(continued)

Priority Areas and Strategic Plan (SP) Linkages	Key Actions	Department	2017/18	2018/19	2019/20
27. Benchmarking Opportunities SP: Customer Service Commitment	Investigate opportunities for key initiatives with high impact to undertake relevant sector-wide benchmarking to inform and improve service delivery and customer experience. Explore the links with partners who undertake benchmarking <ul style="list-style-type: none"> • LGA benchmarking • LG Professionals model 	Governance and Performance	●	○	○
28. Excellence Framework consideration SP: Our organisation	Prepare a discussion paper on the applicability and appropriateness of an organisational excellence framework options for AHC	Service Improvement		●	○
29. Financial Reporting SP: Financial sustainability	Review Financial reporting processes	Finance	●		

Results

We will identify and understand the Results required to achieve our vision and strategic goals. We will use balanced information to measure outcomes with respect to our people, customers, community and key elements of our policy and strategy and we will use these results to support continuous improvement.

Priority Areas and Strategic Plan (SP) Linkages	Results	2017/18	2018/19	2019/20
Key performance indicators and related outcomes exist and are used to set clear targets and determine the successful deployment of strategy and other plans, based on the needs and expectations of relevant stakeholder groups	Establish regular customer service and experience reporting, as included in the CX (Customer Experience) Action Plan	●	○	○
	Establish a performance reporting framework from which to regularly report to management, staff and Council (Projects, Financial, Customer Service, WHS...)	●	○	○

(08) 8408 0400



mail@ahc.sa.gov.au



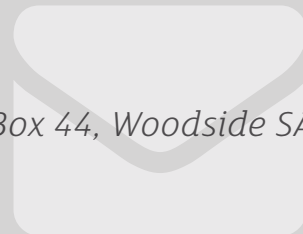
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Item 18 Reports of Committees

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 13 DECEMBER 2017
63 MT BARKER ROAD, STIRLING**

[Please Note: These minutes are unconfirmed until January 2018]

Present

Presiding Member

Professor Stephen Hamnett

Members

Simon Bradley

Linda Green

Rob McBryde

In Attendance

Marc Salver

Deryn Atkinson

Sam Clements

Doug Samardzija

Karen Savage

Director Strategy & Development

Assessment Manager

Team Leader Statutory Planning

Statutory Planner

Minute Secretary

1. Commencement

The meeting commenced at 6.33pm

2. Apologies/Leave of Absence

2.1 Apologies

Piers Brissenden

2.2 Leave of Absence

Nil

3. Previous Minutes

3.1 Meeting held 7 November 2017

The minutes were adopted by consensus of all members

(49)

That the minutes of the meeting held on 7 November 2017 be confirmed as an accurate record of the proceedings of that meeting.

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4. Delegation of Authority

Decisions of this Panel were determined under delegated authority as adopted by Council on 26 September 2017.

5. Presiding Member's Report

Nil

6. Declaration of Interest by Members of Panel

Nil

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table

Nil

7.2 Matters Deferred

7.2.1 Development Application 16/946/473 by Mataan Dunning for two storey detached dwelling, decks (maximum height 3.3m), 2 x 22,000 litre water storage tanks, 1.8m fence on top of existing retaining wall (maximum combined height 4.1m) and associated earthworks at 1A Atkinson Road, Crafers West

Deferred from meeting 7 November 2017

"That a decision on the matter be deferred to allow the applicant to provide more definitive data and overshadowing diagrams for the 21 June solstice and either the spring or autumn equinox at 3:00pm, using independent expert data sets from Geosciences Australia (Department of Industry, Innovation and Science)."

Staff provided the Panel with an update on the deferred item.

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8. Development Assessment Applications

- 8.1 Development Application 17/215/473 by Golding Vineyards Pty Ltd for change of use to a function centre in association with existing cellar door and restaurant (maximum capacity 250 persons) and increase in restaurant capacity (maximum capacity 160 persons) (non-complying) at 52 Western Branch Road, Lobethal**

8.1.1 Representations

Name of Representer	Address of Representer	Nominated Speaker
Maeve Dullaghan	98 Western Branch Road Lobethal	Peter Meline from Peter Meline and Associates

The applicant's representative, Emma Barnes (Planning Studio), addressed the Panel.

8.1.2 Decision of Panel

The following was adopted by consensus of all members (50)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and seeks the CONCURRENCE of the State Commission Assessment Panel to GRANT Development Plan Consent to Development Application 17/215/473 by Golding Vineyards Pty Ltd for Change of use to a function centre (maximum capacity 250 persons) in association with existing cellar door and restaurant and increase in restaurant capacity (maximum capacity 160 persons) - non-complying at 52 Western Branch Road Lobethal subject to the following conditions:

(1) Development Plan Consent

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Statement of Effect prepared by Emma Barnes from Planning Studio on behalf of Golding Wines dated 30 August 2017 and date stamped as received by Council 01/09/2017
- Amended site plan prepared by Swanbury Penglase Architects, drawing number 16320 MD03A dated 25/06/17 and date stamped as received by Council 01/09/2017
- Amended wastewater report prepared by Ron Selth & Associates Consulting Engineers date amended 21/08/17 and Denlin Consulting

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Summary Report dated 19 November 2017 and date stamped as received by Council 20/11/2017

- Locality plan prepared by Planning Studio dated 21 November 2017 and date stamped as received by Council 21/11/2017
- E-mail correspondence with Emma Barnes from Planning Studio on behalf of Golding Wines dated 4 December 2017

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans.*

(2) Commercial Lighting

Flood lighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such a manner as to not cause nuisance to adjacent properties.

REASON: *Lighting shall not detrimentally affect the amenity of the locality.*

(3) Vehicle Turning Area

A vehicle turning area shall be provided within the surveyed property boundaries, to facilitate the forward entry and exit of vehicles to and from the land. This turning area shall be substantially completed prior to occupation of the development.

REASON: *To reduce interference with the free flow of traffic on adjoining roads.*

(4) Overflow Car Park Construction in Accordance with Australian Standard AS 28901:2004

All overflow car parking spaces, driveways and manoeuvring areas shall be designed, constructed with grass reinforcement mesh and delineated in accordance with Australian Standard AS 2890.1:2004. Delineation and directional arrows or signs shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed with grass reinforcement mesh within six (6) months of the Development Approval and maintained in good condition at all times to the reasonable satisfaction of the Council.

REASON: *To provide adequate, safe and efficient off-street parking for large event patrons.*

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(5) Unloading And Storage Of Materials And Goods

All materials and goods shall at all times be loaded and unloaded within the confines of the subject land. Materials and goods shall not be stored on the land in areas delineated for use as car parking.

REASON: *To provide safe and efficient movement of people and goods.*

(6) Car Parking Directional Signage

Directional signs indicating the location of car parking spaces shall be provided on the subject land and maintained in a clear and legible condition at all times.

REASON: *To identify the location of off-street parking and ensure the free flow of traffic.*

(7) Restriction On Display/Sale Non-Beverage/Food Items

A maximum area of 25m² shall be used for the display and sale of any non-beverage or non-food item within the cellar door.

REASON: *To ensure the tasting of wine and retail sale of wine are the predominant activities of the cellar door.*

(8) Overall Capacity

The restaurant/function centre capacity shall be limited to the following with the exception of special events:

- Monday to Thursday - 80 persons maximum
- Friday to Sunday - 160 persons maximum

At any one time, the overall capacity of the cellar door, restaurant and function centre shall be limited to a maximum of 160 persons. This includes any associated outdoor areas.

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans, to ensure that neighbouring properties are not impacted on negatively by this development and to ensure the waste control system is adequate.*

(9) Entertainment (Amplified Music)

Entertainment shall be contained within the building during the operating hours of the restaurant, function centre and cellar door. Any outdoor entertainment associated with the restaurant, function centre, cellar door and special events shall be limited to between 10:00am and 5:00pm on any day.

REASON: *To maintain the rural amenity of the locality.*

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(10) Entertainment Noise Levels

The entertainment is not to exceed 57dB(A) between 10:00am and 10:00pm and 50dB(A) from 10:00pm and 12:00am (midnight) within nearby dwellings.

REASON: *To maintain the amenity of the locality and to ensure compliance with Environmental Protection (Noise) Policy 2007.*

(11) Restriction on Where Functions Are Held

Functions and special events to be restricted to the cellar door, restaurant and function centre and the grassed picnic area as depicted on plan 16320 MD03A prepared by Swanbury Penglase Architects, date stamped as received by Council on 01/09/2017.

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans and to minimise amenity impacts on the locality.*

(12) Restriction On Number and Capacity Of Special Events

a) The number of special events as described in the statement of effect shall not exceed eight (8) per calendar year. Such special events shall have the maximum capacity of up to 200 persons on four (4) occasions a year and up to 250 on another four (4) occasions a year. Any increase in the number of special events or capacity will require separate development approval.

b) A register shall be kept of all special events/functions held each calendar year and made available to Council on request.

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans and to ensure the waste control system is adequate.*

(13) Opening Hours of Premises

The opening hours of the premises shall be:

11:00am to 10:30pm - Sunday to Thursday

10:00am to 12:00am (midnight) - Friday and Saturday

REASON: *To ensure the development operates in accordance with the approval.*

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(14) Car parking Stormwater Runoff

All surface water from car parking or hardstand areas shall be directed to a proprietary pollutant treatment device capable of removing oils, silts, greases, and gross pollutants to Council and EPA satisfaction.

REASON: *To minimise erosion, protect the environment and to ensure no ponding of stormwater resulting from development occurs on adjacent sites.*

(15) Removal Of Solid Waste

All solid waste including food, leaves, papers, cartons, boxes and scrap material of any kind shall be stored in a closed container having a close fitting lid. The container shall be stored in a screened area so that it is not visible to [insert what is being screened from]

REASON: *To maintain the amenity of the locality.*

(16) Regular Removal Of Solid Waste From The Site

All waste shall be removed from the subject land at least once weekly except after special event in which case the waste shall be removed at least 24 hours following the event. All waste shall be stored in closed containers (bins) until removed off site.

REASON: *To maintain the amenity of the locality.*

(17) Waste Control System To Be Installed Prior To Functions/Special Events

The approved functions and special events shall not occur until the upgrade to the Waste Control system has been implemented.

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans, to ensure that neighbouring properties are not impacted on negatively by this development and to ensure the waste control system is adequate.*

NOTES

(1) Development Plan Consent Expiry

This Development Plan consent (DPC) is valid for a period of twelve (12) months commencing from the date of the decision (or if an appeal has been commenced the date on which it is determined, whichever is later). Building Rules Consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twelve (12) month time period may be further extended by Council agreement following written request and payment of the relevant fee.

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(2) EPA Environmental Duty

The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.

- 8.2 **Development Application 17/521/473 by WCK Pty Ltd for two storey detached dwelling, deck (maximum height 3.1m), retaining walls (maximum height 800mm), 22,000 litre water storage tank, landscaping and associated earthworks at 10 Reserve Avenue, Lobethal**

8.2.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Neil James Weir	12 Reserve Avenue Lobethal	Alana & Neil James Weir

The applicant's representative, Peter Meline (Peter Meline and Associates), addressed the Panel.

8.2.2 Decision of Panel

The following recommendation was adopted by consensus of all members (51)

The Council Development Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 17/521/473 by WCK Pty Ltd for Two storey detached dwelling, deck (maximum height 3.1m), retaining walls (maximum height 800mm), 22,000 litre water storage tank, landscaping & associated earthworks at 10 Reserve Avenue Lobethal subject to the following conditions:

(1) Development In Accordance With The Plans

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Amended site layout plan prepared by Intrax Engineering, drawing number C01 revision I dated 30 November 2017 and date stamped as received by Council 04/12/2017

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- Amended civil details sheet 1 prepared Intrax Engineering, drawing number C02 revision I, dated 30 November 2017 and date stamped as received by Council 04/12/2017
- Amended floor plan, sub floor plan and elevation drawings prepared by Kookaburra Homes, drawing number M17-035 sheet 1, 2, 3 and 4 of 14, dated 6/12/2017 and date stamped as received by Council 06/12/2017
- Amended section drawing prepared by Kookaburra Homes, drawing number M17-035 sheet 5 of 14, dated 6/12/2017 and date stamped as received by Council 06/12/2017
- Amended landscaping plan date stamped as received by Council 06/12/2017
- E-mail correspondence with Sarah Cowling from Kookaburra Homes dated 1/09/2017

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans.*

(2) Sealing Of Vehicle Access

The vehicle access and cross-over shall be sealed in Hotmix bitumen, concrete, brick paving or similar material, from the edge of the sealed carriageway of Wood Street to the property boundary.

NOTE: The access shall be constructed to ensure no construction materials are deposited onto the carriageway of Wood Street.

REASON: *To maintain safe and convenient movement of vehicles.*

(3) Residential Lighting

All external lighting shall be directed away from residential development and shielded if necessary to prevent light spill causing nuisance to the occupiers of those residential properties.

REASON: *Lighting shall not detrimentally affect the residential amenity of the locality.*

(4) Decking/Balcony Screening

The decking of the dwelling shall be fitted with fixed screening as shown on the elevation drawings M17-035 sheet 4 of 14 and floor plan M17-035 sheet 1 of 14 to a minimum height of 1.8 metres above the deck floor level. The screening shall be installed prior to occupation and maintained in good condition at all times.

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REASON: *Buildings should be designed to not cause potential for overlooking of adjoining properties.*

(5) Obscure Glazing To Windows

The east facing windows of the dwelling as shown on the elevation drawing M17-035 sheet 4 of 14 shall be glazed with fixed obscure glass to a minimum height of 1.7 metres above finished floor level. The glazing in these windows shall be maintained in good condition at all times.

REASON: *Buildings should be designed to not cause potential for overlooking of adjoining properties.*

(6) External Finishes

The external finishes to the building herein approved shall be as follows:

WALLS: Dune or similar

ROOF: Colorbond Basalt or similar

REASON: *The external materials of buildings should have surfaces which are of a low light-reflective nature and blend with the natural rural landscape and minimise visual intrusion.*

(7) Soil Erosion Control

Prior to construction of the approved development straw bales (or other soil erosion control methods as approved by Council) shall be placed and secured below areas of excavation and fill to prevent soil moving off the site during periods of rainfall.

REASON: *Development should prevent erosion and stormwater pollution before, during and after construction.*

(8) Timeframe For Landscaping To Be Planted

Landscaping detailed in the amended landscaping plan date stamped as received by Council 6/12/2017 shall be planted in the next planting season following occupation and maintained in good health and condition at all times. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased in the next planting season.

REASON: *To maintain and enhance the visual amenity of the locality in which the subject land is situated and ensure the survival and maintenance of the vegetation.*

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(9) Fire-fighting Water Supply - Mains Water Supply Available

A supply of water independent of reticulated mains supply shall be available at all times for fire-fighting purposes:

- a minimum supply of 2,000 (two thousand) litres of water shall be available for fire-fighting purposes at all times; and
- the water supply shall be located such that it provides the required water; and
- the water supply shall be fitted with domestic fittings (standard household taps that enable an occupier to access a supply of water with domestic hoses or buckets for extinguishing minor fires); and
- the water supply outlet shall be located at least 400mm above ground level for a distance of 200mm either side of the outlet; and
- a water storage facility connected to mains water shall have an automatic float switch to maintain full capacity; and
- where the water storage facility is an above-ground water tank, the tank (including any support structure) shall be constructed of non-combustible material.

REASON: *To minimise the threat and impact of fire on life and property as your property is located in a MEDIUM Bushfire Prone Area.*

(10) Stormwater Overflow Directed To Street

All roof runoff generated by the development hereby approved shall be directed to a rainwater tank with overflow to the street (via a pump if necessary) or a Council drainage easement to the satisfaction of Council within one month of the roof cladding being installed. All roof and hard paved water runoff shall be managed to prevent trespass onto adjoining properties and into the effluent disposal area where an on-site waste control system exists.

Overflow from rainwater tanks is to be directed to the street (via a pump if necessary) or managed on-site to the satisfaction of Council using design techniques to the satisfaction of Council.

REASON: *To minimise erosion, protect the environment and to ensure no ponding of stormwater resulting from development occurs on adjacent sites.*

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NOTES

(1) Development Plan Consent Expiry

This Development Plan consent (DPC) is valid for a period of twelve (12) months commencing from the date of the decision (or if an appeal has been commenced the date on which it is determined, whichever is later). Building Rules Consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twelve (12) month time period may be further extended by Council agreement following written request and payment of the relevant fee.

(2) Sewer Connection

The dwelling shall be connected to SA Water mains sewer supply in accordance with the approval granted by SA Water. All work shall be to the satisfaction of SA Water.

(3) EPA Environmental Duty

The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.

- 8.3 Development Application 17/759/473 by Mount Lofty Properties Pty Ltd for variation to Development Authorisation 15/698/473 to increase the number of tourist accommodation buildings villas to 15 (within 4 buildings) to accommodate a maximum of 30 persons at any one time and variations to the building materials, associated earthworks and car park area at 72 & 74 Mount Lofty Summit Road, Crafers**

8.3.1 Representations

Nil

The applicant's representative, Emma Barnes (Planning Studio), was invited to answer questions from the Panel.

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8.3.2 Decision of Panel

The following recommendation was adopted by consensus of all members (52)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 17/759/473 by Mount Lofty Properties Pty Ltd for Variation to development authorisation 473/698/15 to increase the number of tourist accommodation villas to 15 to accommodate a maximum of 30 persons at any one time & variations to the building materials, associated earthworks & car park area at 72 & 74 Mount Lofty Summit Road Crafers subject to the following conditions:

(1) Development In Accordance With The Plans

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Planning assessment report (16 pages) prepared by Emma Barnes of Planning Studio received by Council 01 Sept 2017
- Rendered image, site plan, floor plans, elevations and overlay plan (sheets DA 100, 101 a and b, and 200) prepared by David Frazer Design received by Council 7 Sept 2017
- Landscape Plan and plant selections sheet prepared by Greenhill received by Council 7 Sept 2017
- Correspondence (4 pages) prepared by Emma Barnes of Planning Studio received by Council 7 Nov 2017
- Civil plan (17385-C1, Rev B) and car park plan (17385-C2) prepared by Magryn Consultants received by Council 7 Nov 2017
- E-mail correspondence prepared by Emma Barnes of Planning Studio received by Council 12 December 2017
- E-mail correspondence prepared by Alistair Oliver of Magryn Consultants received by Council 12 December 2017

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans.*

(2) Timeframe For Landscaping To Be Planted

Landscaping detailed in Landscape Plan and plant selections sheet prepared by Greenhill received by Council 7 Sept 2017 shall be planted prior to occupation of the units and maintained in good health and condition at all times. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased in the next planting season.

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REASON: *To maintain and enhance the visual amenity of the locality in which the subject land is situated and ensure the survival and maintenance of the vegetation.*

(3) External Finishes

The external finishes to the building herein approved shall be as follows:

NORTH & SOUTH FACING WALLS: Pre-cast concrete rendered or painted in Murobond 'Aspen' or similar

EAST & WEST FACING WALLS: Pre-cast concrete clad over with 'Spotted Gum' vertical cladding or similar

COURTYARD & PATIO WALLS: Carey Gully stone or similar

ROOF: Colorbond Gully or similar

REASON: *The external materials of buildings should have surfaces which are of a low light-reflective nature and blend with the natural rural landscape and minimise visual intrusion.*

(4) Maximum Number of Guests for Tourist Accommodation - Villas

The tourist accommodation approved in this application shall accommodate a maximum number of 30 guests at any given time.

REASON: *To ensure the proposed development operation is in accordance with approved plans.*

(5) Car parking Stormwater Runoff – Commercial

All surface water from car parking or hardstand areas shall be directed to a proprietary pollutant treatment device capable of removing oils, silts, greases, and gross pollutants to Council and EPA satisfaction prior to discharge to detention basin on the site.

REASON: *To minimise erosion, protect the environment and to ensure no ponding of stormwater resulting from development occurs on adjacent sites.*

(6) Residential Lighting

All external lighting shall be directed away from residential development and, shielded if necessary to prevent light spill causing nuisance to the occupiers of those residential properties.

REASON: *Lighting shall not detrimentally affect the residential amenity of the locality.*

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(7) Car parking Constructed In Accordance With Australian Standard AS 2890.1:2004

All car parking spaces, driveways and manoeuvring areas shall be constructed, drained and line-marked in accordance with Australian Standard AS 2890.1:2004. Line marking and directional arrows shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed of permeable pavement prior to occupation and maintained in good condition at all times to the reasonable satisfaction of the Council.

REASON: *To provide adequate, safe and efficient off-street parking for users of the development.*

(8) Car Parking Directional Signage

Directional signs indicating the location of car parking spaces shall be provided on the subject land and maintained in a clear and legible condition at all times.

REASON: *To identify the location of off-street parking and ensure the free flow of traffic.*

(9) Stormwater Roof Runoff To Be Dealt With On-Site

All roof and stormwater run-off from hard surfaces generated by the development hereby approved shall be managed on-site to the satisfaction of Council. The run-off from these surfaces shall be directed to detention tanks as depicted on the approved civil plan (17385-C1, Rev B), with the overflow directed to the detention basin on the site at a rate not exceeding 19L/s.

Stormwater shall be managed on site with no stormwater to trespass onto adjoining properties.

REASON: *To minimise erosion, protect the environment and to ensure no ponding of stormwater resulting from development occurs on adjacent sites.*

(10) Tree Protection Zones

A tree protection zone around each 'regulated' tree to be retained is required. The protection zone is to encompass the critical root zone of the tree and shall be determined by a Project Arborist. Prior to construction each tree protection zone is to be fenced with 2.0 metre high chain mesh material with posts at 3 metre intervals and incorporate on the east and south sides a clearly legible sign displaying the words "Tree Protection Zone". The following restrictions apply to each tree protection zone:

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- a) Excavation to create the benched areas and for slab/footing construction for the propose units shall be undertaken under the supervision of the Project Arborist.
- b) Excavation for the kerb/water table and stormwater pipes and sumps within the proposed car park area shall be undertaken by hand, air spade or similar tree root sensitive excavation technique.
- c) Any structural roots (roots with a diameter greater than 25mm) found outside the tree protection zone during construction shall be retained if possible. If these roots require removal they shall be severed only with a sharp saw or secateurs and not with a backhoe or any machinery or blunt instrument. Wounds must be dressed with a commercially available tree-wound healing compound. Any required root pruning shall be performed by a qualified Arborist or professional Horticulturist.
- d) A layer of organic mulch to a depth of 100mm shall be placed over all root systems so as to assist with moisture retention and to reduce the impact of compaction.
- e) No material, equipment or temporary buildings shall be placed with zone.
- f) No items shall be attached to each tree including temporary service wires, nails, screws or any other fixing device.
- g) Supplementary watering shall be provided to the trees through any dry periods during and after the construction process. Each tree is to be provided with a circular dripper system comprising 19mm polypipe, 4 litre per hour drippers spaced every 2 metres.
- h) The driveway and car park area shall be constructed of permeable pavement.
- i) No other works shall occur within tree protection zone without the consent of Council's Arborist during the life of the retained trees.

REASON: *To protect the 'regulated' tree/s from the impact of the development.*

(11) St Michaels' Sewer System Connection

Prior to occupation the tourist accommodation units shall be connected to the St Michaels' sewer system in accordance with the approval (letter dated 16/11/17 signed by the Program Manager of Crown Lands) granted by the Department of Environment, Water and Natural Resources (DEWNR). All work shall be undertaken to the satisfaction of DEWNR.

REASON: *To ensure waste water is disposed of in a manner that does not cause a risk to human health or cause adverse environmental impact.*

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(12) CFS Access Requirements - New Roads

Private roads and access tracks shall provide safe and convenient access and egress for bushfire fighting vehicles as follows:

- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles.
- Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.

REASON: *To provide safe access to properties in the event of a bushfire.*

(13) CFS Access Requirements- To Dedicated Water Supply

A dedicated and accessible water supply to be made available at all times for bushfire-fighting. Ministers Specification SA 78 describes the mandatory provision for access to the dedicated water for fire-fighting vehicles where the path of travel from the entrance to the property to the water storage facility is more than 30 metres in length, by an all-weather roadway:

- Water supply outlet shall be easily accessible and clearly identifiable from the access way that is a distance of no greater than 30 metres from the proposed habitable building.
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent to the water supply for a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- The water supply outlet may be remotely located from the tank to provide adequate access.
- All non-metal water supply pipes for bushfire-fighting purposes (other than flexible connections and hoses for bushfire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.
- Ideally a remote water supply outlet should be gravity fed, where this is not possible the following dimensions shall be considered as the maximum capability in any hydraulic design for draughting purposes:

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The dedicated water supply outlet for draughting purposes shall not exceed 5 metre maximum vertical lift (calculated on the height of the hardstand surface to the lowest point of the storage) and no greater than 6 metre horizontal distance.

The suction outlet pipework from the tank shall be fitted with an inline non return valve of nominal internal diameter not less than that of the suction pipe and be located from the lowest point of extract from the tank. All fittings shall be installed to allow for easy maintenance.

REASON: *To minimise the threat and impact of bushfires on life and property.*

(14) CFS Water Supply

A supply of water independent of reticulated mains supply shall be available at all times for fire-fighting purposes:

- A minimum supply of 22,000 litres of static water shall be available at all times for bushfire fighting purposes.
- The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times for draughting purposes.
- The water storage facility (and any support structure) shall be constructed of non-combustible material.
- The dedicated bushfire-fighting water supply shall be pressurised by a pump that has:
 - i. A minimum inlet diameter of 38mm, AND
 - ii. Is powered by a petrol or diesel engine with a power rating of at least 3.7kW (5hp), OR
 - iii. A pumping system that operates independently of mains electricity and is capable of pressurising the water for bushfire-fighting purposes.
- The dedicated bushfire-fighting water supply pump shall be located at or adjacent to the habitable building to ensure occupants safety when operating the pump during a bushfire. An 'Operations Instruction Procedure' shall be located with the pump control panel.
- The bushfire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation.
- All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet.

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- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for bushfire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- A fire-fighting hose (or hoses) shall be located so that all parts of the building are within reach of the nozzle end of the hose and if more than one hose is required they should be positioned to provide maximum coverage of the building and surrounds (i.e. at opposite ends of the habitable building).
- All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water.
- All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS 2620 or AS 1221.
- All fire-fighting hoses shall have a minimum nominal internal diameter of 18mm and a maximum length of 36 metres.
- All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVC nozzle manufactured in accordance with AS 1221.
- All fire-fighting hoses shall be readily available at all times.

REASON: *To minimise the threat and impact of bushfires on life and property.*

(15) CFS Vegetation/Landscaping Flame Zone

Landscaping shall include bushfire protection features which will prevent or inhibit the spread of bushfire and minimise the risk of life and/or damage to buildings and property:

- A vegetation management zone (VMZ) shall be maintained within 20 metres of the habitable building (or to the property boundaries – whichever comes first) as follows:
 - i. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
 - ii. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
 - iii. Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height.
 - iv. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
 - v. No understorey vegetation shall be established within 1 metre of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).

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- vi. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves
- vii. The VMZ shall be maintained to be free of accumulated dead vegetation during the fire danger season.

REASON: *To minimise the threat and impact of bushfires on life and property.*

(16) CFS Conditions To Be Completed Prior To Occupation

The Country Fire Service Bushfire Protection Conditions shall be substantially completed prior to the occupation of the building and thereafter maintained in good condition.

REASON: *To minimise the threat and impact of bushfires on life and property.*

(17) Prior to Building Rules Consent Being Granted - Requirement for Soil Erosion And Drainage Management Plan (SEDMP)

Prior to Building Rules Consent being granted the applicant shall prepare and submit to Council a Soil Erosion and Drainage Management Plan (SEDMP) for the site for Council's approval. The SEDMP shall comprise:

- a major drainage plan,
- a site plan,
- supporting report,
- calculations,
- design sketches with details of erosion control methods that will prevent:
 - a. soil moving off the site during periods of rainfall and detail installation of sediment collection devices to prevent the export and sediment from the site; and
 - b. erosion and deposition of soil moving into the remaining native vegetation below the house site; and
 - c. soil moving into watercourses during periods of rainfall; and
 - d. soil transfer onto roadways by vehicles and machinery.

The works contained in the approved SEDMP shall be implemented prior to construction commencing and maintained to the reasonable satisfaction of Council during the construction period.

REASON: *Development should prevent erosion and stormwater pollution before, during and after construction.*

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(18) Prior to Building Rules Consent Being Granted – Requirement For Amended Civil Plan

Prior to Building Rules Consent being granted, an amended civil plan shall be provided showing the finished floor levels and benched levels of the proposed split level villas (excluding villas 9 and 10), and the surface level of the southern grassed patio area.

REASON: *To ensure the development is undertaken in accordance with the approved plans.*

NOTES

(1) Expiry Date Of Variation

This development authorisation to vary the original authorisation is valid for a period not exceeding that of the original authorisation 1 December 2018. This time period may be further extended by written request to and approval, by Council prior to the approval lapsing. Application for an extension is subject to payment of the relevant fee and will be required to be paid for both the original authorisation and the variation authorisation.

(2) Erosion Control During Construction

Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.

(3) EPA Environmental Duty

The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.

(4) DEWNR Native Vegetation Council

The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. The clearance of native vegetation includes the flooding of land, or any other act or activity that causes the killing or destruction of native vegetation, the severing of branches or any other substantial damage to native vegetation. For further information visit:

www.environment.sa.gov.au/Conservation/Native_Vegetation/Managing_native_vegetation

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Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8303 9777. This must be sought prior to Full Development Approval being granted by Council.

(5) Works On Boundary

The development herein approved involves work on the boundary. The onus of ensuring development is in the approved position on the correct allotment is the responsibility of the land owner/applicant. This may necessitate a survey being carried out by a licensed land surveyor prior to the work commencing.

(6) Tree Removal Or Pruning Not Included In This Application

This consent does not convey any approval for the pruning or removal of any regulated/significant trees that may be present on the subject land.

For criteria on regulated/significant trees please refer to the following:

http://www.ahc.sa.gov.au/webdata/resources/files/Protecting_Reg_and_Sig_Trees_Comm_Info.pdf

Please be advised that a separate Development Application must be lodged for such works.

(7) Tourist Accommodation- Bushfire Survival Plan

CFS further recommends:

- The applicants shall prepare and display a BUSHFIRE SURVIVAL PLAN (BSP) designed specifically for the purpose of any guests that may be in residence during a bushfire event, especially during the Fire Danger Season.
- This BSP should give clear directions to persons that may be unfamiliar with the area/locality and unfamiliar with what protective actions they may need to take to protect their lives during a bushfire event, including when to take such protective actions.
- The BSP should address the possibility that the owners may not be present at the time of the bushfire event.
- The BSP should not expect guests to be involved in fire-fighting operations.
- The SA CFS 'Prepare, Act, Survive' document (refer CFS website) should be utilised as a basis for the drafting of the (GUEST) BSP.

9. Policy Issues for Advice to Council
Nil

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10. Other Business

The Assessment Manager provided the Panel with an update following her attendance at a briefing on the Accredited Professionals Scheme. A draft discussion paper will be released by the Department of Planning, Transport and Infrastructure in the New Year for comment. The paper will explore the levels of accreditation and who will be required to be accredited.

11. Next Meeting

The next ordinary Development Assessment Panel meeting will be held on Wednesday 10 January 2018.

12. Close meeting

The meeting closed at 8.04pm.

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Present

Presiding Member

Professor Stephen Hamnett

Members

Simon Bradley
Piers Brissenden
Linda Green
Rob McBryde

In Attendance

John McArthur
Deryn Atkinson
Sam Clements
Jonathan Luke
Doug Samardzija
Melanie Scott
Karen Savage

Acting Director Strategy & Development
Assessment Manager
Team Leader Statutory Planning
Senior Statutory Planner
Statutory Planner
Statutory Planner
Minute Secretary

1. Commencement

The meeting commenced at 6.01pm

2. Apologies/Leave of Absence

2.1 Apologies
Nil

2.2 Leave of Absence
Nil

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3. Previous Minutes

3.1 Meeting held 13 December 2017

Moved Rob McBryde
S/- Linda Green

Carried
(1)

That the minutes of the meeting held on 13 December 2017 be confirmed as an accurate record of the proceedings of that meeting.

4. Delegation of Authority

Decisions of this Panel were determined under delegated authority as adopted by Council on 26 September 2017.

5. Presiding Member's Report

Nil

6. Declaration of Interest by Members of Panel

The Presiding Member, in regard to Items 8.3 and 8.4 on the agenda for 37 Onkaparinga Valley Road, Balhannah, advised that in the course of his former employment as a Permanent Commissioner of the Environment, Resources and Development Court, he had been involved in the confidential compulsory conference process which resulted in the Court making orders granting approval to some aspects of the currently approved development at the site. Whilst there is no pecuniary or personal interest in the proposed developments, the Presiding Member will withdraw from the Panel when these items are discussed. This will require the Panel to elect an Acting Presiding Member to take the chair for Items 8.3 and 8.4.

Linda Green advised that she was involved in the Council meeting decision regarding the variation to the Land Management Agreement for 5 Pomona Road, Stirling, being considered as part of the Confidential Item 12.1. As this decision did not pre-determine the outcome of this proposed development she therefore did not believe she has a conflict of interest and advised she would stay in the Chamber, as occurred when the Panel considered the matter originally on 7 March 2017.

Simon Bradley advised that through his employment Tonkin Consulting have been engaged on a number of projects and in relation to Item 8.1, he is Chairman of Play Australia – SA Branch. These were not deemed to be conflicts of interest.

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6.1 Appointment of Acting Presiding Member for Items 8.3 and 8.4

Moved	Linda Green	Carried Unanimously
S/-	Simon Bradley	(2)

That Rob McBryde be appointed as the Acting Presiding Member for Items 8.3 and 8.4.

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table
Nil

7.2 Matters Deferred

7.2.1 Development Application 16/946/473 by Mataan Dunning for two storey detached dwelling, decks (maximum height 3.3m), 2 x 22,000 litre water storage tanks, 1.8m fence on top of existing retaining wall (maximum combined height 4.1m) and associated earthworks at 1A Atkinson Road, Crafers West

Deferred from meeting 7 November 2017

“That a decision on the matter be deferred to allow the applicant to provide more definitive data and overshadowing diagrams for the 21 June solstice and either the spring or autumn equinox at 3:00pm, using independent expert data sets from Geosciences Australia (Department of Industry, Innovation and Science).”

Staff provided the Panel with an update on the deferred item.

8. Development Assessment Applications

8.1 Development Application 17/489/473 by Bush Play for change of use from primary production to include recreation facility – nature play area and associated car parking (non-complying) at 145 Pedare Park Road and 338 Burns Road, Woodside

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8.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Sam & Louise Roesler	26A Pedare Park Road Woodside	Did not wish to address the Panel
Dymphna Sprod	340 Tiers Road, Woodside	Personally
Rosemary & Barry Kennedy	102 Pedare Park Road Woodside	Rosemary Kennedy

The applicant's representatives, Catherine McEwen (Landowner) and Julie Lewis (URPS), addressed the Panel.

8.1.2 Decision of Panel

The following was adopted by consensus of all members (3)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and seeks the CONCURRENCE of the State Commission Assessment Panel to GRANT Development Plan Consent to Development Application 17/489/473 by Bush Play for Change of use from primary production to include recreation facility - nature play area & associated car parking (non-complying) at 145 Pedare Park Road and 338 Burns Road Woodside subject to the following conditions:

(1) Development In Accordance With The Plans

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Statement of effect prepared by URPS dated September 2017 and stamped as received by Council 20/09/2017
- Site plan prepared by URPS dated 26/05/17 and stamped as received by Council 07/06/2017
- Zone 12 enlargement plan and car parking area received as part of statement of effect, dated 19/09/17 and stamped as received by Council 20/09/2017
- Response letter to representation prepared by URPS dated 30 November 2017 and stamped as received by Council 30/11/2017
- Enlargement plan and handbook example date stamped as received by Council 5/12/2107
- E-mail correspondence with Julie Lewis from URPS dated 02 January 2017

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REASON: *To ensure the proposed development is undertaken in accordance with the approved plans.*

(2) Prior To Commencement- Septic Tank Pumped

Prior to commencement of the approved development, the existing septic tank shall be pumped out and a receipt provided to the Environmental Health Unit of Council as evidence this has occurred.

REASON: *Development should minimise the risk of pollution to water catchment areas.*

(3) Septic Tank Pump Out

The septic tank shall be pumped out a minimum of every two years and a receipt shall be provided to the Environmental Health Unit of Council as evidence this has occurred.

REASON: *Development should minimise the risk of pollution to water catchment areas.*

(4) Bus Limit

Buses entering the property shall be no bigger than a mini bus with a maximum weight not exceeding 10 tonnes fully laden.

REASON: *To ensure safe and convenient movement of vehicles.*

(5) Overall Capacity

The capacity of each session shall be limited to a maximum of 30 persons including children and adults. In the event that a school booking is taken which exceeds 30 persons then only one (1) session shall be held that day and the maximum overall capacity of the group shall not exceed 70 persons including children and adults.

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans, to ensure that neighbouring properties are not impacted on negatively by this development and to ensure the waste control system is adequate.*

(6) Maintenance Of Right Of Way

The right of way used to facilitate access to the site and the car parking area shall be maintained as all-weather access in good condition at all times by the applicant, to the reasonable satisfaction of Council.

REASON: *For safe and convenient movement of vehicles.*

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(7) Passing Bay

A passing bay to facilitate two way vehicle movements in the right of way, as indicated on the enlargement plan, shall be installed by the applicant prior to commencement of the development.

REASON: *For safe and convenient movement of vehicles.*

(8) Nature Play Access

Nature Play participants shall only access the site via an existing entry point from Pedare Park Road. Access from Burns Road shall remain as private access only and shall not be used by participants of Nature Play.

REASON: *For safe and convenient movement of vehicles.*

(9) Car parking Designed In Accordance With Australian Standard AS 2890.1:2004

The upgrade to the car park access, all car parking spaces, driveways and manoeuvring areas shall be designed, constructed with grass reinforcement mesh and delineated in accordance with Australian Standard AS 2890.1:2004. Delineation and directional arrows or signs shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed prior to the commencement of the development and maintained in good condition at all times to the reasonable satisfaction of the Council.

REASON: *To provide adequate, safe and efficient off-street parking for users of the development.*

(10) Opening Hours

The Nature Play shall operate a maximum of 3 days a week ranging from Monday to Friday excluding public holidays. Each of the days shall be limited to maximum of two sessions a day in the following hours:

Session One: 9:45am to 11:45am

Session Two: 12:30pm to 2:30pm

The Nature Play shall only operate during school terms.

A register shall be kept of all bookings held each calendar year and made available to Council on request.

REASON: *To ensure the development operates in accordance with the approval.*

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(11) Removal Of Solid Waste

All solid waste including food, papers, cartons, boxes and scrap material of any kind shall be taken off the site by the participants and disposed of accordingly.

REASON: *To maintain the amenity of the locality.*

(12) Prior To Commencement – Requirement For Heads Of Agreement To Be Entered Into

Prior to commencement of the approved use a Heads of Agreement shall be entered into with the owner of 338 Burns Road, Woodside, and submitted to Council, in order for Area 6 as identified on the site plan to be used as part of the Nature Play development.

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans.*

NOTES

(1) Development Approval Expiry

This development approval is valid for a period of twelve months commencing from the date of the decision notification. However if the development hereby approved is substantially commenced within the twelve (12) month period then it shall be completed within three (3) years of the date of such notification. This time period may be further extended beyond the 3 year period by written request to, and approval by, Council prior to the approval lapsing. Application for an extension is subject to payment of the relevant fee. Please note that in all circumstances a fresh development application will be required if the above conditions cannot be met within the respective time frames.

(2) EPA Environmental Duty

The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.

(3) EPA Information Sheets

Any information sheets, guideline documents, codes of practice, technical bulletins, are referenced in this decision can be accessed on the following web site: <http://www.epa.sa.gov.au/pub.html>

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- 8.2 **Development Application 17/396/473 by O’Leary Walker Wines for building alterations and additions, conversion of storage and production areas to restaurant (72 seat capacity) and increase on-site car parking at 18 Oakwood Road, Oakbank**

8.2.1 **Representations**

Name of Representor	Address of Representor	Nominated Speaker
Geoff Ridings	11 Oakwood Road Oakbank	Personally

The applicant’s representatives, David O’Leary and Catherine Sinnott, addressed the Panel.

8.2.2 **Decision of Panel**

The following recommendation was adopted by consensus of all members (4)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 17/396/473 by O’Leary Walker Wines for Building alterations and additions, conversion of storage and production areas to restaurant (72 seat capacity) and increase on-site car parking at 18 Oakwood Road Oakbank subject to the following conditions:

(1) Development In Accordance With the Plans

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Existing Stormwater Management Plan (Drawing No. A012, Rev. A) prepared by Nielsen Architects and dated 08/09/17
- Existing Site Plan (Drawing No. PA011, Rev. A) prepared by Nielsen Architects and dated 28/06/17
- Site Plan Phase 2 (Drawing No. PA101, Rev B) prepared by Nielsen Architects and dated 28/06/17
- Existing Floor Plans (Drawing No. PA200, Rev. A) prepared by Nielsen Architects and dated 28/06/17
- Existing Restaurant Ground Floor Plan (Drawing No. PA210, Rev. A) prepared by Nielsen Architects and dated 18/04/17
- Proposed Restaurant Ground Floor Plan (Drawing No. PA211, Rev. A) prepared by Nielsen Architects and dated 20/03/17

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- Existing Amenities Plan (Drawing No. PA212) prepared by Nielsen Architects and dated 09/05/17
 - Existing Brewing Shed Floor Plan (Drawing No. PA220, Rev. A) prepared by Nielsen Architects and dated 18/04/17
 - Proposed Pizzeria Floor Plan (Drawing No. PA221, Rev. A) prepared by Nielsen Architects and dated 20/03/17
 - Proposed Restaurant East Elevations (Drawing No. PA310, Rev. A) prepared by Nielsen Architects and dated 18/04/17
 - Proposed Restaurant North Elevations (Drawing No. PA311, Rev. A) prepared by Nielsen Architects and dated 18/04/17
 - Proposed Pizzeria West Elevations (Drawing No. PA320, Rev. A) prepared by Nielsen Architects and dated 19/04/17
 - Proposed Pizzeria East Elevations (Drawing No. PA321, Rev. A) prepared by Nielsen Architects and dated 21/04/17
 - Proposed Pizzeria South Elevations (Drawing No. PA322, Rev. A) prepared by Nielsen Architects and dated 21/04/17
 - Proposed Restaurant Sections (Drawing No. PA410, Rev. A) prepared by Nielsen Architects and dated 27/04/17
 - Proposed Pizzeria Sections (Drawing No. PA420, Rev. A) prepared by Nielsen Architects and dated 09/05/17
 - Levee Survey Plan (Job Ref. 18417) prepared by Allsurv Engineering Surveys Pty Ltd dated 15/08/17
 - Letter prepared by Nielsen Architects dated 28 June 2017
 - Letter prepared by Nielsen Architects dated 21 August 2017

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans.*

(2) Reserve Matter - Department of Environment, Water and Natural Resources - State Heritage Unit

The Department of Environment, Water and Natural Resources - State Heritage Unit requires the following matter to be reserved pursuant to Section 33(3) of the Development Act 1993 and addressed to the reasonable satisfaction of Council in consultation with the Department of Environment, Water and Natural Resources.

Final details regarding approval to remove the existing western sliding door to the proposed pizzeria shed to be resolved, as the door may be able to be retained in an open position, to the satisfaction of Council in consultation with the Department of Environment, Water and Natural Resources.

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REASON: *Retention of significant historic building fabric where possible on site is recommended.*

(3) Commercial Lighting

Flood lighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such a manner as to not cause nuisance to adjacent properties.

REASON: *Lighting shall not detrimentally affect the amenity of the locality.*

(4) Operating Hours

The operating hours of the restaurant shall be between 10.00am and 10.00pm Sunday to Thursday and between 10.00am and 11.00pm Friday and Saturday.

REASON: *To ensure the development operates in accordance with the approval and there is minimal disturbance to surrounding properties.*

(5) Capacity of Restaurant

At any one time, the overall capacity of the restaurant shall be limited to a maximum of 72 persons.

REASON: *To ensure the proposed development is undertaken in accordance with the approval.*

(6) Restriction on Entertainment

No live or amplified music shall be played within the licensed premises at any time. Other entertainment shall be restricted to indoor areas and doors/windows kept closed for the duration of the entertainment.

REASON: *To minimise the amenity impacts resulting from noise on the locality.*

(7) Restriction on Number of Functions

The number of functions in a calendar year shall not exceed 15. Such functions shall have a maximum capacity of 72 people. Any increase in the number of functions/capacity will require separate development approval.

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans and to ensure the waste control system is adequate.*

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(8) Restriction on Overall Capacity of Licensed Premises

At any one time, the overall capacity of the licensed premise shall be limited to a maximum of 150 persons.

REASON: *Due to on-site car parking facilities.*

(9) Solid Waste Management

All solid waste including food, leaves, papers, cartons, boxes and scrap material of any kind shall be stored in a closed container having a close fitting lid. All waste shall be removed from the subject land at least once weekly. Collection of waste shall be carried out only between the hours of 7.00am and 6.00pm Monday to Saturday.

REASON: *To maintain the amenity of the locality.*

(10) Vehicle Access and Car Parking

All car parking spaces, driveways and manoeuvring areas shall be designed, constructed and delineated in accordance with Australian Standard AS 2890.1:2004. Bay delineation shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed of compacted gravel prior to use of the restaurants and maintained in good condition at all times to the reasonable satisfaction of the Council.

REASON: *To provide adequate, safe and efficient off-street parking for users of the development.*

(11) Gross Pollutant Trap

All surface water from car parking or hardstand areas shall be directed to a proprietary pollutant treatment device capable of removing oils, silts, greases, and gross pollutants to Council reasonable satisfaction prior to discharge to Council stormwater system or street water table.

The Gross Pollutant Trap shall be cleaned out every calendar year to the reasonable satisfaction of Council.

REASON: *To maintain the amenity of the locality and minimise water quality impacts from the development.*

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(12) Unloading and Storage of Materials and Goods

All materials, goods and refuse shall at all times be loaded and unloaded within the confines of the subject land. Deliveries vehicles shall only access the site between the hours of 8.00am and 6.00pm on any day. Materials and goods shall not be stored on the land in areas delineated for use as car parking.

REASON: *To provide safe and efficient movement of people and goods.*

(13) Noise Protection

Noise within the habitable rooms (windows closed) of the adjacent residential properties shall not exceed 52 dB(A) between the 'day' hours of 7.00am to 10.00pm and 45 dB(A) between the 'night' hours of 10.00pm to 11.00pm.

REASON: *Noise emission that results from the development should not detrimentally affect the amenity of the adjacent residential properties and be in accordance with the Environment Protection (Noise) Policy 2007.*

NOTES

(1) Development Plan Consent Expiry

This Development Plan consent (DPC) is valid for a period of twelve (12) months commencing from the date of the decision (or if an appeal has been commenced the date on which it is determined, whichever is later). Building Rules Consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twelve (12) month time period may be further extended by Council agreement following written request and payment of the relevant fee.

(2) EPA Environmental Duty

The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.

(3) State Heritage Unit

Any changes to the proposal as assessed by the State Heritage Unit may give rise to heritage impacts requiring further consultation with the Department of Environment, Water and Natural Resources, or an additional referral to the Minister for Sustainability, Environment and Conservation. Such changes would include for example:

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- a) an application to vary the Development Plan Consent, or
 - b) Building Rules documentation that differs from the planning documentation
- (4) **Requirements Under the Heritage Places Act**
Please note the following requirements under the *Heritage Places Act 1993*:
 - a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.
- (5) **Requirements Under the Aboriginal Heritage Act**
Please note the following requirements of the *Aboriginal Heritage Act 1988*:
 - a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.
- (6) **Sewer Connection**
The restaurant shall be connected to SA Water mains sewer supply. All work shall be to the satisfaction of SA Water.
- (7) **Erosion Control During Construction**
Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.
- (8) **Responsibility In Relation To Flooding**
The applicant is reminded that Adelaide Hills Council accepts no responsibility for damage to, or loss of property, as a result of flooding. It is the applicant's responsibility to ensure that all appropriate steps are undertaken to minimise the potential damage to property as a result of flooding.
- (9) **Compliance with Food Act SA 2001**
This approval under the Development Act 1993 does not in any way imply compliance with the Food Act SA 2001 and/or Food Safety Standards. It is the responsibility of the owner of other person operating the food business from the building to ensure compliance with the relevant legislation before opening the food business on the site.

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(10) Food Handling Notification

Food business notification must be provided prior to commencing any food (or consumable product) handling activities. This may be provided on-line at www.fbn.sa.gov.au or by obtaining a notification form from Adelaide Hills Council.

7:40pm	Professor Stephen Hamnett, Presiding Member, withdrew from the meeting due to his declaration of interest and Rob McBryde, Acting Presiding Member, assumed the chair for Items 8.3 and 8.4
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- 8.3 Development Application 17/279/473 by Woolcock Construction Pty Ltd for variation 18 to DA 11/1091/473 to add 12 new staff car parks at rear of Trade Centre which includes a combined fence and retaining wall (maximum height 3.9m) in the flood zone, stacked parking in front of Building 6, relocation of Mitre 10 bin store, modification of unloading area restrictions, modification of access restrictions on northern driveway to allow all vehicles with a right turn only on exit and inclusion of fitness studio (450m²) in the list of approved uses for Building 10 and creation of two additional tenancies in Building 10 at 37 Onkaparinga Valley Road, Balhannah**

8.3.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Kellie & Robert Bucco	11 Sunningdale Court Balhannah	Kellie Bucco

The following representors were called, but were not at the meeting:

Name of Representor	Address of Representor	Nominated Speaker
Gino Iuliano & Cindy Paardekooper	10 Sunningdale Court Balhannah	Personally
Balhannah Cold Stores Pty Ltd	37 Onkaparinga Valley Road, Balhannah	TBA
Scott Wood & Karen Fraser	7 Wicks Close Balhannah	Scott Wood

The applicant's representatives, Eric Lampard (Woolcock Construction) and John Vickers (Balcos), addressed the Panel.

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8.3.2 Decision of Panel

The following was adopted by consensus of all members (5)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 17/279/473 by Woolcock Construction Pty Ltd for Variation 18 to DA 11/1091/473 to add 12 new staff car parks at rear of Trade Centre which includes a combined fence and retaining wall (maximum height 3.9m) in the flood zone, stacked parking in front of building 6, relocation of Mitre 10 bin store, modification of unloading area restrictions, modification of access restrictions on northern driveway to allow all vehicles with a right turn only on exit and inclusion of fitness studio (450m²) in the list of approved uses for Building 10 plus creation of two additional tenancies in Building 10 at 37 Onkaparinga Valley Road Balhannah subject to the following conditions:

(1) Development In Accordance With the Plans

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Amended site and floor plan from Woolcock Construction sheet 1 of 1 drawing number WC-BALCOS-DP-V18-01 revision number C1.18.4 dated 28 December 2017
- Elevation plan from Woolcock Construction sheet 1 of 1 drawing number WC-BALCOS-ELEV-V18-02, C1.18-3 dated 11 November 2017

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans.*

(2) Previous Plans & Details Still Apply

Except where varied by this authorisation, all other conditions, plans and details relating to Development Authorisation 11/1091/473 continue to apply to this amended authorisation.

REASON: *To ensure all valid conditions are complied with.*

(3) Fitness Studio Hours - Building 10

One tenancy in Building 10 to a maximum floor area of 450m² is approved for operation of a fitness studio on a twenty-four hour basis with no amplified music.

REASON: *To maintain the amenity of the locality.*

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(4) Boom Gate – Staff Car Parking Area

The boom gate in association with the staff car parking at the rear of Building 1 must be completed within three months of Development Approval.

REASON: *To maintain the amenity of the locality.*

(5) Right Turn Only Signage – Northern Driveway

Right turn only signage shall be installed at both the entry and exit points of the northern driveway prior to the change of use to the northern driveway.

REASON: *To ensure the safe and efficient movement of people and goods exiting the site and to ensure that all proposed plans are complied with.*

(6) Loading & Unloading Area between Buildings 6 & 10

The previously approved loading and unloading area between Building 6 and Building 10 has been amended from 27.5m from the northern boundary to 19m from the northern boundary.

REASON: *To ensure the safe and efficient movement of people and goods exiting the site and to ensure that all proposed plans are complied with.*

(7) Prior to Building Rules Consent Being Granted - Requirement for Stormwater Calculations and Final Drainage Plan

Prior to Building Rules Consent being granted all hydrological and hydraulic stormwater calculations shall be provided together with the final drainage plan for the new staff car park. Discharge of stormwater and surface water flows shall be designed to prevent overflows into adjoining properties and associated damage to existing roads and access tracks.

REASON: *To minimise erosion, protect the environment and to ensure no ponding of stormwater resulting from development occurs on adjacent sites.*

NOTES

(1) Development Plan Consent Expiry

This Development Plan consent (DPC) is valid for a period of twelve (12) months commencing from the date of the decision (or if an appeal has been commenced the date on which it is determined, whichever is later). Building Rules Consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twelve (12) month time period may be further extended by Council agreement following written request and payment of the relevant fee.

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(2) Expiry Date Of Variation

This development authorisation to vary the original authorisation is valid for a period not exceeding that of the original authorisation i.e. 18 September 2019. This time period may be further extended by written request to and approval, by Council prior to the approval lapsing. Application for an extension is subject to payment of the relevant fee and will be required to be paid for both the original authorisation and the variation authorisation.

(3) Erosion Control During Construction

Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.

(4) EPA Environmental Duty

The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.

(5) DEWNR Native Vegetation Council

The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. The clearance of native vegetation includes the flooding of land, or any other act or activity that causes the killing or destruction of native vegetation, the severing of branches or any other substantial damage to native vegetation. For further information visit:

[www.environment.sa.gov.au/Conservation/Native_Vegetation/
Managing_native_vegetation](http://www.environment.sa.gov.au/Conservation/Native_Vegetation/Managing_native_vegetation)

Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8303 9777. This must be sought prior to Full Development Approval being granted by Council.

(6) Works on Boundary

The development herein approved involves work on the boundary. The onus of ensuring development is in the approved position on the correct allotment is the responsibility of the land owner/applicant. This may necessitate a survey being carried out by a licensed land surveyor prior to the work commencing.

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- 8.4 **Development Application 17/691/473 by Mr Bradley David Bown for change of use from service trade premises to include light industry (micro-brewery) and associated shop (tasting area) within Tenancy 2E (Building 10), including outdoor seating area at 2/37 Onkaparinga Valley Road, Balhannah**

- 8.4.1 **Representations**
Nil

- 8.4.2 **Decision of Panel**

The following recommendation was adopted by consensus of all members (6)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 17/691/473 by Bradley David Bown for Change of use from service trade premises to include light industry (micro-brewery) & associated shop (tasting area) within Tenancy 2E (Building 10), including outdoor seating area at 2/37 Onkaparinga Valley Road Balhannah subject to the following conditions:

(1) **Development In Accordance With The Plans**

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Amended proposal report prepared by Brad Bown of Left Barrel Brewing received by Council 29 Sept 2017
- Amended floor plan (Rev. 6) received by Council 03 Oct 2017
- Overall floor plan of Building 10 (Dwg no: WC-1583-01FP) prepared by Woolcock Group received by Council 04 Oct 2017
- Site plan (Dwg no:WG-BALCOS-DP-V17) prepared by Woolcock Group received by Council 03 Oct 2017
- Licensed Areas Plan received by Council 7 Nov 2017
- Response to representations prepared by Brad Bown of Left Barrel Brewing received by Council 3 Nov 2017

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans.*

(2) **Hours of Loading Bay**

Use of the loading bay in the north-eastern driveway must only be used during the following times:

Monday to Friday 7.00am to 6.00pm

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Any forklift noise arising during the loading and unloading of goods at the loading bay shall comply with the indication noise levels provided by Clause 20 of the Environment Protection (Noise) Policy 2007 when measured and adjusted in accordance with the Policy at the adjacent residential properties.

REASON: *To minimise amenity impacts (noise) to adjacent residential properties.*

(3) Use of Loading Bay and North-Eastern Driveway

The north-eastern driveway (including the area under the acoustic canopy) must not be used for any purpose other than vehicle movement and loading and unloading directly to vehicles in the loading bay.

REASON: *To minimise amenity impacts (noise) to adjacent residential properties.*

(4) Use of North-Eastern Driveway

The north-eastern driveway must not be used by vehicles other than:

- Commercial vehicles loading or unloading directly to the loading bay in the driveway

REASON: *For safe and convenient movement of people and goods.*

(5) Customer Pick-Ups

Customer pick-ups must occur from the front entrance to Building 10 but may occur in the loading bay where use of any forklift or lifting equipment is required or where an item sold from the premises cannot be safely carried by one person through the front entrance.

REASON: *For safe and convenient movement of people and goods.*

(6) Vehicle Engines Turned Off in Loading Bay

Prior to commencement of the proposed development, a sign must be erected in the north-eastern driveway at the point prior to the loading and unloading bay (in a position and of size which meets the reasonable satisfaction of Council which reads as following: "ALL ENGINES MUST BE TURNED OFF DURING LOADING AND UNLOADING."

REASON: *To minimise amenity impacts (noise) to adjacent residential properties.*

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(7) Waste Storage

The occupants of Building 10 may only store domestic sized 'wheelie bins' adjacent the rear (north western) wall of that building. Any large commercial or industrial bins may not be stored within 27.5 metres of the north-eastern boundary of the subject land.

REASON: *To minimise amenity impacts (visual and odour) to adjacent residential properties.*

(8) Refrigeration Unit

The refrigeration unit for the cool room shall be located within the building. If a backup generator is used this shall also be located within the building and operated only when the roller door is completely closed.

NOTE: An exhaust flue within the roof would need to be provided to vent (exhaust fumes from the generator) to the outside area.

REASON: *To minimise amenity impacts (noise) to adjacent residential properties.*

(9) Vent Filters

Vent filters shall be installed on any flue or vent at the time of installation. These filters shall utilise a combination of zeolites, oxidising agents and micro-porous, impregnated pelletised activated carbon media or similar to treat the vapour, odorous air or fumes to the satisfaction of Council.

REASON: *To minimise amenity impacts (vapour, fumes or odour) to adjacent residential properties.*

(10) Production Capacity

The production capacity of the micro-brewery shall be restricted to 30,000 litres of beer production per annum.

REASON: *To ensure the development is undertaken in accordance with the approved plans and documentation.*

(11) Hours of Operation

The hours of operation for the micro-brewery shall be:

Monday to Friday 7.30am to 6.00pm (excluding the fermentation process)

The hours of operation for the shop (tap/tasting room and outside area) shall be:

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Monday to Friday 10.00am to 9.00pm
Saturday 10.00am to 9.00pm
Sunday 12.00pm to 5.00pm

The hours of operation for the twelve (12) functions or special events per calendar year shall be:

Monday to Sunday 10.00am to 10.00pm

REASON: *To minimise amenity impacts (noise) to adjacent residential properties.*

(12) Service Vehicles and Forklift Operations

No service/delivery vehicles shall enter the site and no forklifts shall be used other than between:

Monday to Friday 7.00am to 6.00pm

REASON: *To minimise amenity impacts (noise) to adjacent residential properties.*

(13) Outside of Hours of Operation

Any staff that visit the site outside the micro-brewery hours of operation shall use the front entrance to Building 10.

REASON: *To minimise amenity impacts (noise) to adjacent residential properties.*

(14) Functions or Special Events

A maximum of twelve (12) functions shall be held per calendar year.

A register shall be kept of all events/functions held and made available to the Council on request.

Note that any increase in the number of functions will require a separate development approval.

REASON: *To minimise amenity impacts (noise) to adjacent residential properties.*

(15) Capacity of Shop and Functions

The overall maximum capacity (inside and outside) of the licensed premises shall be 75 persons.

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REASON: *To ensure there is sufficient car parking provided on-site.*

(16) Restriction on Entertainment for Function

Entertainment shall be restricted to functions only and shall be acoustic or pre-recorded music only. Entertainment shall only be within the tap/tasting room and the tenancy front door and the roller door shall be kept closed for the duration of the entertainment.

REASON: *To minimise amenity impacts (noise) to adjacent residential properties.*

(17) Noise Attenuation

Noise within the habitable rooms (windows closed) of the adjacent residential properties shall not exceed 47 dB(A) between the 'day' hours of 7.00am to 10.00pm.

REASON: *Noise emission that results from the development should not detrimentally affect the amenity of the adjacent residential properties and be in accordance with the Environment Protection (Noise) Policy 2007.*

(18) Buses/Tour Groups

No vehicle larger than a commuter/mini-bus (5.3m in length) shall enter the car park area.

REASON: *For safe and convenient movement of people and goods, and to ensure no loss of parking due to large vehicles (i.e. buses) occupying multiple car parks.*

(19) Wet Area Construction

The Wet Area within the proposed micro-brewery shall be bunded to achieve a holding capacity of at least 120% of the total holding waste tank capacity. The bunds, floor drain and grated sump and 2000L waste tank as depicted on the amended floor plan received by Council 03 Oct 2017 shall be installed prior to any brewery operations/processes occurring within the building.

REASON: *To ensure wastewater is appropriately managed and no water quality impacts result.*

(20) Trade Waste Discharge

The trade waste shall be discharged to the SA Water sewer main in accordance with the approval granted by SA Water (ref no: 666364). All works shall be undertaken to the satisfaction of SA Water.

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REASON: *To ensure wastewater is appropriately managed and no water quality impacts result.*

(21) Air-conditioning plant

Air-conditioning plant and equipment associated with the subject tenancy must be positioned on the roof and, in any case, must be acoustically shielded in accordance with recommendations from an acoustic engineer to ensure that noise emissions do not exceed the indicative noise levels provided by Clause 20 of the Environment Protection (Noise) Policy 2007 when measured and adjusted in accordance with the Policy.

REASON: *Noise emission that results from the development should not detrimentally affect the amenity of the adjacent residential properties and be in accordance with the Environment Protection (Noise) Policy 2007.*

(22) Waste Management

Spent grains shall be stored in sealed vermin proof containers until taken off the site.

REASON: *To ensure the amenity of the locality is maintained.*

NOTES

(1) Development Plan Consent Expiry

This Development Plan consent (DPC) is valid for a period of twelve (12) months commencing from the date of the decision (or if an appeal has been commenced the date on which it is determined, whichever is later). Building Rules Consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twelve (12) month time period may be further extended by Council agreement following written request and payment of the relevant fee.

(2) EPA Environmental Duty

The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.

8:57pm Professor Stephen Hamnett returned to the meeting and assumed the chair as Presiding Member

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 10 JANUARY 2018
36 NAIRNE ROAD, WOODSIDE**

[Please Note: These minutes are unconfirmed until 14 February 2018]

- 8.5 Development Application 17/649/473 by KeyInvest Ltd for expansion of existing retirement village (Stage 4), including the construction of 15 dwellings (6 two storey and 9 single storey), associated retaining walls (maximum height 2.1m), internal driveway and removal of 1 regulated tree (*Eucalyptus camaldulensis*) and 1 significant tree (*Eucalyptus camaldulensis*) and associated earthworks at 18 Tolmer Road, Woodside

- 8.5.1 Representations
Nil

- 8.5.2 Decision of Panel

The following was adopted by consensus of all members (7)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 17/649/473 by KeyInvest Ltd for Expansion of existing retirement village, including the construction of 15 dwellings (6 two storey & 9 single storey), associated retaining walls (maximum height 2.1m), internal driveway & removal of 1 regulated tree (*Eucalyptus camaldulensis*) and 1 significant tree (*Eucalyptus camaldulensis*) and associated earthworks at 18 Tolmer Road Woodside subject to the following conditions:

(1) Development In Accordance With The Plans

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Plans from Walter Brooke Architect job number 04-4104F SK100, SK101 Revision & SK102 Revision A dated 19 July 2017,
- Landscape Concept Plan from Jensen Plus dated July 2017
- Plans from FMG Engineering Job number S02104-239912 drawing number C001 , C002, C003A, C004, C005 & C006 Revision A
- Tree reports from Adelaide Tree Surgery dated 2 June 2017, 26 June 2017 and 22 July 2017

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans.*

(2) Protection of Trees

The works in relation to the trees outlined in the Arborist's Reports prepared by Adelaide Tree Surgery and submitted as part of this application as a strategy for management of the trees are to be undertaken simultaneously with any building works on the site.

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REASON: *To protect the regulated/significant tree from the impact of the development.*

(3) Tree Protection Zone

A tree protection zone (TPZ) around each of the trees 6, 8, 10, 11, 27 and 32 to be retained is required to be established prior to the commencement of any work. The protection zone is to encompass the structural root zone of the tree and should be determined by the project arborist. During construction each tree protection zone is to be fenced with 2.0 metre high chain mesh material with posts at 3 metre intervals and incorporate on the east and south sides a clearly legible sign displaying the words "Tree Protection Zone". The following restrictions apply to each tree protection zone:

- a) No machine excavation is permitted.
- b) If any major roots (roots with a diameter greater than 25mm) are found outside the tree protection zone during construction the project Arborist shall be contacted immediately to assess the situation.
- c) The works adjacent to trees 10, 11, 27 and 32 are to be supervised by the project Arborist.
- d) As Tree 11 has a large TPZ, the open area at the front of Unit 40 shall remain at natural ground level.
- e) A layer of organic mulch to a depth of 100mm shall be placed over all root systems so as to assist with moisture retention and to reduce the impact of compaction.
- f) No material, equipment or temporary buildings shall be placed within any TPZ.
- g) No items shall be attached to each tree including temporary service wires, nails, screws or any other fixing device.
- h) Supplementary watering shall be provided to the trees through any dry periods during and after the construction process. Each tree is to be provided with a circular dripper system comprising 19mm polypipe, 4 litre per hour drippers spaced every 2 metres.
- i) Only landscaping can occur in the TPZ, and only when all construction of the proposed dwellings has been completed. The area within each TPZ shall be retained at natural ground level and no additional soil or fill shall be placed within the zone.
- j) No other works can occur within a TPZ without the consent of Council's Arborist during the life of the retained trees.
- k) Only hand digging is permitted at all times.

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- l) Any services such as stormwater, sewer and electrical that enter the TPZ are to be excavated using non-destructive methods such as Hydro vac® or directional boring systems. This work is to be supervised by a project arborist. If any tree roots are discovered at this time, the project arborist is to assess and address accordingly.

REASON: *To protect the 'regulated' tree/s from the impact of the development.*

(4) Tree Pruning Standards

Any pruning that is to be undertaken, as recommended for trees 6, 8, 10, 11 and 27 shall be done in consultation with a qualified Arborist and in accordance with the Australian Standard AS 4373-2007 "Pruning of Amenity Trees".

REASON: *To ensure no tree damaging activity is administered to the tree during pruning works.*

(5) Timeframe for Landscaping to be Planted

Landscaping, including five (5) replacement trees detailed in the plan "Landscape Concept Plan" from Jensen Plus dated July 2017, shall be planted in the planting season following occupation of the new dwellings and maintained in good health and condition at all times. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased in the next planting season.

REASON: *To maintain and enhance the visual amenity of the locality in which the subject land is situated, to ensure the survival and maintenance of the vegetation and comply with the requirements of Section 42(4) of the Development Act 1993.*

(6) Soil Erosion Control

Prior to construction of the approved development straw bales (or other soil erosion control methods as approved by Council) shall be placed and secured below areas of excavation and fill to prevent soil moving off the site during periods of rainfall.

REASON: *Development should prevent erosion and stormwater pollution before, during and after construction.*

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NOTES

(1) Development Plan Consent Expiry

This Development Plan consent (DPC) is valid for a period of twelve (12) months commencing from the date of the decision (or if an appeal has been commenced the date on which it is determined, whichever is later). Building Rules Consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twelve (12) month time period may be further extended by Council agreement following written request and payment of the relevant fee.

(2) Erosion Control During Construction

Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.

(3) EPA Environmental Duty

The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.

(4) Works On Boundary

The development herein approved involves work on the boundary. The onus of ensuring development is in the approved position on the correct allotment is the responsibility of the land owner/applicant. This may necessitate a survey being carried out by a licensed land surveyor prior to the work commencing.

(5) Native Vegetation Council Requirements

The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. For further information visit: www.environment.sa.gov.au/Conservation/Native_Vegetation/Managing_native_vegetation

Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8303 9777. This must be sought prior to Full Development Approval being granted by Council.

- 9. Policy Issues for Advice to Council**
Nil

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10. Other Business

- 10.1 Variation to Development Authorisations 10/65/473, 14/178/473, 14/724/473 and 16/392/473 – to vary location of overflow car park for periodic special events to solely Lot 22 (121) Pfeiffer Road, Woodside

The following was adopted by consensus of all members (8)

The Council Assessment Panel delegates authority to staff to determine Development Application 16/930/473 – variation to Development Authorisations 10/65/473, 14/178/473, 14/724/473 and 16/392/473 to vary location of overflow car park for Bird in Hand periodic special events to solely Lot 22 (121) Pfeiffer Road, Woodside.

9:20pm The meeting was adjourned for a short break
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9:26pm The meeting resumed

11. Order for Exclusion of the Public from the Meeting to debate Confidential Matters

The following was adopted by consensus of all members (9)

Pursuant to Regulation 13(2)(a)(vii) and (ix) of the *Planning, Development and Infrastructure (General) Regulations 2017*, the Council Assessment Panel orders that all members of the public, except:

- Presiding Member, Professor Stephen Hamnett
- Independent Member, Simon Bradley
- Independent Member, Piers Brissenden
- Independent Member, Linda Green
- Independent Member, Rob McBryde
- Assessment Manager, Deryn Atkinson
- Team Leader Statutory Planning, Sam Clements
- Senior Statutory Planner, Jonathan Luke
- Statutory Planner, Melanie Scott
- Minute Secretary, Karen Savage

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be excluded from attendance at the meeting for Agenda Item 12.1 (Compromise Proposal – Development Application 16/463/473) in confidence.

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

- vii. Matters that should be considered in confidence in order to ensure that the assessment panel, or any other entity, does not breach any law, or any order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty; and
- ix. Information relating to actual litigation

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

9:33pm The Panel went into 'closed' session in order to allow for discussion and determination of the matter

12. Confidential Item

- 12.1 **Compromise Proposal – Development Application 16/463/473 by Wallbridge & Gilbert for stormwater infrastructure (culvert) and filling of land (900m³) in a flood plain including road and drainage works on Council road reserve and associated landscaping at 3 & 5 & 8 Pomona Road, Stirling - CONFIDENTIAL ITEM**

13. Next Meeting

The next ordinary Development Assessment Panel meeting will be held on Wednesday 14 February 2018.

14. Close meeting

The meeting closed at 9.46pm.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2018
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.1

Originating Officer: Lachlan Miller, Executive Manager Governance and Performance

Responsible Director: Terry Crackett, Director Corporate Services

Subject: CEO Performance Review Panel and Audit Committee Independent Member Appointments

For: Decision

1. CEO Performance Review Panel and Audit Committee Independent Member Appointments – 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:

- CEO, Andrew Aitken
- Director Engineering & Assets, Peter Bice
- Director Strategy & Development, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community & Customer Service, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Executive Manager Organisational Development, Megan Sutherland
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1: (CEO Performance Review Panel and Audit Committee Independent Member Appointments) 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), because it would disclose the personal details of candidates who have expressed an interest to be on the CEO Performance Review Panel and the Audit Committee.

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. CEO Performance Review Panel and Audit Committee Independent Member Appointments – Period of Confidentiality

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 19.1 in confidence under sections 90(2) and 90(3) (a) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the appointment have been confirmed with the applicants, but not longer than 2 months.

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.