



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

Councillor Ian Bailey
Councillor Kirilee Boyd
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Linda Green
Councillor Malcolm Herrmann
Councillor John Kemp
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Andrew Stratford

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

Tuesday 25 June 2019
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 25 June 2019
6.30pm
63 Mt Barker Road Stirling

ORDER OF BUSINESS

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
Cr Chris Grant 3 July to 27 July 2019
- 3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

- 4.1. Council Meeting – 28 May 2019
That the minutes of the ordinary meeting held on 28 May 2019 as supplied, be confirmed as an accurate record of the proceedings of that meeting.
- 4.2. Special Council Meeting - 4 June 2019
That the minutes of the special meeting held on 4 June 2019 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
- 7.2. Questions Lying on the Table

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

- 8.1. Petitions
 - 8.1.1. Pomona Road visual & sound pollution
 - 8.1.2. Restvale Homes for the Aged Rates Rebate
 - 8.1.3. Mylor Fireworks
- 8.2. Deputations
 - 8.2.1. Richard Taylor, Terramin Australia Limited
 - 8.2.2. Virginia Van Essen, noise issues Pomona Road Stirling
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

10. QUESTIONS ON NOTICE

- 10.1. Use of sprays & fertiliser on agricultural land

11. MOTIONS ON NOTICE

- 11.1. Internal Review Investigator, Shannons Adelaide Rally Support for Road Closure decision
 - 1. *To cease the current arrangements for the investigation of the Internal Review of the 28 August 2018 Shannons Adelaide Rally Support for Road Closure decision (resolution 196/18) in order to mitigate any perceptions of bias (including apprehension of bias) on the part of the investigator.*
 - 2. *That the CEO identify, for the Mayor's approval, an appropriate alternative investigator, whether internal or external, to enquire into resolution 196/18 in order to prepare a report to Council as the reviewer of that decision in accordance with the provisions of the Internal Review of Council Decision Policy.*

11.2. Solid Waste Levy Increase

I move that Council condemns the State Government for the 40% increase in the solid waste levy announced in the 2019-20 State Budget.

The Levy is currently \$100 a tonne in metropolitan areas, but will rise to \$110 on 1 July 2019, and \$140 on 1 January 2020. In Council's non-metro areas the Levy will rise to \$55 on 1 July, and \$70 on 1 January 2020 (based on 50% of the metro rate). This will raise additional revenue for the State Government of \$14.8 million in 2019-20 and around \$24.9 million per annum from 2020-21 once fully implemented.

This is a huge impost by State Government on Local Government and will put increased pressure on the ratepayers of the Adelaide Hills Council and threaten infrastructure and services provided by Council.

Council condemns the State Government for the hypocrisy in heavily criticising local government for rate increases during the rate capping campaign and then passing on cost increases on the State Government to councils in this way.

11.3. Feasibility Study Sturt Valley Road Stirling

That Council Staff prepare a feasibility study including concept plan suitable for public consultation in regards to any options for a walking trail/path on the lower side of Sturt Valley Road, and that an associated budget of up to \$10,000 be added to the 2019-20 Budget to enable necessary surveying and drafting of the concept plan to occur.

12. OFFICER REPORTS – DECISION ITEMS

12.1. 2019/20 Annual Business Plan Community Consultation Outcomes

- 1. That the report be received and noted*
- 2. To receive the submissions made during the Community (Public) Consultation period in accordance with Section 123(6) of the Local Government Act 1999*
- 3. To note that the comments and results of the Community Consultation have been considered in finalising the 2019-20 Annual Business Plan.*

12.2. 2019/20 Annual Business Plan Adoption

Refer to Agenda Item

12.3. Boundary Reform

- 1. That the report be received and noted.*
- 2. To note that correspondence will be sent to the residents of Woodforde and Rostrevor (in the Council area) inviting them to a community meeting to discuss the boundary reform process and the status of the Campbelltown City Council proposal.*
- 3. That in relation to strategic boundary reform:*
 - a. Approve the engagement of a consultant to undertake a high level review of Council's boundaries to identify boundary reform options.*
 - b. To authorise the Mayor and Chief Executive Officer (and/or delegate) to discuss boundary reform options with neighbouring councils.*

12.4. Library Services Review

1. *That the report be received and noted.*
2. *That the Administration proceed with the replacement of the mobile library as per the provision in the 2018-19 Capital Works Budget and the Long Term Financial Plan, with the Council noting that the budget will need to be carried forward into 2019-20.*
3. *That a Library Services Strategy be developed during 2019-20.*

12.5. Resource Recovery & Recycling Strategy

1. *That the report be received and noted.*
2. *Council adopts the Resource Recovery & Recycling Strategy contained within Appendix 1 of this report.*
3. *That the CEO be authorised to make any formatting, nomenclature or other minor changes to the Strategy prior to being released to the public.*

12.6. Declaration of Public Road – Houghton Village Green

1. *That the report be received and noted.*
2. *To declare Allotment 89 in Filed Plan No. 132880 contained in Certificate of Title Volume 5343 Folio 355 being Lot 89 Blackhill Road, Houghton as public road pursuant to Section 210 of the Local Government Act 1999.*
3. *To authorise the publication of the resolution in the Government Gazette as required by Section 210 of the Local Government Act 1999 to declare the road to be public road.*
4. *To delegate to the Chief Executive Officer to execute the necessary documentation to give effect to this resolution.*
5. *To approve the write-off of \$5,252 for the outstanding rates on the Land.*

12.7. Development Applications Involving Regulated Trees Policy

1. *That the report be received and noted*
2. *With an effective date of 9 July 2019, to revoke the 14 June 2016 Development Applications Involving Regulated Trees – Procedures and Delegations Policy and adopt the draft June 2019 Development Applications Involving Regulated Trees Policy.*

12.8. Public Interest Disclosure Policy Report

1. *That the report be received and noted*
2. *With an effective date of 01 July 2019, to revoke the 22 March 2016 Whistleblowers Protection Policy and adopt the draft Public Interest Disclosure Policy, as contained in Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 25 June 2019 Public Interest Disclosure Policy prior to the effective date.*

- 12.9. Delegations Review Report

Refer to Agenda Item

- 12.10. GRFMA Charter

1. *That the report be received and noted.*
2. *To authorise the Chief Executive Officer to advise the Gawler River Floodplain Management Authority Board that the Adelaide Hills Council is supportive of the proposed 2019 Charter.*

- 12.11. Status Report – Council Resolutions Update

Refer to Agenda Item

13. OFFICER REPORTS – INFORMATION ITEMS

- 13.1. Stormwater Service Levels

14. MISCELLANEOUS ITEMS

Nil

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 – 12 June 2019
That the minutes of the CAP meeting held on 12 June 2019 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. 2018-2019 Play Space Upgrades
- 19.2. Lower Hermitage Road Widening Contract
- 19.3. Land Acquisition Lower Hermitage Road
- 19.4. Sale of Land for non payment of rates

20. NEXT MEETING

Tuesday 23 July 2019, 6.30pm, 63 Mt Barker Road, Stirling

21. CLOSE MEETING

Council Meeting/Workshop Venues 2019

DATE	TYPE	LOCATION	MINUTE TAKER
JULY 2019			
Tues 9 July	Workshop	Woodside	N/A
Wed 10 July	CAP	TBA	Karen Savage
Thur 11 July	CEO PRP	Stirling	TBA
Tues 16 July	Professional Development	Stirling	N/A
Tues 23 July	Council	Stirling	Pam Williams
AUGUST 2019			
Thur 8 August	CEO PRP	Stirling	TBA
Mon 12 August	Audit Committee	Stirling	TBA
Tues 13 August	Workshop	Woodside	N/A
Wed 14 August	CAP	TBA	Karen Savage
Tues 20 August	Professional Development	Stirling	N/A
Tues 27 August 2019	Council	Stirling	Pam Williams
SEPTEMBER 2019			
Tues 10 September	Workshop	Woodside	N/A
Wed 11 September	CAP	TBA	Karen Savage
Tues 17 September	Professional Development	Stirling	N/A
Tues 24 September	Council	Stirling	Pam Williams

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 2019

6.00 for 6.30pm

DATE	LOCATION
Tuesday 30 July 2019	Gumeracha
Tuesday 29 October 2019	Norton Summit

Conflict of Interest Disclosure Form

CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS

Councillor:

Date:

Meeting name:

Agenda item no:

1. I have identified a conflict of interest as:

MATERIAL ☐ ACTUAL ☐ PERCEIVED ☐

MATERIAL: Conflict arises when a council member or a nominated person will gain a benefit or suffer a loss (whether directly or indirectly and whether pecuniary or personal) if the matter is decided in a particular manner. If declaring a material conflict of interest, Councillors must declare the conflict and leave the meeting at any time the item is discussed.

ACTUAL: Conflict arises when there is a conflict between a council member's interests (whether direct or indirect, personal or pecuniary) and the public interest, which might lead to decision that, is contrary to the public interest.

PERCEIVED: Conflict arises in relation to a matter to be discussed at a meeting of council, if a council member could reasonably be taken, from the perspective of an impartial, fair-minded person, to have a conflict of interest in the matter – whether or not this is in fact the case.

2. The nature of my conflict of interest is as follows:

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

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

☐ I intend to **leave** the meeting *(mandatory if you intend to declare a Material conflict of interest)*

OR

☐ I intend to **stay** in the meeting *(complete part 4) (only applicable if you intend to declare a Perceived (Actual conflict of interest)*

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

(This section must be filled in. Ensure sufficient detail is recorded of the specific circumstances of your interest.)

and that I will receive no benefit or detriment direct or indirect, personal or pecuniary from considering and voting on this matter.

CONFLICTS MUST ALSO BE DECLARED VERBALLY DURING MEETINGS

Governance use only: Member voted FOR/AGAINST the motion.



Ordinary Business Matters

A **material, actual or perceived** Conflict of Interest does not apply to a matter of ordinary business of the council of a kind prescribed by regulation.

The following ordinary business matters are prescribed under Regulation 8AAA of the Local Government (General) Regulations 2013.

- (a) the preparation, discussion, conduct, consideration or determination of a review under section 12 of the Act
- (b) the preparation, discussion, adoption or revision of a policy relating to allowances and benefits payable to members if the policy relates to allowances and benefits payable equally to each member (rather than allowances and benefits payable to particular members or particular office holders)
- (c) the preparation, discussion, adoption or alteration of a training and development policy under section 80A of the Act
- (d) the preparation, discussion, adoption or amendment of a strategic management plan under section 122 of the Act
- (e) the adoption or revision of an annual business plan
- (f) the adoption or revision of a budget
- (g) the declaration of rates (other than a separate rate) or a charge with the character of a rate, and any preparation or discussion in relation to such a declaration
- (h) a discussion or decision of a matter at a meeting of a council if the matter—
 - (i) relates to a matter that was discussed before a meeting of a subsidiary or committee of the council
 - (ii) the relevant interest in the matter is the interest of the council that established the committee or which appointed, or nominated for appointment, a member of the board of management of the council subsidiary or regional subsidiary.
- (2) For the purposes of section 75(3)(b) of the Act, a member of a council who is a member, officer or employee of an agency or instrumentality of the Crown (within the meaning of section 73(4) of the Act) will not be regarded as having an interest in a matter before the council by virtue of being a member, officer or employee.

Engagement and membership with groups and organisations exemption

A member will not be regarded as having a conflict of interest **actual or perceived** in a matter to be discussed at a meeting of council by reason only of:

- an engagement with a community group, sporting club or similar organisation undertaken by the member in his or her capacity as a member; or membership of a political party
- membership of a community group, sporting club or similar organisation (as long as the member **is not** an office holder for the group, club or organisation)
- the member having been a student of a particular school or his or her involvement with a school as parent of a student at the school
- a nomination or appointment as a member of a board of a corporation or other association, if the member was nominated for appointment by a Council.

However, the member will still be required to give careful consideration to the nature of their association with the above bodies. Refer Conflict of Interest Guidelines.

For example: If your **only** involvement with a group is in your role as a Council appointed liaison as outlined in the Council appointed liaison policy, you will not be regarded as having a conflict of interest actual or perceived in a matter, and are NOT required to declare your interest.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 8.1.1

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Petition – Pomona Road Stirling visual & sound pollution

For: Decision

SUMMARY

A petition has been received with 20 signatories stating:

“We the undersigned strongly object to the clearing of the reserve between the South Eastern Freeway and Pomona Road Stirling SA and the visual and sound pollution that has resulted. We seek immediate remediation actions by the Adelaide Hills Council.”

RECOMMENDATION

Council resolves that the petition signed by 20 signatories, concerning Pomona Road Stirling visual and sound pollution, be received and noted.

Council has received a petition organised by Virginia Van Essen and signed by 20 signatories.

Following Council’s consideration, the head petitioner will be advised of Council’s noting of the petition and of any other resolutions arising from the matter.

The petition states:

“We the undersigned strongly object to the clearing of the reserve between the South Eastern Freeway and Pomona Road Stirling SA and the visual and sound pollution that has resulted. We seek immediate remediation actions by the Adelaide Hills Council.”

Background / Context – Peter Bice, Director Infrastructure & Operations

A small amount of clearance was undertaken to enable the trial of the BMX Track within the Service Women's War Memorial reserve to occur, and as a result there may have been a marginal increase in noise. Following the consultation process in July and subsequent report to Council by November 2019 a decision will be made as to whether the BMX Track will remain.

Regardless of the outcome, additional plantings will be established to help further mitigate any visual and auditory impacts.

This petition will be included in the considerations of the Trial in the abovementioned report.

Additionally, staff will write to the State Government to explore their willingness to erect a sound proof barrier along the South Eastern Freeway along Pomona Rd, Stirling.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 8.1.2

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Petition - Support for Restvale Homes for the Aged Rates Rebate

For: Decision

SUMMARY

A petition has been received with 352 signatories asking Council to reconsider its decision of 28 May 2019 in relation to rate rebates.

RECOMMENDATION

Council resolves that the petition signed by 352 signatories, requesting the reinstatement of the rate rebate for Restvale Homes for the Aged at Lobethal, be received and noted.

Council has received a petition organised by Jim Hennessy and signed by 352 signatories.

Following Council's consideration, the head petitioner will be advised of Council's noting of the petition and of any other resolutions arising from the matter.

The petition states:

"We, the undersigned, urge the Council to reconsider its decision dated 28 May 2019 to remove the rate rebate and, further, request that Council reinstates the discretionary 75% rate rebate to ensure that Restvale can continue providing care for the aged community."

Background / Context – Mike Carey, Manager Financial Services

The Council decision of 28 May 2019 was rescinded at a Special Council Meeting held on 4 June 2019, when the following resolution was passed. Under this resolution the 75% rate rebate for Lobethal and District Aged Homes, Assessment No 4670, will be applied until the end of the current term of Council namely, November 2022.

Moved Cr Malcolm Herrmann
S/- Cr John Kemp

132/19

I move that Council rescind resolution 118/19 of the 28 May 2019 Ordinary Council meeting and resolve the following:

- 1. The report be received.**
- 2. That the following applications for a discretionary rate rebate under Section 166 (1) (d) of the Local Government Act 1999 be granted a 75% rate rebate for the rating years from 2019-20 until the end of the current Council term:**
 - Scout Association of Australia (SA Branch) 9 Pye Road Balhannah – Assessment No. 6589
 - Scout Association of Australia (SA Branch) 99 Milan Terrace Stirling – Assessment No. 12628
 - Lobethal and District Aged Homes 8 Woodside Road Lobethal – Assessment No. 4670
- 3. That a discretionary rate rebate requested by the following applicants under Section 166 of the Local Government Act 1999 be declined on the basis that they do not meet the criteria set out in Council's Rating Policy:**
 - Stirling Hospital Inc – 20 Milan Terrace Stirling – Assessment No. 11270
 - KeyInvest – 18A Tolmer Road Woodside – Community Centre – Assessment No. 20383
 - Baptist Care (SA) Inc – 32 Wingrove Road Mylor – Assessment No. 10008
 - Scout Association of Australia (SA Branch)
 - 37 Spring Gully Road Piccadilly – Assessment No. 1069
 - 19 Spring Gully Road Piccadilly – Assessment No. 2813 – vacant land
 - Carinya Road & 21-37 Spring Gully Road Piccadilly – Assessment No. 2001
- 4. The applicants be formally advised of Council's decision.**

Carried

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 8.1.3

Originating Officer: David Waters, Director Community Capacity

Responsible Director: David Waters, Director Community Capacity

Subject: Petition – Mylor fireworks

For: Decision

SUMMARY

The Council has received a petition with seven signatories requesting that fireworks no longer be approved as part of the Mylor School Bonfire Fundraiser.

RECOMMENDATION

- 1. Council resolves that the petition signed by seven signatories, concerning fireworks at Mylor Oval be received and noted.**
- 2. That the organiser of the petition be advised that the Council will consider the matter as part of its consideration of the Festivals and Events Policy, which is currently subject to public consultation.**

The Council has received a petition with seven signatories requesting that fireworks no longer be approved as part of the Mylor School Bonfire Fundraiser. Following Council's consideration, the organiser of the petition will be advised of Council's noting of the petition and of any other resolutions arising from the matter.

The petition states:

“We the undersigned respectfully request that fireworks please no longer be approved as part of the Mylor School Bonfire Fundraiser.

The main reason being due to the distress it causes and dangerous situation explosions cause wildlife, pets and farm animals.

A distressed pet trying to flee these explosions also causes owners much fear and grief.

We hope suitable entertainment can be sourced which will we hope achieve a more inclusive event. (Pet owners can not attend due to having to stay home to make sure their pets are ok).

We have written to the school to no avail over the years and also telephoned the school oval committee and council but feel our concerns are not being heard.

Some residents have never attended this fundraiser because of the fireworks.”

Background / Context – David Waters, Director Community Capacity

Council has received a letter organised by Patricia Hoelmer and signed by seven (7) signatories. While not specifically stated to be a petition on the letter itself, the organiser has obtained the signatures through canvassing a number of people and the letter meets the requirements of the Council’s Petitions Policy for consideration as a petition.

The Mylor Bonfire Night is an annual fundraising event for the Mylor Primary School, traditionally held on a Saturday night close to the winter solstice and conducted on Mylor Oval.

This year’s event is to be held on Saturday 22 June 2019 (between the production of the Council Meeting agenda and the Council Meeting itself).

The event includes a five minute fireworks display at around 8pm.

The event is held on Mylor Oval, which is local government land, albeit under the management of the Mylor Oval Management Committee.

The Council does not have a role in regulating the conduct of fireworks generally, however, the Council’s *Local Government Land By-Law 2018* does specify “ignite or discharge any fireworks” as an activity requiring permission on local government land. The Council therefore has the discretion to give or withhold permission for fireworks to be discharged at Mylor Oval.

In the absence of a policy position on the matter of fireworks on local government land, Council staff have provided permission under delegation to the Mylor Primary School to conduct the fireworks on Mylor Oval in line with past practice.

Following complaints received in relation to the fireworks in 2018, staff met with the school and encouraged the use of quieter fireworks. In the lead up to this year’s event, the organisers advised that the majority of the 5 minute display would comprise of “low noise emitting” fireworks.

The petition organiser has been encouraged to participate in the consultation process currently underway for the Council’s Festivals and Events Policy.

Following Council’s consideration, the head petitioner will be advised of Council’s noting of the petition and of any other resolutions arising from the matter.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 10.1 Question on Notice

Originating from: Cr Malcolm Herrmann

Subject: Use of Sprays and Fertilisers on Agricultural Land

1. QUESTION

1. What legislation covers the use of sprays and fertilizers on agricultural land?
2. Where can farmers or residents who live on rural-primary production land find information about the use of sprays and fertilizers?
3. Where can residents report alleged misuse of sprays and fertilizers?

2. BACKGROUND

I have received inquiries from rural residents about the use of sprays and fertilizers, particularly about the use of and odour from chicken manure and mushroom compost in large quantities.

There is some doubt which agency is responsible for monitoring use.

3. OFFICER'S RESPONSE – Deryn Atkinson, Manager Development Services

The *Agricultural and Veterinary Products (Control of Use) Act 2002* provides the framework for the use of chemicals, including sprays and fertilizers on agricultural land. The Act aims to maximise the economic benefits of using agricultural and veterinary chemicals and fertilisers, while managing the risks of such use in terms of harm to plants, animals, trade, human health and the environment.

The label of a registered agricultural chemical product specifies how the product can be used. The information on the label must be approved by the Australian Pesticides and Veterinary Medicines Authority (APVMA).

Farmers and residents can obtain information from:

PIRSA Rural Chemicals Operations

Phone: 1300 799 684

E-mail: PIRSA.RuralChemicals@sa.gov.au

Website: www.pir.sa.gov.au/ruralchem

Complaints about the alleged misuse of sprays (including spray drift incidents)

These complaints can be reported with details of the property address to:

Biosecurity SA Rural Chemicals Operations of PIRSA

Phone: 1300 799 684 or email: PIRSA.RuralChemicals@sa.gov.au

Complaints about the odour from the use of large quantities of chicken manure and mushroom compost

These complaints can be reported to Council's Environmental Health Unit via the Council website request system or via telephone, with details of the property address.

These complaints are covered by the *Local Nuisance and Litter Control Act 2016*

www.legislation.sa.gov.au .

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 11.2 Motion on Notice

Originating from: Cr Mark Osterstock

Subject: Appointment of Internal Review Investigator –
Shannons Adelaide Rally Support for Road Closure
decision (resolution 196/18)

1. MOTION

I move that Council resolves:

1. To cease the current arrangements for the investigation of the Internal Review of the 28 August 2018 Shannons Adelaide Rally Support for Road Closure decision (resolution 196/18) in order to mitigate any perceptions of bias (including apprehension of bias) on the part of the investigator.
2. That the CEO identify, for the Mayor's approval, an appropriate alternative investigator, whether internal or external, to enquire into resolution 196/18 in order to prepare a report to Council as the reviewer of that decision in accordance with the provisions of the *Internal Review of Council Decision Policy*.

2. BACKGROUND

Mr Eberhard (Joe) Frank has attended Council meetings on a number of occasions in recent times and spoken during deputations and public forums on his dissatisfaction with the 28 August 2018 Shannons Adelaide Rally Support for Road Closure decision (resolution 196/18) and advised the Elected Council that he has lodged an Internal Review of Council Decision application regarding this resolution.

Further, Mr Frank has advised the Elected Council that he is unhappy with the appointment of the reviewer for the Internal Review, being Mr Ray Pincombe, as he believes that he may be biased due to Mr Pincombe's previous employment with Adelaide Hills Council and conduct of other internal reviews, including a previous internal review application by Mr Frank regarding a decision made during the 2016-17 Elector Representation Review.

In addition to Mr Frank's claims, there may be a broader apprehension of bias in the community regarding Mr Pincombe's appointment as the internal review investigator. An apprehension of bias, an element of administrative case law, occurs if a fair-minded lay observer might reasonably apprehend (perceive) that the decision maker might not bring an impartial mind to the matter in question.

3. **OFFICER'S RESPONSE – Lachlan Miller, Executive Manager Governance & Performance**

What is an Internal Review?

An Internal Review of a Council Decision is a mandatory process (set out in s270 of the *Local Government Act 1999* and Council's *Internal Review of Council Decisions Policy*) and is the last step of the complaint handling process before the matter is referred to an external body (such as the Ombudsman). The Internal Review is the reconsideration of the evidence relied upon to make a decision to determine whether the decision was fair, objective and appropriate.

As the name implies, it is an 'internal' review in that it is undertaken by Council (so it will never be an independent assessment but it aims to be objective).

There are three key roles in an Internal Review:

- **Internal Review Contact Officer** – this is the person who manages the internal review process, liaises with the applicant, coordinates the investigation and seeks the Reviewer's decision. Usually this is the Executive Manager Governance & Performance unless he has been involved in the issue that is the subject of the internal review and/or made the original decision.
- **Investigator** – this is an optional role and is used in situations when the Reviewer does not have the ability and/or time to collect the evidence and prepare an investigation report or as required by the Policy.

The Investigator can be an internal staff member or an external party such as a consultant, employee of another council, or a legal firm. Over the last four years Council has used internal staff, an external consultant and, on one occasion, an employee from a neighbouring council.

While legal advice has been obtained to inform internal review investigations, a legal firm has not been engaged to investigate an internal review as it is not considered to be the most cost-effective option. Where an external consultant is used to conduct this type of work, it is on a time and materials basis with regular monitoring, as it is not possible to calculate a lump sum.

Under the Policy, the selection of the Investigator for decisions to be reviewed by the Elected Council has been delegated to the Mayor. There is no requirement for the appointment of the Investigator to be consulted with or approved by the internal review applicant.

In more recent times due to other demands on internal resources, the Administration has used the services of Mr Ray Pincombe who has produced high quality work at a reasonable cost.

- **Reviewer** – this is the person/body that actually considers the investigation report or collects information themselves and determines whether the original decision was fair, objective and appropriate.

The Elected Council is the Reviewer for all decisions made by the Elected Council, a Committee of the Council, or the CEO. For decisions made by members of the Administration (excluding the CEO) the Reviewer is a senior staff member that wasn't involved in the original decision (often it is the next person in the hierarchy).

Mr Frank's Internal Review(s)

In mid-2017 Mr Frank lodged an internal review application in relation to a 28 February 2017 resolution regarding the Elector Representation Review. At the time Mr Frank was advised that Mr Pincombe would be the Investigator. Mr Frank raised his objection to Mr Pincombe as he believed that Mr Pincombe would be biased because he had been the A/CEO at a point in time (5 years previously) and had some dealings with Mr Frank during this period.

Mr Frank subsequently complained to the Ombudsman in late 2017 on seven (7) elements of complaint (one being Mr Pincombe's appointment) regarding the Elected Council's 22 August 2017 resolution to uphold the decision made in relation to the Elector Representation Review. The Ombudsman considered Mr Frank's seven elements of complaint and concluded that '...it does not appear to me that the council has acted in a way that may possibly be unlawful, unreasonable or wrong within the meaning of the Ombudsman Act.' This correspondence was provided to Council at its 12 December 2017 meeting.

In February 2019, Mr Frank lodged an application for an internal review of Council's 28 August 2018 decision (resolution 196/18) to close roads associated with the 2018 Shannon's Classic Rally. The application was lodged in February but as Mr Frank had an FOI application which could possibly inform the internal review, the Internal Review Contact Officer advised Mr Frank that the investigation will not commence until he had reviewed the FOI-released documents and refined his internal review application (this is still to occur).

In March 2019, in preparation for the commencement of the internal review, the A/Mayor appointed Mr Pincombe as the Investigator. It is important to note that as resolution 196/18 was a decision of the Elected Council, it is the Elected Council that will be the 'Reviewer', not Mr Pincombe as Mr Frank has claimed in his addresses to Council.

Mr Frank subsequently lodged an internal review application regarding the appointment of Mr Pincombe on the basis that he was biased. Terry Crackett, as the Internal Review Contact Officer, guided by legal advice, refused Mr Frank's application on the basis that it was frivolous or vexatious, largely based on the Ombudsman's previous consideration on the matter of bias.

Mr Frank made a complaint to the Ombudsman regarding the decision to refuse the application. In consideration of the complaint the Ombudsman concluded as follows:

In the previous matter my Office considered the same issue as you have presently raised with council - namely the appointment of Mr Pincombe in undertaking investigation work for council, where you believe a conflict of interest exists between Mr Pincombe and the council.

In a letter addressed to you dated 19 October 2017, I concluded that Mr Pincombe was not biased or conflicted in the performance of his role, and that he may appropriately undertake such work at the request of council.

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Adelaide SA 5000

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Page 2

This determination informed council's decision in the present matter. Your concerns regarding Mr Pincombe had previously been addressed by my Office, with no finding of bias or conflict. As such, your request for an internal review on this topic again was declined by council on the grounds it amounts to a frivolous or vexatious request (per clause 7.6.1 of their internal review policy).

It appears that it is within the discretion of council to decline your application in the circumstances. My Office has already made a determination in relation to your concerns previously, and I consider that further assessment would be unnecessary and unjustifiable.

Whilst the refusal of an application for internal review is uncommon, I consider that, based on the information available to me, the council have not acted unreasonably in the circumstances.

From the extract above, the Ombudsman appears to support the Administration's view that there is no substance to Mr Frank's claims that Mr Pincombe is biased in relation to investigating the August 2018 road closure decision.

In regards to the broader perception by a member of the community of an apprehension of bias, it is possible that a fair-minded lay observer may apprehend that any form of internal review is subject to bias however this will always be the nature of this type of process, which is required by legislation.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 11.2 Motion on Notice

Originating from: Cr Leith Mudge

Subject: Solid Waste Levy Increase

1. MOTION

I move that Council condemns the State Government for the 40% increase in the solid waste levy announced in the 2019-20 State Budget.

The Levy is currently \$100 a tonne in metropolitan areas, but will rise to \$110 on 1 July 2019, and \$140 on 1 January 2020. In Council's non-metro areas the Levy will rise to \$55 on 1 July, and \$70 on 1 January 2020 (based on 50% of the metro rate). This will raise additional revenue for the State Government of \$14.8 million in 2019-20 and around \$24.9 million per annum from 2020-21 once fully implemented.

This is a huge impost by State Government on Local Government and will put increased pressure on the ratepayers of the Adelaide Hills Council and threaten infrastructure and services provided by Council.

Council condemns the State Government for the hypocrisy in heavily criticising local government for rate increases during the rate capping campaign and then passing on cost increases on the State Government to councils in this way.

2. BACKGROUND

The Adelaide Hills Council is currently projected to pay \$800,000 in the 2019/20 financial year in solid waste levy. This change in the rate of the solid waste levy puts our draft budget in a difficult position as it has already been through public consultation and is pretty much ready to be adopted - without accounting for this change in cost only announced on 18 June. It will put pressure on the Council to either increase rates or reduce infrastructure or services and puts the projected budget surplus at risk as well as our Long Term Financial Plan.

The Solid Waste Levy is a tax on waste sent to landfill. It was implemented in 2003-04 at \$5 per tonne, and is now headed for \$140 per tonne. The Solid Waste Levy is paid by the Adelaide Hills Regional Waste Management Authority (AHRWMA) on behalf of the member councils but included in the council's contribution to this body.

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

The forecast Solid Waste Levy budgeted by Adelaide Hills Council for the 2019/20 financial year is \$800,000. This budget was based on an anticipated metropolitan levy rate of \$103 per tonne and \$51.50 per tonne for non-metropolitan waste.

Following the State Government Budget announced on 18 June 2019 the Solid Waste Levy will increase by 40% through two incremental rises resulting in a rate of \$140 per tonne from 1 January 2019 for metropolitan waste and \$70 per tonne for non-metropolitan waste.

As a result, the Solid Waste Levy forecast to be paid by the Adelaide Hills community is estimated to increase in excess of \$170,000 to \$972,000 in 2019/20. This estimated increase represents 0.5% of rate revenue and is not reflected in the proposed 2019/20 Annual Business Plan and Budget.

It is proposed that as part of Budget Review 1 in 2019/20 strategies will be developed to minimise any impact on the long term financial sustainability of Adelaide Hills Council due to the 40% increase in the Solid Waste Levy.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 11.3 Motion on Notice

Originating from: Cr Kirrilee Boyd

Subject: Feasibility Study for walking trail, Sturt Valley Road

1. MOTION

That Council Staff prepare a feasibility study including concept plan suitable for public consultation in regards to any options for a walking trail/path on the lower side of Sturt Valley Road, and that an associated budget of up to \$10,000 be added to the 2019-20 Budget to enable necessary surveying and drafting of the concept plan to occur.

2. BACKGROUND

Residents were previously able to walk along Sturt Valley Road for over 150 years, essentially using the road shoulder as the walkway. In 2016 there was a scheduling mis-hap (in that this job was rushed through without consultation due to works falling through on a road in Heathfield). Works were undertaken to widen the road and install guard rail in some places to accommodate identified Road safety requirements. These were governed by the Australian Standards and unfortunately as a result the available space to walk was reduced, particularly in areas where the guard rail was necessary. These works were not subject to Community Consultation requirements, which was deemed disappointing by residents.

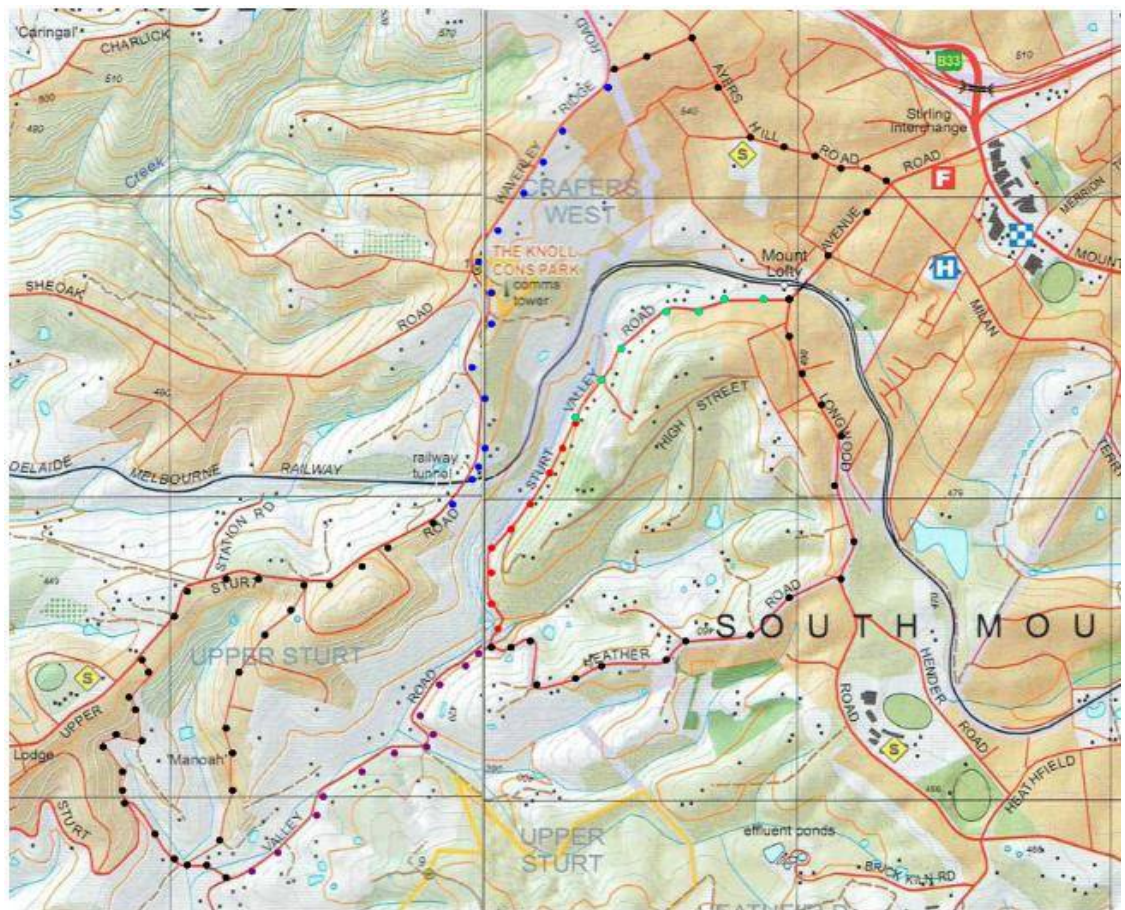
Council subsequently secured 250k of funding to begin exploring feasible solutions, to survey then construct a solution for a footpath. Residents requested that council cater for the pedestrians of Sturt Valley Road as well as the motorists. The project was explored, to create a walking loop along Sturt Valley Road, and connecting through to Upper Sturt Road via a proposed path through residential property. Unfortunately, the access required for this path and additional land transfer from another property owner was not able to be negotiated, rendering the proposed loop path unviable.

There are two further loops available to be explored:

- 1) Sturt Valley Road up Heather Rd and back around via Longwood Road and
- 2) along Sturt Valley Road up Whitewood Drive and back up Upper Sturt Road

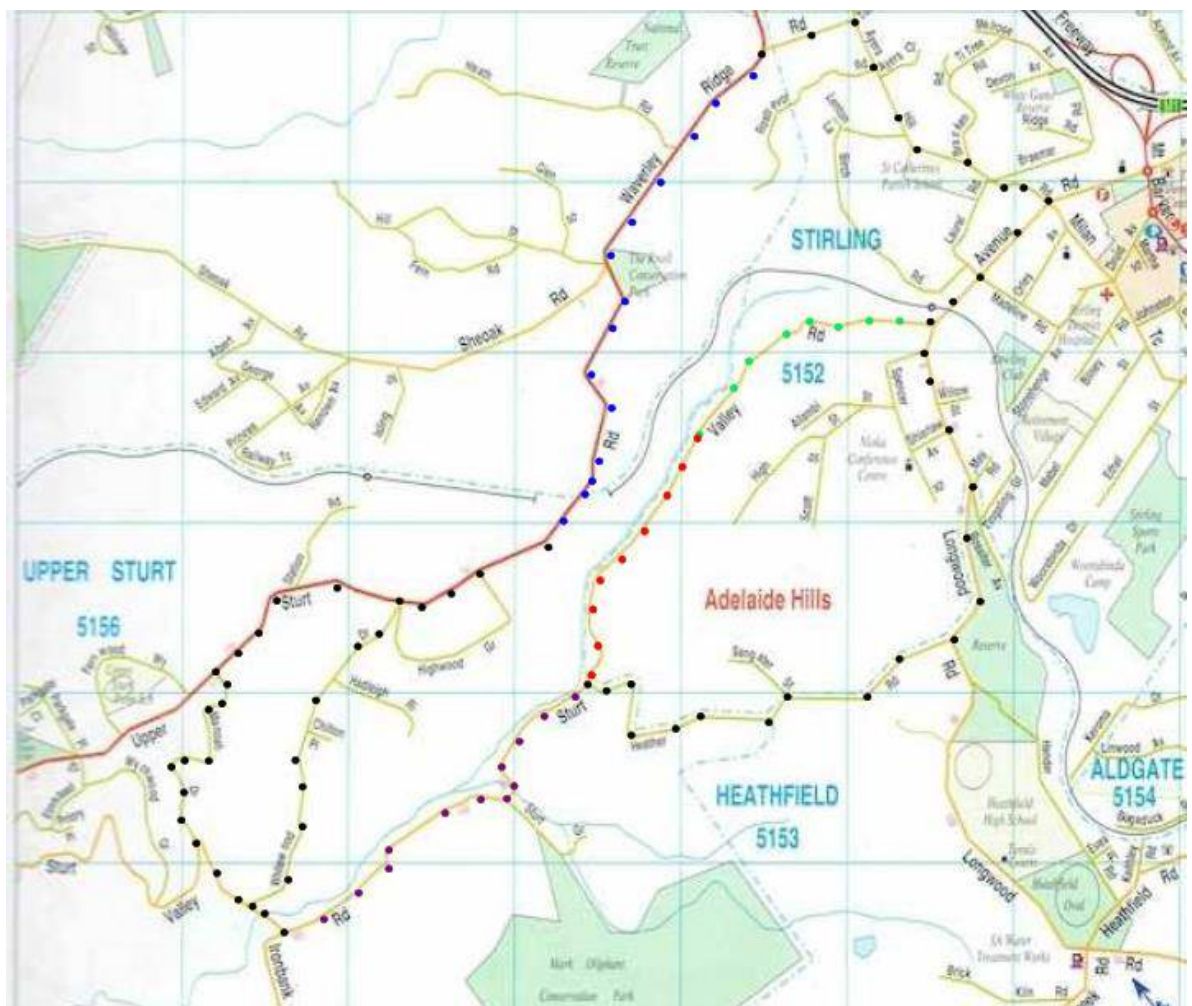
These loops would provide wonderful opportunities to residents and bush walkers in what could be described as one of the most picturesque valleys in the Adelaide Hills.

Most importantly, concerns also remain from some residents in regard to ability to walk safely along Sturt Valley Road and so would like further feasibility of some sections of path to be created allowing pedestrians to walk off road where the topography and available space allows. The feeling from some local residents is that Council must keep residents as safe as they were before council 'upgraded' the surface of Sturt Valley Road.



Legend Sturt Valley Road Map

- | | |
|--------------|--|
| Blue dots: | Council has funding to improve walking trail. |
| Purple dots: | New high-side walking trail is needed possibly with the assistance of the Green Army. |
| Green dots: | Low-side walking trail is needed. Currently requesting up to \$10K for scoping. |
| Red dots: | New high-side walking trail is needed possibly with the assistance of the Green Army. Great walking trail which opens up two walking loops. These loops would provide wonderful opportunities to residents and bush walkers in what could be described as one of the most picturesque valleys in the Adelaide Hills. |
| Black dots: | Already has satisfactory and safe pedestrian access in the form of footpath, road verge or quiet roadway. |



Legend Sturt Valley Road Map

- Blue dots: Council has funding to improve walking trail.
- Purple dots: New high-side walking trail is needed possibly with the assistance of the Green Army.
- Green dots: Low-side walking trail is needed. Currently requesting up to \$10K for scoping.
- Red dots: New high-side walking trail is needed possibly with the assistance of the Green Army. Great walking trail which opens up two walking loops. These loops would provide wonderful opportunities to residents and bush walkers in what could be described as one of the most picturesque valleys in the Adelaide Hills.
- Black dots: Already has satisfactory and safe pedestrian access in the form of footpath, road verge or quiet roadway.

3. OFFICER'S RESPONSE – Peter Bice, Director Infrastructure & Operations

Given the inability of the originally proposed loop to be created, there are only limited sections where works could be undertaken to accommodate pedestrian traffic.

Council staff could undertake the feasibility study which would inform what solutions are possible and potential costs for these works, so that these may be prioritised against other desired works across the Adelaide Hills Council area.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 12.1

Originating Officer: Bernadette Walsh, Corporate Planning and Performance Coordinator

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Draft 2019-2020 Annual Business Plan - Community Consultation Outcomes

For: Decision

SUMMARY

The purpose of this report is to formally provide Council feedback received on the draft 2019-20 Annual Business Plan (including budget) (ABP).

Under s123 of the *Local Government Act 1999* there is an obligation to consider any submission(s) received by Council prior to it adopting its ABP, which it must do in conjunction with its budget and prior to the adoption of its budget.

A Council workshop was held on 18 June 2019 to consider in detail the outcomes from the consultation process.

The feedback received from the consultation process has been considered in the revisions made to the proposed 2019-20 ABP that is included on this agenda for adoption.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. To receive the submissions made during the Community (Public) Consultation period in accordance with Section 123(6) of the *Local Government Act 1999***
 - 3. To note that the comments and results of the Community Consultation have been considered in finalising the 2019-20 Annual Business Plan.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 5	Organisational Sustainability
Strategies	5.1 Our Organisation
	5.3 Financial Sustainability
	5.5 Risk and Responsibility

Consultation on the draft ABP was undertaken following detailed consideration of all Goals and Strategies identified within the recently reviewed Strategic Plan, Long Term Financial Plan, Asset Management Plan and other key plans previously endorsed by Council. As such funding within the ABP has been provided were appropriate to deliver against these Plans.

➤ Legal Implications

Section 123, Annual Business Plans and Budgets, of the *Local Government Act 1999*

➤ Risk Management Implications

Preparing an Annual Business Plan as required by the Act and Regulations will assist in mitigating the risk of:

Inability to discharge the role and functions of a local government entity leading to a breach of legislation and loss of stakeholder confidence.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	High (5E)	High (5E)

Note: There are many other controls that assist in managing this risk.

➤ Financial and Resource Implications

There are no direct financial or resource implications associated with receiving and noting this report. However, the proposed changes to the ABP do have financial and resource implications and these are contemplated in the report in this meeting agenda for adopting the 2019-20 ABP.

➤ Customer Service and Community/Cultural Implications

This annual consultation exercise is widely communicated within the community and the participation by members of the public is encouraging. This can be interpreted as an indicator of general satisfaction with the contents of the ABP.

➤ Environmental Implications

There are no environmental impacts as a result of this report, however a number of projects outlined within the ABP have impacts on the environment that have been considered prior to inclusion.

➤ **Engagement/Consultation with Committee, Regional Subsidiary, Advisory Group and Community**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Council considered the submissions received to date at the 18 June 2019 workshop.

Advisory Groups: Not Applicable

Administration: Chief Executive Officer
Director Community Capacity
Director Corporate Services
Director Infrastructure & Operations
Director Development & Regulatory Services
Executive Manager Governance & Performance
Executive Manager Organisational Development
Manager Financial Services
Manager Sustainable Assets

Community: The community were not involved in the preparation of the report but were provided the opportunity to make submissions during the community consultation.

2. BACKGROUND

Council initiated public consultation on the draft 2019-20 ABP through advertisements within the Advertiser, Courier and Weekender Herald. The consultation period ran from 26 April 2019 to 31 May 2019, longer than required under s123(3) of the *Local Government Act 1999*.

The community was also invited to attend a meeting of Council which allowed members of the public to make submissions in relation to the ABP on Tuesday 28 May 2019.

As in previous years, Council promoted the draft ABP within the Hills Voice and at the service and community centres, and also made it available online. In addition to this an online engagement site was established that enabled members of the public to ask questions in relation to the ABP and provide submissions.

Following conclusion of the consultation period on 28 May 2019 a Council workshop was held on 18 June 2019 to consider feedback received.

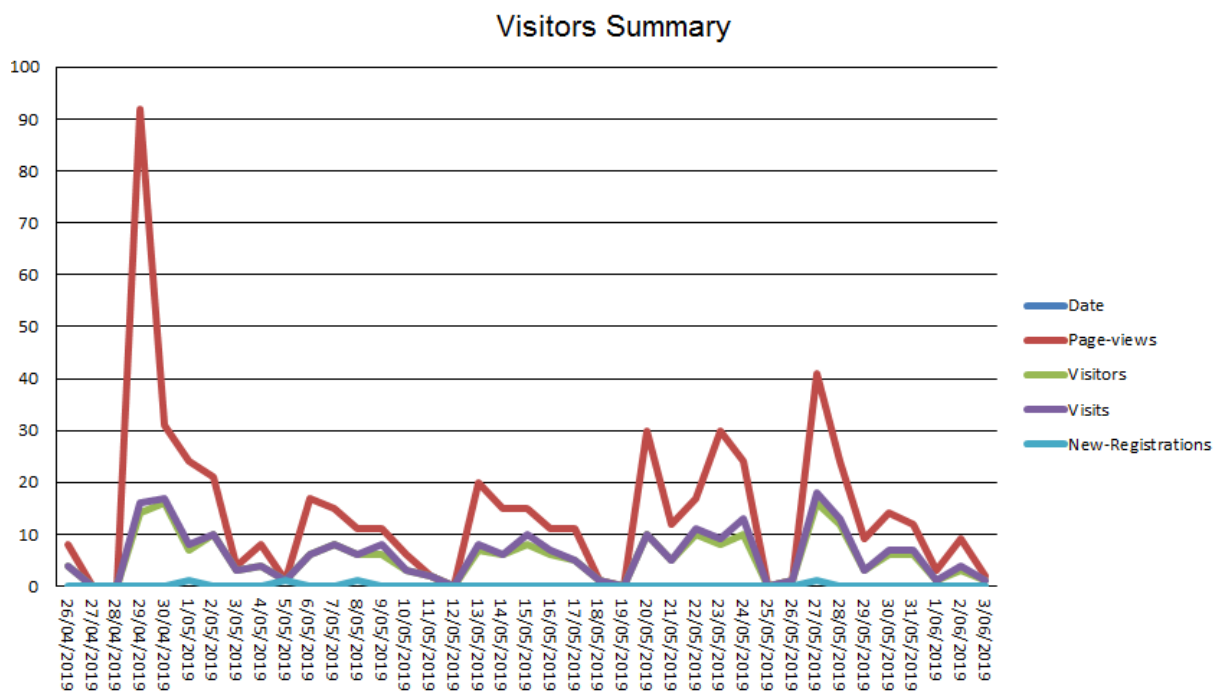
3. ANALYSIS

The following sections provide feedback from each of the activities undertaken by Council as part of the community consultation process.

Community Engagement Website

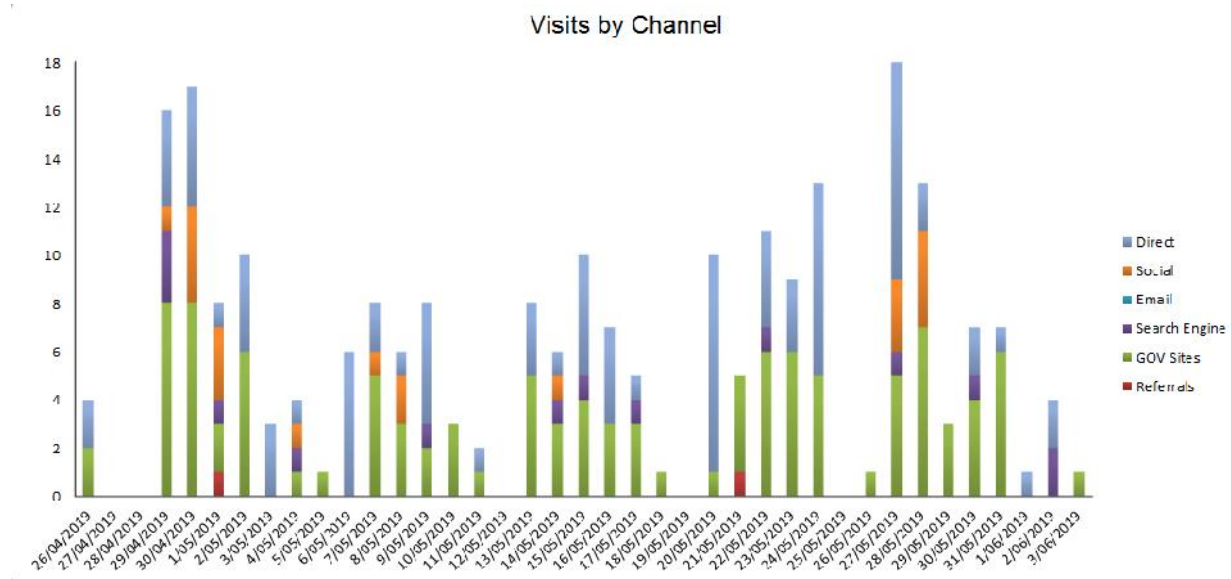
As previously indicated, following the success of last year, the online engagement site was again utilised to enable the public to ask questions in relation to the ABP and provide submissions.

This approach again proved to be highly successful with the following table summarising access to the site during the consultation period.



In total there were 236 visits to the site and 154 downloads of the full ABP.

The following graph has been extracted to highlight the interest in the ABP throughout the consultation period and also indicate the importance of regular messaging through various means (i.e. Hills Voice, Courier, Weekender, Facebook, Twitter, and Website).



Submissions

Eight (8) submissions were received in total (**Appendix 1**), from the following sources:

- Three (3) submissions were directly logged via the engagement website
- Two (2) submissions were lodged via emails
- Three (3) were written submissions mailed to Council

Council Meetings

Time was set aside for submissions to be made to Council at the 28 May 2019 Ordinary Council meeting, and there were no formal submissions made in relation to the draft ABP.

The total number of submissions and questions received this year was eight (8) which was less than the 30 submissions received in the 2018-19 ABP community consultation. However, it should be noted that the number of visits and downloads of the full ABP was higher this year.

All feedback received was considered by Council at its workshop on 18 June 2019 and, as in previous years, this feedback will also be used to inform the annual review of the Long Term Financial Plan that will be undertaken later this year following Budget adoption.

A detailed listing of all feedback has been provided at **Appendix 1**. This appendix includes any response provided or action that has been taken. **Appendix 2** provides a detailed submission from the Gumeracha Main Street Project.

4. OPTIONS

Council has the following options in relation to this report:

- To receive the report noting that outcomes from the consultation process have already been factored into the revised ABP. This option is the preferred option as it will enable the finalisation of the ABP and the setting of rates for 2019-20.
- To seek further analysis or information before finalising the ABP.

5. APPENDICES

- (1) Draft 2019-20 Annual Business Plan Feedback
- (2) Detailed submission from Gumeracha Main Street Project

Appendix 1

Draft 2019-20 Annual Business Plan Feedback

No.	Method of contribution	Q&A Question	Response/Recommendation	Capital/ Operating
1	EngageHQ	<p><u>Sealed or unsealed footpath for Blackhill Road</u></p> <p>Can a sealed or unsealed footpath be considered in the longer term plan for Blackhill Rd between Houghton and Inglewood.</p>	<p>No proposed change to the Annual Business Plan.</p> <p>Feasibility assessment for potential footpath in this location to be undertaken in 19/20 within operational budget.</p>	Capital
2	EngageHQ	<p><u>Houghton, Inglewood & Hermitage Memorial Park & the Multi-use Community Hub & Uni-sex Sport Change rooms</u></p> <p>We would like to formally request as per previous presentations to council, conditional funding to assist with works associated with the development of the Multi Use Community Hub and Uni-Sex Sport Change rooms.</p> <p>The committee has committed all available funding in Stage 1 and Stage 2 of the development. The expenses listed below have not been included in our grant applications as they are considered as excluded expenses and will not be funded through the traditional funding rounds.</p> <p>The AHC has committed \$40,000 to Stage one of the development and we believe this will play a significant part in the application being successful.</p> <p>The management committee requests that the council considers conditionally funding Stage 2 over the next three financial years. This funding commitment will allow the management committee to leverage that funding in Stage 2 when requesting State and Federal assistance in finalising the project.</p> <p>If the AHC agrees to provide the conditional funding and we are successful in gaining additional funding from the State and/or Federal departments, the committee will have surplus funds outside of the building works to address the unfunded expenses listed below.</p> <p>We look forward to working with the AHC to make this project a reality and to working together to service the community.</p> <p>AHC Conditional Funding Request \$246,490</p>	<p>No proposed change to the Annual Business Plan.</p> <p>Council has under development the Recreation and Community Facility Framework. Investment priorities are yet to be determined and currently there are not matched funding allocations in the draft 2019/20 ABP.</p>	Operational
3	TRIM IC19/11657	<p><u>Support for new Play Space Policy</u></p> <p>We are pleased to see the Council's new Play Space Policy outlined in your comprehensive draft 2019/20 Annual business plan and doubly pleased to have been advised that the playground here is slated for improvement. We will endeavour to do whatever is needed to assist in this process. I go past the playground several times a day and observe how often people and children are using it.</p>	<p>No proposed change to the Annual Business Plan.</p>	N/A
4	EngageHQ	<p><u>Beautifying Roundabouts at Verdun and Crafers</u></p> <p>Please beautify the roundabouts at Verdun and Crafers.</p>	<p>No proposed change to the Annual Business Plan.</p> <p>Further information can be found in the Council meeting agenda for 28 May 2019, where this project is discussed in both the Budget Review 3 report (item 12.7) and the Adelaide Hills Council Roundabouts information report (item 13.4).</p>	Capital

No.	Method of contribution	Q&A Question	Response/Recommendation	Capital/ Operating
5	Letter TRIM IC19/11720	<p><u>Gawler River Management Authority contribution and Status of History Centres request for Cupboard Space in Library</u></p> <p>I write concerning the Adelaide Hills Council contribution of \$25,642 to the Gawler River flood management Authority. As an elected member of the former Gumeracha District Council I together with the late Mr J. T. Grosvenor (Clerk) attended the inaugural meeting of the authority. Due to the miniscule contribution of water flow from our Council area to the flood plain we negotiated a "one off" payment of \$4000 in return for which the Gumeracha Council was to be exempt from any further future contribution to the authority. In view of this negotiated settlement I am at a loss to understand why the Adelaide Hills Council has committed funds to the Authority when no tangible benefits will accme to Council especially in light of the proposed new borrowings of \$ 4.7 Million bringing total borrowings to \$14.7 million and a proposed rate increase of 2.8% in the present climate of record low inflation. PS what is the status of the history centres request for cupboard space in the under utilised space in the library area?</p>	<p>No proposed change to the Annual Business Plan.</p> <p>Staff will continue to work with the Gumeracha History Centre on their need for storage space.</p>	N/A
6	Email	<p><u>Gumeracha Main Street</u></p> <p>See Gumeracha Main Street letter (Appendix 2)</p>	No proposed change to the Annual Business Plan.	N/A
7	Email	<p><u>Western Branch Road, Lobethal</u></p> <p>WESTERN BRANCH ROAD LOBETHAL I write on behalf of constituents of Western Branch Road, Lobethal regarding the possibility of sealing the stretch of road between Lobethal and Woodside to improve safety. This particular road is regularly used by local residents traveling between Lobethal and Woodside and a constituent has recently contacted my office seeking my support for these potential works. While council carries out maintenance to Western Branch Road throughout the year, in between maintenance the road becomes quite rough with many potholes appearing, creating a significant safety risk. I would be pleased if you would consider including the sealing of Western Branch Road in Council's 2019/20 sealing program in its annual business plan.</p>	<p>No proposed change to the Annual Business Plan.</p> <p>Western Branch Road is currently maintained in accordance with Council's standard maintenance practices for both sealed and unsealed roads and is considered to be at an acceptable standard. Council staff inspected Western Branch Road earlier in the year and found that it is in good condition, with no significant defects present.</p>	Capital
8	Email	<p><u>Western Branch Road, Lobethal</u></p> <p>I have been lobbying to have the middle section of Western Branch Road sealed and would like to put my name to the submission put forward for the 2019/20 budget.</p>	No proposed change to the Annual Business Plan.	Capital

Appendix 2

Detailed Feedback from Gumeracha Main Street Project

May 2019

Annual Business Plan Consultation (2019/20)
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244
Via email mail@ahc.sa.gov.au



To Whom It May Concern

**Adelaide Hills Council Annual Business Plan Consultation (2019/20)
Submission from Gumeracha Main Street Project Inc.**

Thank you for the invitation to the community to review the Business Plan and provide feedback. We do not take for granted the opportunities we are afforded to participate in democratic processes and we acknowledge the transparency of this process.

Background

The Gumeracha Main Street Project Inc. is a voluntary group of local residents and business owners committed to transforming Albert Street in Gumeracha. We are focused on achieving three main objectives for our community: economic sustainability of local businesses, changed traffic behaviour on the main street, and beautifying the main street environment.

Our work is guided by a Vision, developed throughout comprehensive community consultation, built around eight themes: *Peramangk Culture and Harmony, Friendly, Nature, Abundance, Linger, Discovery, Uninhibited and Safe*. Please see our most recent Annual Report attached which reports to our Vision.

The Main Street Project has been active since September 2016 and has worked in close collaboration with Adelaide Hills Council, successfully applying for Federal and State Government funding and delivering tangible outcomes in our community. In 2019, our commitment was recognised with a National Planning Institute of Australia Award for Excellence for Public Engagement and Community Engagement, in partnership with Adelaide Hills Council and planning firm Jensen PLUS.

Response to the Business Plan

The Gumeracha Main Street Project welcomes many initiatives identified in the Business Plan. In particular we are excited by the introduction of a **Reconciliation Action Plan** and new projects such as the self-reported wellbeing approach, and exploration of LED lighting.

In our neighbouring towns the Main Street Project welcomes proposed investment in Fabrik at Lobethal, and the extension of the Amy Gillett Bikeway.

In terms of whole-of-Council implementation, the Main Street Project commends the Council's commitment to an age-friendly community, inclusion, carbon neutrality, fostering creativity and public art.

Gumeracha Main Street Project – Incorporated
c/- PO Box 185, Gumeracha SA 5233 | 0425 286 064
www.gumerachamainstreet.com.au
Facebook.com/GumerachaMainStreet



Important for all of our unique towns, and relevant to Gumeracha, the Main Street Project welcomes the support indicated for making it easier for **small and micro businesses** to do business, and making the Adelaide Hills the state's favoured tourism destination.

Transport and Walkability

The Main Street Project welcomes funding investment earmarked for **bus shelters** and **footpaths**, as well as **SP1.7 Walking trails and cycling routes**. Community consultation in Gumeracha has identified several key areas to create safe and accessible walking trails and cycling routes. They include: walking trail from Gumeracha to Forreston; a walking and cycling trail from Federation Park to the Talunqa Estate corner (through SA Water property); and a pump track next to the Skate Park in Federation Park.

Gumeracha

This Business Plan identifies projects and earmarks investment that create a once-in-a-generation opportunity to transform this township.

Of note, the funding over three years to implement the Action Plan for the Federation Park Precinct can have a significant impact on the park, sports precinct, and Community Centre. This can lead to increased engagement and help achieve many of Council's strategic objectives.

We are, of course, overwhelmed at the prospect of further investment in the Main Street with funding proposed to complete Stage 2 of undergrounding of power lines from John Fisher Avenue to Randell Tce.

If both stages of undergrounding powerlines are completed over the coming few years, this entire township will be re-energised. Each aspect complements the other and this town would be an avenue of visual beauty, with calmed traffic, and be considered a genuine destination. It can lead to increased business confidence, further investment in local businesses, and help create a genuine hub for the northern Adelaide Hills. It will also make a significant difference to bushfire risk.

Gumeracha is many things. It is a gateway to the Barossa Valley. It is the half-way point between the city and the river at Mannum. It is an entry point to the metropolitan north-east and amenities such as Tea Tree Plaza for those in the northern Adelaide Hills. Gumeracha is a service centre for many in this region. It has a child care centre, kindergarten, primary school, hospital, a General Practice which employs eleven doctors, Community Centre, Library, Town Hall and is home to what is often referred to as 'the best park in the Hills'.

Local Investment

The Big Rocking Horse attracts 300,000 visitors a year and last year made a significant refurbishment investment including solar panels. On Victoria Street, gin distiller and wine makers Ochre Nation are currently expanding both its premises and its workforce. Co-located café and gallery businesses The Good Pantry and Coach House Studio celebrated one year of successful operation this month. In other good news, the formerly closed Gumeracha Hotel has re-opened.

Over the last two years, a significant number of events have been added to the Gumeracha calendar, complementing the already popular Medieval Fair. The Beer and Bite Festival has been held twice. The Gumeracha Winter Solstice Soup and Fire Night will hold its second event in June, and the Gumeracha Fifth Sunday Market has been introduced this year.

The above shows confidence in this community and this town, the willingness to invest and take risks, and the support of both the immediate and broader communities to engage with businesses and events.

By taking the next steps with public realm infrastructure investment, the momentum will be maintained and will continue to grow, and we will create a township that we can all be proud of.

In closing, we would encourage Council to consider greater investment in its Reconciliation Action Plan and associated Indigenous cultural activities, as well as prioritising increased funding for public art.

Thank you

The Gumeracha Main Street Project is indebted to Adelaide Hills Council for its ongoing support and collaboration. As a group, we are incredibly proud of how we are role-modelling successful Council-community partnerships and we look forward to delivering more tangible outcomes in our township over the coming years.

We would encourage Elected Members at Adelaide Hills Council to come and visit Gumeracha with their families, to see first-hand how their decisions and funding are positively impacting the town.

Thank you for the opportunity to provide feedback on the Business Plan. If you have any questions, please contact me via 0425 286 064 or mschelsealewis@gmail.com

Yours Sincerely



Chelsea Lewis
Chairperson
Gumeracha Main Street Project



Gumeracha Main Street Project Annual Report November 2017 – October 2018

In its second year, the Gumeracha Main Street Project (now Incorporated) achieved more than it set out to do. The Project established a range of goals for the year, and while it achieved all of them, it also completed a range of events and activities that were beyond its original plan.

Some key highlights of the past year include hosting the inaugural Winter Solstice Soup & Fire Night, second place in the Tour Down Under's Best Dressed Town, the I Met Gumeracha theatre experience and Adelaide Hills Council elected members voting to support the undergrounding or powerlines in Gumeracha in the 2019/20 financial year.

Our Working Party team combines a remarkable blend of skills, passion and energy and we are indebted to every team member as well as community supporters, funders, donors and partners.

The Gumeracha Main Street Project was established in September 2016 and remains committed to positively affecting three main objectives:

- Economic sustainability of businesses
- Visual beauty, and
- Changed traffic behaviour.

In this brief report, please enjoy a reflection of what has been achieved over the last year as we report to the eight themes of our Main Street Vision, and articulate where we hope to influence in the coming years.

We are grateful to the following funders, supporters and donors:

- | | |
|---|------------------------------------|
| • Dept of Planning Transport and Infrastructure | • The Green Shed |
| • Adelaide Hills Council | • Gumeracha Primary School |
| • Country Arts SA | • Gumeracha OSHC |
| • YWCA Adelaide | • Torrens Valley Children's Centre |
| • Stirling Market | • Lobethal Woodyard |
| • Lions Club of Torrens Valley | • Tweedvale Milk |
| • Rebekha Sharkie MP | • Applewood Distillery |
| • John Gardner MP | • Unico Zelo |
| • Cr Linda Green | • The Good Pantry |
| • Randells Mill Bed and Breakfast | • The Coach House Studio |
| • Gumeracha Community Association | • The Big Rocking Horse |
| • Gumeracha Gourmet Meats | • Balhannah Nurseries |



Highlights and Achievements

The Gumeracha Main Street Project has eight themes in its Vision. The following outlines the Vision statement for each theme, and reports against each theme for the past year.

PERAMANGK CULTURE AND HARMONY

We are committed to recognising the complete history of our township, knowing and celebrating local Aboriginal culture and developing a two way partnership with Peramangk Peoples for a harmonious future.

- Peramangk Elder Ivan Copley opened Stage 1 of the Women's Tour Down Under at Gumeracha with a Welcome to Country and Smoking Ceremony – a first for the Women's Tour. At the race community event, curated by the Main Street Project, Ivan hosted a story-telling workshop
- Ivan and his son and granddaughter Welcomed us to Country and offered a Smoking Ceremony at the Winter Solstice Soup & Fire Night
- Australian Bureau of Worthiness artists consulted Ivan in the development of their I Met Gumeracha theatre show and shared his stories, with permission, as part of the performance
- Visual artist Rebecca Prince consulted Ivan during the development process of her Gumeracha Spirit Frog mural and incorporated cultural meaning in the image and the story of the image. Ivan was involved at the official launch of the mural

FRIENDLY

Gumeracha Main Street is a community space where locals and visitors feel comfortable to enjoy. In businesses and outside it is a space for people of all ages, cultures and backgrounds – everyone is welcome.

- Hosted Winter Solstice Soup & Fire Night
- Supported delivery of Adelaide Hills Council's Harmony Day with a face-painting stall
- Street decorated for Tour Down Under - 2nd place in Best Dressed Town!
- Main Street Project hosted community event for start and finish Stage 1 Women's Tour Under

NATURE

Gumeracha Main Street is connected to the natural environment. It provides access and visual amenity to the natural beauty that surrounds it. Design elements reflect the close relationship between the street and the world beyond.

- Gumeracha Garden Fairies extraordinary voluntary commitment to main street gardening of planter barrels and business gardens
- Adelaide Hills Council Playspace submission completed
- Hosted cake and coffee stall at Adelaide Hills Council Nature Play event



ABUNDANCE

We celebrate the produces of local artisans. Fresh food, locally made products and artworks are available in businesses on the street and public spaces reflect the community and its abundant offerings.

- Gumeracha Spirit Frog mural on Gumeracha Primary School hall completed and launched



LINGER

Gumeracha Main Street is a place to spend time for leisure, business and community. It provides places to meet, stop, shop and play.

- Master Plan progress with Federal Government Building Better Regions funding. Adelaide Hills Council appointed a consultant in June 2018. Community workshops held in August and final consultation October/November 2018
- Residents Win - Stage 1 State Government road safety funding. Adelaide Hills Council appointed a consultant in June 2018. Work on Stage 1 to begin in 2018/19. Stage 2 Residents Win funding awarded for works in 2019/2020
- Hosted event with Nicole Lewis from Peterborough Main Street



DISCOVERY

The Main Street has a character of its own. There are elements of surprise and an allure to explore and discover the heart and history of the township.



UNINHIBITED

Gumeracha Main Street is not limited by convention. It respects heritage while embracing new and exciting elements which make it stand out from the crowd. Art is celebrated and shared and good design is considered in all aspects.

- Hosted Australian Bureau of Worthiness - I Met Gumeracha performed April 2018
- Public Arts Workshop delivered June 2018



SAFE

Gumeracha Main Street is a place where everyone feels safe – whether that's crossing the road, walking at night or splashing in puddles. Spaces are designed with consideration for all users of the street – from the very young to the very old.

Looking Ahead

Annual core business goals

- Host Winter Solstice Soup & Fire Night event
- Continue to provide Adelaide Hills Council Business Plan and Budget submission
- Provide core funding for Gumeracha Garden Fairies
- Aim for an annual arts outcome

Specific goals for October 2018 – November 2019

- Complete two year community survey check-in
- Apply to Adelaide Hills Council to host Fifth Sunday Market
- Complete town entry feature (with Tour Down Under winnings)
- Plan refurbishment of oval bus shelter
- Complete Master Plan

Goals within next three years

- Powerlines underground from Victoria Street to John Fisher Avenue
- Residents Win Stages 1 and 2 work complete
- Hospital wall decorated (or funding secured and plans complete)

Ongoing goals

- Source and secure funding
- Foster and grow relationships and partnerships



www.gumerachamainstreet.com.au

[Facebook.com/GumerachaMainStreet](https://www.facebook.com/GumerachaMainStreet)

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 12.2

Originating Officer: Bernadette Walsh, Corporate Planning and Performance Coordinator

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Adoption of the 2019-20 Annual Business Plan

For: Decision

SUMMARY

Council prepared a draft 2019-20 Annual Business Plan (ABP) for community consultation that incorporated a 2.8% average rate increase, delivered a \$462k operating surplus, gross capital works program totalling \$14.085m and included additional operating projects and initiatives of net \$875k.

Having considered feedback from the consultation process at a previous workshop of Council, this report presents the revised 2019-20 Annual Business Plan (including Budget and Rating Policy) for adoption. This revised ABP still provides for a 2.8% average rate increase, delivers a decreased \$449k operating surplus, incorporates a capital works program totalling \$14.085m and includes additional operating projects and initiatives of net \$878k.

It is important to note however that the impacts of the 40% increase in the Solid Waste Levy announced in the State Government Budget on 18 June 2019 have not been reflected within the proposed ABP and Budget. Whilst it is estimated that the additional cost is likely to exceed \$170k per annum (or 0.5% of rate revenue), it is intended that strategies be developed and provided to Council as part of Budget Review 1 to minimise any impact on the long term financial sustainability of Council. Given the relatively low operating surplus currently projected, strategies are likely to have an impact on rates, services or the level of works projects. A press release in relation to the increase in the Solid Waste Levy has been provided at **Appendix 2**.

The *Local Government Act 1999* (the Act) has a number of requirements relating to the preparation of the Annual Business Plan (including Budget), the Annual Statements and the setting of rates. This report and the activities which it recounts address all of those requirements. The report also seeks to formally adopt the Rating Policy (FIN-02) to apply from 1 July 2019.

The recommendations provided below will be updated immediately prior to the meeting of Council to enable the inclusion of the most recent valuation extracts from the Valuer-General.

RECOMMENDATION

Council resolves that:

- 1.1 Pursuant to and in accordance with Section 123(6) of the *Local Government Act 1999* (“the Act”) and Regulation 6 of the *Local Government (Financial Management) Regulations 2011* and having considered all submissions received, the Annual Business Plan as laid before Council for the financial year ending 30 June 2020 be adopted.
- 1.2 Pursuant to and in accordance with Section 123(7) of the Act and Regulation 7 of the *Local Government (Financial Management) Regulations 2011*, having considered the Budget in conjunction and determined the Budget to be consistent with, the Council’s Annual Business Plan, the Budget for the financial year ending 30 June 2020 as laid before the Council at this meeting, be adopted.
- 1.3 Determination and Adoption of Valuations – 2019-20
 - 1.3.1 Rates assessed on rateable land in the area of the Council will be based on the capital value of land for all rateable land.
 - 1.3.2 Pursuant to Section 167(2)(a) of the Local Government Act 1999 the most recent valuations of the Valuer General available to the Council of the capital value of land within the Council area, be adopted for rating purposes for the financial year ending 30 June 2020, totalling \$x,xxx,xxx,xxx.
- 1.4 Determination of Basis for Differential Rating

Having taken into account the general principles of rating contained in Section 150 of the Act and the requirements of Section 153(2) of the *Local Government Act 1999*, and in order to raise the amount in paragraph 1.2.3, pursuant to Section 152(1)(c) of the *Local Government Act 1999* the Council declares that general rates for the financial year ending 30 June 2020 will consist of two components:

 1. one being based on the value of the land;
 2. the other being a fixed charge

Pursuant to Sections 153(1)(b) and 156(1)(a) of the *Local Government Act 1999* the Council declares the following differential general rates for the financial year ending 30 June 2020 on rateable property within the Council area, based upon the capital value of the land and varying according to land use categories in accordance with Regulation 14 of the *Local Government (General) Regulations 2013*:

 - 1.4.1 On rateable land assigned Category 1, 7, 8 & 9 (Residential, Primary Production, Vacant and Other), a rate of 0.2469 cents in the dollar of the capital value of such land;
 - 1.4.2 On rateable land assigned Category 2, 3, 4, 5 and 6 (Commercial and Industrial) a rate of 0.2839 cents in the dollar of the capital value of such land.

1.5 Declaration of General Rates – Annual Fixed Charge

Pursuant to Section 152(1)(c)(ii) of the *Local Government Act 1999*, the Council declares a fixed charge of \$652 in respect of all rateable land in the Council area for the financial year ending 30 June 2020.

1.6 Imposition of NRM Levy

In accordance with Section 95 of the *Natural Resource Management Act 2004*, and Section 154 of the *Local Government Act 1999*, in order to reimburse the Council the amount contributed to Regional NRM Boards, the Council declares the following separate rates based upon the capital value of rateable land for the financial year ending 30 June 2020:

1.6.1 0.009805 cents in the dollar on all rateable land in the Council area and in the area of Adelaide and Mt Lofty Natural Resource Management Board;

1.6.2 0.02536 cents in the dollar on all rateable land in the Council area and in the area of the SA Murray-Darling Basin Natural Resource Management Board.

1.7 Annual Service Charge

Pursuant to Section 155 of the *Local Government Act 1999*, for the financial year ending 30 June 2020 the Council imposes the following annual service charges based on the nature of the service and the level of usage of the service:

1.7.1 In respect of all land to which the Council provides or makes available the prescribed services known as:

- the Woodside Community Wastewater Management System
- the Woodside Extension Community Wastewater Management System
- the Birdwood and Mt Torrens Community Wastewater Management System
- the Kersbrook Township Community Wastewater Management System
- the Charleston Community Wastewater Management System
- the Verdun Community Wastewater Management System
- the Mt Lofty Ward Community Wastewater Management System

an annual service charge of \$864 in respect of land which is occupied and an annual service charge of \$500 in respect of land which is vacant.

1.8 Rebates

1.8.1 Rate Cap

Pursuant to Section 153(3) and (4) of the *Local Government Act 1999*, the Council has determined to fix a maximum increase in general rates to be charged on any rateable land within its area which constitutes the principal place of residence of a principal ratepayer upon application by the principal ratepayer, in circumstances where:

- the general rates payable for the financial year ending 30 June 2020 exceed the general rates paid in the previous year by 15% or more

and where the increase in general rates is not as a result of:

- (i) improvements made to the property worth more than \$20,000; or
- (ii) a change to the land use of the property since 1 January 2018; or
- (iii) a change in ownership of the rateable property since 1 January 2018;

the amount of any cap being the difference between the amount of general rates in monetary terms imposed for the 2019-20 financial year and the amount of rates in monetary terms (after any rebate was applied) for the 2018-19 financial year plus 15% of those rates.

Principal ratepayers with multiple assessments (such as primary producers) will be entitled to the rate cap only in respect of the assessment containing the principal place of residence of the principal ratepayer.

1.8.2 Primary Production Rebate

Pursuant to Section 166(1)(b) of the *Local Government Act 1999*, Council continues to offer, for 2019-20, upon application, a discretionary Primary Production Rebate of 10% on the differential rate to those ratepayers in the business of primary production who do not have a notional capital value assessment of their property

1.9 Separate Rates

Declaration of Separate rate – Stirling Business Separate Rate

- 1.9.1** Pursuant to Section 154 of the *Local Government Act 1999* for the financial year ending 30 June 2019 in order to raise the amount of \$95,000 to carry out the activity of promoting and enhancing business viability, profitability, trade and commerce in that part of the Council's area comprising rateable land within the precinct known as the District Centre (Stirling) Zone and businesses fronting both sides of Mt Barker Road east of the District Centre (Stirling) Zone to Pine Street, excluding land attributed a land use category 1 (residential) and government owned land, the Council declares a differential separate rate of 0.0995 cents in the dollar on all other land uses based on the capital value of the rateable land within that part of the Council area.
- 1.9.2** In exercise of the powers contained in Section 158(1)(a) of the *Local Government Act 1999* the minimum amount that is payable by way of this separate rate is \$240 (affecting all properties within the area to which this separate rate applies for which the capital value is below \$241,296).
- 1.9.3** In exercise of the powers contained in Section 158(1)(b) of the *Local Government Act 1999* the amount that would otherwise be payable by way of rates in respect of this separate rate is altered by fixing the maximum amount of the separate rate payable at \$2,145 (affecting all properties within the area to which this separate rate applies which have a capital value in excess of \$2,155,778).

1.10 Payment of Rates

- 1.10.1** That pursuant to the provisions of Section 181 of the *Local Government Act 1999*, the above rates including charges which have been imposed for the financial year ending 30 June 2020 are payable by four equal (or approximately equal) quarterly instalments (unless otherwise agreed with the principal ratepayer), falling due during the months of September and December 2019 and March and June 2020.

- 1.10.2 In exercise of the powers contained in section 44 of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer**
- the power pursuant to Section 181(2) of the *Local Government Act 1999* to determine the day on which each instalment falls due in the months specified in part 1.10.1 of this resolution; and.
 - the power pursuant to Section 181(4)(b) of the *Local Government Act 1999*, to enter into agreements with principal ratepayers relating to the payment of rates in any case of hardship or financial difficulty.

1.11 Adoption of Rating Policy

- 1.11.1 With an effective date of 1 July 2019, to revoke the 26 June 2018 Rating Policy and adopt the Rating Policy, in Appendix 3 of the 2019-20 Annual Business Plan in Appendix 1 of this report.**
- 1.11.2 That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the Policy prior to the effective date.**

1.12 Borrowings

Council resolves to borrow:

- 1.12.1 The sum of \$2.5m for the purpose of funding the 2019-20 Budget.**
- 1.12.2 Council authorise the Chief Executive to negotiate and agree the interest rate and any terms and conditions of the borrowing arrangements in accordance with the Treasury Policy as adopted by Council.**
- 1.12.3 Council authorises the affixation of the common seal as necessary to give effect to Council's resolutions in this matter and that this be undertaken by the Mayor and the Chief Executive Officer.**

1.13 Publication of the 2019-20 Annual Business Plan and Budget

The Chief Executive Officer be delegated the authority to make formatting and minor changes/corrections to the 2019-20 Annual Business Plan and Budget documentation prior to publication.

1.14 Increased Solid Waste Levy

That strategies be developed and provided to Council as part of Budget Review 1 to minimise any impact on the long term financial sustainability of Adelaide Hills Council due to the 40% increase in the Solid Waste Levy.

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 5	Organisational Sustainability
Strategy	5.1 Our Organisation
	5.3 Financial Sustainability
	5.5 Risk and Responsibility

It should be noted that the ABP was developed following detailed consideration of all Goals and Strategies identified within the Strategic Plan, Long Term Financial Plan, Asset Management Plan and other key Plans and Strategies previously endorsed by Council. As such funding within the ABP has been provided, where appropriate, to deliver against these Plans.

➤ Legal Implications

The provisions of Chapter 8 – Administrative and financial accountability, Chapter 9 – Finances and Chapter 10 – Rates and charges of the *Local Government Act 1999* applies.

➤ Risk Management Implications

Preparing an Annual Business Plan as required by the Act and Regulations will assist in mitigating the risk of:

Inability to discharge role and functions of a local government entity leading to a breach of legislation and loss of stakeholder confidence.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	High (5E)	High (5E)

It ensures that financial resources are deployed in areas that align with Council's Strategic Management Plans, are affordable and support Council's Long Term Financial Plan.

➤ Financial and Resource Implications

The adoption of the ABP has considerable financial and resource implications, these are set out in **Appendix 1**.

It is important to note however that the impacts of the 40% increase in the Solid Waste Levy announced in the State Government Budget on 18 June 2019 have not been reflected within the proposed ABP and Budget. Whilst it is estimated that the additional cost is likely to exceed \$170k per annum (or 0.5% of rate revenue), it is intended that strategies be developed and provided to Council as part of Budget Review 1 to minimise any impact on the long term financial sustainability of Council. Given the relatively low operating surplus currently projected, strategies are likely to have an impact on rates, services or the level of works projects. A press release in relation to the increase in the Solid Waste Levy has been provided at **Appendix 2**.

➤ Customer Service and Community/Cultural Implications

Without an ABP, Council risks pursuing strategies and projects which fail to deliver acceptable levels of customer service and adversely affect the community.

➤ **Environmental Implications**

The ABP incorporates and furthers Council's environmental goals as set out in the Strategic Plan.

➤ **Community Engagement/Consultation**

The Annual Business Plan process has included a major consultation process that exceeds the mandatory consultation required under the Act, the results of which are the subject of a separate report to Council in this meeting's agenda.

Consultation on the development of this report was as follows:

Council Committees: The Audit Committee considered the draft 2019-20 ABP at its 15 April 2019 meeting.

Council Workshops: Council has workshopped elements of the ABP on 11 December 2018, 29-30 March and 2 April 2019.

Council considered the submissions received to date from the community consultation at the 18 June 2019 workshop.

Advisory Groups: Not Applicable

Administration: Chief Executive Officer
Director Community Capacity
Director Corporate Services
Director Infrastructure & Operations
Director Development & Regulatory Services
Executive Manager Governance & Performance
Executive Manager Organisational Development
Manager Financial Services
Manager Sustainable Assets
Manager Waste and Emergency Management

2. BACKGROUND

The 2019-20 ABP has been developed to reflect the objectives endorsed within the Long Term Financial Plan (LTFP), Asset Management Plan and Strategic Plan. Council resolutions, staff and community feedback and risk assessments have also informed projects and programs included in the Budget.

The budget process including the general parameters and underlying financial assumptions were discussed with Council Members in early 2019 and have also been incorporated into the LTFP. Workshops for the development of the ABP were held on 11 December 2018, 29-30 March and 2 April 2019 to review the operating programs and capital works prior to the preparation of this report.

A report containing the draft 2019-20 ABP was endorsed by Council on 23 April 2019 for release for community consultation. Section 123 of the Act states that Council is obliged to consider community feedback with respect to its ABP. Community consultation was conducted from 26 April to 31 May 2019. The community was also invited to attend a meeting of Council which allowed members of the public to make submissions in relation to the ABP on 28 May 2019.

Following conclusion of the consultation period on 31 May 2019 a Council workshop was held on 18 June 2019 to consider feedback received. Details of proposed changes to the projects and budget resulting from the community consultation are detailed in the Analysis section.

The 2019-20 ABP (**Appendix 1**) seeks to ensure a sustainable balance between service needs, financial responsibility (including infrastructure renewal and additions), and the capacity of the community to pay.

All Council activities are undertaken giving consideration to economic, social, environmental and governance sustainability.

3. ANALYSIS

Council's 2019-20 budget included within the Plan provides for an operating surplus of \$449k, which reflects the careful control of both operating expenses and rates income. This is a decrease of \$13k from the draft consultation document which showed an operating surplus of \$462k.

Operating adjustments to the draft consultation document are as follows:

- The inclusion of an Operating Initiative expenditure budget of \$3k relating to the Gumeracha Civic Centre 20th anniversary event as endorsed by Council at its 28 May 2019 Meeting
- An increase of \$10k to the Communications, Engagement & Events operating expenditure budget relating to an event opportunity as endorsed by Council at its Special Council Meeting on 4 June 2019
- A decrease of \$32k in relation to both income and expenditure to reflect Council's 2019-20 contribution to the Adelaide and Mount Lofty Ranges NRM Region as a result of advice from the NRM Board received after the draft ABP document was prepared in April 2019.

Operating revenue is projected at \$44.6 million and includes a proposed 2.8% increase in average rates plus anticipated growth from new development of 0.75% (including Woodforde and Inverbrackie). The operating expenditure budget is projected at \$44.2 million, which includes \$8.94 million of depreciation.

A number of key factors have influenced the preparation of Council's ABP. These include:

- Local Government Price Index increases on relevant goods and services, which in recent years has tracked above CPI.
- The impact of China mandating and enforcing stringent quality requirements for imported recycled materials (China Sword) has an ongoing impact on councils operating result of approximately 1% of rates, thus having a significant financial impact on Council's budget.
- Provision for Enterprise Development Agreements for most staff which determines conditions of employment and provide for annual salary and wages increases.
- Maintaining asset management (renewal) expenditure at a sufficient level to ensure long term maintenance of Council infrastructure, property and IT assets.
- Increased maintenance requirements due to an increase in capital works and construction of new assets over recent years.
- Ensuring key strategies from Council's Strategic Plan and Functional Strategies are costed appropriately.
- In 2019-20 it is forecast Council ratepayers will pay \$768k in landfill levy to the State Government, an increase of over \$31k (4.2%) from 2018-19.

- A reduction in Grant funding, largely as a result of one off funding received in 2018-19 for Disaster Recovery funding for storm damage relating to previous years of \$406k and a DPTI contribution of \$200k for the Kersbrook Primary School pedestrian crossing.
- The divestment of the southern side of AHBTC resulting in reduced rental and reimbursement income but offset by reduced operating costs.
- The activation of an Arts and Heritage Hub resulting in a net cost of \$199k in 2019-20.

In response to the cost imposts on Council and to minimise the burden on ratepayers, Council has continued its work and review of saving strategies including service sustainability.

Saving strategies identified as part of the budget preparation include organisational initiatives, service reviews, contract management efficiencies and savings, infrastructure and work planning actions as well as people management initiatives. These reviews have already identified savings in contracting budgets across the corporation which have been realised in building the 2019-20 budget.

Capital Expenditure

The 2019-20 Capital Budget continues to focus on the renewal of infrastructure. The Council has in excess of \$500m (Current Replacement Values) of infrastructure assets that it manages, to ensure that our current and future communities have access to the ongoing services these assets provide.

This year the capital investment program of \$14.084m will include \$9.273m on the renewal of the existing asset and \$4.811m in providing new capital initiatives and additional assets for capacity improvements to infrastructure to meet service level demand.

The total of \$14.084m for the capital investment program is in line with the Long Term Financial Plan target and considered to be the appropriate level of sustainable investment to meet the Council strategic goal to have a proactive long term view regarding the renewal and maintenance of its infrastructure.

As in previous years a significant portion of the program is applied to road works, with buildings, footpaths, stormwater and plant accounting for a large proportion of the remaining allocation.

In 2018-19 Council made considered adjustments to the investment levels across some asset classes, including roads, pavements, footpath, shoulders and unsealed roads, to ensure infrastructure and key assets continue to support the development of the region and the needs of our community. This level of renewal investment into transport infrastructure has been maintained in 2019-20. The Sport and Recreational facilities renewal funding has been reduced against the LTFP numbers awaiting the outcome of the functional strategy and strategic investment decisions. The current program will continue to deliver much needed court resurfacing, oval surface improvement and playground upgrades.

The detailed Capital Works Program is in **Appendix 2** of the ABP and contains the planned budget for 2019-20, as well as some intended budget amounts for 2020-21 and 2021-22. These intended budget allocations for the subsequent years are indicative and pending adoption from the usual annual budget processes, but will assist Council in planning, scoping and project delivery of future projects and programs.

Council has identified \$597k of new capital investment across a number of asset classes in 2019-20 to continually increase our environmental sustainability. This includes the continuation of solar panel installations, water sensitive urban design work, irrigation design and upgrades to

ensure the efficient use of water. Council has also allocated \$50k to be utilised in emerging processes to ensure greater reuse of material in infrastructure projects.

Council receives many community requests, proposals and bids for new/ upgraded infrastructure that are considered as part of the development of the annual business plan. Not all projects can be funded and many are ranked as a lower priority, considering strategic plans/ documents, long term asset management and policy positions.

A detailed listing of capital expenditure items is provided as Appendix 2 in the 2019-20 ABP (**Appendix 1**).

Operating Initiatives

As discussed with Council Members at the workshop of 29 & 30 March 2019 and 2 April 2019, the ABP has been developed with the inclusion of a number of new programs and/or operating initiatives.

These new programs and initiatives, which total \$878k for 2019-20, have been provided for whilst still meeting the target for operating expenditure as set out within the Long Term Financial Plan.

These types of projects are either one-off, short term projects, ongoing programs linked to the achievement of a strategy or a proposed level of service change. A change in the level of service will also impact future budgets.

The operating initiatives have been scheduled over a three year period and the ABP contains the total funding requirements for that time horizon. Importantly in the consideration of the 2019-20 ABP, Council will only be committing to those initiatives identified for the 2019-20 financial year.

Rating Policy

Context

A detailed review of the *Rating Policy* (the Policy) was undertaken prior to the adoption of the 2016-17 Budget with amendments to Policy, including an increase in the Fixed Charge, being incorporated into the Annual Business Plan for that year. Subsequently in 2018-19, a further detailed review of the Policy was undertaken focussing on an analysis of impacts on the commercial and industrial sectors and rate rebates, and in particular the review of discretionary rebates.

Given these recent reviews the draft Rating Policy for 2019-20 was prepared with only minor amendments to the Policy to provide increased clarity on Councils' rating position in relation to discretionary rebates.

However feedback as a result of applying the Policy in the determination of a number of discretionary rate rebate applications in June 2019, highlighted that the policy would benefit from some changes to assist the application of Council's agreed policy positions prior to adoption. At a Council Workshop held on 18 June 2019, the following were discussed and subsequently included in the proposed rating policy for adoption:

- The inclusion of a decision tree logic within the policy;
- Additional wording to clarify which elements of Section 166 were to be covered by the decision tree matrix assessment;

- The inclusion of the matters that Council takes into account in deciding whether to grant a discretionary rebate for land uses covered by Section 166; and
- The inclusion of definitions for “community need” and “disadvantaged” to assist Council’s consideration of these with reference to the legislative requirements of Section 166 (1a)

In addition it was agreed that Council should retain the delegation to grant discretionary rate rebates that was previously delegated to the CEO. As such, this change has been reflected in the Council Delegations Review – June 2019 Report as part of the *Local Government Act 1999* delegations also included in this Council Meeting Agenda.

Commercial and Industrial Rates

The commercial and industrial rate differential was discussed by Council as part of the 2019-20 Budget preparation workshops and resulted in Council’s draft ABP proposing no change to the Commercial & Industrial rating position. The final 2019-20 ABP is also based on this premise.

Any change from the 15% above the general residential rate for Commercial and Industrial properties will have a financial impact on Council’s 2019-20 Budget position.

Rate Revenue & Valuation

Total revenue raised by generate rates is budgeted to increase on average per assessment by 2.8%, with new and improved development providing an additional 0.75%.

The valuation of the Council area by the Valuer- General has now been completed and reflects an increase of 1% in valuation for existing properties.

Analysis indicates that:

- Residential properties, representing over 70% of the overall valuation, had an average valuation increase of just under 1.2%
- Primary production properties, being 18% of the overall valuation, have an average valuation increase of 0.4%
- The remaining non-residential properties, including commercial, had an average valuation increase of just under 1.6%.

The Rating Policy including the proposed rate rebate policy position is included as Appendix 3 within the ABP (**Appendix 1**).

Key rating elements in the 2019-20 ABP are outlined within the following Sections:

Fixed Charge

The fixed charge provides a mechanism to recognise that all properties have access to “core” Council services, regardless of valuation, and ought to make a contribution to the cost of those services. In addition, the fixed charge provides a mechanism to adjust the rates contributions across high and low valued properties. This redresses the balance and equity of the rate system.

The Council is unable to raise more than 50% of total rate revenue by the imposition of a fixed charge component of general rates as per section 151(10) of the Act.

For 2019-20 the value of the fixed charge has been set at \$652. This amount provides for an increase of \$18 in the fixed charge from \$634 in 2018-19. The increase in fixed charge reflects the 2.8% average rate increase that was provided for within the LTFP and draft ABP.

Primary Production Rates

Since 2009-10, the primary production General Rate in the dollar has been set at the same level as the residential General Rate in the dollar given the majority of properties zoned Primary Production are now used only for residential purposes.

A rebate however continues to be available to those primary producers that are genuinely in the business of Primary Production and do not benefit from a Notional Capital Value to retain a 10% lower General Rate for Primary Production relative to Residential ratepayers.

Commercial and Industrial Rates

Commercial and Industrial properties continue to be rated at 15% above the General Residential rate in the dollar as discussed above.

Separate Rates

Stirling Business Separate Rate:

The Rating Policy provides for a continuation of the separate rate for businesses in Stirling (Stirling Business Separate Rate). This rate will raise \$95k (an increase of \$10k from 2018-19) and is distributed to the Stirling Business Association (SBA) to promote Stirling as a destination, the 'Gateway to the Hills'.

It is noted that the SBA members at their 2018 Annual General Meeting endorsed a recommendation to Council to increase the levy. Projects tabled to necessitate the increase included: \$10k Entrance Statement (being concept designs to clean up on and off freeway), \$10k Buy Local Campaign and a \$5k website upgrade.

The SBA have advised that this increased level of funding will be sufficient to undertake the promotional activities planned.

There are no proposed changes to the structure of the rate in relation to the categories of land use captured or the level of the 'top' and 'tail' that have been set in past years, being a maximum level of \$2,145 per property and a minimum of \$240.

Verrall Road Separate Rate:

The Rating Policy also provides for a continuation of the separate rate for Verrall Road, Upper Hermitage which provided for the sealing of the northern end of the road in 2014-15. This rate is levied at a value of \$858 per annum on the properties that use this section of road. It is noted that Council has received legal advice that as this separate rate has been declared for a period in excess of one year, it is not necessary to declare or gazette this rate again during the term for which it has been declared to operate.

A full copy of Council's 2019-20 ABP (including Budget and Rating Policy) is included as **Appendix 1** to this report.

4. OPTIONS

Council can:

1. Adopt the 2019-20 Annual Business Plan (including Budget and Rating Policy) as presented (Recommended) or;
2. Defer adoption of the Annual Business Plan (including Budget and Rating Policy) to allow further preparation or consultation to be carried out.

Should Council choose to defer the adoption of the Annual Business Plan (including Budget and Rating Policy), one consequence may be an equivalent delay in striking rates for 2019-20 and hence in collecting rate income in the usual timely fashion.

It should also be noted that the budget review mechanism provides for further adjustments to the Annual Business Plan (including Budget) after adoption if deemed necessary or appropriate.

5. APPENDICES

- (1) 2019-20 Annual Business Plan
- (2) Press Release – Solid Waste Levy Increase

Appendix 1

2019-20 Annual Business Plan and Budget



Adelaide Hills
COUNCIL

2019-20

Annual Business Plan (Draft)



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Welcome

This is our Annual Business Plan for 2019-20.

This publication is provided for our ratepayers, residents, business operators, visitors, government agencies and other interested people.

The Annual Business Plan meets the requirements of the *Local Government Act 1999*, and also provides relevant information for our community.

The plan outlines our objectives for 2019-20 and how we are going to achieve them. These objectives are linked primarily to our Strategic Plan, but also come from our other functional strategies and plans.

We hope this plan makes interesting reading and demonstrates our commitment to making the Adelaide Hills *a place for everyone*.

Where to get copies

A digital copy of this report is available at **ahc.sa.gov.au**.

Request a copy by contacting us
(08) 8408 0400

PO Box 44 Woodside SA 5244
mail@ahc.sa.gov.au

Feedback

We welcome your feedback on this report or any other Council matter. Please contact us in the ways described on the left.

Consultation

Consultation on the draft Annual Business Plan ran from 26 April 2019 to 31 May 2019 and we wanted to hear what you think about it.

Opportunities to be involved included:

- Reviewing the draft Plan online, asking questions and making submissions at engage.ahc.sa.gov.au
- Making written submissions by email to mail@ahc.sa.gov.au or by post to PO Box 44, Woodside SA 5244.
- Attending a public meeting of the Council at 6.30pm on 28 May 2019 where members of the public had the opportunity to make in-person representations.

The Council considered feedback received during the consultation period at its meeting on 25 June 2019 and took this feedback into account before adopting the final Annual Business Plan.

Copies of this Annual Business Plan can be viewed online at engage.ahc.sa.gov.au or in person at any Council Customer Service Centre.

Information about the draft Annual Business Plan was included in the Council's electronic newsletter, Hills Voice: your Adelaide Hills, distributed to subscribers in May.



Mayor's Message

The focus of this Annual Business Plan is to continue to deliver on the goals and objectives of Council's Strategic Plan – *Your Adelaide Hills - A place for everyone*, in a responsible, innovative and collaborative manner, whilst striving to act in the best interests of the Adelaide Hills community.

You elected a new Council, including five new Council Members, in November 2018 under the revised two ward structure. Since this time we have focussed on working as a cohesive team to continue to build a happy, healthy and prosperous Hills community. Financial sustainability remains an important commitment for Council with the cost projections of all Strategic Plan and Functional Strategies included in the Long-Term Financial Plan as they are adopted. This enables both current and successive Councils to understand the cost implications of their strategic decisions and facilitate the prudent delivery of services and facilities to the community now and into the future.

While continuing to progress our strategic planning initiatives, Council has resolved to undertake a comprehensive review of the current Strategic Plan in line with legislative requirements. This review commenced in April 2019 with a new Strategic Plan to be adopted in 2020.

Adelaide Hills Council is well-placed to implement our Annual Business Plan having drafted a responsible budget that includes an expected increase in general rates of 2.8%. This increase will not only enable us to maintain all existing services as costs grow in line with forecast Consumer Price Index of 1.8%, but also fund increased levels of capital renewal works (in particular our road network) as identified within our Long Term Financial Plan.

Our Annual Business Plan has also funded a number of new projects and initiatives in response to community feedback, whilst at the same time dealing with a range of additional cost pressures through the achievement of savings strategies. The impact alone of China mandating stringent quality requirements for imported recycled materials has been in excess of 1% of rates revenue which we have so far managed to absorb through improved efficiencies.

Creating a vibrant and inclusive community for everyone, who lives, works and plays in the Adelaide Hills, remains at the heart of many Council initiatives. The former Onkaparinga Woollen Mill at Lobethal is being revitalised with the establishment of Fabrik, our Arts and Heritage Hub. This is a major step forward in the master planning process which aims to respect and celebrate the economic, heritage and cultural elements of the site and its surrounding district. We're working closely with the community in Gumeracha to revitalise the main street and surrounds and have achieved some major funding milestones to date. Events such as the Hills Harmony Picnic also reinforce our community spirit and recognise diversity and inclusion in our community. On a grass roots level our Community Centres, Libraries and Volunteer activities continue to thrive and support people of all ages and backgrounds in the Hills.

To improve the liveability of the Adelaide Hills we have also planned significant investment in improving our walking and cycling trails, new footpaths, overcoming road blackspots and preserving our natural environment through programs such as our weed control and Roadside Marker Program.

We will finalise our Carbon Management Plan later this year, with a further objective of achieving 100% renewable energy (electricity use) for Council as an organisation in a financially sustainable way. We will also be commencing the implementation of the recycling strategy where we are looking to take a lead in the 'war on waste' with a greater emphasis on reduce, re-use and the circular waste economy.

Council has also identified almost \$600,000 of new capital investment to continually increase our environmental sustainability. This includes a substantial increase in solar panel installations, water sensitive urban design work, irrigation design and upgrades to ensure the efficient use of water. We also have an allocation \$50,000 to be utilised in emerging processes to ensure greater reuse of material in infrastructure projects.

This is the first Annual Business Plan of your new Council with a strong focus on delivering value for the rate dollar with responsive services for the community while working collaboratively with our staff, volunteers, partner councils and subsidiaries. We continue to enthusiastically serve you - our community.

Jan-Claire Wisdom
Mayor

Photo credit: John Hemmings and the Weekender Herald

NOTE

The impacts of the unprecedented 40% increase in the Solid Waste Levy announced 18 June 2019 by the State Government have not been reflected in this document. It is estimated that the additional cost is likely to exceed \$170K (0.5% of rate revenue) and strategies to minimise the impact on Council's long term financial sustainability may impact rates, services or the level of works projects.

Our community

With its historical towns and villages, beautiful natural environment, and close proximity to metropolitan Adelaide, the Adelaide Hills Council district offers an appealing lifestyle for both residents and visitors.

The district is primarily a rural area with the population concentrated in 57 townships and localities. The towns are located throughout the area along with tracts of native vegetation and prime agricultural land which creates a unique character loved by our communities and visitors alike.

The Adelaide Hills has a resident population of 39,734 (ABS ERP 2018) with around two thirds of its working residents travelling outside the area for work. Those employed locally mainly work in education and training, food and wine production, tourism, or provide services for the local population.

The community is generally well educated and well connected. Employment levels are good and there are high levels of volunteering compared with Greater Adelaide.

While the proportion of babies and children are slightly greater than the South Australian average, there is a tendency for young people to move out of the district when they reach working age. Likewise, people find it challenging to live in the Hills as they age and the proportion of the population over 70 is lower than in other parts of South Australia.

Further information about our community profile, including trends and considerations, can be found at <https://profile.id.com.au/adelaide-hills>



Population	38,863*
Median Age	44 (39 Greater Adelaide)
Number of Townships/Localities	57
Number of Dwellings	15,454
Density	49/km ²
Council Established	1997
Area	795km ²
Sealed Roads (Council)	610kms
Unsealed Roads (Council)	396kms
State Electorates	Bragg, Heyson, Kavel, Morialta, Newland, Schubert, Waite
Federal Divisions	Mayo

**Based on 2016 Australian Bureau of Statistics Census data*

Our district

The Adelaide Hills' unique characteristics and proximity to metropolitan Adelaide have created many opportunities for tourism and recreation.

There are over 1,000 kilometres of roads in our district: equivalent to the distance from Adelaide to Canberra. These roads carry city residents and visitors as they drive, ride, cycle, and walk to experience the Hills.

The district is well known for its natural environment and built character, wineries, eateries and a range of attractions and events.

While the rural and village character of the area remains, the Adelaide Hills is nonetheless undergoing significant change. Over the past decades the focus on traditional agriculture has reduced as some rural lands have transitioned into boutique industries, wineries or large residential properties. This transition from farming to urban fringe activities has impacted on local employment opportunities, particularly within smaller townships.

Much of the district is within the Adelaide watershed and, as such, development is largely restricted.

Like many other urban fringe areas, limited public transport, an ageing population, a changing agricultural and economic base and difficulties in accessing services have left some people in the area isolated and vulnerable. Nonetheless, the community has exhibited a strong desire, through numerous engagement opportunities, to preserve the hills character as paramount to the way of life within the hills.

Our dispersed population is well provided for with numerous facilities and community services including libraries, community centres, recreation facilities and halls. Some of these are Council owned while many are community owned and/or managed.

The Adelaide Hills area is also a biodiversity hot spot with numerous threatened species. Many volunteers and 'Friends of' park groups devote countless hours to preserving and enhancing the habitat value of these biodiversity hot spots.

This Annual Business Plan has been prepared in recognition of the many opportunities and challenges faced by our district and its community, while seeking to achieve the community's aspirations as contained in our Strategic Plan.

Our team

Elected Council

The Adelaide Hills Council was established in 1997 through the amalgamation of the then District Councils of East Torrens, Gumeracha, Onkaparinga and Stirling.

In 2017, Council completed an Elector Representation Review which examined the composition and structure of the representation arrangements which have been largely the same since the formation of the Council in 1997. The outcome of the review was a Council resolution to retain a popularly-elected Mayor and 12 Councillors and retain wards but reduce the number to two. The new Ranges Ward has seven councillors and the new Valleys Ward has five councillors. The new representation arrangements came into effect following the November 2018 Local Government Election.



Left to right: Cr Malcolm Herrmann, Cr Andrew Stratford, Cr Ian Bailey, Cr Leith Mudge, Cr Pauline Gill, Cr Mark Osterstock, Mayor Jan-Claire Wisdom, Cr Nathan Daniell (Deputy Mayor), Cr Kirsty Parkin, Cr Kirrilee Boyd, Cr John Kemp, Cr Chris Grant, Cr Linda Green.

The map displays the City of Johannesburg, with the Ranges Ward highlighted in red and the Valleys Ward highlighted in blue. The Ranges Ward includes suburbs such as Morningside, Sandton, Rosebank, and Midrand. The Valleys Ward includes suburbs such as Fouriesburg, Midrand, and Sandton. The map also shows the South Eastern Freeway and the M1 motorway.

Organisation structure

Council and Committees

The Elected Council's role is to provide for the governance and management of the Council area. It does this through representing the interests of the community; providing and coordinating public services and facilities; encouraging and developing initiatives to improve the community's quality of life; and exercising, performing and discharging its functions under legislation in relation to the Council area.

Council has established three Council Committees to assist it to discharge its responsibilities in specific areas. These are the Strategic Planning & Development Policy Committee (SPDPC), the Audit Committee and the Chief Executive Officer Performance Review Panel (CEOPRP).

Advisory Groups

Council has established a number of Advisory Groups for key subject matters, which provide a unique way for skilled community members to participate in Council processes. These Groups provide advice to the Administration in the formulation of policy and other initiatives for Council's consideration.

Regional Subsidiaries

The Adelaide Hills Council is a member of four regional subsidiaries which assist Council in its strategic planning and service delivery activities. The subsidiaries are the Southern and Hills Local Government Association (SHLGA), the Eastern Waste Management Authority (East Waste), the Adelaide Hills Region Waste Management Authority (AHRWMA), and the Gawler River Floodplain Management Authority (GRFMA).

Administration

The Council's Administration is led by a Chief Executive Officer appointed by the Council.

The Chief Executive Officer appoints staff to carry out the functions and duties delegated to them and to implement Council decisions. The Administration is organised into directorates (see next page), each with a specific area of focus and functional responsibilities.

Volunteers play an important role in delivering services to our community. We are fortunate to have a large team of skilled and dedicated people contributing in this way. They teach, cook, garden, drive buses, lead groups, share skills, read, and shelve books and much, much more.

Number of Council Members

13 (including Mayor)

Number of electors per Councillor

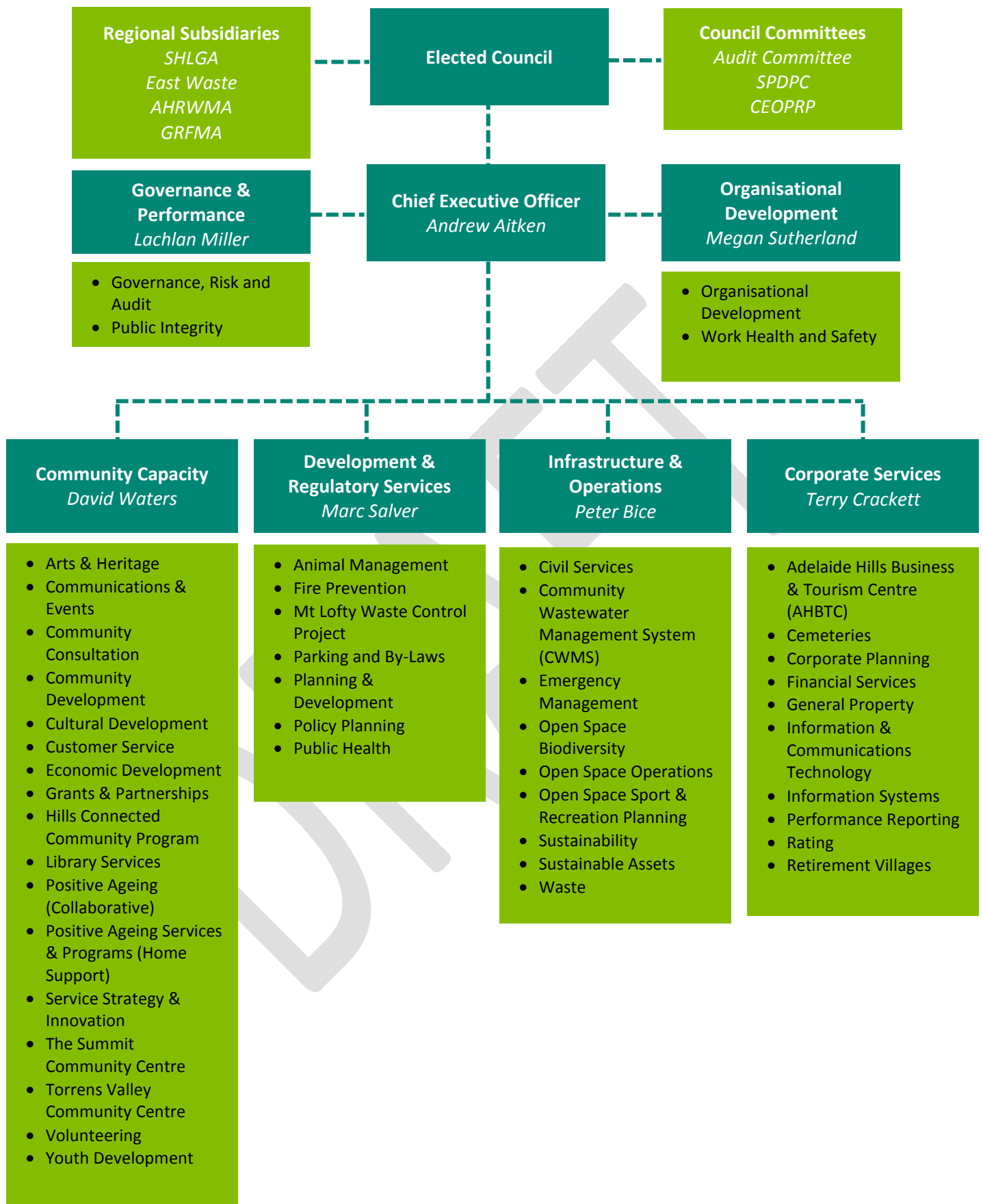
2,458

Number of budgeted staff

196.6 full time equivalents

Number of volunteers

209



Strategic Plan delivery

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

The Strategic Plan doesn't include everything we do, but it helps us focus on those areas which need new or renewed attention to address emerging community needs and trends. There are four community goal areas in the plan, plus an organisational sustainability commitment. You can access a copy of the Strategic Plan at ahc.sa.gov.au.



Goal 1

People and Business Prosper

The Adelaide Hills is renowned for our historic towns and villages, outstanding natural environment, arts and cultural heritage, quality of local produce and related food and wine experiences. These elements are key attractors for residents and visitors. Living and doing business are entwined.

The Hills has one of the highest proportions of small and micro businesses in South Australia. These businesses are the backbone of our economy. Supporting businesses to thrive encourages greater economic diversity and local job opportunities, and contributes to residents' quality of life.

Improving the liveability and community wellbeing of the Adelaide Hills is a key priority for Council. This is being realised through our building community capacity, supporting our community to be healthy, active and involved, and providing quality community facilities, infrastructure (e.g. buildings, roads and pathways) and spaces.

In 2019-20, Council will be working on supporting local businesses, making the Adelaide Hills the visitor destination of choice, implementing the Planning and Design Code to enable a wider variety of housing opportunities, and improving the wellbeing of our community through targeted services, programs and events.

What success looks like:

Thriving businesses that uniquely say 'Adelaide Hills.'
Healthy and happy people.

Prosper Performance Measures

We will measure our performance using the following:

Performance Measure	2019-20 Target
Percent of businesses in the Adelaide Hills supported	Baseline to be established from first Quarter 2019-20 onwards
Growth in attendees at May Business Month	12.5%
Business Net Ease Score (ease of doing business)	Baseline to be established (July 2019)
Percent applicant rating of the overall level of service received for the development application process	85% (Excellent or Good)
Adelaide Hills self-reported wellbeing	Measure to be developed (community perception survey dependent)
Positive ageing wellbeing score	Average of at least 7 across the client group

Related service areas

Economic Development, Emergency Management and Business Continuity, Positive Ageing, Planning and Development, Public Health and Community Development.



Key activities this year

SP1.1

We will pursue World Heritage Listing for the Mount Lofty Ranges as a working agricultural landscape.

With a heritage expert review having been completed in mid-2019, we will continue to work with other levels of government in order to progress the development of the bid, and to improve the community and key stakeholders understanding of the world heritage significance of the region.

SP1.2

We will work with Governments and industry to achieve Pest Free Area Status for the Adelaide Hills' primary production area.

We have begun working with primary producers and Primary Industries and Regions South Australia to develop a road map for achieving Pest Free Area Status. This will continue through 2019-20.

SP1.3

We will work towards making the Adelaide Hills the favoured tourism destination in the State.

We will continue to invest an additional \$50,000 per annum in visitor information servicing in the Adelaide Hills, bringing the total investment in Adelaide Hills Tourism to \$100,000 for the next year. With a big emphasis on digital technology, we will work with Adelaide Hills Tourism and Mount Barker District Council to ensure visitors to our region know what is on offer and how to get there.

SP1.5

We recognise that small and micro business is the backbone of our regional economy and will work with stakeholders to make it easier to do business in the Hills.

We will work with Mount Barker District Council to conduct May Business Month – a four week program of events, workshops and seminars to improve the skills, knowledge and networks for small business operators.

We will examine the feasibility of joining the Small Business Friendly Council scheme run by the Small Business Commissioner.

SP1.6

We will work with other levels of government to address transport needs for business.

We have co-funded a regional transport study supported by Regional Development Australia Hills, Fleurieu and Kangaroo Island. We will examine the study's outcome and determine the next steps.

We will continue to advocate for further development of options for a northern freight bypass to improve freight efficiency and reduce freight movements through the Hills.

SP1.7

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

We will complete the review of our cycling and trail strategies, included costed priorities for implementation.

We will continue to support events being held in the Adelaide Hills Council area, and partner with key agencies to pursue funding and expansion opportunities to further improve the status of the Adelaide Hills as a mountain biking destination.

SP1.8

We will amend the Development Plan to make farming in the Hills easier.

We will advocate for change to development policies to make farming easier and allow for value adding activities such as food tourism and on-farm shops in primary production areas.

SP1.9

We will work to make the district more age-friendly.

We will increase the ability for people to access our Positive Ageing Programs by providing better information online and more streamlined booking systems.

We will develop and provide opportunities to increase and assist community members to understand brain health and memory loss by providing information and resources in easily accessible locations.

SP1.10

We will use the amended Development Plan to encourage more housing opportunities for first home buyers and those wishing to age in our community.

The Council's Development Plan has now been amended to allow for a wider variety of housing opportunities in the district. We will commence with the conversion of our Development Plan into the new State Planning & Design Code over the next two years to assist with the transition to the new State Planning System. This will also include the roll out of an electronic Development Application system by the State Government in order to streamline assessment processes and improve processing efficiencies for new homes.

SP1.11

We will embrace nature play concepts in play space developments.

Council's Sport & Recreation Strategy (2017-2021) acknowledges that the natural environment of our region is unique and that we have an opportunity to provide play spaces that complement their surroundings. Opportunities for unstructured, open ended and self-directed play, along with the freedom to roam, seek adventure and explore have been and will continue to be incorporated into Council's Play Space designs, encouraging creativity and imagination, inspired by nature.

To support this strategy we've made an allocation within the Long Term Financial Plan for play space developments in and across the district. Areas of greatest need will be identified and natural play elements will be incorporated where suitable to ensure play spaces have the right mix of fun, risk and adventure.

SP1.12

We will seek opportunities to increase the wellbeing and resilience of our community to withstand, recover and grow in the face of challenges.

We will complete a review of fire prevention activities undertaken by Council in relation to roadside vegetation and fire prevention on private land. Council will continue to modify the provision of sites and services on forecasted extreme and catastrophic fire danger days to ensure the safety of our community and staff.

We will review our Public Health Plan, incorporating updated public health data and commence the pilot community wellbeing alliance project.

We will also increase our resources to help improve wellbeing for those living with disability in our community, including the development of a new Disability Access and Inclusion Plan to align with the State Disability Access and Inclusion Plan.

SP1.13

We will work with other levels of government to improve safety for road users (including pedestrians and cyclists).

We will continue to advocate for projects which aim to improve safety for road users, including through the provision of feedback in relation to policy positions which may lead to improvements. We will also continue seeking to partner with State and Federal Government to fund project delivery.

Other highlights

- We will work with Adelaide Hills Tourism to improve tourism operators' digital capability.
- We will increase opportunities for ageing community members to receive home support in line with increased Commonwealth funding.

Goal 2

Activities and opportunities to connect

In an increasingly fast-paced and technological world, opportunities to connect are crucial. Connection can be with a place, people, activities or ideas. A connected community is inclusive and welcoming, engaged, empowered and dynamic. Its members are confident and resilient.

The Hills community values learning and sees it as a lifelong pursuit. Technology has enabled people to connect with communities of interest beyond their local area, bringing new ideas and expectations.

The Adelaide Hills is a place for everyone. To be welcoming and respecting of individual uniqueness we must strive to understand, accept and value differences. We need to do more to recognise and respect the region's first people. Both the Peramangk and Kaurna people have connections with the Hills and we will continue to collaborate with them.

In 2019-20 Council will be working on building cultural awareness through the Reconciliation Working Group and training of staff, enhancing community and youth leadership through our development programs, progressing Fabrik, our Arts and Heritage Hub, and supporting events in our district.

What success looks like:

A welcoming and inclusive community where people support, respect and celebrate each other for their differences as much as for their shared values.

Connect Performance Measures

We will measure our performance using the following:

Performance Measure	2019-20 Target
Percent of staff training participants who have increased appreciation of Aboriginal heritage and culture	Baseline to be established during 2019-20
Percent of residents who view the Adelaide Hills as a welcoming and inclusive community	Measure to be developed (community perception survey dependent)
Library service visits per capita compared with the state average	30% above
Library loans per capita (State average for 2017-18 was 8.41%)	Above 13% per year
Overall satisfaction with library service	90% Satisfied or Very Satisfied
Program attendance as a percent of Adelaide Hills community (including Library, Community Development/Youth)	Baseline to be established from first Quarter 2019-20 onwards
Percent of participants who agree that Council's community development programs/events have increased their feeling of community connection	80%
Attendance at programs, events and workshops at Fabrik Arts and Heritage Hub (target increases over first 6 years of establishment)	4,000
Percentage of available studio spaces occupied (target increases over first 6 years of establishment)	50%

Related service areas

Cultural Development, Community Development, Library Services, Youth Development, Creativity and Arts & Heritage Hub Services.



Key activities this year

SP2.1

We recognise and respect Aboriginal culture and the descendants of our first people. We will implement a Reconciliation Action Plan.

We will work with Mount Barker District Council and the newly formed Reconciliation Working Group to determine what should be included in the next version of our Reconciliation Action Plan to take our understanding and recognition of Aboriginal culture to the next level.

SP2.2

We recognise diversity in the community is one of our greatest strengths and we will support and promote opportunities for social inclusion.

We'll pursue activities arising from our Multicultural Action Plan to make the district more welcoming to people from diverse backgrounds. We will enhance the profile of the Harmony Picnic and incorporate cultural awareness in our Youth Leadership Program.

We will assess library programs and collections to ensure effectiveness in promoting social inclusion.

SP2.3

We will establish a community leadership program to help unlock the potential of people in the community to improve the community.

We will run our third Community Leadership Workshop Series to support community leaders and groups to reach their full potential.

We will implement a leadership development program specifically for young people.

SP2.4

We will implement the Adelaide Hills Business and Tourism Centre (Old Woollen Mill) Masterplan to stimulate local job creation, boost tourism and create a vibrant cultural hub.

We will develop stage 1 of Fabrik Arts and Heritage at the Old Woollen Mill in Lobethal, incorporating artist studios, exhibition spaces and heritage interpretation. This will drive increased visitation to the area and provide artists the opportunity to connect with each other and showcase their work.

SP 2.5

We will support opportunities for learning in our community to increase the confidence, wellbeing and health of our citizens.

We will develop a Library Services Strategy to identify a vision for the future of library services in the Hills and a plan to get there.

We will work with local history groups to examine the feasibility of digitising collections to increase their availability to the broader community.

SP 2.6

We will seek to bring events to our district that have social, cultural, environmental and economic benefits.

We hope to again feature prominently in the 2020 Women's and Men's Tour Down Under.

SP 2.7

We will seek opportunities to improve transport options for those who need it most.

We will review and improve our community transport services for eligible home support clients to maximise the use of available transport resources.

SP 2.8

We will improve the engagement and participation of younger people in our district.

We will have a bigger focus on developing young people as the leaders of tomorrow through a new youth leadership development program.

Other highlights

- We will undertake a volunteer engagement survey and review volunteer management processes to increase the effectiveness of recruitment, support and recognition.
- We will work with Mount Barker District Council to promote and develop the Volunteer Connect platform, which helps community groups attract volunteers.

Goal 3

Places for people and nature

The Adelaide Hills is renowned for its unique natural and built environments. From native vegetation and productive farming land to village townships and community facilities, the district comprises a blend of land use which allows people and nature to thrive.

Good facilities provide places for people to meet, connect and participate. These range from fields for organised sport to spaces for meeting friends in the main street.

Managing our natural environment effectively and preparing for and overcoming challenges such as: weed invasion, habitat fragmentation, bushfires and climate change are critical. Through responsible management and supporting community based activities, we can work together to improve biodiversity and enable ecosystems to thrive.

In 2019-20 Council will be working on developing a Carbon Management Plan, completing our scheduled program of road reserves and reserve assessments, implementing our Dog and Cat Animal Management Plan and encouraging community-led place making at Gumeracha.

What success looks like:

Vibrant places which contribute to increased wellbeing
Thriving ecosystems.

Place Performance Measures

We will measure our performance using the following:

Performance Measure	2019-20 Target
Energy usage: Decrease Council's kilowatt hour use and increase solar PV generation	Kilowatt hour use - 5% below the 2010 baseline
Diversion rate of recyclable material away from landfill	≥48%
Percent delivery of Arboriculture (Tree) Zone Maintenance Program	90%
Availability of Council-owned sports grounds (condition assessment)	95%
Percent delivery of capital works program	90%
Percent operational tasks completed within the Civil Zone Maintenance Program	80%

Related service areas

Sustainability, Waste and Resource Recovery, Community Wastewater Management Systems, Biodiversity and Habitat Conservation, Open Space Operations, Sport and Recreation Management, Asset Management, Civil Operations Services, Regulatory Services, Cemeteries, Property Services.



Key activities this year

SP3.1

We will work with our community to encourage sustainable living and commercial practices.

We are investigating water reuse opportunities and designing and implementing various Water Sensitive Urban Design initiatives where they are possible, including creek restoration and bio-filtration.

We are also working with the Resilient Hills and Coasts Regional Climate Change Adaptation Group to explore the potential of a Community Energy Program across the region.

SP3.2

We will strive for carbon neutrality as an organisation and encourage our community to do likewise.

We're striving for carbon neutrality and encouraging our community to do likewise, so we are developing a Carbon Management Plan for our operations and will continue our investment in providing sustainability grants through our Community and Recreation Facilities grant program.

SP3.3

We will complete the road reserves and reserve assessments Native Vegetation Marker System (NVMS), leading the nation in conservation and biodiversity management practices.

We will complete the road reserves and reserve assessments, leading the nation in conservation and biodiversity management practices.

We recognise the importance of remnant native vegetation on roadsides and reserves. Accordingly, we have increased our investment in the Native Vegetation Marker System program. These sites will receive ongoing monitoring and active management to protect and conserve areas of high biodiversity and habitat value.

SP3.4

We will work with State Government to complete the Amy Gillett Bikeway.

We continue to work with the State Government to complete the Amy Gillett Bikeway from Mount Torrens to Birdwood and Mount Pleasant in the Barossa. Additionally, we are exploring opportunities for a broader Inter-regional Cycle Network, to create linkages between key economic and tourist offerings across South Australia.

SP3.5

We will take a proactive approach, and a long term view, to infrastructure maintenance and renewal.

We continue to invest heavily in renewing the assets we already have before they deteriorate below a serviceable standard. Examples include:

- We are developing business workflows in our Asset Management System to enable real time defect information against Council Assets to be logged in the field as they are discovered
- Delivering Community and Recreation Facility Grant Funding
- Developing guiding frameworks for strategic investment across Sport and Recreation Assets.

We will undertake a review of Council's cemetery operations and procedures and the development of master plans and management systems for each of the Council's cemeteries over the next 3 - 5 years. We will also review the existing, and develop new, management plans for Council's community land.

SP3.6

We will reduce the impact of cats on native flora and fauna.

We will undertake further community education around responsible dog and cat ownership and monitor animal owners' compliance with the microchipping and desexing requirements.

We will continue to implement the 2018-22 Dog and Cat Animal Management Plan and consider cat management matters in the lead up to the cat confinement requirements in 2021-22. We will also review the case for a second off-leash dog park within the Council area.

SP3.7

We will drive further reduction in waste consigned to landfill

We are exploring the potential for soft plastic recycling within the Council area, in conjunction with East Waste and in line with Council's Waste and Resource Management Strategy.

We will be undertaking kerbside bin audits and exploring opportunities for further recycling services within prominent public places, with the aim to reduce waste to landfill and maximize recycling.

SP3.9

We will encourage community-led place making approaches to enhance townships and public spaces.

We will continue to work with the Gumeracha community to implement key elements of the masterplan for the Gumeracha Main Street and surrounds. The focus will be on creating a precinct conducive to business, tourism and social activities, with a major component being the undergrounding of powerlines in partnership with the Department for Planning Transport and Infrastructure and SA Power Networks.

Other highlights

- A comprehensive review of our Biodiversity Strategy 2013-18 will occur, which will benefit from community consultation and a new strategy to be released in 2019.
- We will offer food safety training to food businesses and community organisations. We will continue to progress the development of our Community and Recreation Facility Framework.
- We will undertake a Road Rent review and update.

DRAFT

Goal 4

Explore ideas and work with others

Exploring ideas and collaboratively working with others is central to understanding and meeting our community's needs and delivering long-term benefits. We seek community input for important decisions and to help us set directions.

Technological innovations are continually providing new ways to design, develop and deliver services and more effectively consult and engage with a broader range of stakeholders.

As the world changes around us, the Council needs to be aware of the impacts on its community and advocate accordingly. The community needs Council to be easy to work with and to act in its interest.

In 2019-20, Council will be working on a major review of our website, identifying more opportunities for customers to do business with Council online, engaging with the Boundaries Commission regarding potential changes to boundaries adjoining Woodforde and Rostrevor, and implementing our new organisational information management system.

What success looks like:

Council working with our community and others to pursue new ideas and address emerging needs.

Explore Performance Measures

We will measure our performance using the following:

Performance Measure	2019-20 Target
Percent satisfaction with Council's consultation and engagement efforts	Measure to be developed (community perception survey dependent)
Percent growth in Council's social media community	20%

Related service areas

Community Engagement, Communication and Events, ICT and Information Systems.



Key activities this year

SP4.1

We will embrace contemporary methods of engagement so it's easy for everyone to have their say.

We will embark on a major review of the Council's website, with a view to streamlining access to the most important information and optimise functionality on mobile devices.

We will actively work to increase the number of people receiving regular communication from the Council via email and social media.

SP4.2

We will explore the opportunities that emerging technologies present to people living, working, visiting or doing business in our district.

We will continue to develop and implement the Internet of Things (IOT) Network to support emerging technologies and seek to work with other Councils on expanding the network.

SP4.3

We will offer greater access to services and realise business efficiencies through online services.

In conjunction with the website review, we will identify more opportunities for customers to do business with Council online. This will include completing and submitting commonly used forms and tracking the progress of requests online.

We will support staff with the use of modern technology platforms and solutions such as the development of the Records Hub, mobile phones in the field, cloud solutions and field staff inclusion in the Active Directory and Exchange.

SP4.4

We will foster creativity in the community and embrace it as an organisation.

We will continue to encourage public art and place-making through the provision of community grants.

SP4.5

We will work with neighbouring councils and stakeholders to ensure Council boundaries best serve our communities.

We will engage with the Boundaries Commission, the Campbelltown City Council and the community in relation to assessment of the proposal to realign the common boundary adjoining Woodforde and Rostrevor.

Other highlights

- We'll lead by example by purchasing more efficient vehicles with enhanced safety features (all fleet vehicles now 5 star ANCAP rated).

Organisational sustainability

Local Government is a highly regulated and scrutinised sector. People need to be able to trust us. We place great value on being open, transparent and responsive. We strive for accountable and strategic decision-making and we pursue excellence and equity in service delivery.

We have defined commitments outlined in our Strategic Plan in the following areas: Our Organisation, Work Health and Safety, Financial Sustainability, Customer Service Commitment, Risk and Responsibility, Collaboration on Public Policy Setting, and Governance.

In 2019-20 Council will be working to continue to improve our Work Health and Safety Management practices, implementing our new Purchasing Framework and improving the useability of our digital platforms and reviewing our Strategic Plan.

What success looks like:

Our people are supported and safe. Our organisation is financially sustainable. Our decision-making is open, transparent, and accountable. Excellence and equity in service delivery that meets our legislative obligations and community needs.

Organisational Sustainability Performance Measures

We will measure our performance using the following:

Performance Measure	2019-20 Target
Employee Turnover	7-15%
Number of Lost Time Injuries	0
Operating Surplus Ratio	0-10%
Net Financial Liabilities Ratio	0-100%
Asset Renewal Funding Ratio	90-110%
Technology: serviceability rating (performance against response service standards)	90%
Overall Customer Satisfaction	75%
Overall Net Ease Score	50
Percent of decisions considered in open session by Council	95%
Percent of attendance of Council Members at ordinary meetings	95%

Related service areas

Organisational Development and Workplace Health and Safety, Financial Services, ICT and Information Systems, Customer Service, Organisational Innovation, and Governance.

Key activities this year

- We will implement initiatives identified through our Corporate Plan through the following elements:
 - Leadership
 - People
 - Strategy and Policy
 - Partnerships and Resources
 - Processes, Systems and Customer Service
 - Results.
- We will develop methods to regularly measure customer satisfaction and the ease of doing business with Council.
- We will continue to develop our Work Health and Safety (WHS) Management practices with the use of the Integrated Safety Management System (Skytrust)
- We will further develop People Leaders in understanding their WHS responsibilities through improved induction processes and development via People Leader Gatherings
- We will develop a process to provide current and new employees with training on their decision making and responsibilities as Public Officers. We will also ensure this process is included in employee inductions.
- We will review our Performance Management process to ensure it is clear and relevant to our people and enables the goals setting, monitoring and completion of work to be managed on a 6 monthly basis.
- We will continue the internal auditing of our WHS procedures and develop improvement plans from the findings.
- We will implement our Procurement Framework and related procedures.
- We will develop a Strategic Financial Framework to ensure the continued prudent and responsible use of financial resources.
- We will implement quarterly performance reporting aligned with Strategic and Annual Business Plans to ensure improved transparency and accountability to the community.
- We will improve the useability of our digital platforms including the website and social media to enhance community awareness of council services and activities.
- We will develop an organisation wide Project Management Framework to improve consistency and quality of project delivery across the organisation.
- We will implement our Organisational Information Management System across Council
- We will review our Legislative Delegations Management Systems to identify and implement improvements.
- We will collaborate with Adelaide Hills' residents and ratepayers to review the Council's Strategic Plan to set the direction for services and infrastructure provision in the medium-term.
- We will develop and implement a Service Review process to cyclically assess the appropriateness, effectiveness and efficiency of Council's service provision to the community.

Throughout 2019-20 a number of key plans and functional strategies are under development and we will continue to implement a number of masterplans. Descriptions of these are below:

Plan/Strategy	Description
Strategic Plan	Review of our Strategic Plan in accordance with legislative requirements and the new Council's policy agenda.
Regional Health Plan	Undertake regional health planning, monitoring and reporting and implement the adopted Regional Health Plan.
Development Plan	As a result of the roll out of the State Government's Planning Reforms, Council will need to convert its Development Plan into the new Planning and Design Code when Phase 3 of the Code is released in late 2019/early 2020.
Disability Inclusion Action Plan	Develop a new Disability Inclusion Action Plan that addresses the State Disability Plan, as required by new legislation.
Asset Management Plans	Review asset management plans prior to the next Long Term Financial Plan update in February 2020.
Carbon Management Plan	Develop a Carbon Management Plan for our operations.
Community & Recreation Facility Framework	Continue to develop a framework for all of Council's community and sporting/recreation facilities.
Biodiversity Strategy	Finalise and begin implementation of the revised Biodiversity Strategy.
Adelaide Hills Business and Tourism Centre (Old Woollen Mill) Masterplan	Develop stage 1 of Fabrik Arts and Heritage Hub at the Old Woollen Mill in Lobethal, incorporating artist studios, exhibition spaces and heritage interpretation. This will drive increased visitation to the area and provide artists the opportunity to connect with each other and showcase their work.
Woodside Recreation Ground (WRG) Masterplan	Prepare an integrated Masterplan to guide the future direction and development of the WRG Precinct, and a priority action list to inform the Long Term Financial Plan and budget process.
Gumeracha Precinct, Federation Park and Oval Masterplan	Implement the Masterplan following its adoption by Council in December 2018. The next stage is to implement the action plan which was prepared along with the Masterplan.
Albert Street , Gumeracha Main Street Masterplan	Continue to work with the Gumeracha community to implement key elements of the Masterplan for the Gumeracha main street and surrounds. The focus will be on creating a precinct conducive to business, tourism and social activities, with a major component being the undergrounding of powerlines in partnership with the Department for Planning Transport and Infrastructure and SA Power Networks.

Crafers Masterplan	Prepare a Masterplan and priority action list for the Crafers town and main street.
Stirling District Centre Urban Design Framework & Guidelines	<p>Deliver a comprehensive Urban Design Framework to provide guidance to landowners, businesses and investors to:</p> <ul style="list-style-type: none"> • protect the unique/iconic village character • achieve good planning and design outcomes • guide new development opportunities in the precinct in an integrated and coordinated manner.
Stirling Cemetery Masterplan	Develop a Masterplan for the Stirling Cemetery to map out expansion areas and native vegetation protection zones.
Reconciliation Action Plan	Work with the newly established Reconciliation Working Group to understand what actions the Council can take to further its recognition of Aboriginal culture in the next version of our Reconciliation Action Plan.
Multicultural Action Plan	Continue to implement the Plan, with a focus on developing the annual Harmony Picnic and engaging with emerging cultural groups in the district.
Age Friendly Community Strategic Plan	Continue to implement the Plan, with a focus on incorporating age friendly elements into infrastructure projects and optimising the Council's community transport services.
Economic Development Plan	Develop a new Economic Development Plan.

Long Term Financial Plan context

The *Local Government Act 1999* requires the Council to prepare a Long Term Financial Plan (LTFP) as part of its suite of Strategic Management Plans, and to update it on the same basis. This means that members of the public are to be given a reasonable opportunity to be involved in the development and review of the Council's Plan.

Prior to the development of the Annual Business Plan a detailed review of the LTFP was undertaken in consultation with the community. The revised LTFP was adopted at Council's 23 April 2019 meeting and can be found at ahc.sa.gov.au

The key objective of our LTFP is financial sustainability in the medium to long term, while still achieving the objectives outlined in our Strategic Plan and Corporate Plan. At the same time the LTFP ensures that there is an understanding of the impact of decisions made today on future sustainability. This means ensuring the cost effective delivery of works and services, and the appropriate maintenance and renewal of our asset base in a financially sustainable manner.

In addition, the LTFP has been used to set the context and targets for the development of the 2019-20 budget.

Key conclusions drawn from the LTFP

Importantly the current LTFP demonstrates that the Council is financially sustainable over the 10 year term of the LTFP, whilst achieving the objectives outlined in the Strategic Plan. This includes:

- Implementation and funding of the appropriate level of maintenance and renewal of the portfolio of infrastructure assets
- Meeting the ongoing expectations of service delivery to our community
- Managing the impact of cost shifting from other levels of government
- Enabling the delivery of strategies identified within the Strategic Plan as well as other endorsed Functional Strategies
- The appropriate use of debt as a means of funding new capital expenditure
- Ensuring the financial sustainability of Council's operations.

Financial sustainability has been demonstrated through adherence to the agreed target ranges in all of the following three key ratios:

1. Operating Surplus Ratio, target range 0% to 10%
2. Net Financial Liabilities Ratio, target range 0% to 100%
3. Asset sustainability Ratio, target range 90% to 110%.

In achieving these targets, there is a level of certainty provided to the community that financial sustainability will be maintained.

Financial summary

The Annual Business Plan for 2019-20 has been prepared in accordance with the priorities of Adelaide Hills Strategic Plan, Corporate Plan and functional strategies, while ensuring the financial targets adopted by Council at its Council Meeting in February 2019 are met. Key financial information for 2019-20 is summarised below:

- General Rate Increase 2.80%
- Rates Growth (new rateable properties and improvements) 0.75%

Budget Summary	\$'000
General Rates Income	35,475
All Other Operating Income	9,151
Total Operating Income	44,626
Operating Expenses (excluding Initiatives)	43,299
Operating Initiatives (Net)	878
Operating Surplus	449
Gross Capital Renewal Program Expenditure	9,274
Gross New Capital Expenditure	4,811
Total Gross Capital Expenditure	14,085
Estimated New Borrowings	2,500
Repayment of Fixed Term Borrowings	Nil

Outcome: Council will raise sufficient income to cover its operating expenses and undertake repayment of its debt.

Key Financial Targets for 2019-20

Indicator	Adopted Target	2019-20 Budget
Operating Surplus Ratio	0 - 10%	1.0%
Net Financial Liabilities Ratio	0 - 100%	45%
Asset Sustainability Ratio	90 – 110%	103%

Impact on ratepayers

It is proposed that the overall amount existing ratepayers will pay in general rates will increase on average by 2.8%. For a residential property of average value, this equates to an increase in general rates of approximately \$55 for the 2019-20 year. Rate increases may vary from the average where there has been new development, capital improvements or other significant change to the value of the property.

Significant influences for the 2019-20 budget

A number of factors have influenced the preparation of Council's 2019-20 Annual Business Plan. These include:

- Local Government Price Index increases on relevant goods and services, which in recent years has tracked above CPI
- The impact of China mandating and enforcing stringent quality requirements for imported recycled materials (China Sword) has an ongoing impact on Councils operating result of approximately 1% of rates, thus having a significant financial impact on Council's budget
- Provision for Enterprise Development Agreements for most staff which determines conditions of employment and provide for annual salary and wages increases
- Maintaining asset management (renewal) expenditure at a sufficient level to ensure long term maintenance of Council infrastructure, property and IT assets
- Increased maintenance requirements due to an increase in capital works and construction of new assets over recent years
- Ensuring key strategies from Council's Strategic Plan and Functional Strategies are costed appropriately
- In 2019-20 it is forecast Council ratepayers will pay \$768k in landfill levy to the State Government, an increase of over \$31k (4.2%) from 2018-19
- A reduction in Grant funding, largely as a result of one-off funding received in 2018-19 for Disaster Recovery funding for storm damage relating to previous years of \$406k and a DPTI contribution of \$200k for the Kersbrook Primary School pedestrian crossing
- The divestment of the southern side of AHBTC resulting in reduced rental and reimbursement income but offset by reduced operating and capital costs
- The activation of an Arts and Heritage Hub resulting in a net cost of \$199k in 2019-20.

Savings Strategies

In response to the cost imposts on Council and to minimise the burden on ratepayers, Council has continued its work and review of saving strategies including service sustainability.

Saving strategies identified as part of the 2019-20 Budget preparation include organisational initiatives, service reviews, contract management efficiencies, infrastructure and work planning actions as well as people management initiatives. These reviews have already identified savings across the corporation which have been captured in building the 2019-20 budget in areas such as:

- overtime costs
- fuel purchases
- electricity costs
- banking fees and
- road permits.

Sources of revenue and application of expenditure

Revenue

Rate revenue is the Council's primary source of income (86%) with grants, fees and charges making up the remainder. We continue to pursue grant income and partnerships with external funders where possible to minimise the requirement for revenue via rates.

Expenses

Thirty-eight percent of the Council's costs are attributable to the payment of salaries and wages and around 40% is applied to materials, contracts and other expenses. Depreciation represents the rate at which assets such as roads, buildings, footpaths, IT equipment and plant deteriorate. Budgeting for depreciation ensures we can afford to renew assets as and when they need it.

Fees and Charges

Section 188 of the *Local Government Act 1999* provides the legal context:

- fees and charges are determined by resolution of council either as a direct resolution or through by-law or delegation
- a council is unable to fix or vary fees or charges prescribed under other Acts
- in respect of fees for the use of facilities, services or works requests, a council need not fix fees or charges by reference to the cost of the council
- Council is required to keep the list of fees and charges on public display and provide updates where fees and charges are varied during the year.

Council reviews its fees and charges each year, in conjunction with the development of the annual budget. As in previous years, a comprehensive review has been undertaken to ensure that the fees proposed:

- reflect (or move progressively toward) the cost of the services given
- are comparable with market rates, where appropriate
- take into account benefit derived by users of community facilities
- are consistent with Council directions articulated through existing policy or plans
- are consistent with Council's LTFP assumptions.

Generally, this has resulted in proposed fee increases that are in line with CPI, insofar as this is practicable.

Borrowings for the 2019-20 Financial Year

Borrowing is an important funding source, especially for expenditure relating to new Capital and is undertaken in accordance with Council's Treasury Policy. The key objective of the Policy is to manage the finances of the Council holistically in accordance with the overall financial sustainability strategies and targets.

An independent local government report on financial sustainability encourages the increased use of borrowings to promote intergenerational equity. This involves spreading costs in relation to significant capital expenditure based on the pattern of benefits over time so that one generation is not excessively subsidising another.

Where there is a persuasive argument relating to intergenerational equity, Council will consider the appropriate use of borrowings. This will be managed within financial targets with the intention that future cash flows are sufficient to recoup borrowings with minimal impact on general operations over the medium term.

Borrowing	\$'000
Forecast Opening Balance of Fixed Term Borrowings July 2019	10,000
Estimated Borrowing for 2019-20	2,500
Repayment of principal repayments for 2019-20	Nil
Forecast Closing Balance of Fixed term Borrowings June 2020	12,500
Cash Advance Debenture (Short Term Borrowings)	2,163
Forecast Closing Balance of all Borrowings June 2020	14,663

Operating budget by Directorate

The following table provides a summary of the budget with each Directorate of the organisation. A detailed breakdown by program within each of these Directorates is included at Appendix 1.

	2018-19 Annual Budget \$'000s	2019-20 Proposed \$'000s	Variation to 2018-19 Budget Fav/(Unfav) \$'000s
Income			
Community Capacity	1,729	1,719	(10)
Corporate Services	37,847	38,525	678
Development & Regulatory Services	1,187	1,229	42
Infrastructure & Operations	3,798	3,152	(646)
Income Total	44,561	44,626	65
Expenses			
Community Capacity	6,889	6,996	(107)
Corporate Services	8,947	8,650	297
Development & Regulatory Services	3,651	3,618	33
Infrastructure & Operations	24,677	24,913	(236)
Expenses Total	44,163	44,177	(14)
Operating Surplus (Deficit)	398	449	51

The following table provides a summary of funded staff establishment full-time equivalent movements. Details by Directorate are found in Appendix 1.

FTEs	2018-19 Budget	2019-20 Budget	FTE Movement	Externally Funded
	FTEs	FTEs	FTEs	FTEs
Community Capacity	48.74	49.79	1.05	7.14
Corporate Services & CEO	35.38	35.78	0.40	
Infrastructure & Operations	78.50	81.57	3.07	
Development & Regulatory Services	28.79	29.45	0.66	0.5
Total FTEs	191.41	196.59	5.18	7.64

Additional funding for operating initiatives

The Annual Business Plan has been developed with the inclusion of a large number of new operating initiatives and programs.

These types of projects are either one-off, short term projects, ongoing programs linked to the achievement of a strategy or a request to change the level of service. The request to change the level of service will also impact future budgets.

These projects are to be funded by Council's rates income and therefore affect the level of rates increase being considered. The Council is considering a rate increase of 2.8 % plus estimated growth of 0.75% and the draft Budget proposes to fund a net amount of \$875k of operating projects.

Importantly these programs and initiatives, which total \$875k for 2019-20 have been provided for, whilst still meeting the targets for both operating and capital expenditure as set out within the Long Term Financial Plan.

Project Name	Project Description	2019-20	Intended 2020-21	Intended 2021-22
Goal 1: People and business prosper				
Wellbeing Measures	Undertake community wellbeing and resilience initiatives and investigate and implement wellbeing measures.	0	0	20,000
Regional Health Planning	Undertake regional public health planning, monitoring and reporting.	20,000	20,500	26,000
Disability Planning	Develop a Disability Inclusion Action Plan as required by new legislation (year 1) and Resource Support for Inclusion strategies (year 2 and beyond).	35,000	35,900	36,800
Disability Planning materials	Materials and costs associated with the development of initiatives and measures relating to wellbeing and resilience.	10,000	10,000	10,000
Reconciliation Action Plan	To increase existing funding for Aboriginal cultural recognition from \$5,000 per year to \$10,000 from 2020-21 onwards.	0	0	5,000
Goal 2: Activities and opportunities to connect				
Aboriginal Cultural Centre support	Support for an Aboriginal Cultural Centre in the Adelaide Hills (funding may recognise lost rental income through provision of space). This has been earmarked in the Arts & Heritage Hub Business Development Framework.	0	10,000	10,000
Public Art Acquisition	Increase the level of community and public art adding value to cultural and place making strategies. Reflects outcomes of community consultation in this area.	2,500	2,500	15,000
Arts and Heritage Hub - Operating	Establish and operate an Arts and Heritage Hub at the Old Woollen Mill, Lobethal.	199,000	208,000	159,000

Project Name	Project Description	2019-20	Intended 2020-21	Intended 2021-22
Digital Literacy Services	Resource a dedicated part time Digital Training Officer to enable the Library Service to meet the gap in services occasioned by closure of the federally funded Digital Hub. Meet Council's Strategic Plan to 'support opportunities for learning in our community (Connect Goal item 2.5).	39,000	40,000	41,000
Women's Tour Down Under	Grow Council's involvement in the Women's Tour Down Under.	10,000	10,000	10,000
Support for Small Events	Additional capacity to support small community based events.	5,000	5,000	5,000
Gumeracha Civic Centre 20th Anniversary Event	To hold an appropriate event, involving community groups and community members, to celebrate the 20 th anniversary of the development of the civic precinct at Gumeracha and showcase the activities and opportunities available at the site.	3,000	0	0
Youth Leadership Program	Provide a youth leadership development program, with professionally facilitated workshops which will provide young leaders across the district with enhanced leadership skills, employability and experiential learning.	11,000	11,000	11,000
Goal 3: Places for people and nature				
Smart Living Workshops	These workshops are being rolled out across Adelaide in partnership with The Adelaide & Mount Lofty Ranges Natural Resource Management Board using the Smart Living approach. These workshops are aimed at community members and go through sustainable living requirements (e.g. energy management).	3,000	3,000	3,000
CEP Promotion Plan & Website Update	Promotion of the Community Energy Program to the community and contribution to the establishment of a Resilient Hills and Coasts website.	10,000	3,000	0
Feral Cat Study and Action Plan	To study and investigate the effects feral & semi-owned cats pose on native flora and fauna within the Council area.	0	30,000	30,000
Landfill Waste Reduction	As part of its Waste & Resources Management Strategy 2016 - 2021, Council aims to divert as much waste as possible from landfill. In order to understand residents waste disposal habits, kerbside bin audits are to be undertaken on a regular basis.	10,000	10,000	0
Green Waste Scoping Study	To develop a detailed scoping study of the various options to achieve improved financial and environmental outcomes relating to Green Waste.	15,000	0	0
Solar bins / Smart bins	Funding for a pilot to see if solar bins can provide a more cost effective way of collecting waste in certain areas. Future allocations will depend upon the Carbon Management Plan outcome.	6,700	0	0

Local Heritage Fund	Funding for the establishment of a Local Heritage Fund. The State Government recently announced that it will be providing \$500k for grants for State heritage listed buildings. This fund will complement the program and be available for local heritage items/buildings.	20,000	20,000	20,000
Goal 4: Explore ideas and work with others				
Online Customer Portal - annual licence	Annual licence fees associated with the Online Customer Portal (item 637).	0	0	30,000
Update Website CMS - Annual Licence	Annual licence fees associated with the website content management system (item 638).	0	0	30,000
Boundary Reform Provision	To develop/respond to proposals for the realignment of the Council boundaries.	20,000	20,000	0
Organisational sustainability				
Sky Trust Implementation	Costs associated with Skytrust (WHS system) implementation to improve the way we centrally manage our WHS safe systems of work and to provide greater access to information organisationally.	28,000	28,700	29,400
Customer Experience Survey	Conducting a survey of a sample of people who have dealt with us to determine their level of satisfaction and opportunities for improvement. The survey looks at omni-channel interactions with the Council. A number of SA councils participate in a group survey scheme and results can be benchmarked against each other.	10,000	10,000	10,000
Community Perception Survey	To survey a random selection of community members to determine satisfaction with Council performance and services (across a range of services).	5,000	0	5,000
Strategic Plan Review	Consultancy services to review the Strategic Plan in accordance with legislative requirements and the new Council's policy agenda.	25,000	0	10,000
Corporate Plan Review	Review the Corporate Plan in its third year of implementation.	0	5,000	0
Performance Benchmarking	Conduct of the LG Professional Performance Excellence Benchmarking Program.	8,500	8,750	9,000
Emergency Management Plan Consultancy	To access expert consultancy services to enhance Council's Bushfire Action Planning for facilities and personnel.	10,000	10,000	0
Waste Water Inspections (Continuation)	This initiative will finalise the required wastewater inspections due to changes in the Public Health Act.	35,000	0	0
Building Compliance Officer	Additional resourcing to support building and swimming pool inspections to ensure legislative compliance.	75,000	77,000	79,000

Economic development strategy				
Additional Economic Development Resources	Additional resourcing to support the implementation of the Economic Development Strategy.	0	100,000	102,500
Sport and recreation strategy				
Sport and Recreation Officer (0.8 FTE)	Additional resourcing to support sport and recreation in line with the progression of the Recreation and Sport Strategy and facilities management framework.	80,000	82,000	84,000
Biodiversity strategy				
Heritage Agreements	Funds to cover assessment and statutory (State Government) costs (i.e. land rededication).	5,000	5,000	5,000
Roadside Marker Program Implementation	Continued funding of \$45k to progress the implementation of initiatives to protect roadside areas identified through the Roadside Marker Program.	45,000	45,000	45,000
Bush Regenerator/ Landcare Officer	Increase FTE to improve the quality of our reserves, and support Weed Control Post Burn at key sites.	100,000	102,000	104,000
Climate change strategy				
Landscape Conservation	Investigation into local climate change implications for biodiversity conservation and revegetation.	10,000	10,000	10,000
Resilient community facilities and open space	Review and changes to facilities and open space e.g. water fountains to cope with changing climate.	0	0	20,000
Emergency Management	Funding for projects to consider the growing demand for Emergency Management Services as the risk of extreme events increase.	0	0	20,000
Vulnerable members of the Community	Funding for projects to consider the health, safety and well-being of vulnerable members of the community as the risk of extreme events increase.	0	0	30,000
Agriculture	Funding for projects to consider how agricultural productivity and water security is maintained given projected declining rainfall and increasing temperature.	0	0	10,000
Water management plan				
Turf & Irrigation Design & Management Plan	Preparation of irrigation designs to improve efficiencies or water reuse opportunities to decrease reliance on mains and bore water.	20,000	20,000	20,000
Water Sensitive Urban Design (WSUD) Training	Investigate and undertake WSUD training for Council Officers in liaison with Water Sensitive SA, for planning, designing and installing stormwater infrastructure.	2,000	0	0
Water Audits on Buildings/ Facilities	Undertake water audits on council owned buildings and facilities to understand current use and where savings maybe made.	0	20,000	0
	TOTAL	\$877,700	\$962,350	\$1,054,700

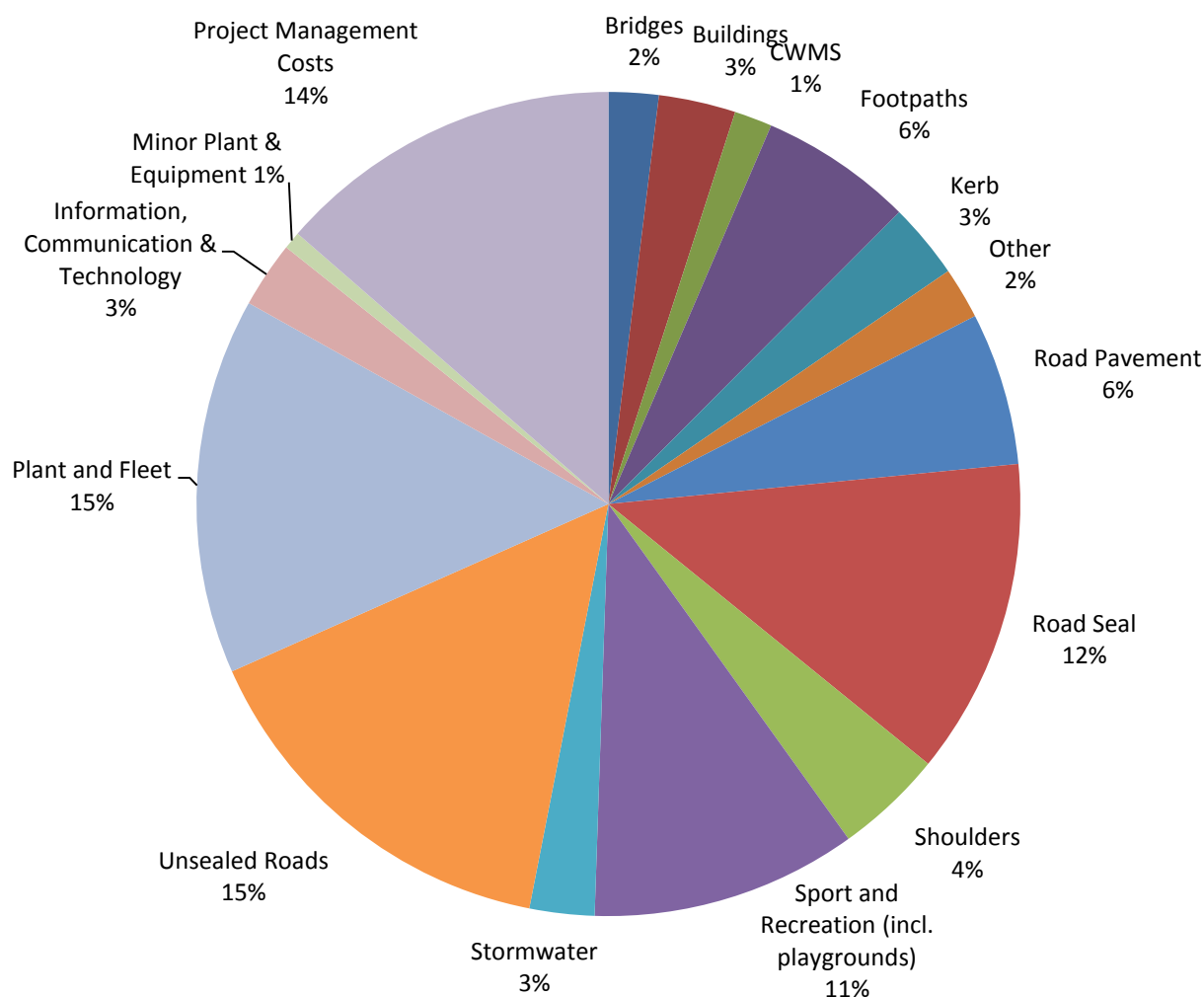
Capital budget 2019-20

The 2019-20 Capital Budget continues to focus on the renewal of infrastructure. The Council has in excess of \$500m (Current Replacement Values) of infrastructure assets that it manages, to ensure that our current and future communities have access to the ongoing services these assets provide.

This year our Capital Investment Program will include \$9.274m on the renewal of our existing assets and \$4.811m in providing additional assets for capacity improvements to our infrastructure to meet service level demand.

The total of \$14.085m for the Capital Investment Program (excluding new capital initiatives) is slightly higher than the Long Term Financial Plan target of \$ 13.852m and considered to be the appropriate level of sustainable investment to meet the Council strategic goal to have a proactive long term view regarding the renewal and maintenance of its infrastructure.

The detailed Capital Works Program is in **Appendix 2** and contains the planned budget for 2019-20, as well as some intended budget amounts for 2020-21 and 2021-22. These intended budget allocations for the subsequent years are indicative and depend upon adoption of the usual Annual Budget processes. They will assist Council in planning, scoping and project delivery of future projects and programs.



Capital program – renewal (by asset class)

As in previous years a significant portion of the program is applied to road works, with buildings, footpaths, stormwater and plant accounting for a large proportion of the remaining allocation.

In 2018-19 we made considered adjustments to the investment levels across some asset classes, including roads, pavements, footpath, shoulders and unsealed roads, to ensure infrastructure and key assets continue to support the development of the district and the needs of our community. This level of renewal investment into our transport infrastructure has been maintained. The Sport and Recreational facilities renewal funding has been reduced against the LTFP numbers awaiting the outcome of the functional strategy and strategic investment decisions. The current program will continue to deliver much needed court resurfacing, oval surface improvement and playground upgrades.

Capital Expenditure Renewal Summary

Asset Category	2019-20 Allocation \$'000	LTFP Target Renewal \$000	Variance to LTFP
Bridges	185	55	(130)
Buildings	210	310	100
CWMS	140	68	(72)
Footpaths	567	580	13
Kerb & Water	280	300	20
Other (Guardrail / Retaining Walls / Cemeteries / Street Furniture / Traffic Control)	191	150	(41)
Road Pavement	565	475	(90)
Road Seal	1,158	1,200	42
Shoulders	400	400	0
Sport and Recreation (including Playgrounds)	970	1,195	225
Stormwater	160	275	115
Unsealed Roads	1,441	1,500	59
Plant and Fleet	1,393	1,393	0
Information, Communication & Technology	265	200	(65)
Minor Plant & Equipment (including Library fittings)	65	65	0
Project Management Costs	1,284	1,284	0
GROSS RENEWALS	9,274	9,450	176

Capital program – new projects

Like many other councils, Adelaide Hills Council is experiencing an increasing demand to provide services in an environment of ageing assets, increased liability and continual constraints on funding.

New capital expenditure may not significantly impact on Council rates in the year of creation but will affect the rates income in the future by way of increased depreciation, maintenance and interest expenses. As such, the funding for any new project is focussed on the delivery of outcomes identified within the Strategic Plan or Functional Strategies. The following table provides detail on all new projects proposed against the relevant plan or strategy. Details by asset category can be found in **Appendix 2**.

New capital will largely be funded through borrowings; however Council commits to investigate, where possible, grants to help fund these new assets.

Capital Expenditure – New Initiatives Listing

Project Name	Project Description	Asset Category	2019-20	Intended 2020-21	Intended 2021-22
Goal 1: People and business prosper					
New Bus Shelters	Program to install new bus shelters across Council's transport network.	Other	40,000	40,000	40,000
New Footpaths	New Footpaths Program (including walking & cycling trails) – see Capital Detail in Appendix 2.	Footpaths	356,000	232,000	269,000
New Stormwater	North East Road - Inglewood Footpath (Stormwater).	Stormwater	25,000	0	0
Guardrail Roadside Hazard Protection	Provision of additional guardrail protection across the Adelaide Hills Council.	Other	40,000	0	0
Shoulder Sealing Program	Undertake targeted shoulder sealing across Council's sealed road network.	Shoulders	0	200,000	200,000
Council's Blackspot Contribution	Contribution towards 19/20 Blackspot submissions for Paracombe Road, Morgan Road and Ironbank Road sections.	Road Pavements	299,000	0	0
Goal 2: Activities and opportunities to connect					
AHBTC Activation – Capital	Undertake physical works required to establish an Arts and Heritage Hub in the Old Woollen Mill, Lobethal.	Buildings	221,000	590,000	400,000

Project Name	Project Description	Asset Category	2019-20	Intended 2020-21	Intended 2021-22
AHBTC Capital Divestment - Capital Cost	Division and sale of new allotments for the various tenancy areas of the AHBTC site (except the identified Arts & Heritage Hub) - this project reflects the cost of undertaking the service separations/upgrades, land divisions and sales.	Buildings	700,000	150,000	0
Newman Road Charleston	Reconstruction of new kerb and gutter.	Kerb & Water	180,000	0	0
Newman Road Charleston	Reconstruction for road widening and car park.	Road Pavement	250,000	0	0
Newman Road Charleston	Reconstruction of new stormwater including WSUD.	Stormwater	90,000	0	0
Winton Road Gumeracha Sealing	Winton Road Sealing.	Road Seal	70,000	0	0
Milan Tce Pedestrian Crossing	Install a wombat crossing adjacent the Stirling Hospital.	Other	100,000	0	0
Woodside Rec Ground Exit Upgrade	Increase the pavement width of the existing road from WRG onto Nairne Road to allow simultaneous left and right hand turns out of WRG.	Pavement	14,000	0	0
Goal 3: Places for people and nature					
Actions from Carbon Neutrality Plan	Additional funding for actions identified for implementation within the Carbon Neutrality Plan.	Buildings	50,000	150,000	50,000
Incorporate Scope 3 information into Trellis system	Funding to incorporate Scope 3 (e.g. paper use, flights) emission data within the Trellis system.	ICT	25,000	0	0
LED Street Lighting	Investigation and installation of LED lights for street lights throughout the Council district.	Other - Street Lighting	40,000	40,000	0
Purchase of EV Cars for Fleet	Investigate and purchase electric vehicles as light fleet cars concurrently with the installation of EV charging stations throughout the Hills.	Plant & Fleet	0	20,000	20,000
Additional Solar Panel Installations	Application of the remaining funds held in the Sustainability Reserve are to be applied to the installation of additional solar panels to Council buildings.	Buildings	232,000	0	0
Birdwood to Mount Pleasant Amy Gillett Bikeway	Contribution towards completion of Stage 5 of the State Government initiated Amy Gillett Bikeway.	Footpaths	0	500,000	0

Project Name	Project Description	Asset Category	2019-20	Intended 2020-21	Intended 2021-22
Heathfield Resource Recovery Centre Infrastructure	Installation of Infrastructure to provide a new service for the free recycling of soft plastics (\$30k) and required security camera replacement (\$10k).	Buildings	40,000	0	0
Implementation Federation Park & Oval Masterplan	Council has commenced a process to prepare a masterplan for the Gumeracha Precinct - Federation Park and oval area. The next stage of this approach is to implement the Action Plan prepared along with the Masterplan.	Sport & Recreation	50,000	100,000	50,000
Gumeracha Stage 2 Residents Win	The Gumeracha Main Street Working Group applied for and received an initial Residents Win grant funding to undertake a design framework for the main street. A further grant application has resulted in further funds being made available to undertake design documentation and the installation of 'quick wins'. Funding will be required in the future to implement other projects within the design framework to ensure that the community's vision is achieved.	Other	100,000	50,000	50,000
Undergrounding PLEC Contribution	A contribution towards undergrounding of the powerlines within Gumeracha.	Other - Street lighting	500,000	0	0
Gumeracha Main Street Stormwater	Install stormwater in the Gumeracha Main Street in line with the Stormwater Masterplan as part of construction works for the PLEC and main street upgrade.	Stormwater	150,000	200,000	0
Goal 4: Explore ideas and work with others					
Update Website CMS	Procure a new Content Management System (CMS) for the Council's website.	ICT	0	100,000	0
Organisational sustainability					
Online Customer Portal	Establish a system which enables customers to 'self-serve' and access records of their own interactions with the Council (like MyGov).	ICT	0	200,000	0
CRM Integration	Integrate the Customer Relationship Management System with other enterprise systems including Confirm (asset management) and Lync (call management).	ICT	30,000	0	0

Project Name	Project Description	Asset Category	2019-20	Intended 2020-21	Intended 2021-22
Broadcasting Council Meetings	Purchase of equipment to enable the capture and broadcasting of Council and Committee meetings via the website.	ICT	0	30,000	0
Communications and Marketing Plan	Establish roadside signage at key points throughout the district, which will be used to promote local events, Council consultations, seasonal reminders, etc.	Other	15,000	25,000	15,000
Emergency Management Plan Consumables	Purchase of consumables to support the activation of the Business Continuity Plan in response to a disruption event.	Other	20,000	20,000	20,000
Asset management plan					
Kiln Court Woodforde Stormwater	Kiln Court Woodforde Stormwater.	Stormwater	100,000	0	0
Spring Street Kersbrook Culvert	Spring Street Kersbrook Culvert installation.	Stormwater	195,000	0	0
Lower Hermitage Road	Increase the capacity of road crossing to reduce flooding.	Stormwater	20,000	130,000	0
Stormwater Masterplanning	Stormwater master planning.	Stormwater	25,000	0	0
Building Upgrades	Funding to ensure minor upgrade works can be undertaken when identified as appropriate.	Buildings	100,000	100,000	100,000
Cemetery Upgrades	Cemetery Upgrades (including new shelters).	Other	36,000	37,000	38,000
CWMS Upgrades	CWMS Capacity Upgrades.	CWMS	410,000	480,000	510,000
Stormwater Investigation	Storm water management in William Street Birdwood near Talunga Street.	Stormwater	5,000	0	0
Biodiversity strategy					
Capital - Erosion & Reshaping Works	Undertaking reshaping of the Montacute Creek line and priority erosion control works within the Michael Moran Reserve area.	Stormwater	20,000	0	0
Bushland Park Signage	Additional signage at Lobethal Bushland Park.	Other	13,000	0	0
Climate change adaptation plan					
Infrastructure Assets	Incorporation of climate change adaptation requirements into infrastructure projects to increase resilience.	Stormwater	50,000	50,000	50,000

Water management plan					
Woodside Recreation Ground (WRG) Water reuse-design & implementation	Planning, design and implementation of water reuse from the Bird in Hand CWMS for the Woodside Recreation Ground ovals and pitches.	CWMS	0	200,000	200,000
WSUD implementation for WRG	There are opportunities to incorporate WSUD initiatives across the WRG to improve water quality before entry into the Onkaparinga River. These initiatives include regrading, erosion control and revegetation of the creek and biofiltration areas.	Stormwater	50,000	20,000	0
Implement Irrigation Systems	Planning, design and implementation of irrigation systems to improve water use and management on ovals and pitches.	Sport & Recreation	100,000	100,000	100,000
Investigate & Implement Central Irrigation Control System	The central management of Council irrigation systems will result in improved water efficiencies and reduced resource requirements. Investigation into the feasibility of these systems is required as an initial step.	Sport & Recreation	50,000	150,000	0
		TOTAL	4,811,000	3,914,000	2,112,000
AHBTC Capital Divestment - Forecast Revenue	Division and sale of new allotments for the various tenancy areas of the AHBTC site (except the identified Arts & Heritage Hub) - this project reflects the forecast revenue from the sales of the new allotments.	Buildings	(1,000,000)	0	0

Rating Policy setting

In setting the rates for 2019-20 Council proposes to continue with its current method of rating, which is two differential rates with a fixed charge, applied against the capital value of properties. Council considers this to be a fair and equitable method of rating for the Adelaide Hills Council.

Rates are used to deliver the services. Rates are a form of property taxation, and property values determine how much each property contributes. This system of taxation means that the rates paid may not directly relate to the services used by each ratepayer.

The 2019-20 Budget provides for a general rate increase of 2.8% over that of the current year with a further estimated increase of 0.75% from growth. Growth represents new development (primarily related to the Woodforde and Inverbrackie developments), capital improvements to existing properties and changes to value as a result of land divisions.

As highlighted in the following table the 2.8% general rate increase incorporates estimated inflation (CPI) of 1.8% and 1.0% for additional capital renewal works as identified within the Long Term Financial Plan and summarised in the previous section.

The table below provides a summary of the average rate increases that have been applied in recent years as well as the increase for 2019-20.

Description	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
To meet inflation (CPI)	2.8%	2.5%	1.7%	1.5%	1.25%	2.3%	1.8%
To fund increased capital renewal	1.0%	0.9%	1.0%	1.0%	1.0%	1.0%	1.0%
Sampson Flat Bushfire (one year only)	-	-	1.0%	(1.0%)	-	-	-
TOTAL INCREASE	3.8%	3.4%	3.7%	1.5%	2.25%	3.3%	2.8%

Summary Basis of Rating (Rating Policy)

A full copy of the 2019-20 Rating Policy can be viewed at **Appendix 3**.

Key elements of the Policy include:

- A fixed charge rating structure that includes a fixed charge applying to all properties. This charge is to increase from \$634 to \$652 which represents a 2.8% increase in line with the average increase highlighted in the above table.
- The same rate in the dollar, based on capital value, being applied to all categories of ratepayer, except commercial and industrial ratepayers who pay a 15% premium.
- Primary production ratepayers genuinely in the business of primary production but not benefitting from a notional capital value for their property can apply for a 10% rebate.
- A separate rate for businesses in Stirling that generates \$95k that is distributed to the Stirling Business Association (SBA) to promote Stirling as a destination, the "Gateway to the Hills". This is an increase of \$10k from previous years as a result of a request from the SBA to reflect funding requirements for future initiatives.
- A separate rate to provide for the sealing in 2014-15 of the northern end of Verrall Road, Upper Hermitage. This rate is levied on those properties that actually adjoin this section of road.

Rate Statistics

Council has over 18,700 assessments split by land use as follows:

- Residential: just over 13,200 assessments.
- Commercial and Industrial differential rate category: approximately 720 assessments.
- Primary production assessments: approximately 3,100.
- Vacant: over 670 assessments.
- Other: approximately 200 assessments.
- Non-rateable: over 800 assessments.

Rates Modelling

The valuation of the Council area by the Valuer- General has been completed and information provided reflects an increase of just over 1% in valuation for existing properties.

Analysis indicates that:

- Residential properties, representing over 70% of the overall valuation, had an average valuation increase of just under 1.2%
- Primary production properties, being 18% of the overall valuation, have an average valuation increase of less than 0.5%
- The remaining non-residential properties, including commercial, had an average valuation increase of 1.6%.

The Budget has been formulated on the basis of retaining differential rates for all categories of ratepayer, including commercial and industrial ratepayers at the appropriate rate in the dollar to provide an overall increase in rates of 2.8% excluding growth.

Valuation Method

The Council uses the capital value method of valuing properties. This method values the land and all improvements on the land. It is the most widely used method across South Australian councils.

Council considers this valuation method the most equitable method to spread the rates burden across the measure of wealth within the Adelaide Hills Council area. It equates to the taxation principle that people should contribute to community, social and physical infrastructure in accordance with their capacity to pay as measured by property wealth.

In determining how rates are applied, and in determining the rate in the dollar, Council uses the following options.

Differential Rates

Section 153 of the Act allows to 'differentiate' rates based on the use of the land, the locality of the land, the use and locality of the land or on some other basis determined by the council. The application of a Differential General Rate is generally intended to alter the amount payable by particular land uses.

Council has determined to apply the same rate in the dollar, based on capital value, to all categories of ratepayer, except commercial and industrial ratepayers who pay a differential rate in the dollar that is 15% higher than the rate in the dollar charged for other categories of ratepayer.

Council has considered the higher amount payable by the Commercial & Industrial sector with reference to the Economic Development function as well as the services and activities that the sector does not regularly use.

Council has applied the following rates in the dollar to determine the total rate levied against an assessment:

Financial Year	Commercial & Industrial	All Other Land Uses including Residential
2019-20	0.002839	0.002469
2018-19	0.002784	0.002421
2017-18	0.002748	0.002390
2016-17	0.002806	0.002440

Council has chosen to apply a 2.8% increase in rates as evenly as possible across the two categories.

Fixed Charge

Under the *Local Government Act 1999* (the Act), Council has some mechanisms available to enable all ratepayers to contribute more equitably to the administration of Council's services and the development and maintenance of the community's infrastructure. Council considers a fixed charge (applying equally to all rateable properties) to be the most fair and equitable means of achieving this.

The Council is unable to raise more than 50% of total general rate revenue by the imposition of a fixed charge component of general rates as per section 151(10) of the Act.

Council has applied the following fixed charges as part of the total rate levied against an assessment:

	Fixed Charge	% of Rate Revenue
2019-20	\$652	31.7%
2018-19	\$634	31.8%
2017-18	\$613.50	31.8%
2016-17	\$600	31.8%

It should be noted that there is currently a Joint Committee of Parliament considering potential changes to valuation policy that would remove the ability to levy individual fixed charges based on occupancy for retirement villages. Should this policy change be implemented, this would reduce Fixed Charge revenue by approximately \$200k for Adelaide Hills Council.

Natural Resource Management Levy

The Adelaide Hills Council area largely falls within the Central Group of the Adelaide and Mount Lofty Ranges Natural Resource Management (NRM) Board but does have a small number of assessments falling in the area of the SA Murray-Darling Basin Natural Resource Management Board (SAMDB).

Council is required, under the *Natural Resources Management Act 2004*, to contribute towards the funding of the NRM Board and operates as a revenue collector for the Board by imposing a levy against properties.

Council has been advised that the amount to be paid to the Mount Lofty Ranges NRM Board in 2019-20 is \$966,053 compared to \$959,634 in 2018-19. This represents an increase of 0.6%. The SAMDB Natural Resource Management Board has advised that the 2019-20 contribution will be \$6,252 which Council pays on behalf of ratepayers.

Council does not retain this revenue or determine how the revenue is spent.

Community Wastewater Management System

The Council provides Community Wastewater Management System (CWMS) to some areas within the Council district. To fund the provision of this service Council imposes an annual service charge to recover the cost to the Council of establishing, operating, maintaining, improving and replacing infrastructure (taking into account depreciation of any assets and including future capital works).

Following a detailed assessment of the cost of providing CWMS services, in accordance with the guidelines set by the Essential Services Commission of South Australia (ESCOSA*), it has been identified that current charging is below the levels necessary to achieve full cost recovery. As such charging for CWMS services are to be increased by 5% in 2019-20 as the last incremental step towards full recovery over a three year period.

**ESCOSA is an independent economic regulator whose objective is the protection of the long term interests of South Australian consumers with respect to the price, quality and reliability of essential services. These essential services include water, waste water (sewerage), gas and electricity. The Commission ensures that consumers of regulated services are adequately protected and that entities such as councils are accountable for the essential services they operate. Council is required to abide by ESCOSA's guidelines with regard to the delivery of CWMS services to parts of our community.*

Appendix 1

Operating Budget Detail

Including service area budgets and staffing

The figures in the Service Area Operating Budget Detail have been rounded and consequently individual sub-totals, whilst being correct, may differ slightly from the sum of the rounded amounts.

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Adelaide Hills Council
2019-20 Proposed Budget
Community Capacity Income by Function

\$000s	2018-19 Revised Budget	2019-20 Proposed Budget	Variation to 2018-19 Budget Fav/(Unfav)
Communications, Engagement & Events	5	5	0
Community Development (management and partnerships)	-	-	-
Cultural Development	-	-	-
Customer Service	0	0	(0)
Director's Office - Community Capacity	-	-	-
Economic Development	85	95	10
Fabrik Arts and Heritage Hub	23	66	43
Grants & Partnerships	-	-	-
Hills Connected Communities Projects	61	63	1
Library Services	346	344	(2)
Positive Ageing (Home and Social Support)	1,052	996	(56)
Positive Ageing Project (Collaborative)	100	92	(8)
Service Strategy & Innovation	-	-	-
The Summit Community Centre	18	22	4
Torrens Valley Community Centre	37	35	(1)
Volunteering	-	-	-
Youth Development	2	2	-
Income Total	1,729	1,719	(10)

Adelaide Hills Council
2019-20 Proposed Budget
Community Capacity Expenditure by Function

\$000s	2018-19 Revised Budget	2019-20 Proposed Budget	Variation to 2018-19 Budget Fav/(Unfav)
Communications, Engagement & Events	641	659	(18)
Community Management	270	329	(59)
Cultural Development	143	147	(3)
Customer Service	828	848	(20)
CC Director's Office	288	290	(2)
Economic Development	409	431	(21)
Arts & Heritage Hub	279	265	14
Community Grants	229	232	(3)
Community Programs	62	63	(1)
Libraries	1,792	1,830	(38)
Positive ageing (Home Support)	1,090	1,035	55
Positive Ageing (Collaborative)	93	92	1
Strategy & Innovation	207	201	6
Community Centres - TSCC	166	174	(8)
Community Centres - TVCC	161	164	(3)
Volunteering	80	82	(2)
Youth Development	151	156	(5)
Expenditure Total	6,889	6,996	(107)
Net Expenditure/(Net Revenue) Total	5,160	5,277	(117)

Communications, Engagement & Events

Function Overview

The Communications, Engagement and Events function works to ensure communication between the Council and the community is accurate, relevant and engaging across multiple communication channels and that community is appropriately involved in decision making.

It works with government, community groups and commercial operators to stage and support events that help build social cohesion and attract economic activity. The team also supports internal communications and promotes and supports effective community engagement across the organisation. It includes the management of Council's online engagement portal, with associated training and support.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	5	5	0	
Expenditure*	641	659	(18)	Normal cost escalation, offset partly by reduced budget allocation for videography.
NET Cost/(Rev)	636	654	(18)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/(Decrease)	Variation Explanation
FTE	3.0	3.6	0.6	Consolidation of FTE from the Community Consultation function, with overall reduction of 0.2.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Events	Attract and deliver events that align to our strategic plan goal to bring events to our district that have social, cultural, environmental and economic benefits.
Digital and social media	Improve and grow existing digital communication channels including the website, e-newsletters, social media and exploration of other digital opportunities.
Marketing & Communication Plan	Update the Marketing and Communications Plan to identify strategies to improve effectiveness and engagement for stakeholders. Explore new communication channels and innovative engagement opportunities.
Review Community Consultation Policy and Community Engagement Framework	Undertake periodic review of the Community Consultation Policy and review the Community Engagement Framework to ensure alignment of both documents and that community engagement approaches reflect contemporary practice.
Crisis Communication Plan	Develop a crisis communication plan to complement the Council's emergency management plan.
Video	Initiate the use of video in Council communications and produce three videos.

NOTE: In prior years, Communications and Events was presented as a separate function to Community Consultation. The two areas are now combined functionally for operational reasons and the associated budgets and staffing allocations have been brought together.

Community Development (management and partnerships)

Function Overview

The Community Development Management function provides leadership, support and policy development for the Community Development Department, including Community Centres, Home Support Program, Positive Ageing, Youth Development, Volunteering, Arts and Cultural Development. It also manages Community Grants and Partnerships and is responsible for Community Leadership, Community Wellbeing and Disability Access and Inclusion. This function is responsible for a number of regional programs including Regional Health Planning, Hills Community Transport, Hills Connected Consortium and partnerships with organisations such as The Hut Community Centre.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	270	329	(59)	This is the result of funding for regional health planning and disability access and inclusion, partly offset by savings made within the department.
NET Cost/(Rev)	270	329	(59)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.0	2.0	1.0	Additional 0.6FTE for regional health planning and disability access and inclusion work. Additional 0.4FTE to correct anomaly in 2018-19 Annual Business Plan (no additional budget).

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Regional Health Planning Initiatives	Review and prepare the next Public Health Plan incorporating updated public health data and commence the pilot Community Wellbeing Alliance Project.
Disability Access and Inclusion	Develop a Disability Access and Inclusion Plan in accordance with new State legislation.

Cultural Development

Function Overview

Community cultural development seeks to build social capital and community capacity through arts and culture. This function focusses on cultural diversity, Aboriginal respect and recognition, the arts and grants giving.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	143	147	(3)	
NET Cost/(Rev)	143	147	(3)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.0	1.0	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Multicultural Action Plan	Promote the cultural diversity of the Hills through images and information. Celebrate cultural diversity through events and activities. Participate in Harmony Day and Refugee Week. Identify cultural groups and stakeholders in our area and build relationships.
Reconciliation Action Plan (RAP)	Seek advice on initiatives to recognise Aboriginal people and culture from the newly formed Reconciliation Working Group in partnership with Mount Barker District Council. Undertake cultural awareness training for staff and elected members. Celebrate Aboriginal culture through events and activities. Participate in Reconciliation Week and NAIDOC Week. Support the Just Too Deadly awards. Investigate dual place names.
Arts Action Plan	Build Council's role in relation to supporting a vibrant culture of visual, literary and performing arts through the implementation of an Arts Action Plan. Investigate venues across the area that may suit Arts activities. Investigate an Arts Register. Develop a Collections Policy, Acquisition Guidelines and Public Art Strategy.

Customer Service

Function Overview

Council's frontline customer service is co-located within the Stirling Library and integrated within the Woodside and Gumeracha libraries. Customer Service Officers are cross skilled, providing Library and Council customer services and staffing the Contact Centre phones. They rotate regularly through all four service points. While Officers aim to resolve enquiries at the first point of contact, they also use a Customer Relationship Management (CRM) system to create cases for referral on to other departments. They also process payments including rates payments, plus dog registrations and development applications. The resources listed are for nominal non-library related front desk and Contact Centre customer service.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	828	848	(20)	Normal cost escalations.
NET Cost/(Rev)	828	848	(20)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	6.00	8.75	2.75	Reallocation between Library Services and Customer Services. (No net change overall)

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Front line customer service delivery	Develop streamlined knowledge in liaison with other Council departments for front line customer service delivery.
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Note: prior to 2018-19, the Library Services and Customer Service functions were presented in the Annual Business Plan as a combined function. They are now presented separately to better align with other reporting requirements for Library Services.

Director's Office - Community Capacity

Function Overview

The Community Capacity Directorate delivers library services, customer services, ageing and home support services, youth development, community capacity programs, cultural development, events support and Council communications to the community.

The Director's Office is the executive section of the Directorate and consists of the Director and an Executive Assistant. The role of the Director's Office is to provide leadership, representation and performance monitoring of the Directorate. The Director's Office also strives to enhance the ability of the team to deliver services efficiently and effectively to improve community benefit.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	288	290	(2)	Normal cost escalations offset by reduced allowance for unforeseen consultant use.
NET Cost/(Rev)	288	290	(2)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.7	1.7	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Economic Development

Function Overview

This area is responsible for implementing Council's Economic Development Strategy to support a strong, diverse and sustainable local economy. The Strategy aims to develop a better understanding of local business issues in our region through both direct action and funding support of regional business development organisations. This will enable Council to provide networking opportunities, coordinate local development efforts, promote branding and tourism initiatives, identify options to lessen regulatory impact, and be useful advocates to other levels of government to support projects and investments that will benefit the local economy.

This function also includes revenue and expenditure of the Stirling special rate (\$95,000 passed on to the Stirling Business Association), the Council's contribution to Adelaide Hills Tourism (\$103,500), contribution to Hills, Fleurieu and Kangaroo Island Regional Development Australia (\$65,000) and contribution to the World Heritage Bid (\$15,000).

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	85	95	10	This additional income relates to the Stirling Business Separate Rate which is distributed to the Stirling Business Association (SBA). The SBA has requested an increase of \$10,000.
Expenditure*	409	431	(21)	Increase reflects the increased distribution to the SBA (\$10,000) and normal cost escalations, partly offset by reduced contribution to Regional Development Australia.
NET Cost/(Rev)	324	336	(11)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.0	1.0	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Regional Development Australia	Provide funding support (from all 3 spheres of government) to identify economic opportunity and challenges for the region and manage and coordinate ways to address them.
Adelaide Hills Tourism	Provide funding support to Adelaide Hills Tourism in order to encourage a vibrant, sustainable and visitor focussed tourism industry in the Region.
UNESCO World Heritage Bid	Provide in-kind and funding support for the progression and preparation of the World Heritage bid nomination for the Mt Lofty Ranges Region.
Business Month in May	Undertake a month long program to raise awareness within the region of the services and training opportunities available to small business and to encourage participation as good business practice.

Fabrik Arts and Heritage Hub

Function Overview

Fabrik, the arts and heritage hub now being established in the former Lobethal Woollen Mill, will bring together arts, history and the community through exhibitions, artist studios, heritage interpretations, artists in residence and cultural events. An Aboriginal cultural element will also be a feature at the hub. Fabrik will drive increased visitation to the region and boost creative industries development.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	23	66	43	Increased income expected as rentable studio spaces become available.
Expenditure*	279	265	14	Reduced expenditure due to once-off costs being incurred in the first year (2018-19) of the development of Fabrik.
NET Cost/(Rev)	256	199	57	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.6	2.0	0.4	Two full time effective staff for the whole of 2019-20, in line with the Business Development Framework.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Establish an Arts and Heritage Hub	Develop Stage 1 of Fabrik Arts and Heritage at the Old Woollen Mill in Lobethal, incorporating artist studios, exhibition spaces and heritage interpretation.
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Grants & Partnerships

Function Overview

Grants are used to support community based initiatives designed to achieve positive community development outcomes. Partnerships are formed with other stakeholders to deliver regional or local outcomes. Partnerships include those with The Hut, Hills Community Passenger Network and include activities such as Volunteer Movie Day.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	229	232	(3)	
NET Cost/(Rev)	229	232	(3)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	0	0	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Community Grants	Provide a community grants program aimed at working collaboratively with community to build community capacity.
The Hut Partnership	Partner with The Hut Community Centre to provide community support and development services.
Volunteer Movie Day	Partner with neighbouring councils to provide a thank you Volunteer Movie Day.

Hills Connected Communities Project

Function Overview

The Hills Connected Communities Project is a regional program externally funded by the State Government with a consortium approach across AHC Community Centres (The Summit and Torrens Valley Community Centre), Mount Barker Community Centre and The Hut Community Centre. This program works in the Results Based Accountability space, measuring community wellbeing and how people are better off from being involved in our programs. This program attracts external funding for us to work collaboratively within our region to develop and implement targeted strategies and programs.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	61	63	1	
Expenditure*	62	63	(1)	
NET Cost/(Rev)	0	0	0	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	0.60	0.58	(0.02)	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Cross agency collaboration	Work with community centres across the Hills region to identify gaps in service delivery and create programs and services that address needs and increase social connections, learning and sharing of skills.
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Library Services

Function Overview

The Library Service comprises a main branch at Stirling, two subsidiary branches at Woodside and Gumeracha plus Outreach Services that include a Mobile Library and a Home Delivery Van. Both the Mobile and Home Service vehicle cover the whole of the Council region and provide Library Services to those unable to access our static branches. The Library Service provides a welcoming and inclusive environment in spaces where the community can meet and access information and resources for learning or leisure, whether traditional or digital. It supports lifelong learning with access to, and training in, the use of computers and technology; literacy programs, book clubs and author discussions; workshops and exhibitions that support arts and crafts; and it has an increasing alignment of its programs with S.T.E.A.M. principles. It encourages intergenerational interaction, partners with community groups and businesses, supports local history groups and welcomes the many skills of volunteers.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	346	344	(2)	Decrease in community usage of revenue raising activities.
Expenditure*	1,792	1,830	(38)	Normal cost escalations, partly offset by efficiency savings.
NET Cost/(Rev)	1,446	1,486	(40)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/(Decrease)	Variation Explanation
FTE	19.16	16.11	(3.05)	Reallocation between Library Services and Customer Services.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Digital learning	Review digital learning outcomes and identify future needs.
Mobile Library project	Implement recommendations from Library Review as endorsed by Council.
Library strategic plan	Develop strategic plan for Library Services based on Library Review recommendations and Council endorsements.
Social inclusion project	Assess collections and programs to ensure effectiveness in building social inclusion.
Local History online	Work with local history groups to assess viability of moving collections online through Portfolio.

Note: prior to 2018-19, the Library Services and Customer Service functions were presented in the Annual Business Plan as a combined function. They are now presented separately to better align with other reporting requirements for Library Services.

Positive Ageing (Home and Social Support)

Function Overview

The Hills Home Support Program (which incorporates Positive Ageing Programs) plays an important role in supporting, maintaining and building capacity in the lives of older residents of the Adelaide Hills Council area. The program is predominantly externally funded by the Commonwealth Government.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	1,052	996	(56)	Increased external "growth" funding for CHSP program offset by one off funding of \$70k from 2018-19 BR3.
Expenditure*	1,090	1,035	55	Based on increased external funding received - increased expenditure required but offset by 70k from 2018-19 BR3.
NET Cost/(Rev)	38	39	(1)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	6.03	5.96	(0.07)	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Building Wellbeing and Wellness	Expand the understanding and accurately capture the use of wellbeing, wellness and reablement initiatives with the client group.
Increasing online presence and access	Increase the online visibility and options to access the Positive Ageing Programs by embracing and using online technology.
Increase availability of Home Maintenance Services	Increase availability of Home Maintenance services for eligible community members in need, in line with growth funding.

Positive Ageing Project (Collaborative)

Function Overview

The Hills Positive Ageing Collaborative Project is a Commonwealth and Council joint funded project which aims to support aged care services and service users in the local government areas of Adelaide Hills, Mt Barker and part of Alexandrina (Strathalbyn) to implement aged care reforms. Reporting to a Regional Executive Committee, the project leads innovative, responsive and collaborative projects that facilitate the development of positive ageing initiatives across the Hills. Adelaide Hills Council hosts and manages the project in lieu of contributing funds.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	100	92	(8)	Reflects funding provided by the State Government.
Expenditure*	93	92	1	
NET Cost/(Rev)	(7)	0	(7)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	0.57	0.60	0.03	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Dementia Friendly Communities Project	Foster and promote tourism, social and retail destinations that are dementia friendly. The project will support Adelaide Hills businesses to demonstrate awareness, respect and responsiveness to people living with dementia. The project will be a collaboration between the Hills Inclusive Tourism (HIT) group and the Hills Dementia Action Group (HDAG).
Wellbeing and Reablement Training	Assist aged care service providers to understand and implement wellness and reablement within current government frameworks and best practice guidelines.
The Brain Hub	Develop and provide opportunities to increase and assist community members understand brain health and memory loss by providing information, valuable resources and information collections in easily accessible locations.
High Tea Dance	A high tea dance event to provide an opportunity for community members that may be at risk of social isolation and or loneliness, to connect and engage with others, offer physical activity in a fun and non-judgemental setting and to provide health information and resources from relevant stakeholders.

Service Strategy & Innovation

Function Overview

This function works collaboratively across Council departments to improve service delivery to our customers and the community. Key areas of focus include improving the customer culture throughout the organisation, delivering initiatives and projects to improve the customer experience, oversight of functionality of the Customer Relationship Management system and driving organisational improvement through a continuous improvement approach.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	207	201	6	Removal of a once-off special project undertaken in 2018-19.
NET Cost/(Rev)	207	201	6	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.6	1.6	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

CRM Integration	Continue integration of the Customer Relationship Management system with the Confirm Asset Management system to streamline management of infrastructure related customer enquiries.
Knowledge Management	Build and develop an internal customer service knowledge bank to improve first contact resolution and efficiency and effectiveness of service delivery.
Customer Satisfaction Measurement	Develop mechanisms for ongoing measurement of customer satisfaction, including the experience of customers requesting a service and at the first point of contact.

The Summit Community Centre

Function Overview

The Summit Community Centre at Norton Summit exists to deliver community development outcomes both on site and at outreach locations, predominantly in the Eastern and Central parts of the district. Through a range of services and programs, people are able to engage with their own community, improve health and wellbeing, participate in lifelong learning, share their skills and experience and contribute to their community through volunteering. A range of community driven opportunities are provided and include parent support groups, nature play activities, painting groups, seniors social and fitness groups and art exhibitions by local artists. The Red Shed volunteers run a number of activities and work with local schools to share skills, encourage intergenerational connections and provide support for younger members of the community.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	18	22	4	
Expenditure*	166	174	(8)	Normal cost escalations.
NET Cost/(Rev)	148	152	(4)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.58	1.58	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Community Development	Support programs that build community leadership skills and promote inclusion. Engage community leaders to inform program development.
Outreach programs	Run more programs where they need to be and link with other services to form partnerships in service and program development. Connect more with local groups and community members.
The Uraidla Red Shed	Grow this program to create a suite of inclusive workshops for women, children and families that encourage interaction with local community members. Network and build relationships with other sheds to assist with program development.

Torrens Valley Community Centre

Function Overview

The Torrens Valley Community Centre at Gumeracha exists to deliver community development outcomes both on site and at outreach locations, predominantly in the northern parts of the district. Through a range of services and programs, people are able to engage with their own community, improve health and wellbeing, participate in lifelong learning, share their skills and experience and contribute to their community through volunteering. The centre volunteers run a community op shop, a gardening program and assist community at the front counter of the Gumeracha Civic Centre. The Green Shed volunteers run a number of activities and work with local schools to share skills, encourage intergenerational connections and provide support for younger members of the community. Shopping transport is also provided through the centre.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	37	35	(1)	
Expenditure*	161	164	(3)	Normal cost escalations offset partly by cost reductions.
NET Cost/(Rev)	124	129	(4)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.58	1.58	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Community Development	Support programs that build community leadership skills, and promote inclusion. Engage community leaders to inform program development.
Outreach programs	Run more programs where they need to be and link with other services to form partnerships in service and program development. Connect more with local groups and community members.
The Gumeracha Green Shed and Op Shop	Work with these programs to consolidate on previous achievements and consider future goals. Network and build relationships with other sheds to assist with program development.

Volunteering

Function Overview

To grow and support voluntary participation across the Adelaide Hills by inspiring people to take action and contribute to building cohesive, more connected communities. This is achieved by providing meaningful opportunities for volunteers to engage in Council delivered community services and to connect individuals to volunteer involving community groups and organisations throughout the Adelaide Hills region.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	80	82	(2)	
NET Cost/(Rev)	80	82	(2)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	0.52	0.72	0.20	Hills Volunteering funding was redirected to this salary line as the result of a Council resolution to manage that service in-house.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Volunteer Engagement	Progress updates of volunteer management systems and processes to increase effectiveness of recruitment, support and recognition.
Volunteer Management Capacity and Capability	Provide staff training to develop capability and capacity to support volunteers in a systematic and strategic way.
External volunteering support	Review ways in which the Council supports volunteering in the community (outside of Council) to ensure approaches are effective and contemporary.

Youth Development

Function Overview

Youth Development supports young people in a period of their life in which they go through a range of transitions, ultimately becoming thriving, productive and connected adults. This includes youth participation and leadership development; direct service delivery to young people by building resilience, engagement and skill development through involvement in programs and events, and working at a strategic level on the planning and provision of services to young people in the region. Key services include Council's Youth Advisory Committee (YAC) and its various projects and programs, Youth Leadership Series (new), school holiday activities, youth-led programs such as XitH LAN parties and Woodside Jams, and regular young drivers awareness courses.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	2	2	0	
Expenditure*	151	156	(5)	Normal cost escalations offset partly by a reduction in special project costs.
NET Cost/(Rev)	149	154	(5)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.0	1.0	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Youth Leadership Program	Progress the new Youth Leadership Program. Participants will develop transferrable leadership and professional skills through workshops featuring both facilitated learning and experiential learning opportunities. Young people will also have opportunities to put newly learnt skills into action via involvement in developing youth events and activities of their choice and interest. These may include: taking action on a particular youth need; organising an event or program; developing a resource to focus on exploring a particular interest and celebration of achievements of Hills young people, and others.
Implement Youth Action Plan	Implement strategies contained in the Youth Action Plan

Adelaide Hills Council
2019-20 Proposed Budget
Corporate Services Income by Function

\$000s	2018-19 Revised Budget	2019-20 Proposed Budget	Variation to 2018-19 Budget Fav/(Unfav)
AHBTC	647	300	(347)
Cemeteries	179	210	31
CS Director's Office	3	3	0
Financial Services	36,828	37,932	1,104
Property Management	56	56	1
Governance & CEO Office	-	-	-
ICT	-	-	-
Information Management	-	-	-
OD & WHS	-	-	-
Retirement Villages	135	24	(111)
Income Total	37,847	38,525	678

Adelaide Hills Council
2019-20 Proposed Budget
Corporate Services Expenditure by Function

\$000s	2018-19 Revised Budget	2019-20 Proposed Budget	Variation to 2018-19 Budget Fav/(Unfav)
AHBTC	465	250	215
Cemeteries	259	279	(20)
CS Director's Office	303	311	(8)
Financial Services	554	475	79
Property Management	2,646	2,718	(72)
Governance & CEO Office	1,420	1,390	30
ICT	1,383	1,405	(22)
Information Management	1,241	1,255	(14)
OD & WHS	500	527	(26)
Retirement Villages	175	40	135
Expenditure Total	8,947	8,650	297

Net Expenditure/(Net Revenue) Total	(28,900)	(29,875)	975
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Adelaide Hills Business & Tourism Centre

Function Overview

The Adelaide Hills Business & Tourism Centre (AHBTC) is located at the former Onkaparinga Woollen Mills site at Lobethal and is managed by the Adelaide Hills Council. The site has evolved from a business incubator and currently has a diverse group of commercial and community tenants. Through these business activities, the site currently provides employment for over 155 people.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	647	300	(347)	Variation reflects current and proposed divestment of allotments at AHBTC.
Expenditure*	465	250	215	
NET Cost/(Rev)	(182)	(50)	(132)	Variation reflects current and proposed divestment of allotments at AHBTC.
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.0	1.0	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Divestment of Commercial Tenancies	Investigation to determine if the balance of the buildings occupied by commercial tenants can be subdivided by community title division to enable a sale to the occupying tenant.
Maintenance of commercial tenancies	Ongoing maintenance of buildings in Council ownership and occupied under commercial tenancy arrangements.

Cemeteries

Function Overview

Property Services are responsible for ongoing maintenance and management of 17 cemeteries within Adelaide Hills Council boundaries. Council functions include the issuing and renewal of Interment Rights, facilitating interments, attending funerals, ordering plaques, approving memorial applications and ensuring legislative compliance with the requirements of the Burial & Cremation Act 2013.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	179	210	31	Variation reflects trends over the past 2 years for interments and makes allowance for CPI increase of fees and charges.
Expenditure*	259	279	(20)	Variation reflects increased resource allocation to ensure statutory requirements are met.
NET Cost/(Rev)	81	70	11	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	0.5	1.0	0.5	Increased resource allocation to ensure statutory requirements are met.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Cemetery Review	Progression of the review of Council's cemetery operations and procedures and the development of master plan and management system for each of the Council's cemeteries over the next 3 - 5 years.
Stirling Masterplan	Development of a master plan for the Stirling Cemetery to map out expansion areas and native vegetation protection zones.
Survey and aerial mapping of cemeteries	Progressively undertake survey and aerial mapping over the next 3 - 4 years to compliment spreadsheet data for implementation into the Cemetery Management System.
Cemetery Management System	Implementation of a management system to electronically hold all cemetery records and provide workflows for all cemetery administrative functions.

Director's Office - Corporate Services

Function Overview

The Corporate Services Directorate provides a wide range of key services to both the organisation and the broader community. These services include finance, rates, property management and compliance, AHBTC oversight, Information Services (including records), corporate planning and performance reporting. The Director's Office is the executive section of the Directorate and consists of the Director and an Executive Assistant. The role of the Director's Office is to provide leadership, representation and performance monitoring of the Directorate. The Director's Office also strives to enhance and improve the ability of the team to deliver services efficiently and effectively and thus improve community benefit.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	3	3	0	
Expenditure*	303	311	(8)	
NET Cost/(Rev)	300	308	(8)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.8	1.8	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Financial Services

Function Overview

The Financial Services function provides accounting and financial operations activities including payment of invoices, collection of rates and recovery of debt, treasury management, procurement support as well as financial decision making required for Council's operations, including statutory reporting obligations.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	36,828	37,932	1,104	Variation primarily relates to expected increase in rate revenue.
Expenditure*	554	475	79	Variation relates to reductions in interest expense and additional plant recoveries.
NET Cost/(Rev)	(36,275)	(37,457)	1,182	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	7.5	7.5	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Annual Financial Statements	To complete the Annual Financial Statements in accordance with the agreed timelines for inclusion in the Annual Report for 2018-19.
Development of 2020-21 Long Term Financial Plan	Development of 2020-21 Long Term Financial Plan.
Budget Development including rating strategy and fees and charges consideration	To develop the budget for 2020-21 in accordance with agreed timelines for inclusion in the Annual Business Plan.
Sale of Land	To undertake further Sale of Land for non-payment of rates process, under Section 184 of the <i>Local Government Act 1999</i> .
Procurement Framework	To implement the Procurement Framework and tools to support Council's adopted Procurement Policy (including purchase cards).

General Property

Function Overview

Property Services is responsible for the ongoing maintenance and management of Council's real estate assets. These assets include some 380+ parcels of land and 180+ buildings owned and managed by the Adelaide Hills Council Property Services Department, many of which are leased to sporting and community groups. The portfolio includes service centres and operational sites that have a much higher operational cost than sites that are occupied for sport, recreation or community use. Property Services also manages the Council's unmade roads (including rentals and closures/sales), Outdoor Dining Permits, Roadside Trading Permits and Mobile Food Van Permits and provides support to other Council departments for property related matters.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	56	56	1	
Expenditure*	2,646	2,718	(72)	Variation relates to increases in utility charges, maintenance costs, accommodation, salary costs and consultation costs.
NET Cost/(Rev)	2,591	2,662	(71)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	4.6	4.6	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Community & Recreation Facility Framework	Continue to develop a Community & Recreation Facility Framework for all of Council's community and sporting/recreation facilities.
Community Land Register and Management Plans	Review existing and develop new management plans for Council's community land.
Crown Land Review	Review the 77 Crown Land parcels dedicated to Council to determine occupation and consistency with dedicated purpose and strategic value to the community and Council. Make recommendations to Council where changes are seen as appropriate.
Unmade Road Review	Review Council's unmade road network and create a register determining current occupation and use, encroachments, strategic value to the community and Council as a possible future road network including walking trail and native vegetation purposes. Review which unmade roads are suitable for closure and sale.
Public Toilet Review	Review the public toilet facilities available in the Council area, including those not owned by Council, to develop a long term plan for location, type of service and renewal options.
Accommodation Review	Review Council's accommodation arrangements to ensure the effective and efficient delivery of services to the community.

Governance & CEO Office

Function Overview

The Governance area incorporates both the CEO Office and the Governance and Performance function from a budget perspective.

The CEO Office provides executive support for the CEO and the Mayor in the discharge of the roles and responsibilities set out in legislation to support the leadership of Council and the Administration, and the achievement of the Strategic Plan. Consultation, advocacy and liaison with Federal, State and other Local Government members and entities, community and business groups and members of the public are key functions of the CEO Office.

The governance function provides civic governance services for the elected Council and the community and corporate governance services for the organisation. Civic governance services include: secretariat for Council, Council Committees and informal gatherings; Council Member support, advice and professional development; coordination of elections, boundary reforms and representation reviews; liaison with inquiry agencies; and oversight of community requests for Section 270 reviews for escalated complaints. Corporate governance services include: corporate risk management, audit and review activities; strategic, corporate and business planning; insurance, business continuity planning; coordination of legislative policies, codes, delegations and authorisations, and corporate performance reporting.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	1,420	1,390	30	Variation relates to the inclusion of the strategic plan review and boundary reform initiatives, a reduction in the CEO contingency fund and the removal of 2018 Local Government Election and Council Member induction costs.
NET Cost/(Rev)	1,420	1,390	30	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	5.0	5.0	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Delegations Management System Upgrade	To review the current legislative delegations management systems and processes and identify and implement improvements.
Boundary Reform Provision	To develop and/or respond to proposals for the realignment of the AHC boundaries.
Strategic Plan Review	To review the Strategic Plan in accordance with legislative requirements and the new Council's policy agenda.
Service Review Framework	To develop a Framework setting out the methodology, resourcing and schedule for service reviews within Adelaide Hills Council.

ICT

Function Overview

ICT (Information, Communication and Technology) is a critical function to the operation of Council services and service improvement initiatives. The department is responsible for providing a range of technology services for both internal and external service provision. The ICT team supports over 1300 technology devices, 250 system users and 100 public access devices for Libraries and Community Centres. Its key objectives are the delivery of ICT Operational and Capital Works programs, Technology Helpdesk Support, ICT Systems Security, ICT Asset Maintenance & Renewal Programs.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	1,383	1,405	(22)	Increase to operational telecommunication costs for the provision of services across all departments.
NET Cost/(Rev)	1,383	1,405	(22)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	4.0	4.0	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Multifunction Device Renewal	Due to the expiry of leased infrastructure, a program of works is scheduled for the renewal of Multifunction Devices across Council Buildings.
Tablets/Laptops and Computers	Due to the expiry of leased infrastructure a program of works is scheduled for the renewal of Tablets/Laptops and Computers across Council Buildings.
Server Storage and Switching	Due to the expiry of leased infrastructure a program of works is scheduled for the renewal of Server Storage and Switching in key datacentres.
Internet of Things (IoT)	Continue to develop and implement IoT Networks within the Adelaide Hills Council District to support emerging technologies and seek to work with other Councils on expanding the network.

Information Systems

Function Overview

The Information Management function is responsible for the capture, dissemination, storage, security, accessibility and management of information that is both received and generated by the Council. The function manages digital information, (digital documents, databases, line of business systems, corporate software etc.) and information in hard copy formats. The function guides and supports the various internal and external facing service areas of Council to support best practice information management. The function also undertakes a variety of externally facing services including the coordination of Section 7 Certificates; the collation and management of Freedom of Information Requests, and management of requests for documents subject to copyright. The function also assumes responsibility for corporate software systems maintenance and management including procurement. There are currently over 80 individual software lines of business systems supported.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	1,241	1,255	(14)	CPI adjustments.
NET Cost/(Rev)	1,241	1,255	(14)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	6.8	6.8	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Implementation of Organisational Information Management System	A new enterprise organisational information management system has been developed on a contemporary technology platform. The solution will be implemented across the organisation, on a rolling basis, one department at a time. The Information Systems team will support each team as they begin using the system and migrate essential information from legacy systems.
Destruction of hard copy records	The Information Management team will focus on reviewing and destroying hard copy records that are due for destruction under the Legislative rules of the General Disposal Schedule.
Hard Copy Records digitisation	Hard Copy records that have been identified as "at risk of deterioration" will be scanned and captured electronically. This project will focus on historical waste water records and building records.
Information Management System Integration	Integrating corporate line of business systems into the Enterprise Information Management system, to ensure documents created in these systems are saved inside the enterprise system. This includes our Development, Environmental Health, CRM and Asset Management systems.

Organisational Development & Work Health and Safety

Function Overview

The Organisational Development (OD) Department provides a range of services internally (including OD, human resource management, work health and safety and payroll) to enable the effective management and leadership of our employees. This is achieved through the provision of frameworks, policy, procedure and supporting documents for People Leaders (those who manage employees) and employees to use. More specifically this includes the whole of the employment lifecycle: recruitment, induction, performance, development, industrial relations, work health and safety and exit. OD team members provide advice, guidance and support across the organisation.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	500	527	(26)	Variation relates to the Skytrust (WHS system) implementation being undertaken with a current staff member.
NET Cost/(Rev)	500	527	(26)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	3.68	4.08	0.40	Reflects resource requirements for the implementation of Skytrust. This resource previously budgeted as an external contract.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

WHS People Leader Development	Further develop People Leaders in understanding their WHS responsibilities through improved induction processes and development via People Leader Gatherings.
Develop training for employees in Public Officer responsibilities	Develop a process to provide current and new employees with training on their decision making and responsibilities as Public Officers. Ensure this process is included in employee inductions.
Review our 4X8 Performance Process	Review the 4X8 Performance process to ensure it is clear and relevant to our people and enables the goals setting, monitoring and completion of work to be managed on a 6 monthly basis.

Retirement Villages

Function Overview

Adelaide Hills Council owns and operates 1 retirement village at Bridgewater comprising 6 independent living units. Council's functions include negotiation and issuing of occupation agreements, management and maintenance of the village and ensuring compliance with the Retirement Villages Act 2016. In 2018, Council sold its other 5 retirement villages at Balhannah, Crafers, Gumeracha, Lobethal and Woodside to Clayton Church Homes.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	135	24	(111)	Variation relates to sale of 5 of the 6 Retirement Villages during 2018-19.
Expenditure*	175	40	135	Variation relates to sale of 5 of the 6 Retirement Villages during 2018-19.
NET Cost/(Rev)	41	16	25	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	0.5	0	(0.5)	Resource not required following sale of 5 of the 6 retirement villages.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Retirement Village	Investigation of the Trust and potential disposal of the remaining Council retirement village at Bridgewater.
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Adelaide Hills Council
2019-20 Proposed Budget
Development & Regulatory Services Income by Function

\$000s	2018-19 Revised Budget	2019-20 Proposed Budget	Variation to 2018-19 Budget Fav/(Unfav)
Animal Management	395	402	7
Director's Office - Development & Regulatory Services	-	-	-
Fire Prevention	12	13	0
Mt Lofty Waste Control Project	63	50	(13)
Parking and By-Laws	90	91	1
Planning & Development	502	512	10
Policy Planning	-	-	-
Public Health	125	162	37
Income Total	1,187	1,229	42

Adelaide Hills Council
2019-20 Proposed Budget
Development & Regulatory Services Expenditure by Function

\$000s	2018-19 Revised Budget	2019-20 Proposed Budget	Variation to 2018-19 Budget Fav/(Unfav)
Animal Management	455	399	56
Director's Office - Development & Regulatory Services	311	318	(7)
Fire Prevention	171	128	43
Mt Lofty Waste Control Project	49	50	(1)
Parking and By-Laws	153	149	3
Planning & Development	1,808	1,927	(119)
Policy Planning	169	148	21
Public Health	536	499	37
Expenditure Total	3,651	3,618	33

Net Expenditure/(Net Revenue) Total	2,463	2,388	75
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Animal Management

Function Overview

The Regulatory Services Team promote responsible dog and cat ownership under the provisions of the ***Dog and Cat Management Act 1995***, Council's Dog and Cat Animal Management Plan and the Dog and Cat By-laws. The Team provide a number of animal management services including:

- Establishment and monitoring of dog off-leash areas which provide an appropriate venue for owners and dogs to enjoy the freedom of the off-leash environment while minimising the risk to native animals and members of the public.
- General dog management services including investigation of barking dog complaints and dog harass/attack matters reported to Council.
- Eradication of European Wasp nests via a callout service which helps to protect the amenity and safety of the district (note that funding to assist with the provision of this service has been withdrawn by the State Government).
- Responding to nuisance and hazards caused by other animals including poultry complaints and wandering stock.
- Undertaking education and encouragement activities in the first instance followed by enforcement action if required.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	395	402	7	Anticipated increase in income due to increased dog registrations.
Expenditure *	455	399	56	Decrease in expenditure due to excess revenue from the 2017-18 period required to be spent in 2018-19.
NET Cost/(Rev)	60	(3)	63	Overall net decrease due predominantly to excess revenue from the 2017-18 period being spent in 2018-19.
Description	2018-19 Revised Budget	2019-20 Budget	Increase/(Decrease)	Variation Explanation
FTE	2.85	3.05	0.2	Reallocation of staff FTEs between Regulatory Services functions.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

DCAMP Implementation	Continued implementation of the Dog and Cat Animal Management Plan (DCAMP) and consideration of cat management matters in the lead up to the cat confinement requirements of 2021-22.
Cats By-law review	Upon completion of the feral cats study in 2021, review Cats By-law and consider what changes, if any, are required to reduce the impact of cats on our environment and biodiversity.

Director's Office - Development & Regulatory Services

Function Overview

The Director's Office is the executive section of the Development & Regulatory Services Directorate and consists of the Director and an Executive Assistant. The role of the Director's Office is to provide leadership for and to monitor the performance of the directorate. The Director's Office also strives to enhance and improve the ability of the team to deliver services efficiently and effectively and thus improve Community benefit. The Director represents Council on a number of internal and external bodies, project groups and regional subsidiaries such as the Rural Land Management Advisory Group, the World Heritage Project Management Group and the Gawler River Floodplain Management Authority (GRFMA).

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	311	318	(7)	Small increase in expenditure predominantly due to CPI.
NET Cost/(Rev)	311	318	(7)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	2.0	2.0	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Fire Prevention

Function Overview

The Regulatory Services Team is responsible for a range of functions under the *Fire and Emergency Services Act 2005*. Council currently has five qualified Fire Prevention Officers to undertake the various roles as outlined in the legislation. The responsibilities include: assessing the extent of bushfire hazards within the Council area; assisting in providing advice and information to the Bushfire Management Committee; and providing advice to land owners in respect of bushfire prevention and management.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	12	13	0	
Expenditure*	171	128	43	Decrease in expenditure due to reallocation of staff and funds.
NET Cost/(Rev)	158	115	43	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.15	0.93	(0.2)	Reallocation of staff FTEs between Regulatory Services functions.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Review of Council Fire Prevention & Mitigation Activities	The Bushfire Mitigation Operation Group will be reviewing all aspects of Council's current operations, including private property and Council land. The review will include reviewing Council's community education and private property inspection programmes along with our open space and roadside vegetation management (woody weeds) works programmes.
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Mt Lofty Waste Control Project

Function Overview

The Mt Lofty Ranges Waste Control Project has been operating since 2001 focusing on the identification and rectification of failing wastewater systems impacting on the catchment. The project is undertaken collaboratively with major funding partner, SA Water. Council manages the project as an in kind contribution and also contributes some funding through the wastewater application fees generated by the project. The Project Officer works with property owners to ensure failing waste control systems are either upgraded or replaced.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	63	50	(13)	Decrease due to removal of the vehicle and associated costs as this is now a part time role.
Expenditure*	49	50	(1)	Small increase due to CPI and is covered by the funds received from SA Water.
NET Cost/(Rev)	(14)	0	(15)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	0.5	0.5	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Investigate impact of wastewater system on catchment	In conjunction with other project partners, investigate and survey onsite wastewater systems potentially impacting the water catchment.
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Parking and By-Laws

Function Overview

The Regulatory Services Team undertake regulatory functions to ensure the safety of the community is maintained and improved. In doing so, the team enforce a wide range of legislation including the *Local Government Act 1999*, Australian Road Rules and Environment Protection Polices under the *Environment Protection Act 1993*. The Team also enforces Council's By-laws in relation to activities on Local Government land, moveable signs, roads and bird scaring devices.

Parking enforcement is aimed at maximising the safety of the road environment for all road users and pedestrians. In addition, the Team monitors parking controls which ensures shop traders, customers, event organisers and attendees have appropriate access to such facilities.

The Team also assist with events such as the Tour Down Under, local Christmas Pageants, Mt Lofty Botanic Gardens Autumn Festival, the monthly Stirling Market and the Gumeracha Medieval Fair. To ensure community safety is continued over the weekends, the Team provide a Weekend Ranger Service from 8.30am to 5.00 pm on Saturdays and Sundays. An after hours emergency callout service is also provided by the Team.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	90	91	1	
Expenditure*	153	149	3	
NET Cost/(Rev)	63	59	4	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.15	1.30	0.15	Staff establishment picking up the extra FTE from the 2018-19 Compliance Initiative.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Community Education on local nuisance and litter control matters	To undertake a Community Education Program regarding litter, illegal dumping, insanitary or unsightly conditions of land, and noise complaints to clarify which types of noise are Council's responsibility.
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Planning & Development

Function Overview

The Development Services Team undertakes Council's statutory responsibilities for the assessment of development applications and manages compliance of development activities within the district. Some of these activities result in appeals of decisions and enforcement cases in the Environment, Resources and Development Court which need to be defended by the Council. Council also has a responsibility for reviewing the fire safety of buildings with public access (which includes commercial, industrial and accommodation buildings). As the new development legislation (*Planning, Development and Infrastructure Act [PDI Act] 2016*) is rolled out in stages, changes to the development assessment service will begin to occur with a greater focus on electronic information systems including electronic lodgement of development applications. In advance of the State reform, Council has changed the assessment system to an electronic one and the team can accept development applications electronically and send decisions electronically. The on-line payment of fees has been rolled out to assist with the streamlining of the process.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	502	512	10	Projected increased fee income based on development values increasing.
Expenditure*	1,808	1,927	(119)	Apply due CPI increases in expenditure, and additional resource to support inspections with an added contribution to DPTI for the ePlanning Portal.
NET Cost/(Rev)	1,306	1,415	(108)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	15.67	16.63	0.96	Additional resource to support building and swimming pool inspections.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Electronic Development Application Assessment	Continued implementation of the Electronic Development Assessment System with improved processing efficiencies to assist in making it easier to do business in the district.
Review of Development Application Assessment Process	To review development processes and task allocations, and reduce file loads in preparation for full implementation of the Planning, Development and Infrastructure legislation, and thereby improve processing efficiencies

Policy Planning

Function Overview

Planning Policy undertakes large scale policy and research projects such as Development Plan Amendments (DPA) and a variety of Strategic Policy work. This is in addition to Council policies, responses and submissions to Government planning policy proposals, support functions for the Rural Management Advisory Group, and associated research and analysis work. A major piece of work in the lead up to the 1 July 2020 date for the commencement of the State's new Planning & Design Code will be the conversion of the Council's Development Plan into the Code.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	169	148	21	Decrease primarily due to reductions in contractor costs for DPAs. Decrease due to the removal of 2018-19 Stirling and Crafers Masterplans initiatives and the addition of the new Local Heritage Fund Initiative for 2019-20.
NET Cost/(Rev)	169	148	21	Net decrease due primarily to reduced contractor and other costs
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.0	1.0	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

UNESCO World Heritage Bid	To provide in-kind and funding support for the progression and preparation of the World Heritage bid nomination for the Mt Lofty Ranges Region.
State's Planning Reform Agenda	To provide comments on various discussion papers, practice directions, policy papers etc. as issued by the Department of Planning, Transport and Infrastructure as part of the roll out of the State's Planning Reform agenda.
Conversion of Council's Development Plan	As a result of the roll out of the State's Planning Reforms, Council will need to convert its Development Plan into the new Planning and Design Code when Phase 3 of the Code is released in late 2019/early 2020.

Public Health

Function Overview

Council has responsibilities under various Acts with regard to public health within its area (e.g. *SA Public Health Act 2011*, *Food Act 2001*, *Safe Drinking Water Act 2011* and *Local Litter & Nuisance Control Act 2016*). The functions identified by the legislation include to preserve, protect and promote public health, identify risks and to take remedial action to reduce or eliminate adverse impacts. The majority of the functions are legislative and require actions to be undertaken, such as inspections of food businesses; assessment and inspection of the collection, treatment and disposal of on-site wastewater; inspection of public swimming pools and monitoring of high risk manufactured water systems, etc.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	125	162	37	Increase due to greater contribution from SA Health for immunisations.
Expenditure*	536	499	37	Decreased in costs due to FTE changes detailed below.
NET Cost/(Rev)	411	337	74	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	4.47	4.04	(0.43)	Variation due to the addition of an extra resource for the Waste Water Inspections initiative (legislative requirement) and the reallocation of the former Manager Health and Regulatory to a different Department.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Conversion of files to electronic e-files	To convert hardcopy files for wastewater applications and food premises to electronic copies and increase the number of e-files available for access in the field using mobile devices.
Food Safety Training	Food Safety Training Program will be offered to Food Businesses and Community Organisations in order to provide an understanding of appropriate food safety and food handling practices and thereby reduce possible incidents of food poisoning.
Process Waste Water System Applications Electronically	To set up and commence in early 2020 the electronic processing of waste water system applications in order to improve processing efficiencies.

Adelaide Hills Council 2019-20 Proposed Budget Infrastructure & Operations Income by Function			
\$000s	2018-19 Revised Budget	2019-20 Proposed Budget	Variation to 2018-19 Budget Fav/(Unfav)
Civil Services	2,034	1,288	(746)
Community Wastewater Management System (CWMS)	1,664	1,755	91
Director's Office - Infrastructure & Operations	-	-	-
Emergency Management	-	-	-
Open Space Biodiversity	-	-	-
Open Space Operations	28	28	-
Open Space Sport & Recreation Planning	2	10	8
Sustainability	-	-	-
Sustainable Assets	-	-	-
Waste	69	70	1
Income Total	3,798	3,152	(646)

Adelaide Hills Council 2019-20 Proposed Budget Infrastructure & Operations Expenditure by Function			
\$000s	2018-19 Revised Budget	2019-20 Proposed Budget	Variation to 2018-19 Budget Fav/(Unfav)
Civil Services	11,426	11,567	(141)
Community Wastewater Management System (CWMS)	968	1,002	(34)
Director's Office - Infrastructure & Operations	308	315	(7)
Emergency Management	84	92	(8)
Open Space Biodiversity	485	559	(73)
Open Space Operations	5,058	5,151	(93)
Open Space Sport & Recreation Planning	943	986	(43)
Sustainability	305	244	61
Sustainable Assets	498	530	(32)
Waste	4,603	4,466	136
Expenditure Total	24,677	24,913	(236)

Net Expenditure/(Net Revenue) Total	20,879	21,761	(882)
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Civil Services

Function Overview

The Civil Services Department maintains a significant portion of Council's infrastructure including sealed and unsealed roads, signage, stormwater drainage, and rapid response activities. The Department is also accountable for the Project Management of the majority of Council's capital works program. This includes delivery of the Annual Renewal Work Plan for civil asset classes such as bridges, community wastewater management systems, sealed and unsealed roads, kerbs and footpaths, and stormwater infrastructure. It also includes new or upgrade projects within those classes, as well as road safety improvement projects.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	2,034	1,288	(746)	This reduction in revenue mostly comprises a reduction of \$200,000 for the one-off operating grant for the Kersbrook Primary School Koala Crossing, as well as a reduction in expected roads grants at both State and Federal levels.
Expenditure*	11,426	11,567	(141)	This increase in expenditure is largely due to increases in depreciation costs, especially for sealed roads.
NET Cost/(Rev)	9,392	10,279	(887)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	46.0	44.0	(2.0)	Council's Workshop Staff have moved from the Civil Services Team to the Open Space Team, to more closely align with other Fleet Management functions.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Project Management Manual	As per Council's Corporate Plan, finalise development and implement a Project Management Manual suitable for use Council wide. An important element of the manual will be that it is scalable for use across projects of varying size.
Online Maintenance Program	Continue to refine Council's Planned Maintenance Program and enhance its online presence.
Capital Project Delivery	Delivery of the civil and open space component of 2019-20 Capital Works Program, whilst enhancing reporting capability.

Community Wastewater Management System (CWMS)

Function Overview

Council owns, operates and maintains Community Wastewater Management Systems (CWMS), including associated infrastructure, in Birdwood, Mt Torrens, Kersbrook, Charleston, Verdun, Woodside and Stirling. Each connected property has a septic tank which is desludged on a four yearly basis by Council's contractor. The CWMS Team is responsible for the management and operation of the CWMS.

Council holds a Water Retail Licence under the *Water Industry Act 2012* to provide CWMS services, and the CWMS Team ensures compliance with the regulatory, economic and consumer protection framework overseen by the Essential Services Commission of SA (ESCOSA). Additionally, the CWMS Team manages the Council's compliance requirements with a wide range of regulatory and legislative obligations to meet under various Acts, regulations, standards, codes and guidelines in relation to the operation and management of the CWMS.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	1,664	1,755	91	5% increase in service fees towards full cost recovery as required by ESCOSA pricing principles.
Expenditure*	968	1,002	(34)	Variation due to FTE internal resource reallocation.
NET Cost/(Rev)	(697)	(753)	56	Variation predominantly due to requirement to move to full cost recovery.
Description	2018-19 Revised Budget	2019-20 Budget	Increase/(Decrease)	Variation Explanation
FTE	0.55	0.9	0.35	Increase in FTE due to internal reallocation of Manager Waste & Emergency Management.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Asset management	Complete maintenance and upgrade works across the network to continue to provide safe, reliable and effective wastewater collection and disposal, as per Council's Asset Management Plan 2012.
Legislative and Regulatory Compliance	Progress actions identified in Council's CWMS Safety Reliability Maintenance Technical Management Plan. Provide a reliable CWMS service and manage the system in accordance with legislative and regulatory obligations to ensure the sustainability of the CWMS business.
CWMS Review	Continue review of CWMS management and operations to ensure the most cost efficient and effective service is provided to CWMS customers at the lowest risk to Council. Transition to full cost recovery in compliance with ESCOSA's price determination and pricing principles.
Septic Tank Desludge Program	Continue to desludge septic tanks connected to the CWMS on a scheduled four yearly frequency so as CWMS infrastructure and assets are maintained and protected.
Supply of recycled water	Continue supply agreements for the provision of treated wastewater for community and private reuse schemes and explore new opportunities as they arise.

Director's Office - Infrastructure & Operations

Function Overview

The Infrastructure and Operations Directorate delivers a wide range of key services to the Community, including civil and open space related maintenance; engineering and design; sustainability initiatives, capital works including asset renewal and other construction projects; waste management, community wastewater; emergency management; sport and recreation planning and natural resources management.

The Director's Office is the executive section of the Infrastructure and Operations Directorate and consists of the Director and an Executive Assistant. The role of the Director's Office is to provide leadership, representation and performance monitoring of the Directorate. The Director's Office also strives to enhance the ability of the team to deliver services efficiently and effectively to improve community benefit.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	308	315	(7)	
NET Cost/(Rev)	308	315	(7)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	2.0	2.0	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Emergency Management

Function Overview

The Emergency Management Team works in collaboration with other Council staff, Emergency Service agencies and the Community to take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	84	92	(8)	Variation due to the decrease of the amount required for an 2018-19 initiative and the addition of the Manager Waste & Emergency Management.
NET Cost/(Rev)	84	92	(8)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	0	0.2	0.2	Emergency Management includes the FTE for the Manager Waste and Emergency Management, which also sees a corresponding reduction in the Development and Regulatory Services Directorate following the restructure.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Emergency Management Planning	Continued development and implementation of emergency management arrangements.
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Open Space Biodiversity

Function Overview

Our district boasts a wide range of habitats, including our iconic Stringybark and Candlebark forests, Red Gums and sedges of our waterways and the specialist vegetation of our wetland systems. The native flora and fauna of our region contributes to the character of the Adelaide Hills, and many of the ecosystems and the services they provide are essential to our productivity, economy, health and sense of wellbeing. Our plants and wildlife face a number of challenges. The area contains a significant proportion of the State's remaining native vegetation, and all are vulnerable to a number of threats including weed invasion, habitat fragmentation, exotic pests, risk of bushfire and climate change. Council's response to help mitigate these threats is the Biodiversity Strategy, detailing activities the Council will be undertaking over the following years to both conserve and improve local biodiversity on Council managed land. These include weed management, habitat conservation and expansion, improving our knowledge about how we can best manage our local biodiversity and supporting the community in their activities to protect and support biodiversity. Staff from the Open Space team together with Council Members, community groups, government agencies, non-government organisations and industry professionals work to improve local biodiversity and to support ecosystems and the services they provide to enable them, and ourselves, to thrive. The Biodiversity budget supports the delivery of Council's Biodiversity Strategy.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	485	559	(73)	The increase is due to the addition of a new resource Bush Regenerator/Landcare Officer.
NET Cost/(Rev)	485	559	(73)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	2.0	3.47	1.47	Increase due to Project Officer to finish surveys of Roadside Marker Sites and a new Bush Regenerator/Landcare Officer.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Biodiversity Monitoring and Management	Council reserves of conservation value are monitored using the Bushland Assessment Methodology and attributed a biodiversity value. This dataset enables regional prioritisation of works across all sites. Sites are reassessed every 5 years to determine efficacy of works undertaken at each site. The dataset has also enabled development and implementation of the Sensitive Sites Register and resulted in the proposal of entering several sites in to Heritage Agreements.
Community capacity building	Allocate funding to the Council Community Grants Scheme under the 'Environment' category. Contracted works to support volunteer activity on sites of conservation value. Support community conservation projects by funding signage, flyers/brochures and 'citizen science' initiatives (i.e. wildlife monitoring). Continue to develop Council brochures/booklets to educate the local community.
Native Vegetation Marker System Program	The Adelaide Hills Council Native Vegetation Marker System sites assessed and monitored using the Bushland Assessment Methodology (developed and utilised by Native Vegetation Council - DEW) to determine condition and attribute a biodiversity value. Data is used to determine priority works and feeds into a collaborative Roadside Vegetation Work Plan co-funded by Natural Resources Adelaide Mount Lofty Ranges (DEW). Specialist contractors are then engaged to use minimal disturbance techniques to preserve, maintain and improve sites.

Management and monitoring of prescribed burn sites	Several Council sites have been identified under the CFS Bushfire Management Area Plan for 'treatment' to reduce fuel loads. For a number of sites, this will take the form of a prescribed burn. AHC will be implementing a biannual bird monitoring program undertaken in Spring and Autumn pre and post burn to ensure that impact to bird populations on site are managed responsibly, as there will be an 8 year post-burn follow up weed control program to manage weed dominance following the disturbance event.
Implement the 2019 - 2024 Biodiversity Strategy	Finalisation and implementation of the revised Biodiversity Strategy.

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Open Space Operations

Function Overview

The Open Space Department maintains a significant portion of Council's parks and reserves, biodiversity, sport and recreation sites, trees, horticulture, building projects, cemeteries and fire breaks/tracks. The Open Space Department carries out capital upgrade works, in particular relating to buildings and open space projects, including playgrounds. Additionally, the department is responsible for the purchase and maintenance of Council vehicle fleet and heavy plant and equipment to enable our Service Provision activities.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	28	28	0	
Expenditure*	5,058	5,151	(93)	The increase is due in part to increased data collection of trees, increased cost of vehicle registrations, and also the transfer of playground material and wages from Open Space Sport and Recreation Planning.
NET Cost/(Rev)	5,030	5,123	(93)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	20.8	22.8	2.0	Council's Workshop Staff have moved from the Civil Services Team to the Open Space Team, to more closely align with other Fleet Management functions.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Elm Leaf Beetle Treatment	To manage the detrimental impacts caused to Elm trees as a result of Elm Leaf Beetle infestation, Council engages contractors to undertake systemic insecticide treatments to selected high value Elm trees.
Veteran Tree Management	Undertake proactive veteran tree management pruning principles to high value large trees within prominent urban locations and areas of high public significance.
Asset protection zones	Review all asset protection zones in conjunction with the Mount Lofty Ranges Bushfire Management Area Plan.
Fleet & Plant Management	Lead by example in purchase of more efficient vehicles with enhanced safety features (all fleet vehicles now 5 star ANCAP rated).

Open Space Sport & Recreation Planning

Function Overview

Sport and Recreation Planning plays a key role in ensuring that Adelaide Hills Council makes informed and consistent decisions to enhance the quality of Sport and Recreation opportunities available to our Community and its visitors. The Sport and Recreation Planner is responsible for leading the Council's Sport and Recreation Strategy and associated initiatives across the District. Our focus is to continue to guide the strategic planning, management and utilisation of the Council's sport, recreation and open space assets; while also supporting the clubs and community who utilise these spaces.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	2	10	8	To reflect actual monies received for oval maintenance.
Expenditure*	943	986	(43)	Additional resource to support sport and recreation in line with the progression of the Recreation and Sport Strategy and facilities management framework.
NET Cost/(Rev)	941	976	(35)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.0	1.8	0.8	Additional resource to support sport and recreation in line with the progression of the Recreation and Sport Strategy and facilities management framework.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Community & Recreation Facility Grants	Deliver the Community and Recreation Facility Grant Funding round.
Sport & Recreation Masterplanning Projects	Continue to develop and implement the various Sport and Recreation Masterplanning Projects.
Play Space Upgrades	Plan and deliver Play Space Upgrades based upon Council's endorsed upgrade program.
Club Development Workshops	Provide capacity building, networking and development opportunities for sport and recreation clubs in our region.

Sustainability

Function Overview

Energy efficiency, water management, sustainable landscapes, community resilience, climate change mitigation and adaptation are all sustainability directives for the Adelaide Hills Council (AHC). AHC has undertaken audits and monitoring of energy use for the main AHC facilities and buildings and has a corporate energy reduction program that includes the installation of solar PV panels. There is also now an emphasis on providing the community and local groups with opportunities to reduce energy use. Sustainability criteria has been included in the Facilities and Recreation Community Grant Program to enable the community to install energy efficiency measures. An investigation into a Community Energy Program has commenced as part of the Regional Climate Change Adaptation Steering Group (along with Yankalilla, Mt Barker, Alexandrina, Victor Harbor and Kangaroo Island Councils). The Council has also undertaken investigation into water reuse from the Bird in Hand Community Wastewater Management Scheme (CWMS) for irrigation purposes at the Woodside Recreation Ground (WRG). In addition numerous Water Sensitive Urban Design (WSUD) initiatives such as creek restoration and biofiltration areas will be implemented at the WRG.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	305	244	61	Completion of one off operational projects including Carbon Management Plan, battery storage feasibility, and Electric Vehicle charging station feasibility within 2018-19. Reduction in funding of water efficiency project investigations as we move into capital implementation.
NET Cost/(Rev)	305	244	61	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.0	1.0	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Community Energy Program	Explore the implementation options and associated funding for a Community Energy Program across the region through the Resilient Hills and Coasts Climate Change Adaptation Project Group.
Investigate water reuse for Woodside Recreation Ground irrigation	Investigate and analyse the feasibility of using reuse from the Bird in Hand Community Wastewater Treatment Scheme for irrigation of ovals and pitches at the Woodside Recreation Ground.
Design and implement WSUD initiatives at the Woodside Recreation Ground	Undertake design development, documentation and implementation of Water Sensitive Urban Design (WSUD) initiatives, including creek restoration and biofiltration areas at the Woodside Recreation Ground.
Investigation into circular economy products for inclusion in Council's capital and operational works.	To investigate what and how AHC can incorporate more products through the circular economy principles and objectives. The use of recycled products is critical to assist with addressing the resource recovery industry.

Sustainable Assets

Function Overview

The Sustainable Assets team develops and refines Asset Management Plans, plans for future Capital Works programs, and provides organisational support for the Geographical Information and Asset Management Systems. Council owns infrastructure assets that have a replacement value of over \$500 million dollars (including land). The ongoing management, maintenance and planning for replacement of assets ensures that public infrastructure is safe and appropriate for current and future community needs.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	0	0	0	
Expenditure*	498	530	(32)	
NET Cost/(Rev)	498	530	(32)	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	4.0	4.0	0	

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

GIS Integration	Update the GIS version and restructure the GIS data management to ensure full integration with Confirm Asset Management
Asset Management Plan Review	Review Asset Management Plans prior to Long Term Financial Plan update in February 2020.
Confirm Asset Management	Develop the business workflow to capture real time operational data defect against asset classes. Ensure ongoing integration with CRM for asset related workflow process to the field.

Waste

Function Overview

To reduce costs to ratepayers and environmental impact, Council continues to minimise waste to landfill and maximise recycling through the provision of waste and recycling services and implementation of Council's *Waste and Resource Management Strategy 2016 - 2021*

The Adelaide Hills Council provides kerbside waste collection services to over 16,500 properties across the district. Subject to location, a three bin service is provided comprising waste, recycling and green organics (townships only). Residents who are not in the green organic kerbside collection area are eligible to receive two organic waste vouchers, per financial year, for use at the Heathfield Resource Recovery Centre (HRRC). Free green organic drop off days are available to all Council residents at Heathfield, Gumeracha and Woodside throughout the year.

Council also operates the HRRC. This facility offers a multi stream waste and recycling service where material is sorted into different streams to maximise recycling and minimise residual waste to landfill. The HRRC offers many free waste disposal options including X-ray's, electronic waste (TV's, computers printers etc.), steel, newspapers, cardboard and vehicle oil. A free 'at call' kerbside hard waste collection service is also available to residents as an alternative to the HRRC.

Resource Summary (\$'000)

Description	2018-19 Revised Budget	2019-20 Budget	Variance Fav/(Unfav)	Variation Explanation
Revenue	69	70	1	Small increase for growth in additional bins.
Expenditure*	4,603	4,466	136	Decrease due to costs savings made by East Waste.
NET Cost/(Rev)	4,534	4,396	138	
Description	2018-19 Revised Budget	2019-20 Budget	Increase/ (Decrease)	Variation Explanation
FTE	1.16	1.4	(0.24)	Administrative adjustment to reflect allocation of Manager Waste and Emergency Management.

* Expenditure includes Operating Costs, Program Costs, Salaries & Wages

Key Initiatives

Kerbside Bin Audits	Undertake kerbside bin audits with the aim to reduce waste to landfill and maximise recycling in accordance with Waste and Resource Management Strategy.
Domestic Kerbside Collection	Provide a kerbside waste, recyclables, green organics and hard waste collection service.
Green Organic Drop Off Days	Continued provision of free green organic drop off days to assist with bushfire fuel reduction for fire prevention.
Household Chemical and Paint Drop Off	Introduce a free household chemical and paint drop off service at the Heathfield Resource Recovery Centre.
Waste Management and Recycling	Continue to implement initiatives in the Waste and Resource Management Strategy and Recycling Strategy to maximise diversion of recyclable material from landfill.

Appendix 2

Capital Budget Detail

Projects for new and renewed assets

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CAPITAL EXPENDITURE RENEWAL SUMMARY

ASSET CATEGORY	2019/20 ALLOCATION ('000)	LTFP TARGET RENEWAL ('000)	Variance to LTFP
Bridges	185	55	(130)
Buildings	210	310	100
CWMS	140	68	(72)
Footpaths	567	580	13
Kerb & Water	280	300	20
Other (Guardrail/RetWalls/Cemeteries/SFurniture/Traffic Cont)	191	150	(41)
Road Pavement	565	475	(90)
Road Seal	1,158	1,200	42
Shoulders	400	400	0
Sport and Recreation (including Playgrounds)	970	1,195	225
Stormwater	160	275	115
Unsealed Roads	1,441	1,500	59
Plant and Fleet	1,393	1,393	0
Information, Communication & Technology	265	200	(65)
Minor Plant & Equipment (including Library fittings)	65	65	0
Project Management Costs	1,284	1,284	0
GROSS RENEWALS	9,274	9,450	176

CAPITAL EXPENDITURE SUMMARY - NEW / CAPACITY / UPGRADE

ASSET CATEGORY	2019/20 ALLOCATION ('000)	LTFP TARGET RENEWAL ('000)	Variance to LTFP
Bridges	0	0	0
Buildings	1,343	1,363	20
CWMS	410	410	0
Footpaths	356	350	(6)
Kerb & Water	180	180	0
Other (Guardrail/RetWalls/Cemeteries/SFurniture/Traffic Cont)	904	843	(61)
Road Pavement	563	549	(14)
Road Seal	70	70	0
Shoulders	0	0	0
Sport and Recreation (including Playgrounds)	200	200	0
Stormwater	730	565	(165)
Unsealed Roads	0	0	0
Plant and Fleet	0	0	0
Information, Communication & Technology	55	102	47
Minor Plant & Equipment (including Library fittings)	0	2	2
GROSS NEW / CAPACITY / UPGRADE	4,811	4,634	(177)

Bridge Renewal

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Forreston Road Bridge	Replace guardrail and Bridge rails	GUMERACHA	\$55		
Forreston Road Bridge	Concrete Patch and Repair	GUMERACHA	\$30		
Whitehead Road Bridge	Scour protection of Abutments (cost share construction cost with Mt Barker)	MYLOR	\$100		
Year 2 Funding	Specific allocations in year 2 to be considered following review of asset category	REGIONWIDE		\$218	
Year 3 Funding	Specific allocations in year 3 to be considered following review of asset category	REGIONWIDE			\$218

PROGRAM PROPOSED	Totals ('000)	\$185	\$218	\$218
LTFP ADOPTED	Totals ('000)	\$55	\$218	\$218

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Nil Proposed					

PROGRAM PROPOSED	Totals ('000)	\$0	\$0	\$0
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Building Renewal

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Retirement Villages	Bridgewater - Refurbishment	REGIONWIDE	\$25		
Gumeracha Depot	Roofing at Gumeracha Depot	GUMERACHA	\$45		
Montacute Hall	Salt Damp - 3yr Remediation Project	MONTACUTE	\$25		
Toilet Renewal Planning	Identify current usage/ condition/ Capacity and functional requirements for service delivery	REGIONWIDE	\$30		
Stonehenge - Toilet	Toilet Refurbishment - Floor, Lighting, Pans & Cisterns (subject to Council decision on site)	STIRLING	\$40		
Summertown Bore and Shed	Summertown Bore and Shed	SUMMERTOWN	\$15		
Asset Management	Workflow System Development	REGIONWIDE	\$30		
Year 2 Funding	Specific allocations in year 2 to be considered following review of asset category	REGIONWIDE		\$951	
Year 3 Funding	Specific allocations in year 3 to be considered following review of asset category	REGIONWIDE			\$799

PROGRAM PROPOSED	Totals ('000)	\$210	\$951	\$799
LTFP ADOPTED	Totals ('000)	\$310	\$951	\$799

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
AHBTC Activation - Capital	Undertake physical works required to establish an Arts and Heritage Hub in the Old Woollen Mill, Lobethal.	LOBETHAL	\$221	\$590	\$400
AHBTC Capital Divestment - Capital Cost	Division and sale of new allotments for the various tenancy areas of the AHBTC site (except the identified Arts & Heritage Hub) - this project reflects the cost of undertaking the service separations/upgrades, land divisions and sales.	LOBETHAL	\$700	\$150	\$0
Actions from Carbon Neutrality Plan	On completion of the Carbon Neutrality Plan (item 620) there will be numerous actions identified for implementation.	REGIONWIDE	\$50	\$150	\$50
Heathfield Resource Recovery Centre Infrastructure	Heathfield Resource Recovery Centre installation of Infrastructure to provide a new service for the free recycling of soft plastics (\$30k) and required security camera replacement (\$10k)	HEATHFIELD	\$40	\$0	\$0
Building Upgrades	Building Upgrades	REGIONWIDE	\$100	\$100	\$100
Additional Solar Panel Installations	Application of the remaining funds held in the Sustainability Reserve are to be applied to the installation of additional solar panels to Council buildings.	REGIONWIDE	\$232	\$0	\$0

PROGRAM PROPOSED	Totals ('000)	\$1,343	\$990	\$550
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CWMS Renewal

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Woodside PS3 (Felix Street)	Control Cabinet Replacement	WOODSIDE	\$20		
Filter Skid	Filter Skid	BIRDWOOD	\$15		
Irrigation Tank Roof	Renewal of Roof to Storage Tank and Kersbrook Oval	KERSBROOK	\$15		
Stirling Pump Station	Replace 2 pumps and control cabinet	STIRLING	\$35		
Church St Pump Station	Control Cabinet Replacement	BIRDWOOD	\$30		
Church Street Pumps	Replace 2 pumps at pump station	BIRDWOOD	\$25		
Pumps	4 Pumps Various	REGIONWIDE		\$50	
Pumps	5 Pumps Various	REGIONWIDE			\$50

PROGRAM PROPOSED	Totals ('000)	\$140	\$50	50
LTFP ADOPTED	Totals ('000)	\$68	\$132	68.5

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Woodside Gravity Main	Capacity replacement - Woodside Rec Ground to Nairne Road	WOODSIDE	\$410		
Birdwood Gravity Main	Capacity replacement - line behind Motor Museum	BIRDWOOD		\$480	
Woodside Trunk Gravity Main	Capacity Replacement - section before pump station	WOODSIDE			\$510
Woodside Recreation Ground (WRG) Water reuse-design & implementation	Detailed design and implementation of water reuse from the Bird in Hand CWMS for the Woodside Recreation Ground ovals and pitches.	WOODSIDE		\$200	\$200

PROGRAM PROPOSED	Totals ('000)	\$410	\$680	\$710
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Footpath Renewal

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Mount Barker Road	No 294 Mount Barker Road to Eton Road	BRIDGEWATER	\$ 68		
Strathalbyn Road	Strathalbyn Road - Fairview Rd - Primary School (Aldgate) to Aldgate Valley Ro	ALDGATE	\$ 110		
Cox Place	Main Street to No 1 Cox Place (Including Kerb Renewal)	CRAFERS	\$ 25		
Cricklewood Road	Devonshire Rd to 27 Cricklewood Rd (Various Sections)	HEATHFIELD	\$ 92		
Kumnick Street	No 8 Kumnick Street to Ridge Road	LOBETHAL	\$ 28		
Ayers Hill Road	Laurel Ave to 32 Ayers Hill Rd	STIRLING	\$ 29		
Braeside Road	Snows to Pepper	STIRLING	\$ 21		
Braeside Road	St Wilfred Avenue to Paratoo	STIRLING	\$ 16		
Longwood Road	Sturt Valley Rd to Spencer St	STIRLING	\$ 23		
Old Mount Barker Road	No 100 Old Mount Barker Road to No 100 Old Mount Barker Road	STIRLING	\$ 13		
Paratoo Road	Wakefield Court to Braeside Road	STIRLING	\$ 35		
Upper Sturt Road	No 187 Upper Sturt Road to No 189 Upper Sturt Road	UPPER STURT	\$ 39		
Upper Sturt Road	No 163 Upper Sturt Road to Sturt Valley Road	UPPER STURT	\$ 21		
Moffett Street	Onkaparinga Valley Road to Robert Street	WOODSIDE	\$ 48		
Year 2 Funding	Specific allocations in year 2 to be considered following review of asset category	REGIONWIDE		\$400	
Year 3 Funding	Specific allocations in year 3 to be considered following review of asset category	REGIONWIDE			\$400

PROGRAM PROPOSED	Totals ('000)	\$567	\$400	\$400
LTFP ADOPTED	Totals ('000)	\$580	\$400	\$400

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Year 1-3 Funding	Specific allocations for new footpaths in for the next 3 years are to be considered following review of the asset category	REGIONWIDE	\$206	\$157	\$194
Key Walking & Cycling Trails	Capital Investment in delivering on improved Walking & Cycling trails in the Adelaide Hills Council Area.	REGIONWIDE	\$150	\$75	\$75
Birdwood to Mount Pleasant Amy Gil Bikeway.	Completion of Stage 5 of the State Government initiated Amy Gillett	BIRDWOOD	\$0	\$500	

PROGRAM PROPOSED	Totals ('000)	\$356	\$732	\$269
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Kerb Renewal

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Cox Place	No.3 Main Street To No.1 Cox Place	CRAFERS	\$ 280		
Cox Place	Main Street To No.1 Cox Place	CRAFERS			
Moffett Street	Onkaparinga Valley Road To Robert Street	VERDUN			
Onkaparinga Valley Road	Smith Street To No.764 Onkaparinga Valley Road	OAKBANK			
Onkaparinga Valley Road	Junction North Road To Bridge Street	BALHANNAH			
Main Street,	Wattle Street To Church Street	LOBETHAL			
Lezayre Avenue, Bridgewater	27.7M Before Morella Grove To Morella Grove	BRIDGEWATER			
Gould Road	Mount Barker Road To No.11 Gould Road	STIRLING			
Glover Road	Smithers Road to Emma Road	KERSBROOK			
Hillcrest Road	60 Metres along length to Cul De Sac	CRAFERS			
Pepper Ave	Braeside Road to Old Mt Barker Road	STIRLING			
Onkaparinga Valley Road	No. 26 Onkaparinga Valley Road To Oval Entrance Gates	WOODSIDE			
Cricklewood Road	Hillside Road to Heathfield Road	HEATHFIELD			
Year 2 Funding	Specific allocations in year 2 to be considered following review of asset category	REGIONWIDE			
				\$300	
Year 3 Funding	Specific allocations in year 3 to be considered following review of asset category	REGIONWIDE			
					\$300

PROGRAM PROPOSED	Totals ('000)	\$280	\$300	\$300
LTTP ADOPTED	Totals ('000)	\$300	\$300	\$300

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Newman Road Reconstruction	Newman Road reconstruction and kerbing	CHARLESTON	\$ 180		

PROGRAM PROPOSED	Totals ('000)	180	0	0
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Other Renewal					
Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Crafer Tennis Retaining Wall	Replace and amend retaining wall to address flooding of clubroom.	CRAFERS	\$35		
Paratoo Avenue	Retaining Wall Replacement (Linked to Footpath Renewal)	BRIDGEWATER	\$30		
Street Litter Bin Replacement	Ongoing cage replacement	REGIONWIDE	\$10		
Cemetery Renewal Program	Upgrade cemeteries to meet legislative requirements. Community expectations and safety.	REGIONWIDE	\$40		
Bus Shelter Replacement	Replace 2 bus shelters	REGIONWIDE	\$20		
Druids Avenue	Fence Renewal 100m	STIRLING	\$50		
Onkaparinga Road	108 Onkaparinga Valley Rd - Retaining Wall	BALHANNAH	\$6		
Street Litter Bin Replacement	Ongoing cage replacement	REGIONWIDE		\$10	
Bus Shelter Replacement	Replace 2 bus shelters	REGIONWIDE		\$20	
Guard fence Replacement	Peacocks Road and Martins Road	REGIONWIDE		\$40	
Onkaparinga Road	Guard fence Replacement	BRIDGEWATER		\$55	
Retaining Wall & Fencing	Longwood Road	STIRLING		\$70	
Cemetery Renewal Program	Upgrade cemeteries to meet legislative requirements. Community expectations and safety.	REGIONWIDE		\$40	
Osterley Avenue	Retaining Wall Replacement	BRIDGEWATER		\$25	
Fence Renewal Program	Fence Renewal (50m)	REGIONWIDE		\$30	
Street Litter Bin Replacement	Ongoing cage replacement	REGIONWIDE			\$12
Bus Shelter Replacement	Replace 2 bus shelters	REGIONWIDE			\$20
Cemetery Renewal Program	Upgrade cemeteries to meet legislative requirements. Community expectations and safety.	REGIONWIDE			\$40

PROGRAM PROPOSED	Totals ('000)	\$191	\$290	\$72
LTFP ADOPTED	Totals ('000)	\$150	\$150	\$150

New / Capacity / Upgrade Initiatives					
Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
New Bus Shelters	Program to install new bus shelters across Council's transport network	REGIONWIDE	\$40	\$40	\$40
Guardrail Roadside Hazard Protection	Provision of guardrail protection across the Adelaide Hills Council. Woods Hills Road and Montacute Road	REGIONWIDE	\$40		
Gumeracha Stage 2 Residents win	The Gumeracha Main Street Working Group applied for and received an initial Residents Win grant funding to undertake a design framework for the main street. A further grant application has resulted in further funds being made available to undertake design documentation and the installation of 'quick wins'. Funding will be required in the future to implement other projects within the design framework to ensure that the community's vision is achieved.	GUMERACHA	\$100	\$50	\$50
Communications and Marketing Plan	Establish roadside signage at key points throughout the district, which will be used to promote local events, Council consultations, seasonal reminders, etc.	Other	\$15	\$25	\$15
Emergency Management Plan Consumables	Purchase of consumables to support the activation of the	Other	\$20	\$20	\$20
Cemetery Upgrades	Cemetery Upgrades	REGIONWIDE	\$21	\$21	\$21
Bushland Park Interpretative Signage	Lobethal Bushland Park Interpretative Signage	LOBETHAL	\$13	\$0	\$0

LED Street Lighting	Investigation and installation of LED lights for street lights throughout the Council district.	REGIONWIDE	\$40	\$40	
Undergrounding PLEC Contribution	A contribution towards undergrounding of the powerlines within Gumeracha Main Street	GUMERACHA	\$500		
Cemetery Shelters	Program to Upgrade or install new shelters at Council Cemeteries	Regional	\$15	\$16	\$17
Milan Tce Pedestrian Crossing	Install a wombat crossing adjacent the Stirling Hospital	Stirling	\$100		

PROGRAM PROPOSED	Totals ('000)	904	212	163
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Pavement Renewal					
Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Newman Road	Reconstruction of Road Pavement in Charleston Township - Onkaparinga Valley Road to Jocelyn Avenue - (project includes new stormwater, kerbing and pavement)	CHARLESTON	\$450		
Asset Management	Workflow System Development	REGIONWIDE	\$30		
Pavement Investigation and Design	Tiers Road and Deviation Investiagtion and Design	LENSWOOD	\$40		
Major Road Patch Program	Major Patch Pavement Rehabilitation - Checker Hill, Coldstore Road, Tiers Road, Scott Creek Road (Future Years subject to Business Case)	REGIONWIDE	\$45		
Year 2 Funding	Specific allocations in year 2 to be considered following review of asset category	REGIONWIDE		\$957	
Year 3 Funding	Specific allocations in year 3 to be considered following review of asset category	REGIONWIDE			\$1,054

PROGRAM PROPOSED	Totals ('000)	\$565	\$957	\$1,054
LTFP ADOPTED	Totals ('000)	\$475	\$957	\$1,054

New / Capacity / Upgrade Initiatives					
Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Newman Road Reconstruction	Widening and adjacent car park.	CHARLESTON	\$250		
Council's Blackspot Contribution	Contribution towards 19/20 Blackspot submissions for Paracombe Road, Morgan Road and Ironback Road sections.	Road Pavements	\$299		
Woodside Rec Ground Exit Upgrade	Increase the pavement width of the exist road from WRG onto Nairne Road to allow simultaneous left and right hand turns out of WRG	Woodside	\$14		

PROGRAM PROPOSED	Totals ('000)	\$563	\$0	\$0
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Seals Renewal

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Exeter Road	Kingsland Road to Suffolk Road	ALDGATE	\$ 1,158		
Hawker Road	Penola Road to End of Road	ALDGATE			
Kanmantoo Road	Yappo Road to Monarto Road	ALDGATE			
Monarto Rd	Kanmantoo Road to Sunny Spring Glen Rd	ALDGATE			
Penola Road	Hawker Road to Wilpena Terrace	ALDGATE			
Sunnyspring Glen Rd	Monarto Rd to Rudida Grove	ALDGATE			
Wilpena Terrace	Arkaba Road to Conifer Close	ALDGATE			
Wilpena Terrace	Conifer Close to Penola Road	ALDGATE			
Oak Avenue	Osterley Avenue to Ophir Avenue	BRIDGEWATER			
Wattle Street	Oratava Avenue to Osterley Avenue	BRIDGEWATER			
Georgina Avenue	Piccadilly Road to End of Seal	CRAFERS			
Lesley Crescent	Old Mount Barker Road to Kalmia Avenue	CRAFERS			
Lesley Crescent	Kalmia Avenue to Old Mount Barker Road	CRAFERS			
Sneddon Avenue	Bradshaw Avenue to End of Road	CRAFERS			
Glen Street	Hill Street to End of Seal	CRAFERS WEST			
Hillcrest Avenue	30m from Heather Road (fork junction) to End of Road	CRAFERS WEST			
Sheoak Road	Princes Avenue to Albert Avenue	CRAFERS WEST			
Prairie Road	Gorge Road to End of Seal	CUDLEE CREEK			
Carroll Road	Devonshire Road to End of Seal	HEATHFIELD			
Scott Creek Road	After RA 178 to Morgan Road	HEATHFIELD			
Glover Street	Emma Street to Smithers Court	KERSBROOK			
Glover Street	Scott Street to Emma Street	KERSBROOK			
Copeland Street	Reserve Ave to Private Road	LOBETHAL			
Magpie Avenue	Riley Street to School Road	LOBETHAL			
Pioneer Avenue	Main Street to End Pioneer Avenue	LOBETHAL			
Riley Street	Magpie Avenue to Mill Road	LOBETHAL			
Harvey Road	Hurst Road to End of Seal	PARACOMBE			
Curtis Close	Piccadilly Road to End of Seal	PICCADILLY			
Range Road South	Rural Property Address 29 to Amberdale Road	HOUGHTON			
Gall Road	Paracombe Road to End of Seal	PARACOMBE			
Garrod Place	Garrod Crescent to End of Road	STIRLING			
Old Carey Gully Road	Nara Road to Golflinks Road	STIRLING			
Old Mount Barker Road	Gould Road to Pepper Avenue	STIRLING			
Waverley Court	Howard Drive to End of Road	STIRLING			
Naughtons Road	Henry Street to Rural Property Address 52 (End of Sealed section)	WOODSIDE			
Gardenia Drive	Jacaranda Road to Grevillea Way	WOODSIDE			
Gilburn Court	Norton Summit Road to End of Seal	TERINGIE			
Knoll Crescent	Valley Road to End of Road	TERINGIE			
Teringie Drive	25 Metres West of Woodland Way to 50 Metres East of Woodland Way at Seal Change	TERINGIE			
Teringie Drive	Norton Summit Road to 18 Teringie Drive	TERINGIE			
Woodland Way	Swiss Place to Alpine Place	TERINGIE			
Jacaranda Drive	Onkaparinga Valley Road to Sandlewood Dr (Intersection)	WOODSIDE			
Jacaranda Drive	Gravillia Way to Gardenia Way	WOODSIDE			
Moffett Street	Onkaparinga Valley Road to Robert Street	WOODSIDE			
Ridge Road	John Street to Jacaranda Drive	WOODSIDE			
Ridge Road	Elizabeth Street to John Street	WOODSIDE			
Year 2 Funding	Specific allocations in year 2 to be considered following review of asset category	REGIONWIDE		\$1,200	
Year 3 Funding	Specific allocations in year 3 to be considered following review of asset category	REGIONWIDE			\$1,500

PROGRAM PROPOSED	Totals ('000)	\$1,158	\$1,200	\$1,500
LTFP ADOPTED	Totals ('000)	\$1,200	\$1,200	\$1,500

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Intended ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Winton Road Sealing	Sealing of section to Torrens Valley Cherries, stormwater upgrade and possible kerbing required (approx 350m will remain unsealed)	GUMERACHA	\$70		
PROGRAM PROPOSED	Totals ('000)		\$70	\$0	\$0

Shoulder Renewal

Proposed Project Name	Project Description	Suburb			
Murdoch Hill Road	Rural Property Address 135 to Donoghue Road	WOODSIDE	\$400		
Murdoch Hill Road	Wuttke Road to Rural Property Address 135	WOODSIDE			
Murdoch Hill Road	Nairne Road to Wuttke Road	WOODSIDE			
Bird In Hand Road	Landara Road to Hiscocks Road	WOODSIDE			
Bird In Hand Road	Burnley Road to Warmington Run	WOODSIDE			
Bird In Hand Road	Rural Property Address 487 to Burnley Road	WOODSIDE			
Bird In Hand Road	Hiscocks Road to Rural Property Address 487	WOODSIDE			
Bird In Hand Road	Rural Property Address 86 to Reefton Road	WOODSIDE			
Bird In Hand Road	Drummond Road to Rural Property Address 86	WOODSIDE			
Military Road	Property Address 221 to Five Bob Road	WOODSIDE			
Military Road	Piney Ridge Road to Rural Property Address 221	WOODSIDE			
Military Road	Moore Road to Council Boundary	WOODSIDE			
Military Road	Five Bob Road to Moore Road	WOODSIDE			
Military Road	Woodside Nairne Road to Piney Ridge Road	WOODSIDE			
Sturt Valley Road	Wychwood Grove to Manoah Drive	UPPER STURT			
Sturt Valley Road	Elmstead Drive to Wychwood Grove	UPPER STURT			
Sturt Valley Road	Upper Sturt Road to Elmstead Drive	UPPER STURT			
Sturt Valley Road	Whitewood Drive to Ironbank Road	UPPER STURT			
Sturt Valley Road	Manoah Drive to Whitewood Drive	UPPER STURT			
Year 2 Funding	Specific allocations in year 2 to be considered following REGIONWIDE review of asset category			\$500	
Year 3 Funding	Specific allocations in year 3 to be considered following REGIONWIDE review of asset category				\$400

PROGRAM PROPOSED	Totals ('000)	\$400	\$500	\$400
LTFP ADOPTED	Totals ('000)	\$400	\$500	\$400

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Shoulder Sealing Program	Priority sites to be determined considering road widths, cyclist routes and road crashes.		\$0	\$200	\$200

PROGRAM PROPOSED	Totals ('000)	\$0	\$200	\$200
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Sport and Recreation (including Playgrounds) Renewal

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Mount Torrens Oval Playspace	Local Playspace Renewal	MOUNT TORRENS	\$120		
Charleston Centennial Park Playspace	Local Playspace Renewal	CHARLESTON	\$120		
Kersbrook Oval	Local Playspace Renewal	KERSBROOK	\$120		
Bradwood Park Carpark / Driveway / Drainage	Driveway / Carpark / Drainage Renewal	BRADBURY	\$80		
Woodside Recreation Ground (Cricket & Warriors Soccer) Oval / Pitch Drainage	Oval Pitch Drainage Renewal	REGIONWIDE	\$80		
Court Resurfacing	To be determined by new Framework position and resolution of redevelopment options	REGIONWIDE	\$450		
Local Playspace Renewal	Specific allocations in year 2 to be considered following review of asset category	REGIONWIDE		\$600	
Court Resurfacing	To be determined by new Framework position and resolution of redevelopment options	REGIONWIDE		\$500	
Local Playspace Renewal	Specific allocations in year 3 to be considered following review of asset category	REGIONWIDE			\$120
Court Resurfacing	To be determined by new Framework position and resolution of redevelopment options	REGIONWIDE			\$600

PROGRAM PROPOSED	Totals ('000)	\$970	\$1,100	\$720
LTFP ADOPTED	Totals ('000)	\$1,195	\$1,128	\$1,183

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Implementation Federation Park & Oval Masterplan	Council has commenced a process to prepare a masterplan for the Gumeracha Precinct - Federation Park and oval area. The next stage of this approach is to implement the action plan prepared along with the masterplan.	GUMERACHA	\$50	\$100	\$50
Implement Irrigation Systems	Design and implementation of irrigation systems to improve water use and management on ovals and pitches.	REGIONWIDE	\$100	\$100	\$100
Investigate & Implement Central Irrigation Control System	The central management of Council irrigation systems will result in improved water efficiencies and reduced resource requirements. Investigation into the feasibility of these systems is required as an initial step.	REGIONWIDE	\$50	\$150	\$0

PROGRAM PROPOSED	Totals ('000)	\$200	\$350	\$150
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Stormwater Renewal

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Proposed ('000)	2021/22 Proposed ('000)
Renown Avenue Crafers	Undertake renewal to ensure minimum service level	CRAFERS	\$30		
Minor Stormwater Projects	Unspecified allocation for small stormwater issue that ar	REGIONWIDE	\$40		
Henry Street Stormwater	Detailed design and renewal of back of block drain replacement	WOODSIDE	\$60		
Heather Road Stormwater	#19 Heather Ave Stormwater renewal	WOODFORDE	\$30		
Minor Stormwater Projects	Unspecified allocation for small stormwater issue that arise during the year. Typical value of individual project \$ 5k to \$ 20k)	REGIONWIDE		\$40	
Minor Stormwater Projects	Unspecified allocation for small stormwater issue that arise during the year. Typical value of individual project \$ 5k to \$ 20k)	REGIONWIDE			\$40

PROGRAM PROPOSED	Totals ('000)	\$160	\$40	\$40
LTFP ADOPTED	Totals ('000)	\$275	\$240	\$210

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Kiln Crt Stormwater	Construction of new system from Norton Summit out fall to Kiln Crt	WOODFORDE	\$100		
Spring Street, Kersbrook, Culvert	Stage 3 - Install larger culvert under Scott Streetto minimise flooding	KERSBROOK	\$195		
Stormwater Masterplanning	High level review of exisitng infrastructure to ensure minimum service stards are met.	REGIONWIDE	\$25		
Lower Hermitage Road Stormwater	Design of Pipe crossing upgade near 375 Lower Hermitage		\$20		
Newman Road Reconstruction	New stormwater system associate with road reconstruction, Newman Road	CHARLESTON	\$90		
North East Raod - Inglewood Footpath	Extend stormwater to allow footpath extension	INGLEWOOD	\$25		
Capital - Erosion & Reshaping Works	Undertaking reshaping of the Montacute creek line, and priority erosion control works within the Michael Moran Reserve area.	Stormwater	\$20		
Infrastructure Assets	Incorporation of climate change adaptation requirements into infrastructure projects to increase resilience	Stormwater	\$50	\$50	\$50
WSUD implementation for WRG	There are opportunities to incorporate WSUD initiatives across the WRG to improve water quality before entry into the Onkaparinga River. These initiatives include regrading, erosion control and revegetation of the creek and biofiltration areas.	Stormwater	\$50	\$20	\$0
Lower Hermitage Road Stormwater	Replace exisitng 900mm pipe with 1500mm to deliver service level capcity upgrade.	LOWER HERMITAGE		\$130	
Gumeracha Main Street Stormwater	Install stormwater in the Gumeracha Main Street in line with Stormwater Master Plan as part of construction works for PLEC and main street upgrade.	Gumeracha	\$150	\$200	
Storm water management William Street Birdwood near Talunga Street		Birdwood	\$5		

PROGRAM PROPOSED	Totals ('000)	\$730	\$400	\$50
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Unsealed Renewal

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Baldocks Road	End of Sealed Section to RPA 99 (End of Road)	WOODSIDE	\$1,441		
Banksia Road	Murray Road to RPA 81 (End of Road)	OAKBANK			
Coach Road	Ridge Road to RPA 45 (End of Gravel Road)	ASHTON			
Cranwell Road	Ridge Road to RPA 88 (End of Road)	SUMMERTOWN			
Deloraine Road	RPA 304 to Watts Gully Road	KERSBROOK			
Deloraine Road	South Para Road to RPA 217 (Beginning of Fire Trac	KERSBROOK			
Gall Road	End of Sealed Section of Gall Road to RPA 46 (End of Road)	PARACOMBE			
Gurr Road North	Nicholls Road to End Of Road (RA 36)	BRADBURY			
Harvey Road	RPA 4 (End of Sealed Section) to RPA 82 (End of Road)	PARACOMBE			
High Street	Allambi Drive to 15m before Scott Street (Start Seal)	STIRLING			
High Street	Scott Street to End of Road	STIRLING			
Hurst Road	End of Sealed Section to End Of Road	PARACOMBE			
Jungfer Road	End of Seal to Onkaparinga Valley Road	CHARLESTON			
Lewis Road	Springhead Road to Hartmann Road	MOUNT TORRENS			
Lewis Road	Hartmann Road to Bell Springs Road	CHARLESTON			
Magarey Road	Cyanide Road to RPA 208	MOUNT TORRENS			
Magarey Road	Burton Road to RPA 110	MOUNT TORRENS			
Mattners Road	RPA 206 to Council Boundary	BALHANNAH			
Mattners Road	Daniels Road to RPA 206	BALHANNAH			
Mattners Road	End of Seal to Daniels Road	BALHANNAH			
Mcvitties Road	Rural Property 292 to Rural Property 362 (End of Gravel Road)	BIRDWOOD			
Mcvitties Road	Blocks Road to Rural Property 292	BIRDWOOD			
Mount George Road	Muller Road to RPA 168 (End of Road)	MOUNT GEORGE			
Mylkappa Road	Angus Creek Road to RPA 66 (End of Road)	BIRDWOOD			
Narrow Range Road	Montacute Road to RPA 61	CHERRYVILLE			
Pedare Park Road (North)	Burns Road to START of PRIVATE Right of way	WOODSIDE			
Pedare Park Road (South)	End of PRIVATE Right of way (RA 145) to Tiers Road	WOODSIDE			
Pfeiffer Road	RPA 557 (End of Sealed Section) to Teakles Road	CHARLESTON			
Size Road	End of Seal to End Of Road	OAKBANK			
Tembys Road	Marble Hill Road to RPA 37 (End of Road)	NORTON SUMMIT			
Udys Road	End of Sealed Section of Udys Road to Carinya Road	PICCADILLY			
Willow View Road	End of Seal to RPA 59 (End of Road)	WOODSIDE			
Wuttke Road	Murdoch Hill Road to RPA 113 (End of Road)	WOODSIDE			
Year 2 Funding	Specific allocations in year 2 to be considered following review of asset category	REGIONWIDE		\$1,500	
Year 3 Funding	Specific allocations in year 3 to be considered following review of asset category	REGIONWIDE			\$ 1,400

PROGRAM PROPOSED	Totals ('000)	\$1,441	\$1,500	\$1,400
LTFP ADOPTED	Totals ('000)	\$1,500	\$1,500	\$1,400

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
NIL PROPOSED					

PROGRAM PROPOSED	Totals ('000)	\$0	\$0	\$0
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Plant and Fleet Renewal

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Maintenace North	9 tonne Tipper (former P1126)				
Grader Support	Tandem Tipper (former P1208)				
Grader South	Tandem Tipper (former P1209)				
Tree Team	Wood Chipper (Former P1612)				
Parks Team	Slasher for Bulldozer				
Light Fleet	Renewal on 3 year program				
Maintenance	Roller (Former P808)				
Parks Team	Zero Turn Mower (Former P915)				
Maintenance South	9 tonne Tipper (Former P1129)				
Tree Team	Chipper Truck (Former P1130)				
Maintenance North	9 tonne Tipper (Former P1131)				
Bitumen Team South	Flocon (Former 1307)				
Parks Team	Trailer (Former T61)				
Drainage Team	Excavator Trailer (Former T66)				
Light Fleet	Renewal on 3 year program				
Grading Team South	Motor Grader				
Parks Team	Mower/loader				
Community Woodside	12 Seat Bus				
Community Aldgate	12 seat Bus				
Maintenance South	Tractor				
Maintenance Gumeracha	Mini Excavator				
Parks Team	Front Deck Mower				
Light Fleet	Renewal on 3 year program				

PROGRAM PROPOSED	Totals ('000)	\$1,393	\$1,418	\$1,296
LTFP ADOPTED	Totals ('000)	\$1,393	\$1,498	\$1,296

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Purchase of EV Cars for Fleet	Investigate and purchase electric vehicles as light fleet cars concurrently with the installation of EV charging stations throughout the hills.	Plant & Fleet		\$20	\$20

PROGRAM PROPOSED	Totals ('000)	\$0	\$20	\$20
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ICT Renewal

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
General ICT Renewals	Information Management Records Hub – Stage 1 of TRIM renewal program (records system renewal program)	REGIONWIDE	\$180		
	SQL – Renewal of the Virtual SQL Server for corporate line of business applications	REGIONWIDE	\$20		
	Network Security – Renewal of Network including security segmentation	REGIONWIDE	\$20		
Library ICT Renewals	RFID staff stations , Label printers, Slip printers , Hand held scanners	LIBRARY	\$45		
General ICT Renewals	Allocated in accordance with replacement schedule	REGIONWIDE		\$200	
General ICT Renewals	Allocated in accordance with replacement schedule	REGIONWIDE			\$200

PROGRAM PROPOSED	Totals ('000)	\$265	\$200	\$200
LTFP ADOPTED	Totals ('000)	\$200	\$200	\$200

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Intended ('000)	2021/22 Intended ('000)
Incorporate Scope 3 information into Trellis system	Council is currently able to report on the majority of Scope 1 and 2 emissions (e.g. use of electricity, fuel use) through Trellis, the online data reporting system. Council has not at this stage been reporting on Scope 3 (e.g. paper use, flights) and require further investigation into the incorporation of Scope 3 emission data within the Trellis system.	ICT	\$25		
CRM Integration	Integrate the Customer Relationship Management System with other enterprise systems including Confirm (asset management) and Lync (call management).	ICT	\$30		
Update Website CMS	Procure a new content management system (CMS) for the Council's website.	ICT		\$100	
Online Customer Portal	Establish a system which enables customers to 'self-serve' and access records of their own interactions with the Council (like MyGov)	ICT		\$200	
Broadcasting Council Meetings	Purchase of equipment to enable the capture and broadcasting of Council and Committee meetings via the website.	ICT		\$30	

PROGRAM PROPOSED	Totals ('000)	\$55	\$330	\$0
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Minor Plant and Equipment Renewal

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2020/21 Proposed ('000)	2021/22 Intended ('000)
Minor Plant - Small Plant	Minor Plant - Small Plant items		\$13		
Minor Plant - Furniture	Fixtures and Furniture		\$15		
Minor Plant - Library	Library Equipment Renewal including digital		\$37		
Minor Plant - General Renewal	Includes minor plant, furniture and library			\$60	
Minor Plant - General Renewal	Includes minor plant, furniture and library				\$60

PROGRAM PROPOSED	Totals ('000)	\$65	\$60	\$60
LTFP ADOPTED	Totals ('000)	\$65	\$60	\$60

New / Capacity / Upgrade Initiatives

Proposed Project Name	Project Description	Suburb	2019/20 Proposed ('000)	2021/22 Proposed ('000)	2020/21 Intended ('000)
Nil					

PROGRAM PROPOSED	Totals ('000)	\$0	\$0	\$0
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Appendix 3

Rates Policy Detail

Including rebates, deferral and capping options

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COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	RATING
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Policy Number:	FIN-02
Responsible Department(s):	Financial Services
Other Relevant Policies:	None
Relevant Procedure(s):	None
Relevant Legislation:	<i>Local Government Act 1999</i> <i>Valuation of Land Act 1971</i> <i>Natural Resources Management Act 2004</i> <i>Aged Care Act 1987 (Commonwealth)</i> <i>Community Housing Providers National Law</i> <i>Community Titles Act 1996</i> <i>Education Act 1972</i> <i>Health Commission Act 1976</i>
Policies and Procedures Superseded by this policy on its Adoption:	Rating, 28 June 2016, Item 14.9, 1.11, 122 Rating, 27 June 2017, Item 14.3, 1.11, 130/17 Rating, 26 June 2018, Item 12.3, 1.11 , 138/18
Adoption Authority:	Council
Date of Adoption:	<i>To be entered administratively</i>
Effective From:	1 July 2019
Minute Reference for Adoption:	<i>To be entered administratively</i>
Next Review:	June 2020 or as legislatively required

RATING POLICY

1. INTRODUCTION

- 1.1 In South Australia, council rates are a form of property tax levied by Local Government, as our primary source of funding for the many mandatory and discretionary services that are provided by councils. Rates are administered by each council in line with the *Local Government Act 1999* (the Act) which allows some flexibility for each council to make decisions that suit its local community. This document sets out the policy of the Adelaide Hills Council for setting and collecting rates from its community.

2. PURPOSE

- 2.1 The purpose of this policy is to outline Council's approach towards rating its communities and to meet the requirements of the Act with particular reference to section 123 which requires Council to have a rating policy that must be prepared and adopted (as part of the Annual Business Plan) each financial year in conjunction with the declaration of rates.

3. DEFINITIONS

- 3.1 **'Act'** refers to the *Local Government Act 1999* (SA).
- 3.2 **'Capital value'** refers to the valuation methodology used in determining the value of land, as defined in the *Valuation of Land Act 1971*.
- 3.3 **'Council'** refers to the elected Council body.
- 3.4 **'CWMS'** refers to the Community Wastewater Management System within the Council area.
- 3.5 **'Differential rate'** refers to a rate that may be applied to a category of land that is different to the rate applied to other land categories (termed differential rates under the Act).
- 3.6 **'Fixed charge'** refers to a charge that must apply equally to each separate piece of rateable land in the area under section 152(1) of the Act.

4. POLICY STATEMENT

- 4.1 Council's powers to raise rates are found in Chapter 10 of the Act which provides the framework within which the Council must operate, but also leaves room for the Council to make a range of policy choices. This document includes reference to compulsory features of the rating system, as well as the policy choices that the Council has made on how it imposes and administers the collection of rates.

All land within a Council area, except for land specifically exempt (e.g. Crown Land, Council occupied land and a few other limited categories under section 150(a) of the Act, is rateable.

Rates are not fees for services. They constitute a system of taxation for Local Government purposes. Council considers the fairest and most equitable method of charging rates to our community is through the combined use of a fixed charge component and a variable rate per rateable property.

4.1 PRINCIPLES OF TAXATION

This Policy represents the Council's commitment to balancing the five main principles of taxation.

- i) **Benefits received** (i.e. services provided, or resources consumed). Reliance on this principle suggests that (all other things being equal) a person who received more benefits should pay a higher share of tax.
- ii) **Capacity to pay.** This principle suggests that a person who has less capacity to pay should pay less; and that persons of similar means should pay similar amounts.
- iii) **Administrative simplicity.** This principle refers to the costs involved in applying and collecting the tax and how difficult it is to avoid.
- iv) **Economic efficiency.** This refers to whether or not the tax distorts economic behaviour.
- v) **Policy consistency.** The principle that taxes should be internally consistent, and based on transparent, predictable rules that are understandable and acceptable to taxpayers.

Further, in achieving equity across the community, this policy has an overriding principle that all ratepayers should contribute an amount to basic service provision.

4.2 VALUATION OF LAND

Council is permitted to adopt one of three valuation methodologies to value the properties in its area (section 151 of the Act):

- **Capital Value** – the value of the land and all of the improvements on the land.
- **Site Value** – the value of the land and any improvements which permanently affect the amenity of use of the land, such as drainage works, but excluding the value of buildings and other improvements.
- **Annual Value** – a valuation of the rental potential of the property.

The Council has adopted the use of capital value as the basis for valuing land. Council considers that this method provides the fairest way to distribute the rate burden across all ratepayers on the following basis:

- the 'capacity to pay' principle of taxation requires that ratepayers of similar wealth pay similar taxes and ratepayers of greater wealth pay more tax than ratepayers of lesser wealth;

- the 'property value' is a relatively good indicator of wealth (when lifetime incomes, including incomes from capital gains, are taken into account). Capital value closely approximates the market value of a property, provides the best indicator of overall property value

Council does not determine property valuations but chooses to exercise the right under Section 151 of the Act to adopt the capital valuations as assessed by the Valuer-General through the State Valuation Office. If you are dissatisfied with the valuation made by the State Valuation Office your rates notice will include information about how to object to the valuation. The Council has no role in this process. The lodgement of an objection does not change the due date for the payment of rates.

4.3 COMPONENTS OF RATES

Fixed Charge or Minimum Rate

Council has discretion to apply either:

- a fixed charge (applying equally to all rateable properties); or
- a minimum rate (to lower-value properties)

but cannot use both of these mechanisms.

The Adelaide Hills Council will apply a fixed charge this financial year as in previous years. Council considers a fixed charge to be the most fair and equitable means of ensuring that all ratepayers contribute equally to the administration of Council's services and the development and maintenance of the community's infrastructure. In addition, the fixed charge provides a mechanism to adjust the rates contributions across high and low valued properties. This redresses the balance and equity of the rate system.

The Council is unable to raise more than 50% of total rate revenue by the imposition of a fixed charge component of general rates as per section 151(10) of the Act.

A rate in the dollar

The largest component of rates levied is the component that is calculated by reference to the value of the property. Property values reflect, among other things, the relative availability of and access to Council services. This applies to all types of land use, and to land in all locations.

The Act allows councils to 'differentiate' rates based on the use of the land, the locality of the land, the use and locality of the land or on some other basis determined by the council. The Council applies different rates on the basis of land use.

Definitions of the use of the land are prescribed by regulation and are categorised as follows for rating purposes:

- Residential
- Commercial
- Industrial
- Primary Production
- Vacant Land
- Other

In accordance with Section 148 of the Act, Council assesses any piece or section of land subject to separate ownership or separate occupation.

Commercial and Industrial Differential Rate:

Those properties categorised as commercial or industrial will pay a differential rate in the dollar that is 15% higher than the rate in the dollar charged for other categories of ratepayer.

Council has considered the higher amount payable by the Commercial & Industrial sector with reference to the Economic Development function as well as the services and activities that the sector does not regularly use.

If a ratepayer believes that a particular property has been wrongly classified as to its land use, then an objection may be made with the Council.

Separate Rate

Stirling Business Separate Rate:

A separate rate for businesses in Stirling (Stirling Business Separate Rate) will be applied to carry out the activity of promoting and enhancing business viability, profitability, trade and commerce within the zone.

This rate is levied on all properties within the precinct known as the District Centre (Stirling) Zone and businesses fronting both sides of Mt Barker Road east of the District Centre (Stirling) Zone to Pine Street, excluding land attributed a land use category 1 (residential) and government owned land. Council also sets a maximum amount ('top') and a minimum amount ('tail') per property each financial year for this separate rate. The amount raised is distributed to the Stirling Business Association to promote Stirling as a destination, the 'Gateway to the Hills'.

Verrall Road Separate Rate:

A separate rate for Verrall Road, Upper Hermitage at a value of \$858 will be applied for a period of 10 years to 2023/24. This rate which provided for the sealing of the northern end of the road in 2014/15 is levied on the properties that use that section of road.

Natural Resources Management Levy

The Council is required under the Natural Resources Management Act 2004 to make a specified contribution to the Adelaide and Mt Lofty Ranges Natural Resources Management Board region. This is done by imposing a separate rate against all rateable properties.

This separate rate is effectively a State tax that Councils are required to collect, and return to a State Government agency, the local Natural Resources Management Board.

Community Wastewater Management System

The Council provides Community Wastewater Management System (CWMS) to some areas within the Council district. To fund the provision of this service Council imposes a service charge to recover the cost to the council of establishing, operating, maintaining, improving and replacing infrastructure (taking into account depreciation of any assets and including future capital works).

Following a detailed assessment of the cost of providing CWMS services, in accordance with the guidelines set by the Essential Services Commission of South Australia (ESCOSA) as part of the 2017/18 Budget, it was identified that current charging was approximately 30% below the levels necessary to achieve full recovery. As such charging for CWMS services has been increased by 5% in 2019/20 being the final year of an incremental step towards full recovery over a three year period.

4.4 RATES CAPPING

The Act (s153(3)) requires a council to decide each year whether to apply a maximum rate increase (or a rates cap) to a ratepayers principal place of residence. A cap is applied to provide relief against a substantial change in rates payable incurred due to rapid changes in valuations.

The Council has determined that it will apply a maximum increase (rates cap) of 15% for the general rate to be charged on rateable land constituting the principal place of residence of a principal ratepayer.

4.5 REBATE OF RATES

Mandatory rebates

Councils are required to rebate (discount) the rates payable on some land.

The Adelaide Hills Council will act in accordance with the Local Government Act in providing mandatory rebates as referenced in Section 160 – 165 of the Act.

A 100% rebate must be applied to land used for:

- Health services,
- Religious purposes,
- Public cemeteries,
- The Royal Zoological Society.

A compulsory rebate of at least 75% must be applied to land used by:

- Community service organisations, and
- Schools and universities.

Where a “community services organisation” is eligible for a mandatory rebate, the residential rate must be applied to the land to which the rebate relates in accordance with Section 161 (2) of the Act. This is as a result of Council declaring differential rates according to land use and providing for a distinct residential rate.

Where the Council is satisfied from its own records, or from other sources, that a person or body meets the necessary criteria for a mandatory rate rebate, the Council will grant the rebate accordingly.

Where the Council is not satisfied based upon the information in its possession or otherwise does not hold relevant information it will require the person or body to lodge an application form with such information as stipulated and any other information that the Council may reasonably require.

Applicants who satisfy the criteria for a mandatory rebate will be granted the rebate at any time provided the application is lodged prior to the 30 June of the rating year and provided the entitlement to the rebate existed at 1 July of the rating year.

Council will confirm the continuation of a person or body's eligibility for a mandatory rebate on a regular basis (at least biennially) to ensure that rebates are only granted where they are warranted. This will require the relevant person or body to lodge an application form with such information as stipulated and any other information that the Council may reasonably require to confirm the continuation of eligibility.

Discretionary rebates

As identified in Section 166 of the Act Council may grant a discretionary rebate of rates up to and including 100% of the relevant rates under a number of criteria and for a period not exceeding the timeframe.

As required by legislation, Council should give reasonable consideration to the granting of rebates and does not adopt a policy that excludes the consideration of applications for rebates based on their merits.

Have considered this, Council is of the view that except in very specific circumstances outlined below, the maximum discretionary rebate should be 75% to ensure ratepayers contribute an amount towards basic service provision.

Council has determined pursuant to Section 166(1)(b) that those primary production properties genuinely in the business of primary production but not benefitting from a notional capital value for their property can apply for a 10% rebate on the differential rate.

Excluding the primary production rebates granted pursuant to Section 166(1)(b), Council in accordance with Section 166 (1a) will take the following matters into account in deciding whether to grant a discretionary rebate for land uses covered by Section 166 a) to k):

- (a) the nature and extent of Council services provided in respect of the land for which the rebate is sought in comparison to similar services provided elsewhere in the Council's area;
- (b) the community need that is being met by activities carried out on the land for which the rebate is sought; and
- (c) the extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons and
- (d) specific policy positions considered relevant by Council

Council's specific policy positions to meet discretionary rate rebates eligibility are as follows:

- An organisation needs to meet one of the criteria listed under Section 166 a) to o);
- An organisation needs to be not-for-profit;
- A rebate of 100% will only be granted where community organisations seeking a rebate provides a service that would be required to be provided by Council if not undertaken by the organisation;
- A rebate of 75% will be granted if the organisation provides a community service that support the disadvantaged or sections of the community that require assistance, as defined;
- Where an organisation does not meet the above criteria, it is still eligible for a 75% rebate where it meets all of the following criteria:
 - limited capacity to raise funds;
 - meets a "community need", as defined; and
 - undertake services and activities that are not primarily the responsibility of Federal or State Government

Council has determined the following definitions to assist in the determination of eligibility for a discretionary rate rebate.

"Disadvantaged persons" refers to persons who are disadvantaged by reason of poverty, illness, frailty, or mental, intellectual or physical disability. To meet this criteria the organisation would need to establish that the predominant extent of the activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons.

"community need" is defined as those services and activities that are aligned to achievement of one or more of Council's strategies resulting in:

- a direct benefit to the residents of Adelaide Hills Council; and
- a significant proportion of users are Adelaide Hills residents.

Due to the complexities involved in the application of discretionary rate rebates under Section 166 (l) to (o), any application relating to these elements will be subject to a separate report to Council to consider the appropriateness of such a rebate.

Persons who or bodies which seek a discretionary rebate will be required to submit an application form to the Council and provide to the Council such information as stipulated on the application form and any other information that the Council may reasonably require.

All persons who or bodies which wish to apply to the Council for a discretionary rebate of rates must do so on or before 30 April prior to the rating year unless the application is a result of a change in eligibility for a mandatory rebate or rate exemption. In those circumstances where an application relates to a change in rebate/rate exemption in a relevant rating year, then the application will be applied for the full rating year if received within 2 months of the change in rebate/exemption being advised. The Council reserves the right to refuse to consider applications received after the specified date.

Persons or bodies who previously received a discretionary rebate greater than 75% may apply for a phasing in period (up to 2 years) in circumstances where the above change impacts significantly on the persons or bodies' financial capacity. In these circumstances, an application will be considered if received within 2 months of the

change in rebate being advised. The Council reserves the right to refuse to consider applications received after the specified date.

Where there is no maximum timeframe specified for a rebate provided under Section 166, Council will grant a discretionary rebate to the last rating period commencing within a Council term to allow for a regular review of discretionary rate rebates.

A summary of all discretionary rebates applied for, including whether they have been successful or not and the associated reasons will be reported to Council on an annual basis.

Each rebate that is granted either reduces the Council's revenue and hence its capacity to provide services, or else it effectively increases the amount that must be collected from other ratepayers. The principles of equity dictate that Council remains diligent in only awarding rebates and exemptions where they are warranted.

If you or your organisation wishes to apply for a discretionary rate rebate, you may apply by contacting the Council's Rate Administrator.

All rebates

As Council's CWMS service charges are set to recover the cost to the council of establishing, operating, maintaining, improving and replacing infrastructure (taking into account depreciation of any assets and including future capital works) no rebates are provided by Council.

If an entitlement to a rebate ceases or no longer applies during the course of a financial year, council will recover rates proportionate to the remaining part of the financial year.

If a person or body has the benefit of a rebate of rates and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the Council of that fact and (whether or not the Council is so informed) the entitlement to a rebate ceases. If a person or body fails to do so that person or body is guilty of an offence.

The Council will, in writing, advise an applicant for the rebate of its determination of that application. The advice will state:

- if the application has been granted, the amount of the rebate; or
- if the application has not been granted, the reasons why.

Any person or body who is aggrieved by a determination of the delegated officer in respect of an application for a rebate may seek a review of that decision in accordance with Council's Internal Review of Council Decisions Policy.

Single Farming Enterprise

The Local Government Act 1999 provides that "if two or more pieces of rateable land within the area of the Council constitute a single farm enterprise, only one fixed charge may be imposed against the whole of the land".

A Single Farm Enterprise is defined in the Local Government Act -

"A reference to a single farm enterprise is a reference to two or more pieces of rateable land

(a) which –

- (i) are farm land; and*
- (ii) are farmed as a single enterprise; and*
- (iii) are occupied by the same person or persons,*

whether or not the pieces of land are contiguous; or

(b) which –

- (i) as to all the pieces except one, are farm land farmed as a single enterprise occupied by the same person or persons; and*
- (ii) as to one piece contiguous with at least one of the other pieces, is the principal place of residence of that person or one of those persons."*

In effect, this means that land can be recognised as a "single farming enterprise" and not attract a fixed charge to each of the assessments, provided:

- that if the occupier of all the land concerned is the same person, (this means that if there is a house being occupied that is not your principal place of residence, it cannot be part of the single farm enterprise)
- all of the land is used to carry on the business of primary production, and
- managed as a single unit for that purpose,

Primary producers can apply to the Council for the 'single farming enterprise' provisions of the Local Government Act.

You should also be aware that if the grounds on which you apply for a single farm enterprise cease to exist, the person or body who have the benefit of the provisions must immediately inform the Council of the fact.

4.6 **RATE RELIEF**

Council applies rate remissions and postponement in accordance with the Act.

Remission of rates

The Council has a discretion to partially or wholly remit (i.e. waive) rates on the basis of hardship. If you are suffering financial hardship, you may contact the Council's Rates Administrator to discuss the matter. Such inquiries are treated confidentially, and any application will be considered on its merits.

Seniors Postponement

If you hold a State Seniors Card then (unless you have a mortgage entered before 2007 that is greater than 50% of your home's value) you are eligible to postpone, on a long-term basis, a large component of the rates on your principal place of residence. The postponed amount is subject to a monthly interest charge, with the accrued debt falling due for payment only when the property is sold or transferred to someone else, or no longer becomes the principal place of residence. However, some or all of the debt may be paid at any earlier time, at your discretion.

Persons other than the holders of a Seniors Card may also apply for postponement of rates. The Council will consider each case on its merits, but any successful applicant should expect that any postponed rates would be subject to accruing interest charges in the same manner as the Seniors Rate Postponement Scheme.

4.7 **PAYMENT OF RATES**

Rates are declared annually, and may be paid, at your discretion, either in one lump sum, or in quarterly instalments that fall due in September, December, March and June. The exact dates that rates fall due, and the various options for paying rates, are clearly indicated on your rates notice.

If you have (or are likely to have) difficulty meeting these payments, you should contact the Council's Rates Administrator to discuss alternative payment arrangements. Such inquiries are treated confidentially.

4.8 **LATE PAYMENT OF RATES**

The Act provides that councils must impose a penalty of 2% on any payment for rates by instalment, which is not paid on or before the due date. A payment that continues to be late is then charged a prescribed interest rate for each month it continues to be late.

When Council receives a payment in respect of overdue rates Council applies the money received in accordance with the Act as follows:

- First – to satisfy any costs awarded in connection with court proceedings;
- Second – to satisfy any interest costs;
- Third – in payment of any fines imposed;
- Fourth – in payment of rates, in chronological order (starting with the oldest account first).

4.9 NON- PAYMENT OF RATES

A separate Debt Recovery Policy has been adopted by Council and is available for review on the Adelaide Hills Council website.

The purpose of this policy is to set out Council's principles in regard to the management of debt and to ensure that money owed to Council is collected as soon as possible through efficient and effective debt recovery practices. This policy assists to ensure a strategic, equitable, accountable, consistent and transparent approach to Council's debt management, collection decisions and practices.

It should be noted that Council may sell any property where the rates have been in arrears for three years or more. Council is required to notify the owner of the land of its intention to sell the land, provide the owner with details of the outstanding amounts, and advise the owner of its intention to sell the land if payment of the outstanding amount is not received within one month.

CONTACTING THE COUNCIL'S RATES ADMINISTRATOR

- 5.1 If you believe that Council has failed to properly apply this policy you should contact the Council's Rates Administrator to discuss the matter. (See contact details below). If after this, you are still dissatisfied then you should write to the Council's Chief Executive Officer at PO Box 44, Woodside SA 5244.

For further information, queries, or to lodge an application for rate postponement or remissions please contact the Council's Rates Administrator on:

Phone: 8408 0400
E-mail: mail@ahc.sa.gov.au
Post: PO Box 44, Woodside SA 5244

5. DELEGATIONS

- 6.1 The Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this Policy.

6. AVAILABILITY OF THE POLICY

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

Appendix 4

Budgeted Financial Statements

A statutory requirement

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Adelaide Hills Council

BUDGETED UNIFORM PRESENTATION OF FINANCES 2019-20 Proposed Budget

	2019-20 Proposed Budget \$'000	2018-19 Budget \$'000
INCOME		
Rates	38,515	37,186
Statutory charges	1,118	1,100
User charges	607	891
Grants, subsidies and contributions	3,622	4,391
Investment income	26	38
Reimbursements	192	377
Other income	447	478
Net gain - equity accounted Council businesses	100	100
Total Income	44,626	44,561
EXPENSES		
Employee costs	17,290	16,461
Materials, contracts & other expenses	17,338	18,276
Depreciation, amortisation & impairment	8,945	8,758
Finance costs	604	668
Net loss - equity accounted Council businesses	-	-
Total Expenses	44,177	44,163
NET BUDGETED SURPLUS / (DEFICIT) BEFORE CAPITAL AMOUNTS	449	398
Net Outlays on Existing Assets		
Capital Expenditure on Renewal and Replacement of Existing Assets	(9,274)	(12,346)
Proceeds from Sale of Replaced Assets	512	536
Depreciation	8,945	8,758
NET OUTLAYS ON EXISTING ASSETS	183	(3,052)
Net Outlays on new and Upgraded Assets		
Capital Expenditure on New and Upgraded Assets & Remediation costs	(4,811)	(5,367)
Capital Grants and Monetary Contributions for New and Upgraded Assets	250	1,228
Proceeds from Sale of Surplus Assets	2,484	12,749
NET OUTLAYS ON NEW AND UPGRADED ASSETS	(2,077)	8,610
Net Lending/ (Borrowing) for Financial Year	(1,445)	5,956
Net Financial Liabilities at Beginning of Year	(18,442)	(24,298)
Non Cash Equity Movement	(100)	(100)
Net Financial Liabilities at End of Year	(19,988)	(18,442)

In a year, the financing transactions identified below are associated with either applying surplus funds stemming from a net lending result or accommodating the funding requirement stemming from a net borrowing result.

Financing Transactions

New Borrowings	2,500	-
Community Loans repaid to us	16	22
Increase/(Decrease) in Short Term Draw Down	(190)	(2,747)
Principal Repayments on Borrowings	-	(18)
Debenture Payment	(780)	(3,112)
Non Cash Equity Movement	(100)	(100)
	1,445	(5,956)

Adelaide Hills Council

STATEMENT OF COMPREHENSIVE INCOME 2019-20 Proposed Budget

2018-19 Budget \$'000		2019-20 Proposed Budget \$'000
	INCOME	
37,186	Rates	38,515
1,100	Statutory charges	1,118
891	User charges	607
4,391	Grants, subsidies and contributions	3,622
38	Investment income	26
377	Reimbursements	192
478	Other income	447
100	Net gain - equity accounted Council businesses	100
44,561	Total Income	44,626
	EXPENSES	
16,461	Employee costs	17,290
18,276	Materials, contracts & other expenses	17,338
8,758	Depreciation, amortisation & impairment	8,945
668	Finance costs	604
-	Net loss - equity accounted Council businesses	-
44,163	Total Expenses	44,177
398	OPERATING SURPLUS / (DEFICIT)	449
1,867	Asset disposal & fair value adjustments	780
1,228	Amounts received specifically for new or upgraded assets	250
	Physical Resources Received Free of Charge	
3,493	NET SURPLUS / (DEFICIT)	1,479
5,000	Changes in revaluation surplus - infrastructure, property, plant & equipment <i>Amounts which will be reclassified subsequently to operating result</i>	5,000
-	Other Comprehensive Income	-
-	Share of Other Comprehensive Income JV	-
5,000	Total Other Comprehensive Income	5,000
8,493	TOTAL COMPREHENSIVE INCOME	6,479

Adelaide Hills Council
STATEMENT OF FINANCIAL POSITION
2019-20 Proposed Budget

2018-19 Budget		2019-20 Proposed Budget
\$'000	ASSETS	\$'000
	Current Assets	
	491 Cash and cash equivalents	491
	2,853 Trade & other receivables	2,853
	13 Inventories	13
	3,357	3,357
	- Non-current Assets held for Sale	-
	3,357 Total Current Assets	3,357
	Non-current Assets	
	28 Financial assets	12
	938 Equity accounted investments in Council businesses	1,038
	374,613 Infrastructure, property, plant & equipment	382,537
	375,579 Total Non-current Assets	383,588
	378,936 Total Assets	386,945
	LIABILITIES	
	Current Liabilities	
	5,533 Trade & other payables	4,753
	2,153 Borrowings - Short Term Draw Down	2,163
	- Borrowings - Other	2,500
	3,478 Provisions	3,278
	11,164 Total Current Liabilities	12,693
	Non-current Liabilities	
	10,000 Borrowings	10,000
	651 Provisions	651
	10,651 Total Non-current Liabilities	10,651
	21,815 Total Liabilities	23,344
	357,121 NET ASSETS	363,600
	EQUITY	
	140,574 Accumulated Surplus	142,285
	215,121 Asset Revaluation Reserves	220,121
	1,426 Other Reserves	1,194
	357,121 TOTAL EQUITY	363,600
	18,442 NET FINANCIAL LIABILITIES	19,988

Adelaide Hills Council

STATEMENT OF CHANGES IN EQUITY 2019-20 Proposed Budget

	Accumulated Surplus	Asset Revaluation Reserve	Other Reserves	TOTAL EQUITY
2019-20	\$'000	\$'000	\$'000	\$'000
Balance at end of previous reporting period	140,574	215,121	1,426	357,121
Net Surplus / (Deficit) for Year	1,479	-	-	1,479
Other Comprehensive Income				
Gain on revaluation of infrastructure, property, plant & equipment	-	5,000	-	5,000
Transfers between reserves	232	-	(232)	-
Balance at end of period	142,285	220,121	1,194	363,600
2018-19				
Balance at end of previous reporting period	137,081	210,121	1,426	348,628
Restated opening balance				
Net Surplus / (Deficit) for Year	3,493			3,493
Other Comprehensive Income				-
Changes in revaluation surplus - infrastructure, property, plant & equipment		5,000		5,000
Share of Other Comprehensive Income JV	-			-
Share of other comprehensive income - equity accounted Council businesses				-
Transfers between reserves				-
Balance at end of period	140,574	215,121	1,426	357,121

Adelaide Hills Council

CASH FLOW STATEMENT 2019-20 Proposed Budget

2018-19 Budget		2019-20 Proposed Budget
\$'000	<u>CASH FLOWS FROM OPERATING ACTIVITIES</u>	\$'000
	<u>Receipts</u>	
37,186	Rates - general & other	38,515
1,100	Fees & other charges	1,118
891	User charges	607
4,391	Grants	3,622
38	Investments	26
377	Reimbursements	192
478	Other revenues	447
	<u>Payments</u>	
(16,461)	Employee costs	(17,290)
(18,276)	Materials, contracts & other expenses	(17,538)
(668)	Finance payments	(604)
9,056	NET CASH USED IN OPERATING ACTIVITIES	9,094
	<u>CASH FLOWS FROM FINANCING ACTIVITIES</u>	
	<u>Receipts</u>	
	Proceeds from Borrowings	2,500
-	Proceeds from Aged Care facility deposits	-
	<u>Payments</u>	
(18)	Repayment from Borrowings	-
(3,112)	Repayments of Aged Care facility deposits	(780)
(3,130)	NET CASH USED IN FINANCING ACTIVITIES	1,720
	<u>CASH FLOWS FROM INVESTING ACTIVITIES</u>	
	<u>Receipts</u>	
1,228	Grants for new or upgraded assets	250
536	Sale of replaced assets	512
12,749	Sale of surplus assets	2,484
22	Repayment of loans from Community Groups	16
-	Distributions received from Equity Accounted Businesses	-
	<u>Payments</u>	
(5,367)	Expenditure on new/ upgraded assets	(4,811)
(12,346)	Expenditure on renewal/ replacement of assets	(9,274)
-	Loans Made to Community Group loans	-
-	Capital Contributed to Equity Accounted Businesses	-
(3,178)	NET CASH USED IN INVESTING ACTIVITIES	(10,824)
2,747	NET INCREASE / (DECREASE) IN CASH HELD	(10)
(4,409)	CASH AT BEGINNING OF YEAR	(1,662)
(1,662)	CASH AT END OF YEAR	(1,672)
491	Cash & Investments	491
(2,153)	Short Term Drawdown	(2,163)
(1,662)		(1,672)

Financial Indicators

	2019-20 Budget		2018-19 Budget	
\$ '000				

These Financial Indicators have been calculated in accordance with Information paper 9 - Local Government Financial Indicators prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia.

1. Operating Surplus Ratio

Operating Surplus - \$000's	449	1.0%	398	0.9%
Total Operating Revenue - \$000's	44,626		44,561	

This ratio expresses the operating surplus as a percentage of total operating revenue

2. Net Financial Liabilities Ratio

Net Financial Liabilities - \$000s	19,988	45%	18,442	41%
Total Operating Revenue \$000's	44,626		44,561	

Net Financial Liabilities are defined as total liabilities less financial assets these are expressed as a percentage of total operating revenue.

3. Asset Sustainability Ratio

Asset Renewals - \$000's	9,274	103%	12,346	114%
Infrastructure & Asset Management Plan required expenditure \$000s	9,022		10,853	

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

Appendix 5

Glossary of Terms

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Glossary of Terms

Acronym	Description
AHBTC	Adelaide Hills Business & Tourism Centre
AMP	Asset Management Plan
CBD	Central Business District
CPI	Consumer Price Index
CRM	Customer Relationship Management
CWMS	Community Wastewater Management Systems
DDA	Disability Discrimination Act
DPA	Development Plan Amendment
FBT	Fringe Benefits Tax
ICLEI	International Council for Local Environmental Initiatives
ICT	Information & Communication Technology
IS	Information Systems
JV	Joint Ventures
KPIs	Key Performance Indicators
LTFP	Long Term Financial Plan
NDI	Non-Disclosed Information
PV	Photovoltaic
SP	Strategic Plan
WH&S	Work Health & Safety

Appendix 2

Media Release – Solid Waste Levy Increase

Media Release



Wednesday, 19 June 2019

Adelaide Hills community hit by massive levy increase

Adelaide Hills Council is preparing for a budget hit following the massive 40% increase to the Solid Waste Levy, announced in the 2019/20 State Budget.

The Levy is currently \$100 a tonne in metropolitan areas, but will rise to \$110 on 1 July 2019, and \$140 on 1 January 2020. In Council's non-metro areas the Levy will rise to \$55 on 1 July, and \$70 on 1 January 2020 (based on 50% of the metro rate).

Adelaide Hills Council Mayor, Jan-Claire Wisdom said it is deeply disappointing for the State Government to target ratepayers with this unprecedented and unexpected hike to the waste levy.

"Our community has told us that waste and recycling is of major importance to them and it is therefore a key focus for Council and a significant factor in our budget.

"We estimate the anticipated financial impact of the levy hike, based on projected waste volumes, is in excess of 170k next year, the equivalent of approximately 0.5% of Council rate revenue."

"The impact of this massive increase will be even greater the following financial year when it applies to the full 12 months, with a considerable compounding effect on our long term financial plan."

"Community consultation on our Annual Business Plan and Budget has just closed and this hit to our budget has far reaching impacts on our financial sustainability and how we service our community."

"The lack of consultation and last minute decision a week out from our planned budget approval should be condemned by all South Australians. Council will now need to determine the potential impacts on rates, services and works projects."

"Instead of increasing the levy, a more constructive and sustainable approach would be to allow councils much greater access to the \$120m that has been accumulated by successive State Governments since the levy was introduced."

"Partnering between the two levels of government on expanding key initiatives like community education and recycling infrastructure could have significantly enhanced our State's ability to embrace the circular economy and seriously divert waste from landfill," said Mayor Wisdom.

The Solid Waste Levy is a tax on waste sent to landfill. It was implemented in 2003/04 at \$5 per tonne, and is now headed for \$140 per tonne.

Media contact: Jennifer Blake, Manager Communications, Engagement and Events

Media Release

8408 0430 | 0437 114 698



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 12.3

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Boundary Reform – Approval to Explore

For: Decision

SUMMARY

On 1 January 2019, new provisions in the *Local Government Act 1999* regarding boundary reform came into effect. The provisions fundamentally changed the manner in which reform proposals would be managed. One of the key reforms relevant to this report enabled a council to initiate a boundary reform proposal without the consent of a neighbouring 'affected' council.

At its 22 January 2019 meeting, the Campbelltown City Council (CCC) resolved to authorise their staff to submit a Stage 1 proposal to the Boundaries Commission for the boundary between CCC and AHC to be realigned to the eastern and southern side of Woodforde and Rostrevor suburbs, effectively moving those suburbs into CCC's area. This proposal was lodged, assessed by the Boundaries Commission and CCC has now been invited to lodge a Stage 2 proposal.

At its 28 February 2019 meeting, Council received an information report on the (then) status of the CCC proposal and a broader discussion of the new Boundary Reform provisions.

The purpose of this report is to provide the Council with the status of the CCC proposal and propose an approach to strategic boundary reform.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. To note that correspondence will be sent to the residents of Woodforde and Rostrevor (in the Council area) inviting them to a community meeting to discuss the boundary reform process and the status of the Campbelltown City Council proposal.
 3. That in relation to strategic boundary reform:
 - a. Approve the engagement of a consultant to undertake a high level review of Council's boundaries to identify boundary reform options.
 - b. To authorise the Mayor and Chief Executive Officer (and/or delegate) to discuss boundary reform options with neighbouring councils.
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 4 Explore
Strategy 4.5 We will work with neighbouring councils and stakeholders to ensure Council boundaries best serve our communities.

Goal: Organisational Sustainability
Strategy: Governance

Goal: Organisational Sustainability
Strategy: Financial sustainability

➤ Legal Implications

Chapter 3 – Constitution of councils, Part 2 – Reform proposals of the *Local Government Act 1999* (the Act) sets out the provisions applying to the initiation, investigation, assessment, governance and decisions making regarding reform proposals including, but not limited to, boundary alignment proposals.

➤ Risk Management Implications

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

Inherent Risk	Residual Risk	Target Risk
High (2B)	High (2B)	Medium

Council has very limited ability to manage (control) the financial risks associated with a reform proposal. Risk planning will be more focused on mitigating the potential impacts should a proposal be accepted.

➤ Financial and Resource Implications

There are no direct costs associated with this report.

Costs associated with a boundary reform process (as opposed to outcomes of boundary reform) are borne by the initiating council(s).

The financial implications of the proposed strategic boundary reform consultancy are provided for in the draft 2019-20 Annual Business Plan.

➤ Customer Service and Community/Cultural Implications

Section 26 of the Act sets out a number of principles that the Boundaries Commission should consider when considering reform proposals which relate to the community/cultural implications of a proposed reform, these principles are contained in **Appendix 1**.

➤ **Environmental Implications**

There are no direct environmental implications from this report however there may be implications from boundary realignment.

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

Consultation on the development of this report was as follows:

Council Committees: The CCC proposal and reform process was discussed briefly at the 18 February 2019 Audit Committee meeting, specifically in reference to Long Term Financial Plan implications.

Council Workshops: The CCC proposal and strategic boundary reform was discussed at a workshop on 18 June 2019

Advisory Groups: Not Applicable

Administration: Executive Leadership Team
Manager Financial Services

Community: The Administration has received queries from the Morialta Residents Association and some members of the community.

2. **BACKGROUND**

Woodforde/Rostrevor Proposal

At its 26 February 2019 meeting, Council received a report regarding the new boundary reform legislation and the Campbelltown City Council's 22 January 2019 resolution to authorise staff to submit a Stage 1 Boundary Realignment Proposal to the Boundaries Commission regarding the Woodforde and Rostrevor boundary.

The proposal (in summary) is for the boundary between CCC and AHC to be realigned to the eastern and southern side of Woodforde and Rostrevor suburbs respectively, effectively moving those suburbs into CCC.

In consideration of the report Council resolved:

13.2 Boundary Reform Proposal – Woodforde and Rostrevor

10.18pm Cr Kemp left the Chamber.

Moved Cr Linda Green
S/- Cr Kirsty Parkin

47/19

Council resolves that:

1. the report be received and noted.
2. if a Stage 2 submission is invited by the Boundaries Commission for the Campbelltown City Council boundary reform proposal, a community meeting is arranged by Adelaide Hills Council for the Woodforde & Rostrevor communities to attend.

Carried Unanimously

On 6 May 2019, Council received correspondence from the Chair of the SA Local Government Boundaries Commission (**Appendix 2**) advising that Commission had considered CCC's Stage 1 proposal at its 21 March 2019 meeting and determined that CCC may refer a Stage 2 general proposal to the Commission. The Chair further advised that the Commission had encouraged CCC to contact AHC to discuss the proposal.

At its 18 June 2019 Ordinary meeting, CCC considered a report (**Appendix 3**) seeking endorsement for submission of Stage 2 of the Boundary Realignment Proposal to the Commission. While the minutes had not been publically released at the time of writing this report, advice from the CCC Administration is that the Council resolved to authorise the staff to prepare and submit the proposal.

Boundary Reform across the Sector

Since the commencement of the boundary reform provisions there have, anecdotally, been many discussions within and amongst councils for potential proposals to relinquish and/or acquire portions of neighbouring councils.

This heightened interest has also prompted speculation and queries to the Boundaries Commission regarding how the Investigation Stage operates, in particular the cost of the investigation and the calculation or compensation, if applicable, from a potential boundary reform proposal.

A case in point is the April 2019 resolution by City of Marion for the Administration to develop a report for potential boundary realignment for the City of Onkaparinga suburbs of Flagstaff Hill, Happy Valley, Aberfoyle Park, Darlington and O'Halloran Hill. In June 2019, the motion was rescind due to, as claimed in the rescission report, potential investigation costs of \$250,000 and potential compensation payable for the acquisition of 10% of Onkaparinga's asset base. Notwithstanding the specificity of the rescission report the Boundaries Commission advises that both investigation costs and 'compensation' are entirely depending on the nature and scope of each proposal.

3. ANALYSIS

Woodforde/Rostrevor Proposal

As advised in the 26 February report to Council, the draft proposal (as it is understood) would currently affect 495 properties in the Rostrevor and Woodforde localities although this number would increase as the latter is further developed. The current rating revenue derived from those properties is approx. \$1.01 million however, should the boundary proposal be successful, there would be a reduction in the expenditure to service those localities. The actual financial impact will require further modelling (both in terms of the affected area and the council area more generally) which can be undertaken once the parameters of the proposal are more clearly established.

Given the CCC has now been given approval by the Commissioner to refer a Stage 2 proposal, this triggers the provisions of AHC's 26 February resolution (contained above) to arrange a community meeting for the Rostrevor and Woodforde residents to attend.

It is proposed that the meeting would consist of the following key items:

- An overview of the boundary reform process
- The status of the Campbelltown proposal (i.e. Stage 2 submission being prepared)
- An opportunity for representatives of CCC to attend (and speak)

In receiving notification from the CCC Administration regarding the 18 June 2019 resolution to prepare and submit the Stage 2 proposal, a request was also made by CCC for the Chief Executive Officers and relevant staff to meet to 'discuss the way forward'.

Strategic Boundary Reform

The new boundary reform legislation and specifically the provision that a proposal can be initiated by a single council, appears to have given rise to a degree of opportunism where councils seek to 'cherry-pick' areas in a neighbouring council for acquisition or in their own area to relinquish. The motivations may be many however they do not always appear to be consistent with the provisions of s26(2) of the Act that *'the Commission should, so far as is relevant, give preference to structural changes that enhance the capacity of local government to play a significant role in the future of an area or region from a strategic perspective.'*

The Adelaide Hills Council is bounded by the following councils:

- The Barossa Council
- City of Playford
- City of Tea Tree Gully
- Campbelltown City Council
- City of Burnside
- City of Mitcham
- City of Onkaparinga
- Mount Barker District Council
- Mid-Murray Council

With nine (9) neighbours, AHC has the most boundary connections with other councils in South Australia (Adelaide City Council is second with seven neighbours).

As such it is neither prudent nor strategic to pursue an opportunistic approach to boundary reform, instead a strategic approach is required that is community-centred and consistent with the prophetic strategy developed in 2016 for the current Strategic Plan:

Strategy 4.5 - We will work with neighbouring councils and stakeholders to ensure Council boundaries best serve our communities

The draft 2019-20 Annual Business Plan provides for:

Project Name	Project Description	2019-20	Intended 2020-21	Intended 2021-22
Boundary Reform Provision	To develop/ respond to proposals for the realignment of the Council boundaries.	20,000	20,000	0

To inform such a strategic approach it is proposed to utilise the above funding to engage a suitable consultant to undertake a high level review of Council's boundaries to identify boundary reform options consistent with the intent of Strategic Plan strategy 4.5.

Further, to facilitate this strategic analysis (and to respond to current requests) it is proposed that Council authorise the Mayor and Chief Executive Officer (and/or delegate) to discuss boundary reform options with neighbouring councils. To be clear, this authorisation does not extend to making commitments to any boundary reform proposals but does include the provision of information, within the Council's possession, with the neighbouring councils, where considered appropriate.

As this is an important topic, it is prudent that the elected Council is regularly advised on the nature and progress of such discussions and this can be accommodated in the Chief Executive Officer's updates given at Council Meetings and designated informal gatherings. When matters progress to requiring a formal decision of the Council this will be undertaken through the normal Council decision report process.

4. OPTIONS

Council has the following options:

- I. Approve the proposed recommendations set out regarding the Woodforde/ Rostrevor Proposal and Strategic Boundary Reform (Recommended)
- II. To determine alternative courses of action regarding the Woodforde/ Rostrevor Proposal and Strategic Boundary Reform.

5. APPENDICES

- (1) Principles for Boundary Reform Proposals
- (2) Letter from Chair of the SA Local Government Boundaries Commission - 6 May 2019
- (3) Boundary Realignment Proposal Stage 2 – Campbelltown City Council – 18 June 2019

Appendix 1

Principles for Boundary Reform Proposals

Principles for Boundary Reform Proposals

The *Local Government Act 1999* provides the following guidance to the Boundaries Commission on matters to be considered when arriving at recommendations regarding reform proposals

26—Principles

- (1) The Commission should, in arriving at recommendations for the purposes of this Chapter (but taking into account the nature of the proposal under consideration), have regard to—
 - (a) the objects of this Act; and
 - (b) the roles, functions and objectives of councils under this Act; and
 - (c) the following principles:
 - (i) the resources available to local communities should be used as economically as possible while recognising the desirability of avoiding significant divisions within a community;
 - (ii) proposed changes should, wherever practicable, benefit ratepayers;
 - (iii) a council should have a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
 - (iv) a council should offer its community a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis;
 - (v) a council should facilitate effective planning and development within an area, and be constituted with respect to an area that can be promoted on a coherent basis;
 - (vi) a council should be in a position to facilitate sustainable development, the protection of the environment and the integration of land use schemes;
 - (vii) a council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations;
 - (viii) a council area should incorporate or promote an accessible centre (or centres) for local administration and services;
 - (ix) the importance within the scheme of local government to ensure that local communities within large council areas can participate effectively in decisions about local matters;
 - (xi) residents should receive adequate and fair representation within the local government system, while over-representation in comparison with councils of a similar size and type should be avoided (at least in the longer term);
 - (xii) a scheme that provides for the performance of functions and delivery of services in relation to 2 or more councils (for example, a scheme for regional governance) may improve councils' capacity to deliver services on a regional basis and therefore offer a viable and appropriate alternative to structural change; and
 - (d) the extent and frequency of previous changes affecting the council or councils under this Chapter or the repealed Act.
- (2) The Commission should, so far as is relevant, give preference to structural changes that enhance the capacity of local government to play a significant role in the future of an area or region from a strategic perspective.

Appendix 2

*Letter from Chair of the SA Local Government
Boundaries Commission - 6 May 2019*

Mr Andrew Aitken
Chief Executive Officer
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

Re: Campbelltown City Council Boundary Realignment Proposal

Dear Mr Aitken

I write to notify you of a proposed boundary realignment proposal by the City of Campbelltown to realign the boundary between the City of Campbelltown and the Adelaide Hills Council in the Woodforde area.

The SA Local Government Boundaries Commission (the Commission) discussed and considered the City of Campbelltown's Stage 1 proposal at its meeting on 21 March 2019. The proposal was considered against the objectives of the *Local Government Act 1999* and the requirements of a Stage 1 proposal that are contained in the Commission's Guideline 3.

The Commission determined that the City of Campbelltown may refer a Stage 2 general proposal to the Commission. Please note that this does not guarantee that the proposal will be formally accepted.

I have encouraged the City of Campbelltown to contact your Council to discuss this proposal.

I trust that this information is of assistance to you. If you have further questions, please contact Mr Thomas Rossini in the Office of Local Government on 7109 7443, or thomas.rossini@sa.gov.au.

Yours sincerely



Bruce Green
Chair, SA Local Government Boundaries Commission

6 May 2019

Appendix 3

*Boundary Realignment Proposal Stage 2 –
Campbelltown City Council – 18 June 2019*

11.2 Boundary Realignment Proposal – Stage 2

General Manager Corporate & Community Services, Michelle Hammond's Report

Purpose of Report

To seek endorsement for submission of Stage 2 of the Boundary Realignment Proposal to the Commission (SA Local Government Boundaries Commission).

Strategic Plan Link

Strategy 1.3.4 Review of the profile of the City's residents and their needs

Background

The Local Government (Boundary Adjustment) Amendment Act 2017 provides greater flexibility for boundary realignment including the option of an individual Council itself initiating a boundary realignment proposal, whereas the previous Act only allowed for a Council initiated proposal where both Councils were in agreement.

Council is now able to apply for a boundary realignment under the 'general proposal' clause. A proposal under this section must consider the items set out in S26 (Section 26 of the Local Government Act 1999) as well as:

- The financial implications and impact on resources of both Councils
- The extent of support for the general proposal and boundary reform in the area within the Community affected by the proposal
- The extent of support for the general proposal of any Council affected
- The impact on the various rights and interests of any Council employees affected by the proposal.

Members are aware that Council has been in discussion with Adelaide Hills Council for some time about the possibility of realigning the boundaries between the two Councils. A map of the proposed realignment is attached. Staff consider that there would be benefits for both Councils in achieving this boundary realignment, including cost and time efficiencies, which in turn will provide benefits to residents of both Council areas.

Council resolved at its meeting on 22 January 2019 to authorise Staff to submit a Stage 1 Boundary Realignment Proposal to the Commission for their consideration.

Discussion

The Stage 1 proposal was submitted to the Commission in February 2019. Council has now received advice (attached) from the Commission that a Stage 2 general proposal for boundary realignment can be referred to the Commission for consideration.

Guideline 3 (attached) accompanying the legislation details the requirements of the Stage 2 submission, including the issues that need to be considered, paying close attention to the S26 Principles.

Staff are seeking Council endorsement to prepare and submit the Stage 2 Proposal. There is an extensive amount of work that needs to be undertaken to prepare this proposal; including community consultation. If Council support submission of a Stage 2 proposal Staff plan to advise residents of the affected area immediately to ensure that they are included in the process and understand Council's intent.

Council also should note that if the Stage 2 Proposal is accepted by the Commission and they decide to progress the proposal to an inquiry Council will need to fully fund the cost of the inquiry. Staff have been advised that the Commission will provide an estimate of the cost involved with the inquiry at that point, so Council can make a decision about whether it wishes to proceed or not.

Social Implications

There are no social implications in relation to this report however social implications will be a key component for consideration in the proposal.

Environmental Implications

There are no environmental implications in relation to this report however environmental implications will be a key component for consideration in the proposal.

Asset Management Implications

There are no asset management implications in relation to this report however asset management implications will be a key component for consideration in the proposal.

Governance / Risk Management

This report is seeking Council endorsement for Staff to submit a Stage 2 Proposal to the Commission. To mitigate reputational risk, Staff will advise residents in the affected area promptly after the Council meeting.

Community Engagement

There are no Community engagement implications in relation to this report however Community engagement will be a key component for consideration as part of the preparation and submission of the proposal.

Regional Implications

There are no regional implications in relation to this report however regional implications will be a key component for consideration in the proposal.

Economic Development Implications

There are no economic development implications in relation to this report however economic development implications will be a key component for consideration in the proposal.

Financial Implications

There are minimal financial implications in relation to this report however if the application proceeds to inquiry stage, Council will need to fund that work.

Financial implications of the Boundary Realignment will be a key component for consideration in the proposal.

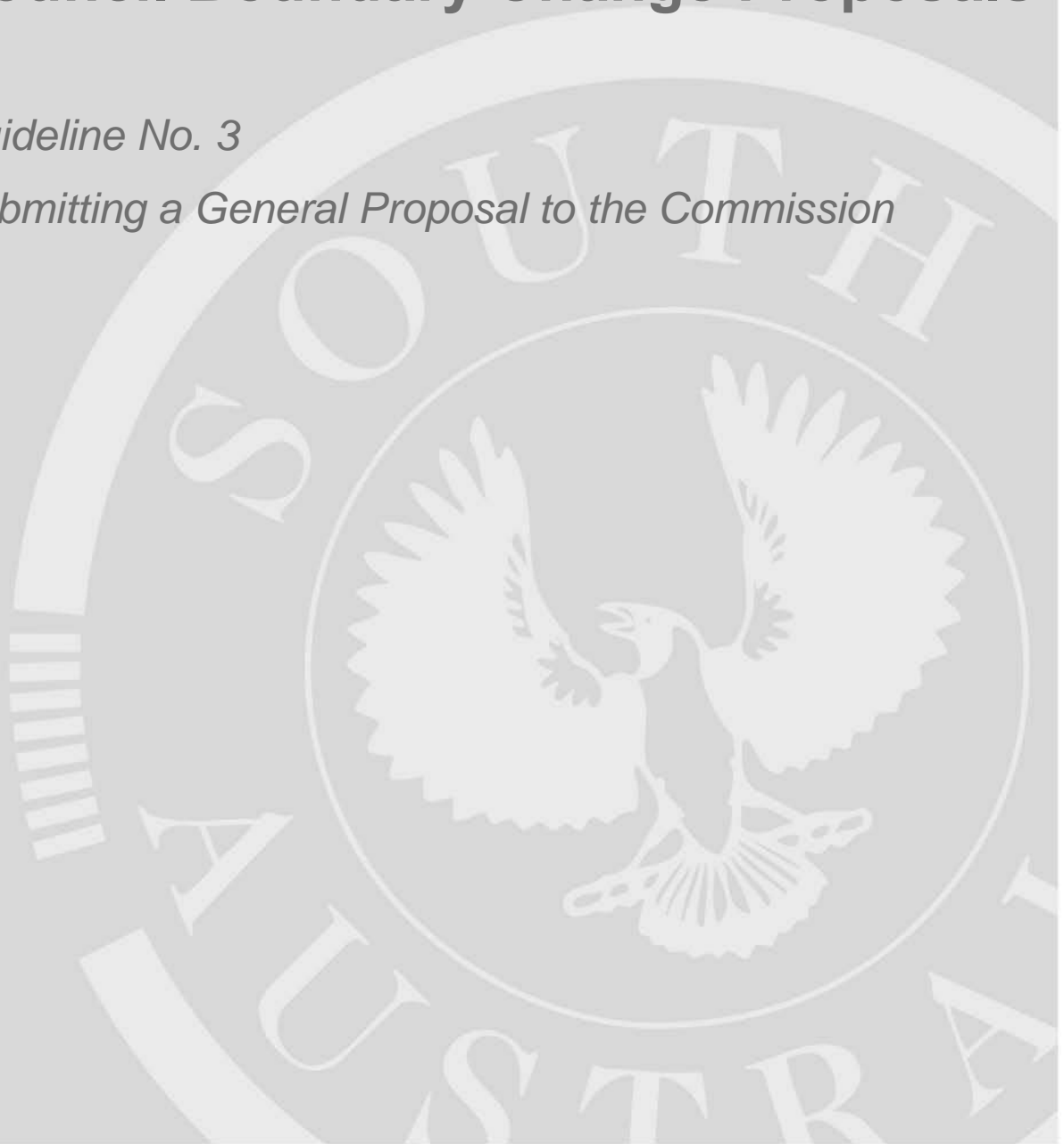
Recommendation

That Council authorise Staff to prepare and submit the Stage 2 Boundary Realignment Proposal to the Boundaries Commission for their consideration.

Council Boundary Change Proposals

Guideline No. 3

Submitting a General Proposal to the Commission



This Guideline should be read in conjunction with the procedures for boundary change proposals which are set out in Chapter 3, Part 2 of the *Local Government Act 1999* (the Act). The Act is accessible via the [South Australian Legislation website](#).

The Boundaries Commission (the Commission) is the body established to undertake the initial assessment of proposals, oversee investigations, and make recommendations to the Minister responsible for the Act (the Minister). This role is undertaken by the Local Government Grants Commission.

This Guideline has been issued by the Commission to provide information on general proposals, including the steps that need to be taken to prepare a submission. This Guideline specifies the requirements for council initiated proposals. Guideline 6 details the process for submissions initiated by members of the public who are eligible electors as defined in section 27(1) of the Act.

What is a general proposal?

A general proposal is a proposal that is not defined as an ‘administrative proposal’ within section 30(7) of the *Local Government Act 1999* (for example, general proposals may include a significant boundary change or amalgamation). Further information on administrative proposals is contained within Guideline 2.

Who can submit a general proposal?

Proposals may be referred to the Commission—

- by resolution of either House of Parliament;
- by the Minister;
- by a council or councils; or
- by the prescribed percentage or number of eligible electors.

Members of the public can submit a proposal to the Commission to consider boundary alterations, changes in the composition of a council or its representative structure, or the inclusion of unincorporated land into a council. Members of the public, cannot, however, initiate a council amalgamation or the creation of a new council. Further information on the process for public initiated submissions is contained within Guideline 6.

How to prepare a submission to the Commission

Proposals must set out in general terms the nature of the proposal and comply with the requirements of the proposal guidelines.

A single council, or councils in agreement with each other, may submit a boundary change proposal to the Commission.

When considering any boundary change proposal the Commission must refer to the objects of the Act as a whole, and in particular, the principles contained within section 26 of the Act (Attachment 1). Attachment 2 contains a more detailed discussion about the principles.

Prior to submitting a proposal to the Commission, councils should consider the principles contained in Attachment 1 and described in Attachment 2 and determine whether a submission for boundary change is the best way to proceed. Councils are encouraged to contact the Commission at this point to discuss the process.

The Commission requests councils to make a general proposal in two stages to enable the Commission to provide early feedback on a potential proposal. This will assist councils to determine at the outset whether a proposal is likely to proceed prior to undertaking extensive work on a potential proposal.

Stage 1 — Initial consideration of a potential proposal

Write to the Commission outlining the nature of the potential proposal and the reasons why the council(s) consider boundary change as the best option, with reference to the section 26 principles.

At this point, the Commission will consider the correspondence and provide advice to the council(s), including whether a general proposal can be referred for consideration, if more work is recommended to be undertaken or further information is sought by the Commission.

Councils should note that advice from the Commission that a general proposal can be submitted does not guarantee that the proposal will be formally accepted.

Stage 2 — Referral of a general proposal to the commission

Prepare a submission to the Commission that sets out in detail the grounds on which the proposal is made and the issues that should be considered in an assessment of the change to boundaries. The Commission requires the matters listed below to be included in your proposal, noting that the Commission expects a proposal to cover these matters as far as the initiating council can be reasonably aware of them.

Given that the Commission is obliged to take the section 26 principles into consideration when making recommendations about boundary changes, initiating council(s) are required to detail how their proposal fits with these principles when referring a proposal.

Description of the proposal

- Provide a detailed description of the proposal
- Clearly identify all councils involved

Section 26 principles

- Describe the proposal with reference to the principles set out in section 26 of the Act and contained and described in Attachment 1 and 2.
- Prior to accepting a proposal, the Commission may request information from other affected councils in relation to their view of how the proposal will address the principles.

Community of interest

- Discuss various components (cultural, heritage, shopping, community services, road and other transport links, sporting, etc.) of the social fabric of the area which is the subject of the proposal. Identify common interests that would be likely to benefit from the proposal.
- Identify any individual large community or business assets, or significant geographical features in the area of the proposal that you consider affect the community of interest.

Consultation with the community and key agencies

- Provide evidence that appropriate consultation has taken place with the community.
- Where appropriate, provide numbers of letters received supporting and opposing the proposal, details of public meetings held to discuss the proposal, and estimates of numbers attending. Provide copies of news articles, letters to the editor and public notices in newspapers.
- Identify concerns that were raised during consultation, the degree of support shown for and against them, and how they were addressed by all affected councils.

Advantages and Disadvantages

- Provide a balanced representation of the advantages and disadvantages of the proposal.
- Identify stakeholder groups, providing details of the interests and identity of each. Discuss impacts of the proposal on each group.
- Record any significant opposition known to the applicant council or councils and the basis of this.

Calendar of events

- List in sequence dates of key council decisions, announcements, notices, public and other meetings, actions by stakeholder groups, press articles etc.

Any other relevant information

- Information the council considers relevant for matters the Commission must consider under section 31(3)(b).

Administrative matters

- Maps should be supplied which depict in sufficient detail the area the subject of, and surrounding area of the proposal (where relevant).
- Name and contact details of the officer(s) of the proponent council(s) to whom the Commission should direct its questions and correspondence.

This information will enable the Commission to make a decision whether to accept the referral. If accepted, the Commission will request further information as part of its investigation of the proposal. Further details are contained within Guideline 4.

What happens following a submission to the Commission?

The Commission will assess the proposal in accordance with the guidelines and determine whether to inquire into the proposal or refuse to inquire into the proposal.

The Commission may refuse to inquire into a proposal if the Commission considers that—

- The proposal is vexatious, frivolous or trivial; or
- If it is not in the public interest to inquire into the proposal; or
-

- The proposal is the same as or substantially similar to a proposal that has already been inquired into; or
- there is some other good reason to refuse to inquire into a proposal, for example, the issues raised in the inquiry were dealt with through a previous representation review in line with Section 12 of the Act.

The Commission may also decide to defer consideration of a proposal if it is of the view that the proposal cannot be finalised and gazetted by 31 December of the calendar year preceding a periodic council election.

The Commission may seek additional information to assist with its decision, and will directly notify the initiator of its decision.

The Act gives the Commission flexibility to deal with proposals to ensure that the most effective inquiry into an identified issue is undertaken. For example, the Commission may deal with similar or competing proposals that are referred to it.

If the Commission determines to inquire into a general proposal, section 31 of the Act sets out the process for these inquiries. Guideline 4 provides information on inquiries into general proposals, including how a submission is progressed by the Commission.

Contact Details:

Boundaries Commission

GPO Box 2329 Adelaide SA 5001

Phone: (08) 7109 7145

Email: boundaries.commission@sa.gov.au

Website: www.dpti.sa.gov.au/local_govt/boundary_changes

ATTACHMENT 1**26—Principles**

(1) The Commission should have regard to—

- The objects of the Act
- The roles, functions and objectives of councils under this Act; and
- The following principles:
 - The resources available to local communities should be used as economically as possible while recognising the desirability of avoiding significant divisions within a community;
 - Proposed changes should, wherever practicable, benefit ratepayers;
 - A council should have a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
 - A council should offer its community a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis;
 - A council should facilitate effective planning and development within an area, and be constituted with respect to an area that can be promoted on a coherent basis;
 - A council should be in a position to facilitate sustainable development, the protection of the environment and the integration of land use schemes
 - A council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations
 - A council area should incorporate or promote an accessible centre (or centres) for local administration and services
 - The importance within the scheme of local government to ensure that local communities within large council areas can participate effectively in decisions about local matters
 - Residents should receive adequate and fair representation within the local government system, while over-representation in comparison with councils of a similar size and type should be avoided (at least in the longer term)
 - A scheme that provides for the performance of functions and delivery of services in relation to 2 or more councils (for example, a scheme for regional governance) may improve councils' capacity to deliver services on a regional basis and therefore offer a viable and appropriate alternative to structural change
- The extent and frequency of previous changes affecting the council or councils under this Chapter or the repealed Act.
- The Commission should, so far as is relevant, give preference to structural changes that enhance the capacity of local government to play a significant role in the future of an area or region from a strategic perspective.

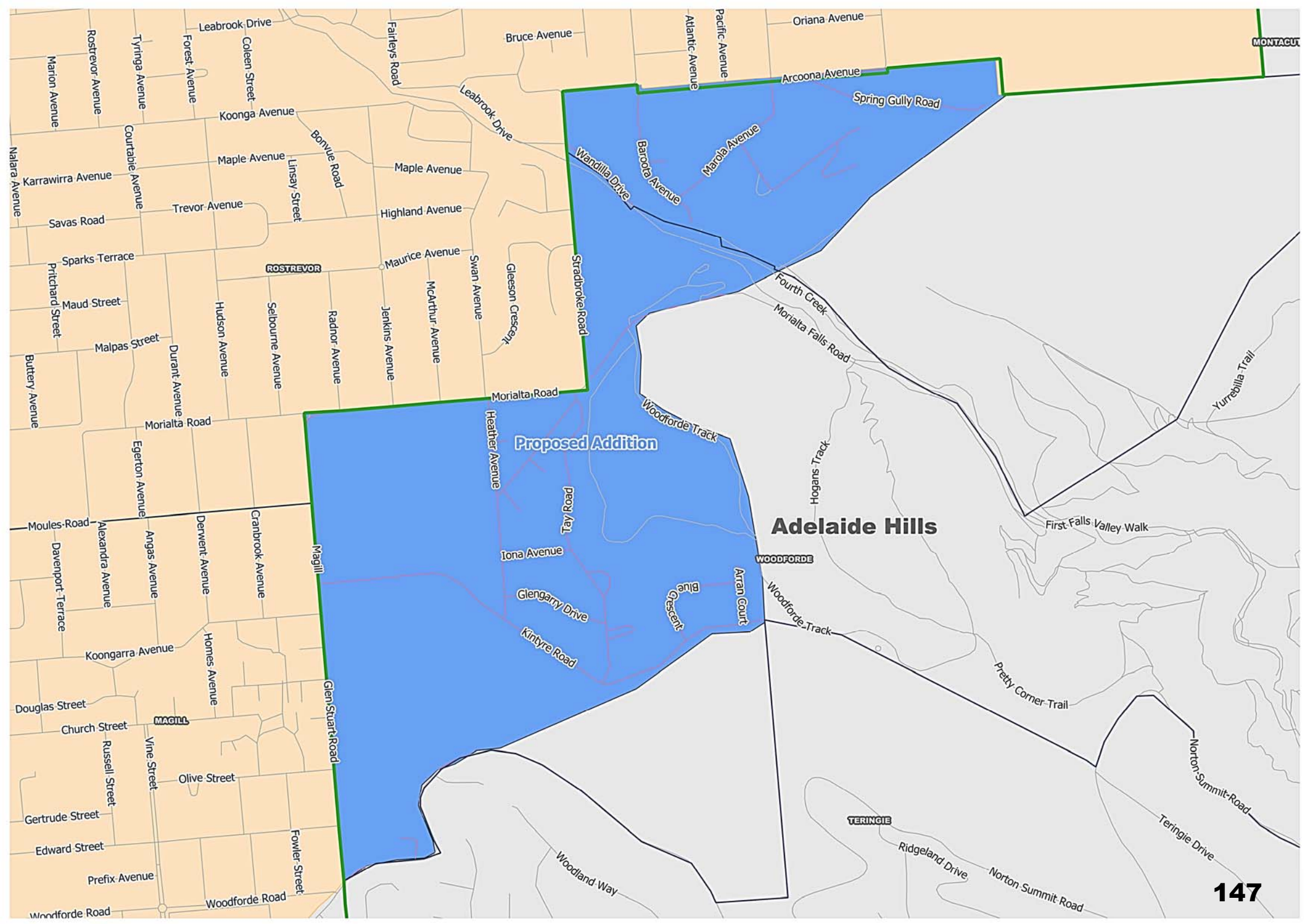
ATTACHMENT 2

The principles guide the Commission in balancing various council and community interests. While general in nature, they address a range of considerations, including communities of interest, effective governance, operational capacity, delivery of services, effective planning and development, accessibility, and adequate and fair representation. Consideration will also be given to regional activities that may offer a viable and appropriate alternative to boundary change.

The principles emphasise the importance of ensuring that boundary changes enhance the capacity of local government within the area to continue to deliver results to local communities in a more strategic and effective way.

Below are some questions you may wish to consider when formulating a proposal—

- How will the proposal align resources to where they are most needed and provide value to ratepayers?
- How will the proposal increase the council's ability to improve operational capacity and financial sustainability?
- What impact will the proposal have on the resource base of affected councils?
- How will the proposal enhance the capacity of the council to deliver better services to the community?
- How does the proposal support communities of interest?
 - Similar interests are important for groups that have been represented together because of their close geography or social and economic interests. Factors contributing to a sense of community included shared interests and shared use of community facilities.
 - Is there a sense of belonging or stronger community connection with the area which can be clearly defined?
 - Identify common interests that would be likely to benefit from the proposal, such as economic, social, heritage, cultural and recreational.
 - Consider the functional relationships and whether the proposal meets the community's needs, for example, use of services, road and transport links, shopping etc.
- How will the proposal improve representation?
- Has consideration been given to delivering services on a regional basis as an alternative to boundary change?



Mr Paul Di Iulio
Chief Executive Officer
Campbelltown City Council
PO Box 1
CAMPBELLTOWN SA 5074

Re: Campbelltown City Council Boundary Realignment Proposal

Dear Mr Di Iulio

Thank you for your letter of 19 February 2019 in regards to the Campbelltown City Council's (the Council's) Stage 1 proposal for a proposed boundary realignment.

The SA Local Government Boundaries Commission (the Commission) discussed and considered this correspondence at its meeting on 21 March 2019. The proposal was considered against the objectives of the *Local Government Act 1999* and the requirements of a Stage 1 proposal that are contained in Guideline 3.

The Commission determined that a Stage 2 general proposal can be referred to the Commission for their consideration if the Council wishes to progress this proposal. Please note that this does not guarantee that the proposal will be formally accepted.

As you are aware, Guideline 3 details the two stage process of a proposal for a boundary adjustment for general proposals. I would encourage the Council to consider this Guideline in detail prior to submitting a Stage 2 proposal. In particular, I refer you to the principles contained within s 26 of the *Local Government Act 1999* (attached to Guideline 3), as these principles should form the basis of any proposal.

Please be advised that I have taken the opportunity to notify the Adelaide Hills Council of the Commission's determination on the Council's Stage 1 proposal. I encourage your Council to discuss this matter with the Adelaide Hills Council.

I trust that this information is of assistance to you. If you have further questions, please contact Mr Thomas Rossini in the Office of Local Government on 7109 7443, or thomas.rossini@sa.gov.au.

Yours sincerely

Bruce Green
Chair, SA Local Government Boundaries Commission

6 May 2019

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 12.4

Originating Officer: David Waters – Director Community Capacity

Responsible Director: David Waters – Director Community Capacity

Subject: Library Services Review

For: Decision

SUMMARY

The purpose of this report is to advise the Council of the outcome of a review of the Council's library services and to seek direction on the replacement of the mobile library.

One of the key performance targets for the Chief Executive Officer for 2018-19 was to *"Review our library services to better understand community preferences in the context of a modern and progressive library service and provide the outcomes of the review with recommendations to Council."*

The review was conducted with the help of an external consultancy, Strategic Matters, to provide a level of independence and expertise to the process.

The review resulted in a number of operational and strategic recommendations to improve the provision of library services to the community.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. That the Administration proceed with the replacement of the mobile library as per the provision in the 2018-19 Capital Works Budget and the Long Term Financial Plan, with the Council noting that the budget will need to be carried forward into 2019-20.
 3. That a Library Services Strategy be developed during 2019-20.
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 2	Activities and opportunities to connect.
Strategy 2.5	We will support opportunities for learning in our community to increase the confidence, health and wellbeing of our citizens.

The provision of library services contributes to a number of goals in the Council's Strategic Plan, but primarily, library services are about the provision of learning and information services at all stages of life.

➤ Legal Implications

Section 7 of the *Local Government Act 1999* outlines the functions of councils. Among other things, these include:

(b) to provide services and facilities that benefit its area, its ratepayers and residents, and visitors to its area (including general public services or facilities (including electricity, gas and water services, and waste collection, control or disposal services or facilities), health, welfare or community services or facilities, and cultural or recreational services or facilities)

Councils are not obligated to provide library services, however it is customary to do so. In some regional and remote areas, combined school/public community libraries exist, which are co-funded by the State Government and the local council.

The *Libraries Act 1982* has objectives which clearly contemplate and promote the delivery of library services by councils. Section 7 of the Act states:

7—Objectives of Act

(1) The objectives to be sought in the administration of this Act are as follows:

(a) to achieve and maintain a co-ordinated system of libraries and library services that adequately meets the needs of the whole community;

(b) to promote and facilitate the establishment and maintenance of libraries and library services by councils and other appropriate bodies;

(c) to promote a co-operative approach to the provision of library services;

(d) to ensure that the community has available to it adequate research and information services providing access to library materials and information stored in libraries and other institutions both within and outside the State.

(2) The library services referred to in subsection (1) include the lending of library materials without direct lending charge or the payment of a membership fee.

The State Government provides a level of funding to council run public libraries. This is governed by a *Memorandum of Agreement* between the State Government and the Local Government Association of South Australia. While not legally binding, the Agreement sets out obligations on councils in return for funding. The funding provided through this Agreement is discussed later in the report.

➤ **Risk Management Implications**

Periodically reviewing Council services and responding to changing community needs will assist in mitigating the risk of:

Failure to provide for the welfare, well-being and interests of the community leading to decreased wellbeing and an over-reliance on social support.

Inherent Risk	Residual Risk	Target Risk
Extreme (4B)	Medium (3D)	Low

The provision of library services is one of many ways the Council mitigates this risk.

Other impacts are also recognised in the Council's risk register relating to a failure to provide for the welfare, well-being and interests of the community, however the risk to overall community wellbeing is most relevant to library services as they contribute to the important well-being contributors: literacy, connectedness and lifelong learning.

➤ **Financial and Resource Implications**

There are no financial implications arising directly from the receiving of this report.

The service review examined the Council's financial investment in library services (discussed later) and sought to identify opportunities to improve service provision with no overall impact on the Council's long term financial position.

Any matters arising from the review which have budget impacts will need to be considered by the Council as part of its normal budget setting and review processes. At this time, however, direction is sought on the replacement of the mobile library unit. \$480,000 is included for this purpose in the Council's Long Term Financial Plan and the 2018-19 Annual Business Plan (subject to a business case). Should the Council resolve to proceed with the replacement, the budget will need to be carried forward into 2019-20.

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

The service review sought to understand community preferences and find alignment with ongoing service provision. There are no direct customer service or cultural implications arising directly from the receiving of this report, however, the service review did examine a number of matters which directly relate to customer service, including:

- The provision of outreach services to community members with restricted ability to access a fixed branch (including students at smaller and lesser resourced schools)
- Opening hours
- Program offerings
- Provision of technology and online services
- Relevance of the library collection

➤ **Environmental Implications**

Not applicable.

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

Consultation on the development of this report, including consultation undertaken during the service review, was as follows:

Council Committees: Not applicable.

Council Workshops: A planning workshop was held 12 March 2019, at which Council Members were informed of some initial findings of the review and were given the opportunity to contribute to the review through idea generation and nomination of key issues.

A further planning workshop was held on 11 June 2019, at which Council Members were briefed on the preliminary findings of the service review and provided with an opportunity to give feedback before finalisation of the review.

Advisory Groups: Not applicable.

Administration: Members of the Executive Leadership Team
Manager Libraries and Customer Service
Libraries and Customer Service department staff
Corporate Planning and Performance Coordinator
Manager Financial Services

Community: Workshop with Friends of the Library (3 groups) on 21 February 2019.
Survey of library users in branches.
Survey of library members and the broader community online.

2. BACKGROUND

The Council's 2018-19 Annual Business Plan contains key initiatives under the Library Services function to:

- *Review current model of services and service delivery to identify opportunities for improvement, ensure their effectiveness and enable development of a strategic plan.*
- *Replace the Mobile Library Service vehicle with one configured for greater community use and adaptable service delivery.*

Further, one the Chief Executive Officer's performance targets for 2018-19 is to:

Review our library service delivery model to better understand community preferences in the context of a modern and progressive library service and provide the outcomes of the review with recommendations to Council.

The Council's library services were last reviewed formally in 2003-2004. At the time, the Council considered a report on staffing, hours of operation, the range of the mobile library service and other matters. Following consideration of the matter on 6 July 2004, the Council resolved as follows:

That Council endorses the Library Audit report and in relation to each of the Consultant's recommendations adopts the following:

1. Business Planning

That Council endorses management's current activities in the development of a business plan to better define the library's strategic directions as a key information, leisure and lifelong learning provider.

2. Staff Resourcing

That Council endorses the recommendation for a long-term best practice approach to staff resourcing to ensure quality programs and services and target areas of need with regard to budget constraints.

3. Restructure of Library Service

That Council endorses the recommendation in principle to extend mobile library services and services to the elderly housebound with due regard to budget and staffing constraints and the need to rationalise mobile stops in line with community consultation.

In consideration of community and elected member feedback on the continuance of Gumeracha Library in its current form it is further recommended that Council endorse Option 1 of the Library Audit for a continuance of Gumeracha Library with the possibility of reduced opening hours following community consultation to identify the most effective hours of service.

4. Library Restructure Plan

That Council endorses management's current activities in the development of a Library Restructure Plan to achieve best usage of staff and efficient service delivery.

5. Annual Staff Skills Audit

That Council endorses management's current activities in the development of an annual skills audit to ensure staff effectiveness and efficiency.

6. Library Information Technology Strategy

That Council endorses management's current activities in the development of a Library Information Technology Strategy that will promote and encourage computer literacy in the community.

7. Collection Management Strategy

That Council endorses management's current activities in the development of a Collection Development Strategy that will ensure a balanced, current and relevant collection.

8. Housebound Strategy

That Council endorses management's current activities in developing a strategy for services to the housebound that will promote the use of volunteers and address community needs.

9. *Virtual Libraries*

That Council endorse the recommendation that the concept of ‘virtual libraries’ in community facilities be considered where there is difficulty in accessing its libraries but that it be subject to further consideration of community needs for additional access, methods of receiving selected materials, and the possibility of federal funding for IT training.

10. *Stirling Library*

That Council endorse the recommendation to expand and redevelop Stirling Library to address space, public safety and occupational health and safety issues with due regard to such issues as budget constraints, possible future directions for the delivery of council and library services, the possibilities of government and/or private funding and fundraising.

11. *Gumeracha Library*

That Council, in consideration of community feedback and in line with Recommendation 3, endorse Option 1 of the Library Audit Report which maintains Gumeracha Library but with consideration of some reduced hours in consultation with the community

12. *Mobile Library*

That Council endorse a considered extension of mobile services with due regard to budget and staffing constraints, the rationalisation of mobile stops as discussed in Recommendation 3, and identified community needs.

Library services have evolved since then. Self-check using RFID technology is the norm, smart devices have appeared and the need for wi-fi has increased. The state-wide one-card system has opened up collections. Customers have much broader expectations of libraries and, rightly, society is looking for ways to include people with special needs in mainstream activities and programs.

It is therefore timely to consider the current role of libraries and how they are meeting emerging community needs. In particular, the Council’s mobile library unit is in need of replacement and it makes sense to consider the most appropriate model for outreach library services before making this significant investment. There have been regular enquiries about the opening of the Coventry Library Stirling on Mondays (presently it is closed). The emergence of online lending has given rise to the need to examine the size and composition of the hard-copy collection in recent years. These matters and others need to be considered in an integrated manner.

In response to the above, the Administration undertook a review of the Council’s library services with the assistance of consultancy firm, Strategic Matters. This firm is experienced in the library sector, having done work for the State Libraries Board’s Public Library Services group, the Local Government Association and a number of South Australian Councils.

3. ANALYSIS

A copy of the consultant's report arising from the service review is contained in **Appendix 1**. For the sake of brevity, the report contents are not repeated here, however, a summary of the essential elements of the review and recommended actions is provided.

At the outset, it is important to note the complexity of library services in the Adelaide Hills context, especially given the broad reach of services through multiple branches, the integration of library services with general council customer services and the varied needs of people across the district. As such, this service review focussed on a high level analysis and identification of opportunities.

There exists an opportunity to examine particular elements in more detail as each of the opportunities are explored. Some of these can be examined in the development of a strategic plan for the Council's library services, which would outline the objectives of the library service and the manner in which they will be achieved with the available resources.

The following observations contained in the consultant's report are essentially the findings of the service review:

Observations

The following are offered as observations on the Adelaide Hills Council library services:

- The library services of the Adelaide Hills Council are efficient, without obvious excess in the system.
- AHC provides a relevant and accessible service for its customers. The number of opening hours is higher than that offered by many comparable councils, and total expenditure as compared to other SA sample councils represents value for money.
- Despite a global trend to accessing e-resources, borrowing books remains the single most popular reason for people visiting the AHC library services. Online only comprises just under 5% of all borrowings.
- AHC collections have one of the highest turnover rates in the state due to professional and ongoing collection management: the staff work hard to match the collection to community preferences.
- Visitation statistics taken over a period of five years (2013/14 – 2017/18) demonstrate that the highest number of visitations occur at the Stirling branch. Almost three-quarters of the Library Service's members are attached to the Stirling branch, which likewise attracts approximately three-quarters of annual library visitations within the council area.
- Whilst the patronage at the Gumeracha library is not high, the complex is an important community hub and meeting place for socialising, activities, exercise and knowledge exchange for the local community.
- The mobile library service plays an important role in servicing those parts of the community that are geographically dispersed and /or primary schools that are not large enough to service their own communities with a sizeable library.
- As more people continue to supply and use their own devices in library spaces, it may be tempting to assume that a considerable reduction in PCs would equalise the equation. However, caution is urged in this space. While the demand for PCs in the AHC library remains strong, and the Federal and State Government continue to promote libraries as the purveyors of IT literacy and access, the need for numerous publicly available PCs (and support), is likely to continue (at least) into the short – medium term future.

The consultant made a series of recommendations arising from the review and these are addressed in the following table:

Consultant's recommendations	Administration's response
Continue the commitment to the mobile library.	Supported. See separate discussion.
Document the mobile library school stop choices and their antecedents for transparency.	Supported. Staff are also working to find ways to make the existing two exclusive school stops open to the general public.
Open Stirling Library on Mondays. Retain evening and weekend hours.	Staff are exploring ways to accommodate this within existing resourcing.
Integrate Gumeracha library into the Gumeracha Master Plan revitalisation strategy with a quality public presence to attract more customers/visitors, including a focus on seating, shelter, signage, Wi-Fi and outdoor experiences and community activity.	Supported. There are opportunities to further integrate library and Torrens Valley Community Centre services to further activate the library area of the complex to provide better value for the local community.
Extend the current self-check library unit at Gumeracha to include a kiosk allowing customers to engage in council business, including making online payments and lodging development applications.	Will require further investigation and the development of a business case, including consideration of costs and feasibility.
Support a modest increase library staff numbers to better service the diverse needs of the community while allowing library staff to continue to develop their professional competencies.	Staffing needs will be considered in the context of evolving services and programs as part of the annual Long Term Financial Plan development process.

Explore spatial needs for all sectors of society including dedicated spaces for business, socialising, intergenerational activities, childhood and parenting activities and programs, and for youth (including a high emphasis on digital interaction, maker spaces and study nooks)	<p>Supported. The Gumeracha space will be examined in the context of further integration with Community Centre programs and in concert with other community groups occupying parts of the complex.</p> <p>The Woodside Library spatial needs will be examined in the context of the overarching Council accommodation review. A plan for progressing this is in development.</p> <p>Short term opportunity exists to repurpose the former Digital Hub area in the Coventry Library. Medium term opportunities exist to reconfigure the IT area as well as connecting the Community Room with the Training Room at Coventry Library.</p>
Ensure ongoing monitoring of technology use and changing the offering to match customer preferences and trends	<p>Supported. An asset utilisation monitoring regime will be put in place to provide indications of what technology is in demand and when, in order to match device provision with customer demand.</p>
Look to reshape other areas: match operating hours and rostering to usage patterns across sites.	<p>Reshaping the deployment of staff within the team to better match service patterns may provide opportunities to resource service enhancements such as opening the Coventry Library on Mondays.</p>

The report identifies opportunities to implement the above mentioned recommendations as follows:

Programs

- Continue to evolve programs to meet community emerging needs and preferences, including intergenerational activities
- Work together with children's programs for intergenerational programs – learn together, create together.

Collections

- Focus collection where needed and rotate more frequently through smaller collections (i.e. Gumeracha); continue to evolve collection to meet special needs; continue gradual move to online
- Retain a strong focus on physical items over the medium term.

Outreach

- Retain mobile library – update vehicle with similar size but contemporary facilities providing better serviceability, better disability access, enhanced access to library resources and better staff amenity.

Customer service

- Refine contact centre hours and rostering to match caller patterns. Triage all customer enquiries and manage routine email/web enquiries
 - Reduce the Contact Centre hours to better reflect community needs / usage to 8.30am – 5.00 pm. The hours saved can be rechannelled back into the service to accommodate additional work being taken on by Customer Service staff
- Create a flatter organisation structure that both acknowledges expertise and technical competency of roles and alleviates managerial load. This may include the development of Level 3 customer service roles to reflect the levels of responsibility, knowledge and skill required.

Gumeracha

- Review space utilisation in conjunction with The Torren Valley Community Centre and main street revitalisation
- Create a focused 'book nook' with higher rotation of materials via Mobile Library
- Look at community use patterns for better service hours matching and investigate the viability of a service kiosk for payments, etc.

The above opportunities are generally supported and will drive resource allocation, including future proposals for Council consideration where appropriate.

Mobile library

This report seeks particular direction on the replacement of the Council's mobile library unit.

The existing unit, which consists of a bespoke body fitted to a medium rigid cab-chassis (truck) is some 17 years old. It is experiencing increasing maintenance issues, as can be expected of a truck of this age, and has limitations in terms of space, disability access and facilities for staff. From a financial perspective, the unit is fully depreciated and is considered to be beyond its economic life.

Indicative quotations, and comparison of actual prices paid by other councils, for a bespoke unit of a similar size to the existing one, albeit with contemporary access, facilities and automation of a number of manual operations (such as deploying stabilisers), indicate the cost of a new unit could be up to \$480,000 (including truck and body). This amount has been included in the Council's Long Term Financial Plan and this year's capital budget.

The mobile library had 16,979 visitors in 2017-18 and 28,918 items loaned. Approximately 75% of visitors are students from smaller schools with comparatively limited library resources.

The total cost of operating the mobile library service, including the amortised cost of the vehicle, staffing and materials is approximately \$140,500 per year, which equates to \$8.27 per visit or \$4.86 per loan. In comparison, the Council's total library service budget spread across visits and loans comes to \$5.60 per visit or \$3.46 per loan.

The service review specifically considered the outreach library services and alternative models of delivery. Alternatives included:

- Additional built static branches
- Replacing mobile library with home delivery
- Use of smaller vehicle (i.e. van instead of truck).

None of the alternatives would provide the same level of service to school communities. The one which comes closest, that is using a smaller vehicle, has relatively limited on-board capacity which reduces the ability for class groups to come on board and browse. Essentially students would need to wait outside and come on board one or two at a time. Apparent from the practical implications of visitors having to wait outside the vehicle in poor weather, it also stretches the length of time the mobile library would need to stay at each stop to service the same number of visitors. The difference in cost between operating a truck and a van is nominally \$10,000 - \$15,000 a year (based on a lower amortised capital cost and running costs for a van compared with a truck).

A smaller van would provide more flexibility in the service (as well as lower operating costs) but would come at the cost of a reduced on-board collection and therefore reduced ability to browse. It also reduces the ability for on-board computing use due to space limitations.

In short, should the Council wish to continue servicing school communities, the specialised truck option (existing model) is considered the most appropriate.

While it could be argued that the Council is subsidising government school funding by servicing schools, it is recognised that smaller schools across the state will always have challenges in funding well-resourced school libraries. The Council's mobile library has stopped at only the comparatively smaller and lesser resourced schools in the district in order to bring equity of access to library materials for those members of the community attending them.

All but two of the 'school stops' are also public stops, and the Administration is working toward all school stops being public. The service review highlighted the need to have documented criteria for selecting school stops. In addition, the Administration will approach the Department for Education and enter into dialogue around potential funding to support the provision of mobile library services at schools.

The Administration considers the servicing of smaller and lesser resourced schools in the district to be a valuable service to the younger people in the community who would otherwise have comparatively reduced access (in both size and diversity) to reading materials. It also facilitates engagement with Council at a young age.

The value the mobile library also provides to isolated and less mobile adults in the community should not be underestimated. As well as facilitating lifelong learning, the mobile library provides an important social connection point for some. In some respects, the large numbers of school students utilising the service helps justify the continuation of the mobile library service for the comparatively fewer adults who use it.

Continuation of the mobile library service, with a specialised truck, is considered the most appropriate option. A business case for the replacement of the mobile library is contained in **Appendix 2**.

Next steps - Library Services Strategy

The Administration is now planning the development of a Library Services Strategy, which would broadly cover:

- Library service goals and objectives in the context of the community demographic and community preferences
- A collection development policy and strategy, particularly in the context of a changing balance between hard copy and online borrowings
- A plan for the evolution of programs and events
- Identification of funding needs and income generation opportunities.

Further engagement with Council Members on this will be forthcoming.

4. OPTIONS

Council has the following options:

- I. Receive and note the report and determine to replace the mobile library. (Recommended)
- II. Receive and note the report but determine not to replace the mobile library. In this case, the Council will need to determine the alternative delivery model for outreach library services. (Not Recommended)
- III. Make any other determinations as the Council sees fit. Should the Council consider other significant determinations are necessary, it is recommended that the matter be referred back to the Administration for further analysis.

5. APPENDICES

- (1) Library Services Review Consultant's Report
- (2) Business Case – Mobile Library Replacement

Appendix 1

Library Services Review Consultant's Report

Library Services Review

undertaken for the Adelaide Hills Council

Libraries are public institutions that provide a vastly underrated public service: free access to information and entertainment. Libraries are not generally subject to the market forces that drive their for-profit counterparts--book and movie retailers--to change and adapt their customer service activities. Nevertheless, libraries must keep pace with current trends in customer service, offering a unique and valued customer experience, if they wish to continually attract new generations of patrons.

(David Ingram, Hearst Newspapers 2019¹)

20 June 2019

Prepared by Strategic Matters

For Adelaide Hills Council



¹ <https://smallbusiness.chron.com/library-customer-service-ideas-1116.html>

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1. REVIEW PROCESS

The goal of the current review of the Adelaide Hills Council Library is to ascertain whether the current service delivery model is the most appropriate model to meet the needs of the community over the coming years.

In alignment with the *Australian Centre of Excellence for Local Government Framework for Services Review*, the review was framed by three core themes:

- **Appropriate** – Are AHC library services meeting current community needs and wants, and can they be designed and adapted to meet future needs and wants?
- **Effective** – How might AHC library services deliver targeted, better-quality services in new ways?
- **Efficient** – How might AHC library services improve resource use (people, materials, plant and equipment, infrastructure, buildings) and redirect savings to finance new or improved services?

More specifically it asked the following:

- What are the current AHC library service offerings?
- What does the community want from AHC libraries?
- Where could improvements be made?
- What are others doing?
- How can AHC libraries align with best practice service provision?
- What steps are required to create and sustain ongoing quality service delivery?

1.1 Methodology

The methodology involved:

1. Workshops with the Friends of the Libraries (21/02/19)
2. A workshop with library staff (05/03/19)
3. A meeting with the AHC Executive Leadership team (07/03/19)
4. A workshop with the Elected Members (12 /03/19)
5. Two meetings with non-library staff
6. Six meetings with library staff
7. The design and distribution of a community library survey for three weeks in January and February 2019 (both hard copy and online)
8. Analysis of ALIA and PLS statistics
9. Research into comparative data with six similarly sized councils throughout Australia
10. Research into best practice
11. Analysis of the current systems operating at the AHC libraries

The project ran from early February to late May 2019.

2. OVERVIEW

The Adelaide Hills Council (AHC) runs a highly regarded, welcoming and inclusive library service. Materials and programs are designed to suit the demographic. The AHC is a member of the South Australian OneCard network that provides more than 3.7 million items to be borrowed and returned at any SA public library across the state.

The Library Services Review has been undertaken to review and assess the Adelaide Hills Council (AHC) library services and sub-services. The review considers whether the service offering is **Appropriate, Effective** and **Efficient**. These areas of focus align with the *Australian Centre of Excellence for Local Government's* approach to service reviews. Ultimately the council wishes to understand how best to meet the needs of the community over the coming years.

The Adelaide Hills Council is a scenic region in the Mount Lofty Ranges of South Australia. The almost 40,000 strong population is geographically spread out across 57 town / localities over approximately 795km². The land size and undulating topography presents challenges in terms of equitable service delivery, particularly in the less densely populated areas.

The AHC's library service delivery model is based on a three-tier service system. The model has been designed to provide a 'reasonable' (equitable) level of service to the entire community. It is also built on the core value of 'libraries as the place to be'. The library currently offers five service points:

- Tier 1: Three (3) static physical library branches (one at Gumeracha, one at Woodside and the 'flagship' at Stirling)
- Tier 2: One (1) mobile library vehicle, and
- Tier 3: One (1) home service, for those who can't easily leave their home/aged care facility.

The library service also offers a range of online services including e-books and e-audios, movies and online learning (including homework help, language learning and support, and online and computer demonstrations).

The AHC library services are staffed by 16.11 full-time equivalent (FTE) staff, including casual employees. Another 8.75 staff specifically service the council customer service inquiries. This includes working in the call centre, attending to council payments, creating customer cases and assisting with general inquiries. Both groups are part of the integrated Libraries and Customer Service team.

The Library Service and Council Customer Service departments fully integrated in 2009 to become Library & Customer Services. Library and Council service desks were co-located within the Coventry Library and integrated at Woodside and Gumeracha Libraries.

The review of comparative service delivery compares the Adelaide Hills Council Libraries with:

- Australian Library and Information Association (ALIA) benchmarks,
- Public Library Services (PLS) benchmarking from other Adelaide metropolitan local government library services, and
- Six interstate libraries serving similar population bases (and, where possible, areas of comparable population density).

The AHC regularly surveys their community, seeking feedback on Council activities and community concerns. This report draws from the following surveys:

- 2012
- 2014
- 2016

During the course of the review a customer survey was also designed and administered for three weeks during the period January and February 2019. Data collected from this survey has also been incorporated throughout the report.

Recognising that libraries operate within an environment of competing public funds and increasing public expectations, the Library Services Review needs to strike the balance between aspirational and 'stretch' thinking, and efficiencies for the Adelaide Hills Council. In seeking this balance, attention must be paid to the context of Federal and State Government changes in the delivery of customer service, moving from a dominantly face-to-face model to an online approach driven by cost savings and factors encompassing self-service, convenience and mobility.

The emerging significance of information technology, coupled with the reconfiguration of contemporary libraries as flexible, multipurpose community spaces, has seen a reimagining of the role, purpose and value of modern public libraries.

The AHC library services have been categorised using the following service headings:



*These service profiles are described in significant detail in sections 6 – 10 (inclusive) of the report.

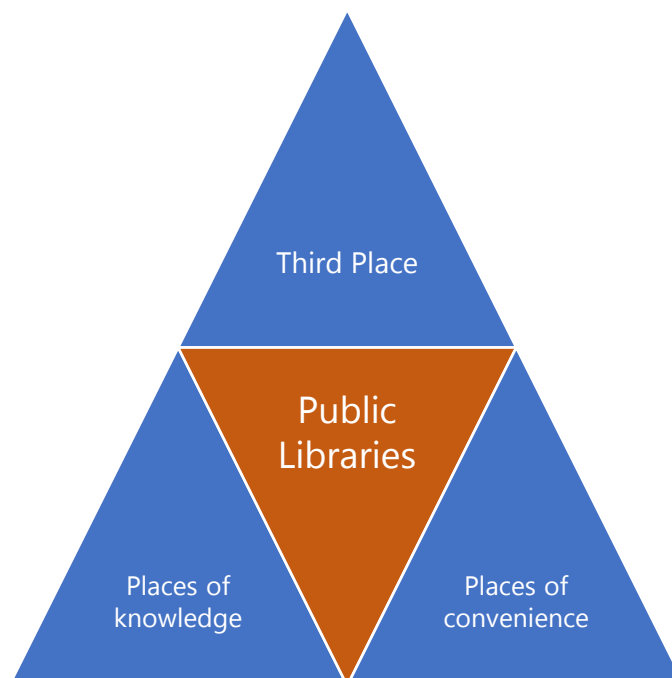
2.1 The changing role of libraries

21st century libraries represent a dynamic and important community resource. In an era increasingly marked by social isolation, community fragmentation and a deepening digital divide, libraries play a significant role in supporting connectedness, resilience and inclusion. As a significant 'third place', beyond the workplace and the home, libraries provide a site that facilitates users' in-person and virtual connections to information, ideas and each other. In turn, libraries are central to a community's sense of place, identity and well-being. At the same time, libraries have also come to provide significant physical and digital infrastructure that supports the collaborative and entrepreneurial underpinnings of the emerging knowledge economy.

New and refurbished library spaces provide more flexible spaces and furnishings, accommodating study pods, increased access for personal laptops and devices, charging stations, technology-enabled meeting rooms and makerspaces that support and encourage creative, digitally inclusive, learning communities. As the demand for contemporary library spaces has broadened, so too have the possibilities for community artistic, educational, social and vocational library offerings.

While technology has streamlined and supported both collection and system management, developments in library support systems, e-resources and online platforms require a higher level of technical support for both library staff and service users. Likewise, in a context of scarce shared public spaces, the demands upon libraries to provide centrally located offerings facilitating educational, cultural, social, health and digital outcomes has continued to expand, as has the skill-set required of the library personnel who provide them.

At the same time, attention must also be paid to the role of libraries in supporting the digital literacy communities require to navigate this online terrain, as well as the ways in which library offerings can contribute to a range of social, cultural and economic outcomes at the heart of the Council's strategic plan.



3. OVERVIEW OF THE ADELAIDE HILLS COUNCIL (AHC) LIBRARY SERVICE

3.1 Service delivery assessment

The Adelaide Hills Council library service provides five primary core services: COLLECTIONS, PROGRAMS, OUTREACH SERVICES, CUSTOMER SERVICE, and SYSTEMS MANAGEMENT.

The library services of the Adelaide Hills Council are a 'well oiled' and lean business activity without obvious excess in the system. The AHC libraries perform strongly in terms of both customer service and efficiency relative to the libraries of comparable regions.

- AHC provides a confident, professional and accessible service for its customers. The number of opening hours is higher than that offered by many comparable councils and total expenditure as compared to other SA sample councils represents strong value for money.
- With three (3) functioning static branches, including a 'flagship' site, a mobile library and a home services program, AHC has a large and geographically extensive area to service. This breadth of service represents a substantial workload that exceeds that of many of its SA peers.
- Visitation is highest in terms of numbers at the Stirling branch (almost 75% of all AHC visits), with very modest visitations at the Gumeracha branch (3% of all visits).
- Annual visitations across all services are constant at around 335,000.
- Despite visitor numbers varying considerably across the three built library locations, the number of opening hours is relatively evenly distributed across the three sites (this includes some hours of opening managed by volunteers at one site).
- The Gumeracha library is located at a community hub. Whilst the patronage at the Gumeracha library is not high, the community hub is an important and well-patronised meeting place for socialising, activities, exercise and knowledge exchange for the local community.
- The mobile library service plays an important role in servicing those parts of the community that are geographically dispersed and /or primary schools that are not large enough to service their own communities with a sizeable library.
- The library services are staffed by 16.11 full-time equivalent (FTE) staff plus 8.75 FTE Council customer service staff.
- Library staff numbers have reduced or remained relatively constant since 2011/12. While the team has accommodated the increasing complexity of library services and expanding community expectations within the existing resourcing levels, the myriad of tasks required by the team is complex and constantly evolving. Continuous regular monitoring and resource planning is required to keep pace with future demand changes.
- The integrated customer service functions on offer at the three static / built sites have added complexity to the roles of library personnel. During times of peak need, it is not unusual for professional and technical staff to be pulled offline to backfill unexpected demands and pressures in frontline service.
- Despite a global trend to accessing e-resources, borrowing books remains the single most popular reason for people to visit the AHC library services. E-resources will undoubtedly

become more popular as time goes on; however, books are likely to be an important part of AHC offerings into the close and medium-term future.

- Reading newspapers (and magazines), using library computers and accessing wireless internet have remained important functions of the AHC library services since 2012. In recent times, users have also increasingly utilised library spaces as places to meet, socialise, study and work. Community expectations relating to these library affordances are high and likely to grow into the future.
- Attending programs (particularly children / toddler-based) is a primary reason for many people to visit the library. The ability to socialise, to seek refuge from the weather and/or to 'chill out' are compelling reasons for people visiting the Stirling library specifically.
- When compared with other South Australian metropolitan and state libraries, the AHC library service:
 - exceeds the visits per capita figures of both SA Metro Libraries and State Libraries as a whole
 - markedly exceeds loans per capita compared to both SA Metro Libraries and State Libraries as a whole
 - exceeds the loan / stock turnover figures for both SA Metro Libraries and State Libraries as a whole.

It is also useful to note that in terms of OneCard system shipments / transactions, the AHC is a 'net borrower'.

- Volunteers and the Friends of the Library play an important role in providing time and support to library functions and fundraising efforts.
- Volunteers and the Friends of the Library play an important role in providing time and support to library functions and fundraising efforts. This contribution supplements the efforts of staff and adds significant value to services available to the community including high outputs.
- Comparison with generally similar interstate councils indicates that many councils are serving their community through multiple library service points. Mobile library services are operated by some councils, while others have integrated their library function and offerings with community hubs such as art and cultural centres. Ultimately, servicing community need is the driver for investment choices across many councils.
- When surveyed in early 2019, 90% of respondents stated that the AHC library services either 'exceed' or meet their expectations 'very well'.

3.2 In the spotlight: Specific items

Mobile library

- The mobile library provides fortnightly access to over 4,500 library items and reservations for residents and ratepayers at twenty stops in less populated regions.
- The mobile library plays a key role in encouraging literacy, lifelong learning and community wellbeing. The mobile library service plays an important role in servicing those parts of the community that are geographically dispersed and /or primary schools that are not large enough to service their own communities with a sizeable library.

- Replacing an externally-provided service in 2002, the AHC's mobile library is a medium rigid vehicle fitted out to accommodate library materials and provide lending services. With wheelchair access, one self-serve kiosk computer and a staff PC, it carries a range of stock suitable for a variety of ages and interests. Its collections are refreshed regularly, with a full stock rotation every 8-10 weeks.
- Mobile library services are delivered by one FTE staff member with a MR licence. Collection staff advise and assist with stock rotation to ensure differing needs are met. Mobile library members are heavy users of the reservation system.
- The mobile library visits a number of townships, providing access to library materials, reservation collection and return, and general information on Council activities and events. For more isolated customers, visits to the mobile library support the social connection available to those who use static libraries.
- Today the mobile library visits twenty locations in smaller communities. Of those twenty stops, thirteen stops are affiliated with schools and allow general public access, while two of these are located within schools and only accessible to students and teachers. The service delivery route works to a fortnightly schedule. There are historical reasons for the two 'private' school visits. Documentation of these choices and their antecedents is encouraged for transparency.
- Now 17 years old, the mobile library is due for replacement. Spare parts are increasingly difficult to purchase resulting in the use of second-hand parts, and the stability of shelving is lessening in response to the condition of many of the roads travelled.

Options on the Mobile Library are in Appendix A

Mobile Library Recommendations

- ⇒ That the AHC Council continues their commitment to the mobile library as a Third place
- ⇒ That Council invests in replacing the mobile service and continues to provide this highly valued community service
- ⇒ That Council retains a larger vehicle that facilitates onboard interactive experiences and accessibility for the community, including the capacity for more self-serve computers including links to council customer service
- ⇒ That the mobile library continues to visit main street precincts and schools to service the community, considering capacity for consolidated and longer stops at some areas (such as main streets)
- ⇒ That Council explores specialising in childhood literacy or themed events. This could include youth outreach, a STEAM focus and/or running events from the mobile service (see examples from the UK and USA as outlined in the Outreach section of this report)
- ⇒ That Council documents the school stop choices and their antecedents for transparency.

Opening hours across the libraries

Currently, AHC library services span across five bases: three static library building (Stirling, Woodside and Gumeracha), the Mobile Library and Home Services.

- Visitation statistics taken over a period of five years (2013/14 – 2017/18) demonstrate that the highest number of visitations occur at the larger Stirling branch. The annual visitations at Stirling average over 250,000 per annum and have remained relatively stable over the five year period reported.

- Almost three-quarters of the Library Service's members are attached to the Stirling branch, which likewise attracts approximately three-quarters of annual library visitations within the council area. The majority of patrons visit the Stirling Coventry library (73% of all visitors).
- The remaining usage is split as follows: Woodside (18%), Gumeracha (3%), Mobile Library (5%) and Home Services (the latter not recorded).
- Opening hours at the Coventry Library, which is the largest and has the highest visitation, are *slightly fewer* than the total number of opening hours at the Woodside Library. Community feedback suggests enthusiasm for the Coventry Library to be opened on Mondays.
- Opportunity exists to open the Stirling library on Mondays with small financial impost, through re-examining the deployment of staff across the service and matching service hours with customer demand across the three library sites.
- On Mondays, the Coventry Library is open only for Council business and for un-resourced customer access to newspapers, magazines and reservations. Across Adelaide, other main 'flagship' libraries are open and fully resourced on Mondays, creating a strange anomaly for the AHC.
- The Gumeracha library is open forty (40) hours per week. Of these hours, 18 are staffed (Mon – Saturday [inclusive]) and 22 hours are managed by volunteers. The library staff also support queries via a phone hotline.
- Given the very modest number of patrons (3% of all library users), maintaining a fully resourced, stand-alone library at Gumeracha is difficult to justify. Scope exists to improve efficiency and overheads at this site, while still providing the Gumeracha community access to library materials. It is acknowledged that the Gumeracha library is embedded in the local Torrens Valley Community Centre which is highly valued and well utilised by the local community for a range of formal and informal activities.
- Opportunity exists to extend the reach and service offering of the Gumeracha Torrens Valley Community Centre to ensure an ongoing focal point (third place) for the local community, including integrating the library into the Gumeracha Master Plan revitalisation strategy.
- If changes are made to staffed hours at the Gumeracha library, consideration needs to be given to how the local community would continue to access council customer services. One option is to investigate the viability of a service kiosk to supplement council services and payment options.
- Potential exists to link the total opening hours of all libraries with the AHC's larger 'revitalisation' agenda for the Onkaparinga Valley. Projects in this context include: the Adelaide Hills Arts and Heritage Hub in Lobethal and the possible refurbishment of the Woodside library over time.

Options on library opening hours are in Appendix B

Recommendations:

- ⇒ That the Stirling library opens on Mondays.
- ⇒ That the opening of the Stirling library on Mondays does not result in a reduction of hours at the Stirling library in the evening or the weekend.
- ⇒ That the Gumeracha library is integrated into the Gumeracha Master Plan revitalisation strategy with a quality public presence to attract more customers/visitors, including a focus on seating, shelter, signage, Wi-Fi and outdoor experiences and community activity.
- ⇒ That the Gumeracha library be converted into a library nook nested in the Torrens Valley community centre as part of the Gumeracha Master Plan revitalisation strategy, and that materials are updated on a weekly basis (rather than the currently monthly basis).

- ⇒ That the current self-check unit at Gumeracha for library transactions be extended to include a kiosk allowing customers to engage in council business, including making online payments and lodging development applications.
- ⇒ That customer service staff hours at Gumeracha be reviewed to better match customer patterns and utilising the Mobile Library to more regularly refresh the Gumeracha collection is considered. Further to this, coded collection lockers could be introduced to facilitate the pickup of library materials after hours, creating greater access and convenience to library materials.
- ⇒ Consider closing Woodside Library earlier on Thursday evenings due to low demand as evidenced by door count data.

Staffing

In relation to staff and customer service, the review identifies lean staffing levels, particularly regarding customer service needs.

- With three static service points, a mobile library and a home services program, library staff are required to traverse not only a large and undulating geographical base but also different physical working locations where they are rostered on a regular basis. The coordination of the staffing roster, and work health and safety issues, are a significant ongoing role for the management team which will continue into the future.
- Compared with other similarly sized populations, staffing levels at the AHC libraries are lean. This translates into limited capacity to absorb staff leave and absences, or to allow time for professional development and/or upskilling.
- It should be noted that in order for the entire team to meet, casuals need to be employed to manage the customer service functions. If this cannot be accommodated, staff can only attend meetings as a *whole team* if they meet after hours.
- The integrated Libraries and Customer Service team comprises just under 25 Full Time Equivalent (FTE) staff. As illustrated below, 16.11 of these are nominally allocated to library services and 8.75 to non-library (Council) customer services. The latter includes staff working in the call centre, attending to council payments, creating customer cases and assisting with general inquiries.

Staff: LIBRARY ONLY	Permanent FTEs	Casuals	TOTAL
TOTAL	15.26	0.85	16.11
Staff: NON-LIBRARY CUSTOMER SERVICE			
TOTAL	7.50	1.25	8.75
GRAND TOTAL staff managed by library			24.86

Data source: AHC 2019

- Due to the customer service needs across a wide range of services, extensive multitasking is required of library staff, particularly when they are called upon to 'backfill' council customer service levels to meet unexpected demand. Staff need to be adequately skilled to manage the significant breadth and complexity of these roles.
- The pyramid staffing structure may both underplay the task complexity and skill breadth required of front-line customer service personnel employed at Level 2, and present a considerable managerial load for the two staff members employed above Level 5.

- A high proportion of part-time employees may increase role complexity for leadership staff, including requirements with regard to communication, administration and training. This may be particularly relevant in customer service, where 20 permanent and casual staff work with two Senior Customer Service personnel (1.8 FTE) under the leadership of one (0.7 FTE) Customer Services Team Leader.
- To ensure all customer service staff are equipped to provide the same level of service across all sites, ongoing internal training and development is needed to underpin a consistent level of service delivery.
- Council's Contact Centre currently operates 8.00 am – 5.30 pm. This timing does not necessarily reflect how community members use this service, which sees very few calls being received between 5.00 pm and 5.30 pm. In addition, due to Council staff being largely unavailable after 5.00pm, calls received between 8am – 8:30am and 5.00 pm and 5.30 pm are managed in the same way current after-hours service respond, with staff being alerted via email.
- An ongoing challenge for Council is that of supporting library staff to continue to service the community in a full and professional manner while also supporting them to manage the technical aspects of running a library service. This will only become more challenging as the complexity of library services and customer demand increases. Building in flexibility and capacity to address this is key.
- While there has been some preliminary exploration of introducing a dedicated Council Services meeting room at Woodside library, given the spatial challenges - including a very modest footprint, it would be counter-intuitive to build a dedicated 'meeting room' if the flexibility of library space is to be maintained.
- The OneCard System has seen stock rotation across the state increase dramatically. Overall at the AHC, crate traffic increased from 9 to 11 crates to 15 to 25 per day since the introduction of the OneCard system. Stock rotation, both internal and external, requires significant manual input from staff.

Library Staffing Recommendations:

- ⇒ That Council supports a modest increase to library staff numbers to better service the diverse needs of the community while allowing library staff to continue to develop their professional competencies.
- ⇒ Ensure capacity and funding exists for regular and ongoing development of customer service staff throughout the year.
- ⇒ Create a flatter organisation structure that both acknowledges expertise and technical competency of roles and alleviates managerial load. One option is to develop Level 3 customer service roles to reflect the levels of responsibility, knowledge and skill required to work across 3 different service points.
- ⇒ That Council reduce Contact Centre hours to better reflect community needs / usage to 8.30 am – 5.00 pm. The hours saved can be rechannelled back into the service to accommodate additional work being taken on by Customer Service staff

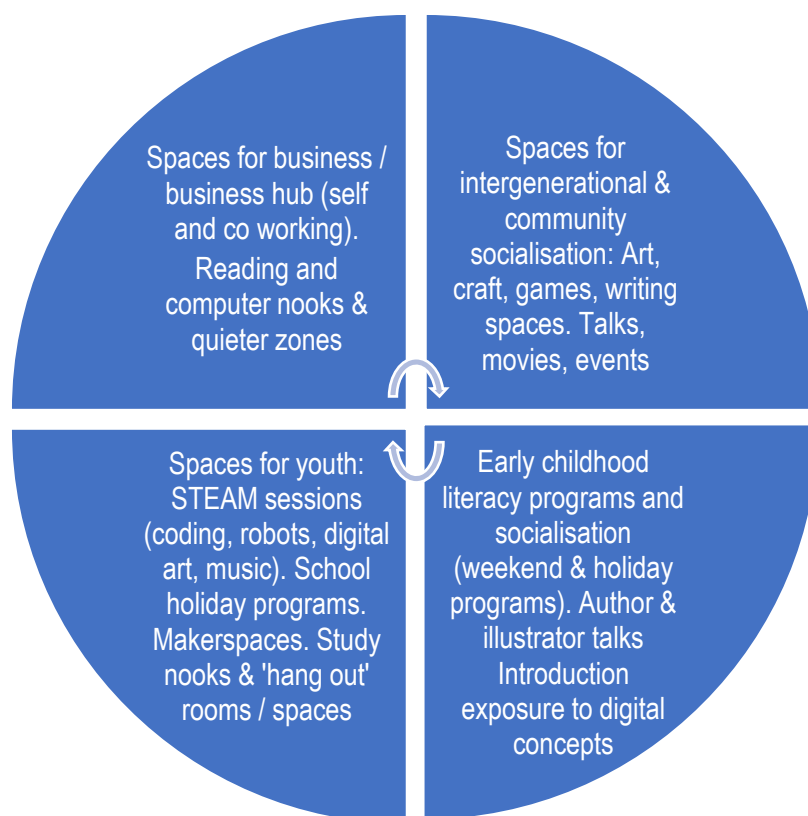
Spatial requirements (programs and collections)

While outside the scope of the current project, a few spatial opportunities emerged during the review:

Observations around community desires / needs:

Community desires with regard to library spaces have been broadly categorised into 4 themes as shown below:

- Business and meetings
- Intergenerational
- Children
- Youth



Further to this, some affordances are desired across library spaces:

- Training and meeting rooms (ideally with after-hours access)
- “Listening” / quiet / reading zones
- A space that children and young people can utilise for occasional activities in which noise attenuation is managed
- Community functions: a community ‘lounge room’, café / eatery, undercover outdoor area that extends library spaces, connecting indoor and outdoor areas
- Opportunity to create a Makerspace by breaking through the wall dividing the community and training rooms at the Coventry Library. The space created would have folding doors and maintain flexibility of use – a prime feature of this library site.

Above all, spaces need to factor in a high degree of adaptability that can accommodate new or varied purposes and collection reorganisation.

Observations: Public PCs

- In the case of Gumeracha, PCs have recently been relocated from the Torrens Community Centre to the library to enhance visibility and accessibility. This aligns well with aspects of the Master Plan revitalisation strategy that focus on (amongst other things) creating a quality public realm that attracts more customers/visitors and entices them to stay longer.
- In an ideal world, the PCs at Woodside would be given a larger space. However, within the current library footprint, this is not possible.
- In the case of the Stirling site, PCs are currently located in an awkward thoroughfare area. It may be worthwhile to reconfigure the bench space and integrate the IT space with another IT activity such as a Makerspace. However, this would require considerable spatial analysis including the need to retain many of the PCs in an environment where private and quiet work could still be undertaken effectively.

Observation: Gumeracha Historical Society

- AHC provided a dedicated history centre attached to the Gumeracha Civic Centre when the new Gumeracha Library was built in 1999. To date its emphasis has been largely on storage and preservation rather than curation and display. The centre's storage facilities are now at maximum capacity and they are seeking more on-site storage.
- With history societies increasingly digitising historical material, both for public access and to streamline storage, there is an option for the Gumeracha Historical Society to digitise a significant proportion of their materials and ultimately reduce the need for interminable storage.
- There is also scope for the History Centre, in alignment with the practice of many active local history groups, to develop stronger relationships with the Torrens Valley Community Centre, the library service, the hall committee and RSL. This could enable engagement in regular displays and hosting of speakers which would contribute to the sense of place, community and connectivity in the Gumeracha Civic Centre.

4. PROJECT GOVERNANCE FRAMEWORK AND CONTEXT

Public libraries in South Australia operate under a strong foundation of legislation (Libraries Act), governance (Libraries Board), the Local Government Act, and the Memorandum of Agreement (MOA) between the Minister for the Arts and the President of the Local Government Association. In addition, library activities fulfil many of the central goals outlined in councils' strategic planning documents.

4.1 Local Government Act (1999)

Under the Local Government Act, 1999, the principal role of a council is:

to provide services and facilities that benefit its area, its ratepayers and residents, and visitors to its area (including general public services or facilities (including electricity, gas and water services, and waste collection, control or disposal services or facilities), health, welfare or community services or facilities, and cultural or recreational services or facilities (Local Government Act of SA 1999, p.27)

Ultimately this means that Council's primary objective is to endeavour to achieve the optimal outcomes for the community they serve, taking into account the long-term and cumulative effects of decisions taken. In the context of library services, this objective may be reflected in an emphasis on provisions that offer immediate benefits (access to information, space, devices), as well as those providing longer-term personal and community benefits (educational opportunities, literacy support, community connection).

4.2 MOA

In 2011, a Memorandum of Agreement (MOA) between the Minister for the Arts and the President of the Local Government Association came into operation, articulating the allocation of State Government funding to the South Australian Public Library Network. The MOA, which will run until June 2021, served to strengthen the successful collaboration between State and Local Government, and outlined the goals and purpose of South Australian library services to provide:

- Equitable access to public library collections and services
- Access to the information economy and free public access to the internet
- Libraries that serve as centres to facilitate lifelong learning
- Access to services across boundaries

In light of the MOA, issues of equity, access, education and inclusion emerge as key principles guiding service provision.

Through being a member of the OneCard Network, the AHC library is part of more than 130 public libraries across South Australia. The OneCard network gives borrowers access to more than 3.7 million items.

4.3 AHC Strategic Plan

The Adelaide Hills Council contains four overarching goals, each of which connects to key aspects of the Council's Library Services offerings.



G1: PEOPLE AND
BUSINESS
PROSPER



G2: ACTIVITIES
AND
OPPORTUNITIES
TO CONNECT



G3: PLACES FOR
PEOPLE AND
NATURE



G4: EXPLORE
IDEAS AND WORK
WITH OTHERS

The Adelaide Hills Council's library services deliver strongly across all these goals in a myriad of ways including:

- Increasing the wellbeing and resilience of our community (SP 1.12)
- Supporting opportunities for learning in the community (SP 2.5)
- Encouraging community-led place-making approaches (SP 3.9)
- Offering greater access to service and realising business through online services (SP 4.3)

4.4 Local demographics

The Adelaide Hills Council area is located in Adelaide's eastern suburbs, and ranges between 10 and 40 kilometres from the Adelaide GPO. The Council's environs extend from Mount Bold Reservoir in the south to the South Para Reservoir in the north, and from the Hills Face escarpment in the west to the eastern escarpment of the Mount Lofty Ranges.

The Adelaide Hills Council area is predominantly rural, with substantial rural-residential and township areas. The Council area encompasses a total land area of 795 square kilometres, including significant water catchments. Residential development varies from the more urban areas of the foothills and the main settlement of Stirling to the numerous smaller townships and villages.

At the 2016 census, the Adelaide Hills Council area had a total population of 38,863 housed in 15,478 individual dwellings. Features of this population include a lower proportion of pre-school children than in the greater Adelaide area, but a higher proportion of children of primary and secondary school age. Among the adult population, there is a smaller proportion of younger workers (25-34 years) than found in greater Adelaide, but a larger proportion of home builders (aged 35-49), older workers and retirees (50-59), and persons at post-retirement.

In 2016, 16.9% of people in the Adelaide Hills Council area were born overseas. Of these most were born in the United Kingdom (8.7%). In descending order, the higher proportions of other persons born overseas were from Germany (1%), New Zealand (0.9%), South Africa (0.6%), the Netherlands (0.6%) and Italy (0.5%)

While the Adelaide Hills Council region is not typically associated with high levels of socio-economic disadvantage, the areas of higher disadvantage in the council include: Torrens Valley, Onkaparinga Valley, Woodside, Lobethal and Charleston, as indicated by data derived from the SEIFA Index. The SEIFA index is calculated on the basis of indicators of disadvantage such as low income, low educational attainment, high unemployment, and jobs in relatively unskilled occupations.

In the Adelaide Hills Council area, 32.2% of the population reported doing some form of voluntary work in 2016, considerably higher than the 19.5% of the population of Greater Adelaide who report engaging in volunteer activity. Factors impacting on the level of volunteering in Adelaide Hills Council include the age structure of the population, the level of proficiency in English, and levels of household income and education.

AHC's population statistics highlight opportunities for Council to support the local community by:

- Offering a breadth of pre-school children programs, spaces and literacy
- Offering a range of space for youth / young adults to gather, meet, learn, play, study and socialise. This is likely to include a combination of structured and semi-structured spaces and activities, underpinned by access to wi-fi, online learning and steam
- Offering programs and events that support parents and parenting, including socialisation opportunities
- Offering a range of intergenerational programs and activities, particularly concentrating on (but not limited to) the school holidays
- Offering programs, events, and training that support and vitalise retirees. These could include opportunities for lifelong learning, socialising, community building and friendship, both in structured and semi-structured environs.

4.5 Findings from the review's engagement process

Findings from the project's engagement process illustrate a common desire for the library to offer the following:

- A community hub emphasis, serving as a vibrant, busy centre full of people of all ages (including coffee!)
- An ability to cater for specific community needs (e.g., more private spaces for conducting business, a place to socialise, space for community meetings and for browsing and escape)
- Good access to library services throughout the community via innovative means (e.g., putting books into lockers for 24/7 access)
- A balance between technology and books
- A continued focus on youth and young families
- A place to use the latest technology and engage in IT training and skills development
- A place for study
- (owing to its significantly higher usage rate), extended opening hours at the Stirling site
- A place of refuge
- Accessible services 24/7 – to borrow / checkout items and access eResources
- Library staff who remain contemporary with their skill set
- Connection with green spaces outside
- More space for the library staff

Some quotes from the three engagement sessions are provided below:

Vibrant, busy centre full of people of all ages

The same fabulous culture that has been a trademark of AHC libraries must be continued.

Digital training for the public (generally the older members of the community). This is a real success. The positive feedback from and the genuine delight of the people of who attend is truly wonderful

Signage needs to be improved for customers. It is not clear to customers that the Council desk and Library desk are different.

There is a need for primary and lower secondary activities to encourage these children to see reading as a fun & as a pleasurable activity, not just a chore.

More private meeting spaces both large (like the community room) and smaller for private study would be great.

Books are still important – nothing quite like the feel of a book!

From a STEAM perspective we need to improve our space and storage! Move into a Makerspace model of delivery for STEAM and our digital offerings for young people

I hope that in the future the library will be the first place/option that people in the community will think of to meet their various needs

These have been used to shape the report.

5. OVERVIEW OF OPERATING ENVIRONMENT

The following section provides the broad trends on funding, staffing levels and the library's operating environment.

In an increasingly digital world, the role of libraries as community and cultural centres has evolved. From a place to access books and computers, public libraries have been reimagined as facilitators of connected and creative communities, offering an inclusive space and supporting civic engagement. The contemporary public library is the only institution that brings together **people, place, knowledge** and **technology** to inform and inspire communities.

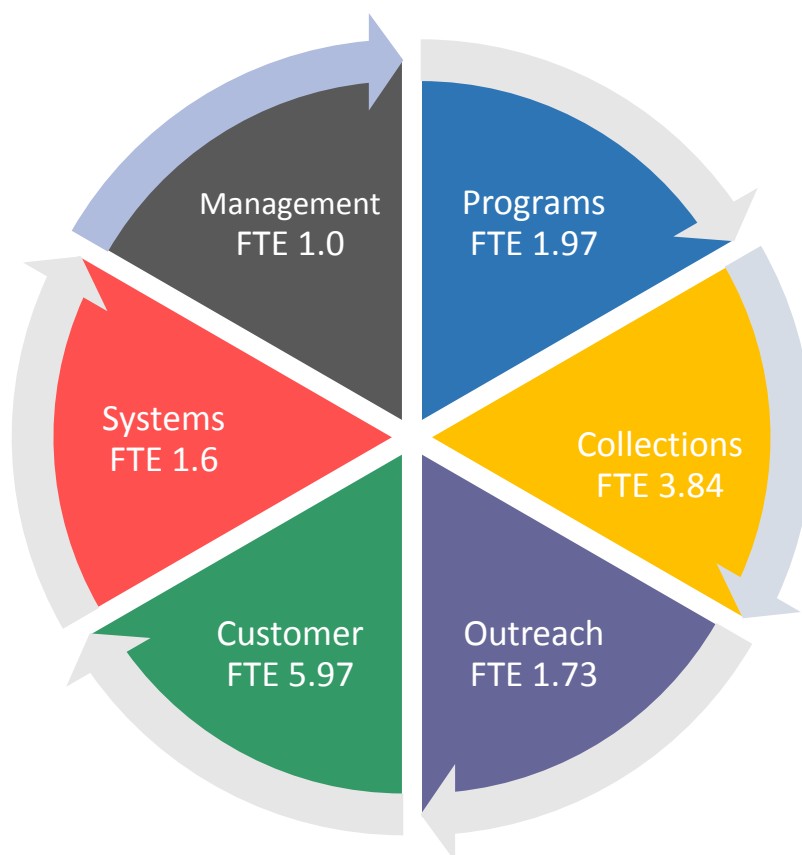
5.1 Five overarching services

The AHC library service has been categorised using the following service headings:

- **PROGRAMS**
- **COLLECTIONS**
- **OUTREACH SERVICES**
- **CUSTOMER SERVICE**
- **SYSTEMS MANAGEMENT**

The SERVICE classification allows the ability to track through the number of full-time equivalent positions in each service across the library services at the AHC.

Each service has been described in detail from section 6 – 10 (inclusive) of the report.



Points to note are:

- The diagram represents the number of FTEs working solely in dedicated *library positions* (library-only staff, including casuals).
*The total dedicated library staff number is **16.11**.*
- The diagram does not include FTEs for staff working in *Council business* customer service functions (e.g. call center, taking payments etc.). There are an additional 8.75 staff who manage these needs.

5.2 Other South Australian public library services

Similar population bases: SA

The table below demonstrates that the AHC libraries perform strongly in terms of both customer service and efficiency relative to the libraries of comparable regions.

Among the five regions illustrated, AHC library expenditure per capita is approximately \$50 which sits under the average expenditure across the group (\$62.2). However, when high-spending Holdfast Bay is removed from the calculation, AHCs per capita expenditure sits only slightly below the average of the remaining four regions (\$53). In terms of full-time staffing per capita, AHC at 3.9 sits just above the group average of 3.72.

Where the AHC library services stand out is in terms of breadth and efficiency of service provision. AHC represents the only region offering five service points (group average = 2.8) and integrated service provision.

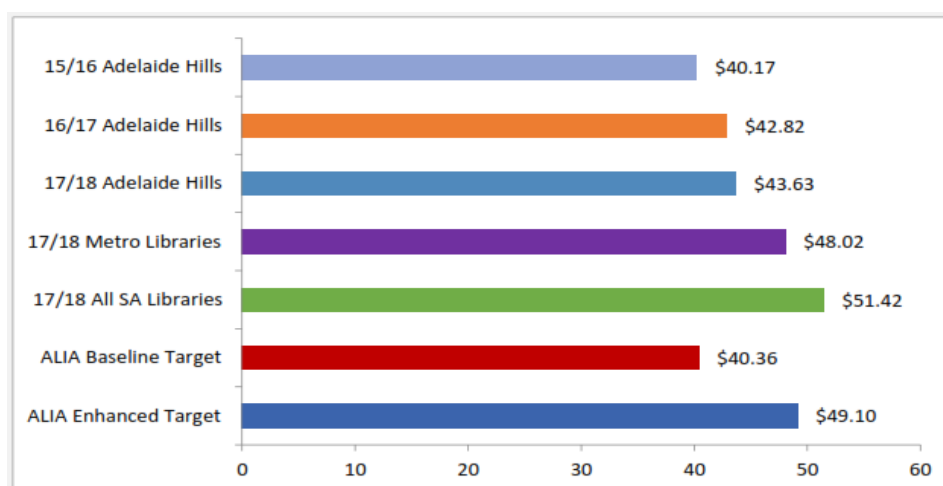
In terms of expenditure, service points and population, AHC library services might most closely be compared with those provided by Norwood, Payneham and St Peters. Yet while NPSP's per capita expenditure exceeds that of AHC, the two councils provide the same FTE per capita, and AHC offers an additional service point and 1800 additional hours of annual opening.

	Population	Area km ²	FTEs 2017/18	Integrated Customer service	Libraries / Service Points	Total opening hours annual	Total expenditure
AHC	40,013	795.1	15.75	Y	5	7,396	2,012,985
Burnside	45,337	27.53	14.99	N	2	2,725	1,852,535
Holdfast Bay	37,376	13.72	17.02	Payments only. No phone	2	4,375	3,710,433
Mt Barker	33,117	595	10.22	N	1	2,600	1,883,545
NPSP²	37,496	15.1	14.65	Payments only. No phone	4	5,500	2,439,546

Data Source PLS 2017-18

Expenditure per capita

Per capita library expenditure is an approximate measure of the value a council assigns to the operation of library services, which must be understood in the context of variability in opening hours, branch numbers and variations in local geography.



Data source: Adelaide Hills KPI Dashboard 17/18 prepared by PLS

On this broad measure, AHC's library expenditure per capita of \$43.63 for the period 2017/18:

- Exceeds the ALIA Baseline Target of \$40.36
- Falls under the ALIA Enhanced Target of \$49.10
- Is considerably lower than the average expenditure of Metro Libraries (\$48.02) and of South Australian libraries overall (\$51.42)

² NPSP is an acronym for the Norwood, Payneham and St Peter's Council

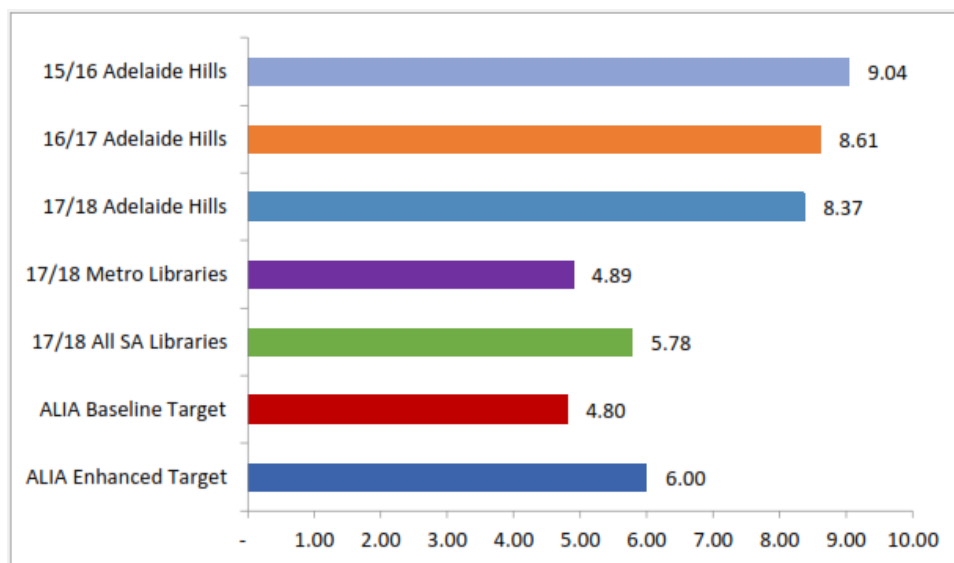
This implies that the library services of the Adelaide Hills Council are efficient, without obvious excess in the system.

5.3 Visitations

The AHC has three (3) static physical library branches: one at Gumeracha, one at Woodside and one at Stirling

Visits per capita

This measure indicates how frequently community members attend their local library, serving as a value measure of library services and programs. These figures do not take into account virtual access to library resources that increasingly contribute to library 'use'.



Data source: Adelaide Hills KPI Dashboard 17/18 prepared by PLS

On this measure, AHC libraries:

- Exceed both Baseline and Enhanced ALIA Targets
- Exceed the figures of both Metro Libraries and State Libraries as a whole (although it should be noted that libraries with low membership rates often demonstrate low rates of visits per capita).
- over recent years, visitation have decreased as the OneCard systems has been introduced and online services have increased.

It should be noted that PLS statistics indicate that AHC has the second highest visits per capita in SA.

Visitations

The AHC library visitation statistics taken over a period of five years demonstrate that the highest number of visitations occur at the Stirling branch. The annual visitations at Stirling average over 250,000 per annum and have remained relatively stable over the five-year period reported. The attendance data reported here includes general visitation figures, as well as attendance at programs for children (including baby, toddler and school holiday services), as well as adult education (including information sessions and 1:1 sessions with digital trainers).

Annual visitations to Woodside and Gumeracha libraries have also remained relatively constant, with attendance numbers averaging approximately 63 thousand and 10 thousand respectively. The

visitations at Gumeracha remain very low despite the library being available to public for 40 hours per week (18 hours staffed time and 22 hours volunteered).

Of significance is the upward trend in use of the mobile library over the five-year period.

	13/14	14/15	15/16	16/17	17/18	Total	% visits
Stirling (ST)	268,692	245,348	270,207	257,607	246,804	1,288,658	73.7%
Woodside (WS)	68,724	60,865	66,516	61,414	60,318	317,837	18.0%
Gumeracha (GM)	12,334	9,973	8,575	8,710	10,783	49,835	3.2%
Mobile (ML)	14,705	14,061	15,156	16,765	16,979	77,666	5.1%
	364,455	330,247	360,454	344,496	334,884	1,733,996	100

Data source: AHC 2019

Opening hours

	Hours of opening	% Hours of opening	Visits	Visits per capita	Members	% Members
Stirling	45	30%	246,804	6.17	15,062	72%
Woodside	47	31%	60,318	1.51	3,436	16%
Gumeracha	40 ^{3*}	26%	10,783	0.27	985	5%
Mobile	20.25	13%	16,979	0.42	1,510	7%
	152.25		334,884	8.37	20,993	100%

Data source: AHC 2019

Almost three-quarters of the Library Service's members are attached to the Stirling branch, which likewise attracts approximately three-quarters of annual library visitations within the council area. In comparison to these high rates of membership and use, Stirling's opening hours represent only 30% of the opening hours offered across all sites and are exceeded by those offered at Woodside which attracts approximately one quarter of Stirling's visitations.

Coventry Library: Stirling	Woodside Library	Gumeracha Library
Tues, Wed & Fri 10am - 6pm Thurs 10am - 8pm Sat 10am - 5pm Sun 1pm - 5pm	Library and Council Customer Services: Mon, Tues, Wed & Fri 9am - 5pm Thurs 9am - 8pm Sat 10am - 2pm (<i>Library Services only</i>)	Community Centre with Self Service: Mon - Fri 9am - 3pm Library and Council Customer Services: Mon, Wed & Fri 9am - 12noon Tues & Thurs 2pm - 5pm Sat 10am - 1pm (<i>Library Services only</i>)

Data source: AHC Website 2019

³ Gumeracha has 18 staffed hours and 22 unstaffed hours per week. The unstaffed hours are supported by volunteers and Stirling library staff via a hot phone system.

It should also be noted that Stirling library does not currently open on Mondays, a condensing of peak visitation times that will have implications for staffing and service access.

The mobile service is open for half as many hours as the Gumeracha site despite its broader membership reach and higher number of annual visits.

When compared to other 'flagship' libraries across Adelaide, the review did not readily identify any other significant library closed on a Monday.

5.4 Library staff

With growing community expectations of libraries as a 'third place', and modern technological platforms and interface points, communication has expanded beyond traditional methods of in-person and by telephone. Current and emerging technologies are being used and currently include email, social media, digital applications and online platforms. This, in turn, diversifies and increases the required skill base and workload for customer service staff.

Council customer services have been coupled with all three static library points. This means that customers can expect to have council administrative matters (such as a payment, complaint, and or a town planning administrative matter) attended to at this first entry point. Council customer services are available at the Stirling and Woodside library during business hours, and at Gumeracha at limited dedicated times.

Since the introduction of an integrated customer service in 2000, the library manages just under 25 FTEs. However, as illustrated below, 16.11 of these are library staff only and 8.75 are non-library (council) customer service staff. The latter includes staff working in the call centre, attending to council payments, creating customer cases and assisting with general inquiries.

Staff: LIBRARY ONLY	Permanent FTEs	Casuals	TOTAL
Management	1.0		
Professional and technical library staff	9.14		
Dedicated library Customer Service staff	5.12	0.85	
TOTAL	15.26	0.85	16.11
Staff: NON-LIBRARY CUSTOMER SERVICE			
Management	1.0		
Dedicated Council Customer Service staff	6.50	1.25	
TOTAL	7.50	1.25	8.75
GRAND TOTAL staff managed by library			24.86

Data source: AHC 2019

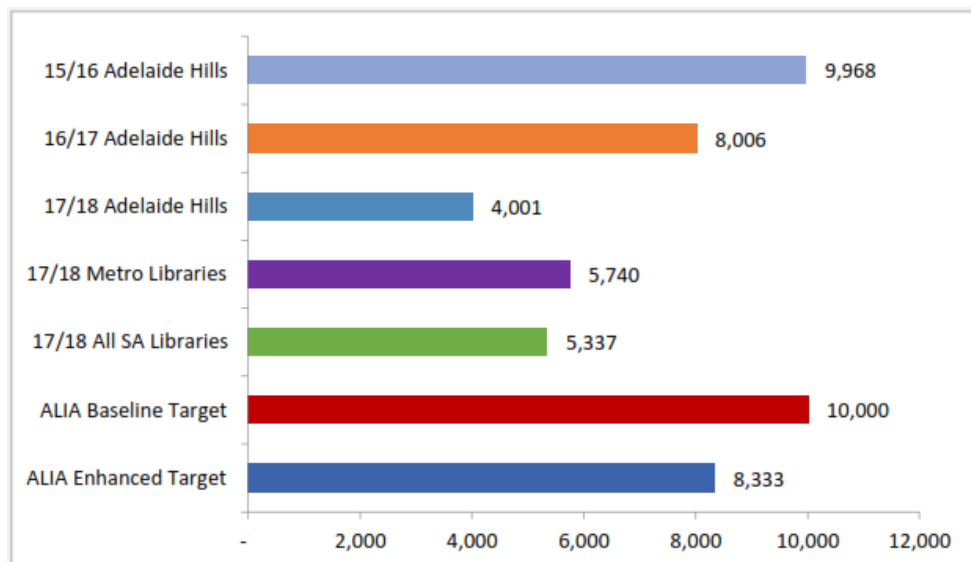
It is not usual for technical library staff to backfill a customer service shortage, taking technical skills and competencies away from running the library systems, programs, technology, events, and/or collection development and maintenance.

Customer Service staff are required to function at a high level to deliver Library, Council and Contact Centre services. For most of these transactions they are expected to have the skills and knowledge to deliver services and resolve enquiries at point of contact.

Staff are intentionally rotated through all three library sites both to ensure consistency of services and to enhance the ability of staff to understand the specific needs of local communities.

Population served by qualified librarian

This measure divides the population of a Council area by the number of library positions requiring qualifications that bring high-level skills to the provision of library services.



Data source: Adelaide Hills KPI Dashboard 17/18 prepared by PLS

On this measure, the AHC library service:

- Exceeds both Baseline and Enhanced ALIA targets
- Exceeds the service provided by both Metro Libraries and State Libraries overall.

It should be noted that AHC libraries improved markedly on this measure between 2016/17 and 2017/18.

Library and customer service staff structure

Level	Total FTE 24.86
8	1 (one individual)
6	1 (one individual)
5	1.7 (2 individuals)
4	3.6 (6 individuals)
3	6.2 (8 individuals)
2	11.36 (20 individuals)

Data source: AHC 2019

Reflections on this structure

- The pyramid structure may both underplay the task complexity and skill breadth required of front-line customer service personnel employed at Level 2, and present a considerable managerial load for the two staff members employed above Level 5.
- Indeed, the skill breadth required of customer service staff across information technology, finance, research and communication, coupled with the importance of an understanding

of/passion for the sector, may generate the need for some front-line positions to be staffed at a higher level to support retention into the future.

- A high proportion of part-time employees may increase role complexity for leadership staff, including requirements with regard to communication, administration and training. This may be particularly relevant in customer service, where 20 permanent and casual staff work with two Senior Customer Service personnel (1.8 FTE) under the leadership of one (0.7 FTE) Customer Services Team Leader.

5.5 Library expenses over time

Year	S&W \$	Training \$	Total Staffing costs \$	(plus) Operating costs \$	Total \$
2013/14	1,258,011	6,913	1,264,924	373,165	1,638,089
2014/15	1,214,441	9,701	1,224,142	333,895	1,558,037
2015/16	1,261,198	8,959	1,270,157	301,080	1,571,237
2016/17	1,374,823	11,266	1,386,089	299,075	1,685,164
2017/18	1,377,731	10,666	1,388,397	293,173	1,681,570

Data source: AHC 2019

While the library expenses have modestly changed across parts of the business over the past five years (staff costs slight increase, operating costs slight decrease), the overall trend illustrates a diminutive increase in overall costs of \$43, 428 or an increase of 2.6%

5.6 External funding and internal income

Through being part of the OneCard network and part of the joint MOU, all state libraries in South Australia receive annual funding from State Government that is administered through the Public Library Services (PLS). The OneCard network was designed both to improve services for public library users and to leverage lower operating costs through consortia purchasing.

In addition to State Government funding streams, libraries can generate income through activities such as photocopying, coffee machines and the like. At the AHC, donations are typically generated through the "Friend of Groups" who are very supportive of and active across the three AHC library sites.

Years	State funded Library Management System \$	State Operational Grant \$	State Materials grant \$	Self-generated Income \$	Donations \$	TOTAL \$
2014	812	126,141	154,722	24,739	26,713	333,127
2015	12,353	113,053	152,248	36,281	17,657	331,592
2016	12,353	113,878	153,986	30,440	35,279	345,936
2017	15,624	111,331	155,156	38,861	20,809	341,781
2018	13,529	114,176	156,447	37,324	23,360	344,836

Data source: AHC 2019

Over the past five years, external library funding and internal income generation has remained constant. Overall, the AHC library services has increased revenue by 3.5%

5.7 Expenditure

Over the past five years, library expenditure has remained constant. Overall, the AHC library services has increased revenue by 4%, from 1,761,141 (2013/14) to \$1,833,341 in 2017/18. During this time, staff and wages (S&W) have increased from \$1,258,011 to \$1,377,731 (by +9.1%), and operating costs have decreased from \$373,165 to \$293,173 (or by -24%).

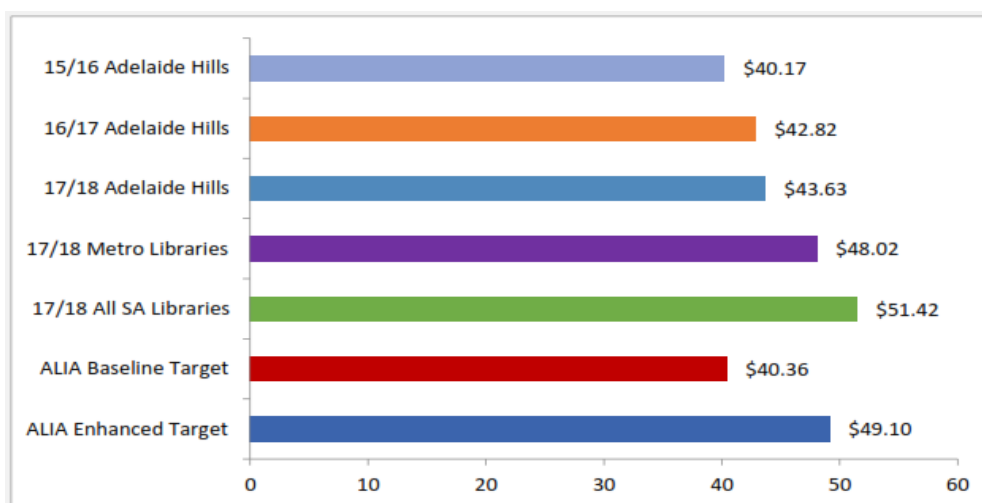
The overall cost of Digital Materials has increased considerably from \$15,700 (2013/14) to \$28,745 (2017/18).

Year	S&W \$	Training \$	Capital Expenditure \$	Operating costs \$	Digital materials \$	AV materials \$	Printed materials \$	Total Council expenditure \$
2013/14	1,258,011	6,913	36,000	373,165	15,700	23,587	47,765	1,761,141
2014/15	1,214,441	9,701	16,476	333,895	17,350	16,952	51,365	1,660,180
2015/16	1,261,198	8,959	26,466	301,080	18,130	27,651	60,186	1,703,670
2016/17	1,374,823	11,266	28,815	299,075	44,000	11,996	66,955	1,836,930
2017/18	1,377,731	10,666	41,156	293,173	28,745	25,220	56,650	1,833,341

Data source: AHC 2019

5.8 Expenditure per capita

Per capita library expenditure is an approximate measure of the value a Council assigns to the operation of library services, which must be understood in the context of variability in opening hours, branch numbers and variations in local geography.

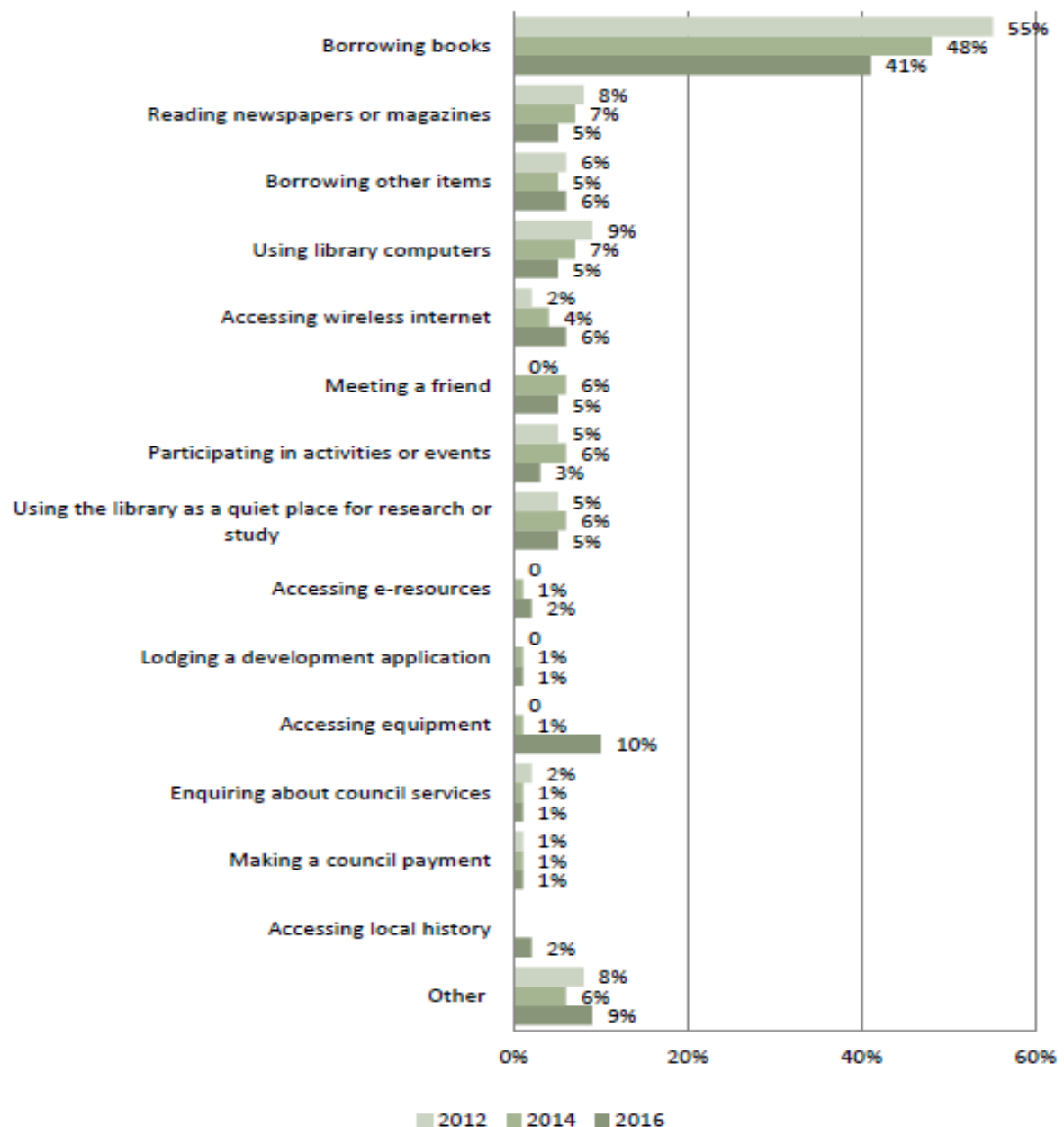


Data source: Adelaide Hills KPI Dashboard 17/18 prepared by PLS

5.9 Asset utilisation / main reason for visit

Main reason for visiting the library

The traditional role of libraries as a place to borrow books clearly remains the central reason users access the library service. The on-site use of library resources (reading books and magazines; accessing computers, equipment, internet and e-resources) emerges much less frequently as the primary reason a user would seek out the library site.



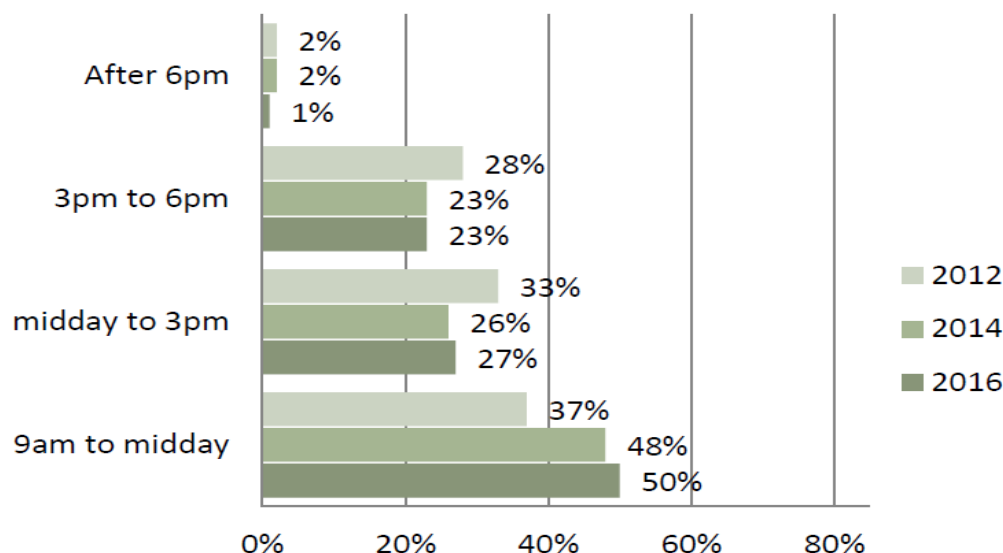
Data source: AHC 2019

Over the period illustrated in the graph above, it is interesting to note that the number of individuals coming to the library to access computers declined, while those coming to access wireless internet increased, suggesting that users are increasingly seeking Wi-Fi access for use on their own devices.

A small but stable percentage of users access the library for social reasons (to meet friends or join in events), and a similar proportion of users seek out the library as a quiet place to undertake research or study.

The combined proportion of users accessing libraries to connect with council services (development applications, enquiries and payments) sits under three percent, representing one of the least frequent reasons users might visit a library location.

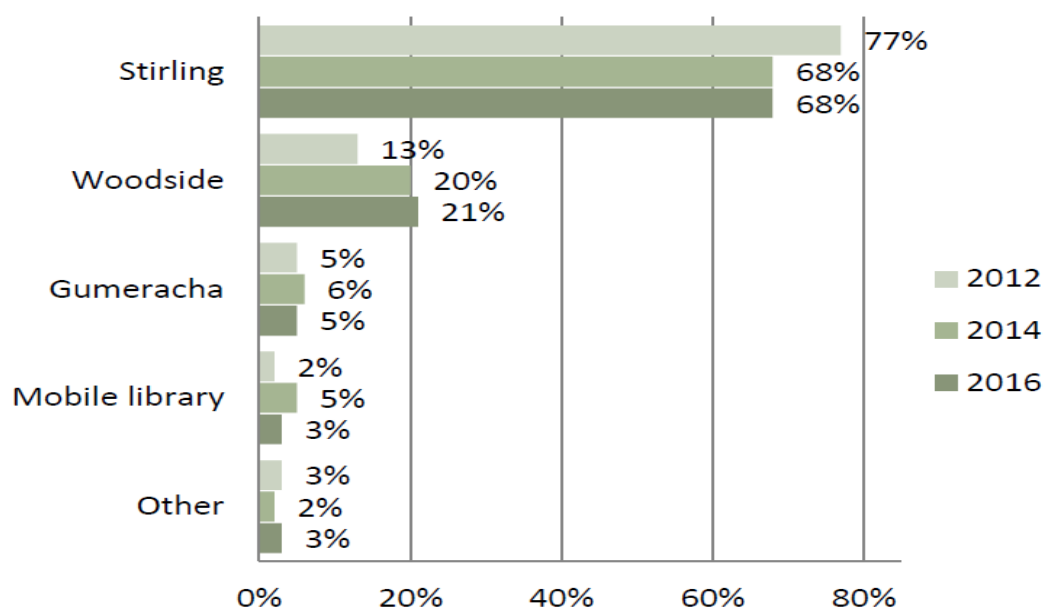
Usual time of day of visitations



Data source: AHC 2019

A clear visitation peak is evident from 9am until midday, a trend that appears to have strengthened over the period represented. Approximately half of all daily visits occur in the morning, while the other half are spread evenly across the early (12-3pm) and later (3-6pm) afternoon. It is important to note that the Stirling library does not open until 10am, which may mean that the morning peak visitation time may in fact largely occur during the two-hour period between 10am and midday.

Use of library services by customers



Data source: AHC 2019

The data above reinforce the role of the Stirling site as the flagship for library service utilisation in the AHC region. An upward trend year on year is evident in the use of services at Woodside, while Gumeracha and the mobile library services appear to be utilised at comparable rates.

5.10 OneCard Network: Implications

Through being a member of the OneCard Network, the AHC library is part of more than 130 public libraries across South Australia. The OneCard network provides access to more than 3.7 million items to borrowers.

In the case of AHC libraries, statistics from 2016/17 and 2017/18 illustrate that the AHC is a net borrower.

AHC collections have one of the highest turnover rates in the state due to good collection management and a deliberate emphasis on matching the collection to community preferences.

OneCard transactions	2016-17	2017-18
ITEMS IN	64,771	73,702
ITEMS OUT	56,650	57,194

Data source: AHC 2019

Crate traffic: staffing and spatial implications

Since the introduction of the OneCard network, the crate traffic that transports materials to and from the AHC libraries has increased significantly, from 9-11 crates per day to 15-25 per day.

In turn, the demands on AHC staff time and special needs have been exacerbated owing, not only to the increase in crate traffic, but the diminished time allocation afforded to them from the shipping business to both empty incoming stock and fill outgoing stock. While this was previously undertaken over two-time frames (morning and afternoon), changes in shipment means that both transactions now need to occur in one session in the morning.

6. SERVICES: *PROGRAMS*

Reading and traditional literacy remain at the heart of the public library offering. Libraries continue to work inter-generationally to support the literacy of children and families, improving the educational, health and employment outcomes that literacy in the early years has consistently been found to support. At the same time, libraries have increasingly played a role in supporting literacy skills for those learning English as a second language, as well as the digital literacies that facilitate social and economic inclusion.

Library programs focus on and across all ages. They increasingly focus on integrating digital learning with more traditional learning, introducing and implementing new and emerging technologies. They extend and promote the role of the library as a community resource, enhance the information found in library collections, offer a way for people to obtain information, provide opportunities for learning and literacy development, encourage participation in civic life, and help to meet the social connection and inclusion needs of the community.

For the purpose of the review, 'Programs' has been classified as follows:

PROGRAMS SNAPSHOT		FTEs	Staff on costs	Operating budget	VOL HRS (annual)
6.1.1	OVERARCHING: ALL PROGRAMS	1.97	\$159,125	\$40,709	0.12 FTE
6.1.2	Sub service: Child and youth programs	1.27	\$98,485	\$17,294	0.12 FTE
6.1.3	Sub service: Adult programs	0.13	\$14,656	\$5,710	0
6.1.4	Sub service: Digital program and literacy <ul style="list-style-type: none"> • \$1,434 equipment & supplies • \$16,271 online digital learning <ul style="list-style-type: none"> - \$2,835 transparent languages - \$1,136 computer school - \$12,300 Studiosity 	0.57	\$45,984	\$17,705	0

6.1 All programs (overarching)

6.1 Programs	OVERARCHING: ALL PROGRAMS
purpose	<p>Programs are an integral part of AHC's library service. More specifically, program offerings:</p> <ul style="list-style-type: none"> • Support literacy and learning across a range of ages at times and sites that maximise participation, engagement and impact • 2017/18 saw 15,689 participants attend 766 programs, a 14.6% increase on the previous year • AHC percentage of population attending events sits at 49%, above the state average of 31% <p>Programming involves:</p> <ul style="list-style-type: none"> • program development

6.1 Programs	OVERARCHING: ALL PROGRAMS		
	<ul style="list-style-type: none"> • program selection (aligned with demographics, library and societal trends) • risk assessments and space requirements/restrictions • relationship management (e.g. liaising with authors) • management (e.g. planning, contractor liaison etc.) • planning resource requirements, e.g. chairs, rostrums, technology, craft materials, resources, games etc. • developing resource materials • marketing and promotion • program presentation and event management • site set up/break down • program assessment 		
What others are doing	<p>Library programs are being extended:</p> <ul style="list-style-type: none"> • West Torrens Library: Exhibition space promoting arts in community • Adelaide City Library: artists and writers in residence, sound recording studios and Makerspaces • Geelong Public Library: Lecture series, arts and crafts, writing programs • Port Adelaide Enfield: integration of libraries and community centres under one management • Federal Government alignment of program attendance with single parent benefits (Parents Next payment) • collocation of health care services such as Maternal Health with libraries e.g. North Fitzroy library • Emerson Public Library (USA) - Adult Colouring Groups • Anderson City Library System, USA – Geeking @ the Library including cosplay 		
Resources & output	Staff: 1.97 FTE	Weekly staff hours: 76	Annual hours: 3,893
AHC Cost	<p>2018/19 Staffing: \$159,125</p> <p>2017/18 General budget: \$40,709: presenters, equipment and supplies, materials (e.g. craft materials), licences</p>		
Funding sources	Adelaide Hills Council		
Donations and Volunteers	<p>2017/18 Friends of the Library Stirling - \$2,562</p> <p>Annual volunteer hours: 240 e.g. 0.12 FTE</p> <ul style="list-style-type: none"> • prepare craft activities • confirm online bookings, cancellations and wait lists • support library staff presenters • prepare materials for summer reading program • assist school holiday programs 		
Delivery of AHC Strategic Plan	<p>Delivers on:</p> <ul style="list-style-type: none"> • G1: People and business prosper • G2: Activities and opportunities to connect • G3: Places for people and nature 		
Community expectations (from surveys)	<ul style="list-style-type: none"> • Pre-school programs: Baby Bounce & Rhyme, Rhyme Time & Storytime (with crafts) • Providing pre-school programs on weekends • More holiday activities at Xmas 		

6.1 Programs	OVERARCHING: ALL PROGRAMS
	<ul style="list-style-type: none"> • Holiday programs (themed e.g. nature, seasons, events, arts and crafts etc.) • Author talks plus more educational and leisure presenters (gardening, art) • Introduction and exposure to digital concepts • Friends of Library events • Craft and arts sessions for all ages (intergenerational) • More exhibitions
Benefit direct & indirect	<ul style="list-style-type: none"> • build community and create community hubs • enhance literacy, learning, concentration, emotional resilience and motor skills • encourage, support and contribute to lifelong learning • enhance the inclusivity agenda for the community • encourage intergenerational interaction • encourage and support social connections • information and referral centre and active connector for health care and other services (e.g. CAFHS and new parent program in the library)

6.2 Child and youth programs

6.2 Programs	Sub Service: CHILD AND YOUTH PROGRAMS
Purpose	<p>To develop young readers, promote literacy skills, support education and lifelong learning. Library programs also provide valuable recreational, social, and safe community spaces and activities for young people.</p> <p>Public libraries are the only agency free to children from babyhood providing year-round access to resources and services that support reading and literacy; the essential tools that equip them for future success in life.</p> <p>AHC libraries provide numerous activities for children of all ages. Early childhood programs for children between birth and five years include Baby Bounce and Rhyme, Rhyme Time, Toddler Story Time and Sensory Story Time for children who have special needs.</p> <p>School holidays see structured events and unstructured activities for primary school age children. These include art and craft activities, nature play, films, indoor and outdoor activities and games, digital learning utilising emerging technologies like augmented reality, coding, animation, 3D pens, and robots in alignment with STEAM principles.</p> <p>Children also have the opportunity to participate in the national Summer Reading Programme and in Book Week and Science Week activities, to attend presentations by children's authors, illustrators and cartoonists, and to experience performances provided by the Australian Symphony Orchestra, Splash Theatre and other performance organisations. Schools and kindergartens also visit AHC libraries to raise childrens' awareness of what they can find in a library.</p> <p>Regardless of age, children also have the opportunity to meet friends and/or simply relax and enjoy the facilities, spaces and resources available to them</p>

6.2 Programs	Sub Service: CHILD AND YOUTH PROGRAMS		
	<p>within the AHC's libraries, developing positive and lifelong relationships between children and youth and libraries.</p> <p>All these activities require knowledgeable, experienced staff with an understanding of child development and the emerging trends in children's learning and literacy, including the philosophies and pedagogies underpinning children's library services.</p>		
What others are doing	<ul style="list-style-type: none"> • Summer activities • Young writer workshops • Makerspaces • Lego clubs • Teddy bear sleep overs • Youth work experience and temporary employment • Youth events and activities • Youth leadership opportunities • Youth as volunteers • Youth reading clubs • Scrabble and chess clubs • Robotic classes and other steam programs / cafes • Teen lock ins (whole night of activities) 		
Resources & output	Staff: 1.27 FTE	Weekly staff hours: 48.3	Annual hours: 2,510
AHC Cost	<p>2018/19 Annual staff budget: \$98,485</p> <p>NB: Additional costs factored in for assistance co-opted from customer service staff</p> <p>2017/18 General budget: \$17,294 (equipment and supplies, materials, presenters)</p>		
Funding sources	Adelaide Hills Council		
Donations and Volunteers	<p>2017/18 Donations Friends of the Library Stirling: \$2,562</p> <p>Annual volunteer hours: 240 (0.12 FTE)</p>		
Delivery of AHC Strategic Plan	<p>Delivers on:</p> <ul style="list-style-type: none"> • G1: People and business prosper • G2: Activities and opportunities to connect • G3: Places for people and nature 		
Community expectations (from surveys)	<ul style="list-style-type: none"> • More time allocated for coding sessions • STEAM focused school holiday sessions ranging across use of 3D pens, electric celebratory cards, augmented reality and QR codes • Augmenting Story Time sessions by integrating a STEAM dimension to stimulate interest and creativity • Access to and understanding of developments such as augmented and virtual reality • Study nooks and community lounge • Holiday programs (themed e.g. Nature, seasons, events, arts & crafts etc.) • Introduction and exposure to digital concepts • Intergenerational arts and craft sessions 		

6.2 Programs	Sub Service: CHILD AND YOUTH PROGRAMS
Benefit direct & indirect	<ul style="list-style-type: none"> • Develop a future community of readers and critical thinkers • Build community and create community hubs (children and parents/carers) • Enhance literacy, learning, concentration, emotional resilience and motor skills • Develop concept of lifelong learning in children – and parents/carers • Enhance the inclusivity agenda for people on the margins • Active connector between each other and other service providers (e.g. New parent program in the library) • Develop a lifelong relationship with libraries • Foster a sense of civic pride

6.3 Adult programs

6.3 Programs	Sub Service: ADULT PROGRAMS		
Purpose	<p>To connect communities, build community capacity, develop literacy and support lifelong learning. Public library programs provide opportunities for adults to develop and maintain connections with their community and the library. They allow for regular 'check in' points for vulnerable people to combat social isolation, and they offer a range of new experiences for adults in the library.</p> <p>Adult programs include one-off displays and exhibitions, speakers and presentations, as well as groups and clubs e.g. Thirty Six Book Clubs and a weekly knitting group. Speakers and presentations encompass established and emerging authors, researchers, and renowned or local identities involved in hobbies and activities of interest to the Adelaide Hills community.</p>		
What others are doing	<ul style="list-style-type: none"> • Crafting at the library • Adult colouring classes • Knitting circles • Writing and poetry workshops • Book clubs • New Australian classes and events • Art exhibitions (art gallery and or others) • Cooking classes • Makerspace fairs • Additional writers' weeks and other events • Singing • Author talks 		
Resources & output	Staff: 0.13 FTE	Weekly staff hours: 5.00	Annual hours: 257
AHC Cost	<p>2018/19 Staff: \$14,656</p> <p>NB: Includes cost of two additional staff per evening event</p> <p>2017/18 Budget: \$5,710</p>		
Funding sources	AHC		

6.3 Programs	Sub Service: ADULT PROGRAMS
Donations and Volunteers	Annual volunteer hours: Evening events often supported by local history society, Friends of the Library, Matilda Bookshop and various community groups
Delivery of AHC Strategic Plan	Delivers on: G1: People and business prosper G2: Activities and opportunities to connect G3: Places for people and nature
Community expectations (from surveys)	<ul style="list-style-type: none"> • Writers' week type events including author speeches • Book clubs • Craft circles • Space for meeting socially and connecting • Work together with children's programs for intergenerational programs • Spaces for training (e[socially relating to digital communication and transactions]) • Quiet spaces for reading, sitting, time out • Café and extension to the outdoors
Benefit direct & indirect	<ul style="list-style-type: none"> • Build community and create community hubs • Provide a 'third place' for the AHC community • Contribute to lifelong learning • Enhance the inclusivity agenda for people on the margins • Collation of health care services with libraries • Encourage intergenerational interactions • Promote acceptance of differences within our community • Foster a sense of civic pride

6.4 Digital programs and literacy

6.4 Programs	Sub Service: DIGITAL PROGRAM AND LITERACY
Purpose	<p>To engage with all ages to deliver knowledge and capacity for the existing and coming digital world.</p> <p>Despite the notion of the 'digital native' generation, the 2017 NAPLAN results show that nationally only 53 per cent of Year 6 students and 54 percent of Year 10 students attained the proficient standard in digital literacy.¹⁴ With 57.9%, South Australia had the nation's lowest digital inclusion score.</p> <p>Success in digital literacy is dependent on being successful in traditional literacy and, as the internet develops, it is increasingly reflecting the inequalities of the offline world. People struggling with traditional literacy make less use of information and the internet for personal development.</p> <p>AHC's digital learning programs aim to engage students in 21st century learning, focusing on communication, creativity, collaboration and critical thinking. These human-centric skills are invaluable to the AI (artificial intelligence)</p>

⁴ (2018) Australian Curriculum, Assessment and Reporting Authority https://www.nap.edu.au/docs/default-source/default-document-library/2017napictlreport_final.pdf?sfvrsn=2

6.4 Programs	Sub Service: DIGITAL PROGRAM AND LITERACY
	<p>landscape that enables participation in today's digital landscape and preparedness for future changes. All activities are designed specifically to be unlike a school environment to encourage participation regardless of ability.</p> <p>Digital learning programs include:</p> <ul style="list-style-type: none"> • Weekly afterschool STEAM sessions providing a fun space for children to engage with digital technologies such as coding, augmented reality, robots, digital art and music • Winter program events focusing on the 'maker' model of technology to encourage deep learning and understanding through experimentation and making • STEAM focused school holiday sessions ranging across use of 3D pens, electric celebratory cards, augmented reality and QR codes • Augmenting StoryTime sessions by integrating a STEAM dimension to stimulate interest and creativity • Two sessions annually for adults to provide access to and understanding of developments such as augmented and virtual reality and possible effects on their current lives and their future <p>Programs are bookable and well attended, with a high utilisation rate by AHC's substantial home-schooling community. Considerations for the future include a 'Makerspace' at Stirling (more welcoming for teens) that could also enable a 'repair station' for the community to repair or re-purpose items. Forging relationships with local businesses and individuals already in the STEAM space and building a volunteer base is essential to both the programs already in development and future directions.</p> <p>Community learning through programs is further supported by online learning subscriptions available across the whole of Council that are user friendly, accessed on PCs and through the internet, allow self-directed learning and are able to be accessed from home. These are the prime criteria identified as essential to successful lifelong learning, particularly for those who may have lower levels of education or digital sophistication. Current subscriptions, sourced through the Collections digital budget, include:</p> <ul style="list-style-type: none"> • Computer School offering online workshops providing basic computer training modules • Transparent languages, an online service gradually replacing language learning kits which are expensive, subject to loss and early wear and tear • Studiosity, available across the whole of AHC and providing primary through to university and remote learning students with real time homework help
What others are doing	<ul style="list-style-type: none"> • Online language / literacy programs • Makerspaces for all ages • Coding clubs for children and youth • Science based clubs for pre-schoolers • Online gaming clubs for children and youth • Video and music recording studios • Green screens

6.4 Programs	Sub Service: DIGITAL PROGRAM AND LITERACY		
Resources & output	Staff: 0.57 FTE	Weekly staff hours: 22.7	Annual hours: 1,126
AHC Cost	<p>2018/19 Staff budget: \$45,984</p> <p>2017/18 Budget: \$17,705</p> <ul style="list-style-type: none"> \$1,434 equipment and supplies \$16,271 online digital learning <ul style="list-style-type: none"> \$2,835 Transparent languages \$1,136 Computer School \$12,300 Studiosity <p>Majority of current equipment e.g. Dot and Dash bots, skoogs, 3D pens etc. funded through Friends' donations.</p> <p>AHC allocated \$8,000 to digital equipment in 2018/19</p>		
Donations and Volunteers	<p>Annual volunteer hours: Nil at this time - KPI for position is to encourage and develop volunteer assistance</p> <ul style="list-style-type: none"> Friends of Stirling Library funded introduction of online learning resources 		
Delivery of AHC Strategic Plan	<p>Delivers on:</p> <p>G1: People and business prosper</p> <p>G2: Activities and opportunities to connect</p> <p>G3: Places for people and nature</p>		
Community expectations (from surveys)	<ul style="list-style-type: none"> More time allocated for coding sessions More technology/digital training Talks and educational presentations, guest speakers on digital futures, disruption etc. 		
Benefit direct & indirect	<ul style="list-style-type: none"> Build community and create community hubs Encourage and support lifelong learning Encourage and support a digitally aware community Enhance the inclusivity agenda for people on the margins Empower decision making in a digital world Support active participation in citizenship 		

7. SERVICES: COLLECTIONS

Library collections come in a wide range of forms. “Collections” refers to the material that is acquired by a library. The process, though outwardly straightforward, involves careful mixing and matching with user needs, technical know-how, knowledge of library cataloguing, preservation and collection ‘weeding’. As stated by the City of Melbourne:

In a rapidly changing global environment, libraries need to be able to predict trends with accuracy, as user needs change dramatically and formats rapidly become obsolete.... Knowledge and access to an expanding world of resources is essential in this context and a traditional print-based collection needs to be managed alongside digital resources⁵.

In South Australia, one of the benefits of collections being available from any library in the public library network is the opportunity to build more specialist collections at individual libraries to reflect their particular characteristics and context.

Collection development provides print, audio-visual and digital materials meeting the needs and interests of the Adelaide Hills community and ensures equitable distribution across branches. Further to this, it ensures diversity through inclusion of lower usage specialist collections e.g. dyslexia, indigenous, LGBTQI and local authors. In 2015/16 the library service added 9,736 titles to its collection, excluding newspapers and magazines. By 2017/18 there was a 10% increase to 10,738 titles, much of the increase purchased through donations.

The latest digital materials figures from ALIA⁶ (2017) illustrate that although e-book loans represented only 2% of all the items loaned, more than 1.1 million e-books are available through public libraries.

The OneCard System has seen stock rotation across the state increase dramatically. Overall crate traffic increased from 9 to 11 crates to 15 to 25 per day. Stock rotation, both internal and external, requires significant manual input from staff.

For the purposes of the review, ‘Collections’ has been classified as follows:

COLLECTIONS SNAPSHOT		FTEs	Staff costs	Operating Budget	VOL FTEs
7.1.1	OVERARCHING: ALL COLLECTIONS	3.84	\$323,432	\$80,877	1.4
7.1.2	<i>Sub service: Technical services, selection, purchasing and preservation</i>	2.88	\$242,574	\$79,144	1.4
7.1.3	<i>Sub service: Cataloguing</i>	0.96	\$80,858	1,733	n/a

⁵ Melbourne Library Service (2016-19) Pg. 3 <https://www.melbourne.vic.gov.au/SiteCollectionDocuments/mls-collection-management-policy.pdf>

⁶ The Australian Library and Information Association (2017) *Australian libraries: the digital economy within everyone's reach*, Pg. 11 https://www.alia.org.au/sites/default/files/Australian%20Libraries%20-%20the%20digital%20economy_website.pdf

7.1 Collections (Overarching)

7.1 Collections	OVERARCHING: ALL COLLECTIONS		
Purpose	<p>The AHC library collection includes a wide range of current and popular material for all ages, in a range of formats. Formats include print (books, magazine, comics); audio-visual material (DVDs, blu-rays, e-audios, CDs); and digital resources (e-books, e-Audiobooks, e-Magazines, e-Readers and online resources such as language and learning based databases and films).</p> <p>AHC libraries provide Inter-Library loan and book group services, with further access to information available through in-house materials e.g. locally housed newspapers, magazines, iPads, laptops, public internet access, and programs.</p> <p>Through local history societies, the library collection also includes a dedicated collection of local history material for use within the library.</p> <p>A number of factors influence the library's decision to purchase particular materials for the collection, including:</p> <ul style="list-style-type: none"> • Popular interest/demand; • Cost of the item; • Age and wear and tear of existing collection / materials; • Appropriate format; • Existing subject coverage in the collection; • Special demographic, study, local or historical significance • Specially targeted collections e.g. LGBTQI, indigenous, dyslexic <p>Beyond the selection and purchasing of material the Collections Team undertake the following duties that are integral to the seamless running of the library:</p> <ul style="list-style-type: none"> • Technical services and maintenance, and • Cataloguing <p>Acquisition plays a large role both in the Collections process itself and in technical services. It includes the on-line centralised selection of library materials through Public Library Services and the State Materials Grant, local purchasing with Council funding and community donations, the sourcing of materials to allow physical items to become shelf-ready, and general sourcing and ordering of materials across all areas of the Library service.</p> <p>The AHC collections have one of the highest turnover rates in SA. This is attributed both:</p> <p>A) to the popularity of the library and use by local residents and visitors, and B) to the fact that the collections are well matched to the demographic needs - something in which the staff actively invest</p>		
Resources & output	Staff: 3.84 FTE	Weekly staff hours: 146	Annual hours: 7,588
AHC Cost	2018/19 Annual staff: \$323,432 2017/18 Budget \$80,877 (Print, audio-visual and e-Resources, processing and preservation materials and supplies)		
Funding sources	<ul style="list-style-type: none"> • 2017/18 State Government Materials Grant for print, audio-visual and e-resources \$156,452 		

7.1 Collections	OVERARCHING: ALL COLLECTIONS
	<ul style="list-style-type: none"> Adelaide Hills Council
Donations and Volunteers	<p>2017/18 Community donations: Friends of the Library (Stirling, Woodside and Gumeracha); community groups e.g. Community Shop, Stirling Markets etc.</p> <ul style="list-style-type: none"> \$13,037 print and audio-visual materials \$2,626 e-Resources <p>A significant proportion of library materials are received from individual donors. Donations that meet the library service's criteria are added and unsuitable materials made available for sale through Friends of the Library, who then donate back to the library service.</p> <p>Volunteer hours: 55 hrs per week over 50 weeks - 2,750 hrs annually/1.4 FTE</p> <p>Volunteers process a significant amount of incoming and de-selected library materials. Their involvement enables us to meet PLS timeframes and customer expectations in regard to materials availability.</p>
Delivery of AHC Strategic Plan	<p>Delivers on:</p> <ul style="list-style-type: none"> G1: People and business prosper G2: Activities and opportunities to connect G3: Places for people and nature
Community expectations (from surveys)	<ul style="list-style-type: none"> An ongoing focus on physical print materials – the community loves books (still 95% of all AHC library loans (2019)) Immediate access to current and popular material Newspapers and or magazines Use of library computers Contemporary, world, classic and Australian DVD/cd collections Accessing e-resources and accessing e-equipment <ul style="list-style-type: none"> streaming services for film, documentaries and music wider selection e-Resources wider range of eBooks and eAudiobooks eReaders available for loan to individuals and book clubs
Benefit direct & indirect	<ul style="list-style-type: none"> Access to a wide range of free resources (print and digital material) to support reading, inquiry, learning, personal development, recreation and connection Resources available and tailored to the needs of all the demographic characteristics of the council Support and encourage lifelong learning through resources and advice Enhance the inclusivity agenda for all

7.2 Collections: Technical services, selection, purchasing and preservation

7.2 Collections	Sub Service: Technical services, selection, purchasing, preservation
Purpose	<p>The AHC's selection team selects and purchases collections based on a combination of general, specific, format, special, financial, usage and technical considerations. Ensuring that the collections reflect the needs and interests of the community is central to the collection team's work. Collections are always considered as part of the larger framework of library materials and user needs. Changes to the library's collections are considered as part of the total</p>

7.2 Collections	Sub Service: Technical services, selection, purchasing, preservation
	<p>objectives of the library and how they will impact on and improve the entirety of the library service's collections.</p> <p>Selection and purchasing of collection materials includes attention to:</p> <ul style="list-style-type: none"> • current / contemporary issues • local population needs • special needs that have been identified • best practice in collections • cost • suitability of collection material format • interface with current collections • request by library patrons / customers • equipment / infrastructure required to provide access to the collection • physical space and accessibility • overall usage and turnover rates <p>Technical services acquire the materials and equipment necessary to preserve library materials and ensure incoming items are shelf-ready. It directly manages the more ephemeral collections of newspapers and magazines, manages the logistics of moving these and other library materials across sites and oversees volunteers who provide much of the physical labour needed to prepare library materials for the library shelves.</p> <p>Preservation requires the maintenance of collection materials in a condition appropriate to use through treatment of, and repairs to, individual items that will slow their deterioration and lengthen their shelf life. Much of the preservation work (e.g. initial covering and repairing books) at AHC is undertaken by volunteers. Preservation / maintenance practices also relate to how materials are shelved and stored and the constant deselection of materials that libraries undergo.</p> <p>With three branches and a mobile library, regular rotation and/or exchange of resources ensures the adequate provision of resources for each service point. Stock and usage reports enable staff to identify individual site needs and rotate as needed. An internal courier service rotates stock between branches while the mobile library visits branches on a rostered basis and rotates stock on site.</p>
What others are doing	<ul style="list-style-type: none"> • Newcastle and Liverpool Libraries, UK: materials unlabelled/book shop model. Required more 'on floor' staff for shelving and 'concierge' staff to assist customers in finding materials. • Library-guided selection and purchasing replaced by publishers providing bulk materials e.g. 100 romance, 100 thrillers etc. in place of library selecting. • DVD collections, Digital content including E-journals, Kindle E-readers e-books and e-audios, Physical print books (graphic novels, nonfiction and fiction), Languages other than English (LOTE), Specialist collections (e.g. Australiana, History, learning assistance, cultural gifts, toys), contemporary magazines and daily newspapers • Volunteers assisting with stock taking, collection cleaning, repairs and sorting, unpacking and checking new stock and book sales. In other

7.2 Collections	Sub Service: Technical services, selection, purchasing, preservation		
	libraries volunteers also undertake basis cataloguing duties such as cataloguing photographs.		
Resources & output	Staff: 2.88 FTE	Weekly hours: 109	Annual hours: 5,691
AHC Cost	2018/19 Annual staff budget: \$242,574 2017/18 general budget: \$79,144 <ul style="list-style-type: none"> \$64,672 print, audio-visual and e-resources \$14,472 processing and preservation equipment and supplies, materials 		
Funding sources	State Government Materials Grant: \$156,452 <ul style="list-style-type: none"> \$123,052 Centralised selection and purchasing \$ 15,000 materials to be purchased locally \$ 18,400 shared digital, other languages, and databases 		
Donations and Volunteers	Annual volunteer hours 55 hrs per week for 50 weeks, 2,750 annually : 1.4 FTE		
Delivery of AHC Strategic Plan	Delivers on: <ul style="list-style-type: none"> G1: People and business prosper G2: Activities and opportunities to connect G3: Places for people and nature 		
Community expectations (from surveys)	An ongoing focus on physical print material – the community loves books (still 95% of all AHC library loans (2019)) <ul style="list-style-type: none"> Access to current newspapers and or magazines Use of library computers Contemporary, classic and Australian DVD and CD collections maintained Immediate access to current and popular material Access to e-Resources and digital equipment 		
Benefit direct & indirect	<ul style="list-style-type: none"> Access to a wide range of free resources (print and digital material) to support reading, inquiry, learning, personal development, recreation and connection Resources available and tailored to the needs of all the demographic characteristics of the council Lifelong learning supported and encouraged Enhance the inclusivity agenda for all 		

7.3 Collections: Cataloguing

7.3 Collections	Sub service: CATALOGUING
Purpose	<p>Cataloguing ensures coherent search and retrieval systems which provide a reliable search experience for users. It is a time consuming and detailed process essential to enabling easy access to library materials and to share materials locally, state-wide and nationally.</p> <p>Cataloguing includes the following functions:</p> <ul style="list-style-type: none"> Applying standards to records and metadata Developing functional catalogues and databases

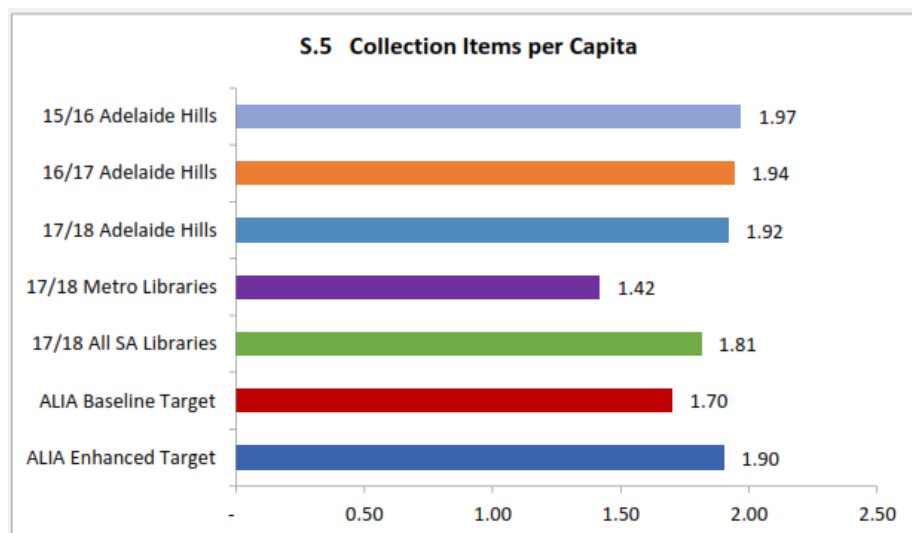
7.3 Collections	Sub service: CATALOGUING		
	<ul style="list-style-type: none"> • Providing subject analysis for items in library collections that facilitate self-shelf browsing by users • Describing and providing access to items in library collections, including unique items of local interest, in foreign languages, and or in special formats including e-formats 		
What others are doing	<ul style="list-style-type: none"> • Creating local cataloguing (often by subject matter) that cross references with international standards • Interfacing cataloguing with the world wide web • User-generated content to help create conversations between library users • In some libraries, volunteers also undertake basic cataloguing duties such as cataloguing photographs and digitising local history 		
Resources & output	Staff: 0.96 FTE	Weekly staff hours: 36.5	Annual staff hours: 1,897
AHC Cost	2018/19 Annual staff: \$80,858 2017/18 general budget: \$1,733 (StackMap licence – catalogue link advising location on library shelves)		
Funding sources	AHC		
Donations and Volunteers	Annual volunteer hours: Nil		
Delivery of AHC Strategic Plan	Delivers on: <ul style="list-style-type: none"> • G1: People and business prosper • G2: Activities and opportunities to connect • G3: Places for people and nature 		
Community expectations (from surveys)	<ul style="list-style-type: none"> • Ability to easily locate materials • Materials clustered by subject matter rather than the dewey decimal classification system (as per book shops) • Front facing display of library materials • History of customer loans 		
Benefit direct & indirect	<ul style="list-style-type: none"> • Provision of accurate, reliable cataloguing records that <ul style="list-style-type: none"> - Describe the items catalogued - Enable easy identification and location of sought items • Creation of a clear and consistent framework for the placement and storage of all material within the library • Immediate access to current and popular material • Application of standards so that they can be shared in local, national and international databases, saving time and money for thousands of libraries, both now and in the future. 		

7.4 Collections: Other statistics

Collection items per capita

This measure identifies whether the collections of a library service are sufficient to meet community needs in terms of quantity, diversity and availability. On this measure, the AHC libraries:

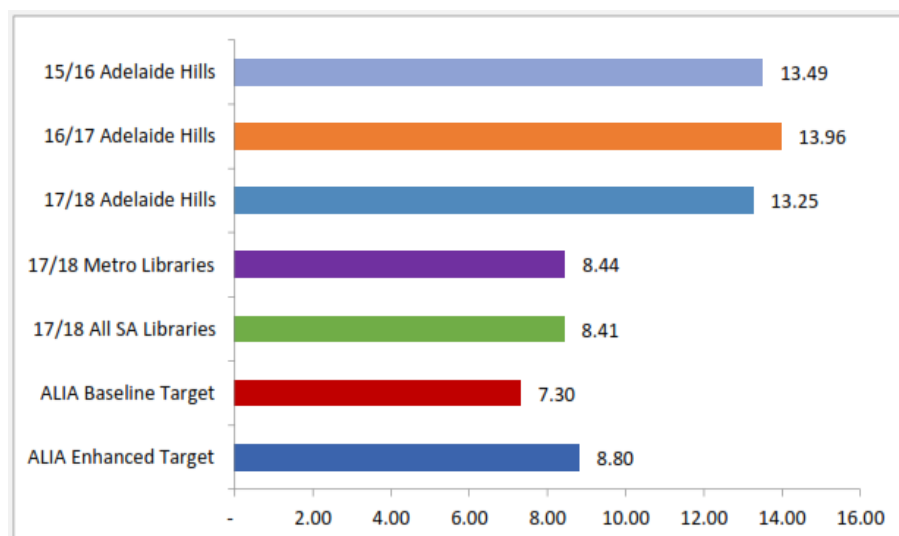
- Meet both Baseline and Enhanced ALIA Targets
- Exceed the provision standard of Metro Libraries
- Are comparable to State Libraries overall.



Data source: Adelaide Hills KPI Dashboard 17/18 prepared by PLS

Loans per capita

This measure seeks to illustrate the extent to which collections reflect, and are meeting, community needs. These figures include items borrowed locally but obtained from other libraries via inter-library loan.



Data source: Adelaide Hills KPI Dashboard 17/18 prepared by PLS

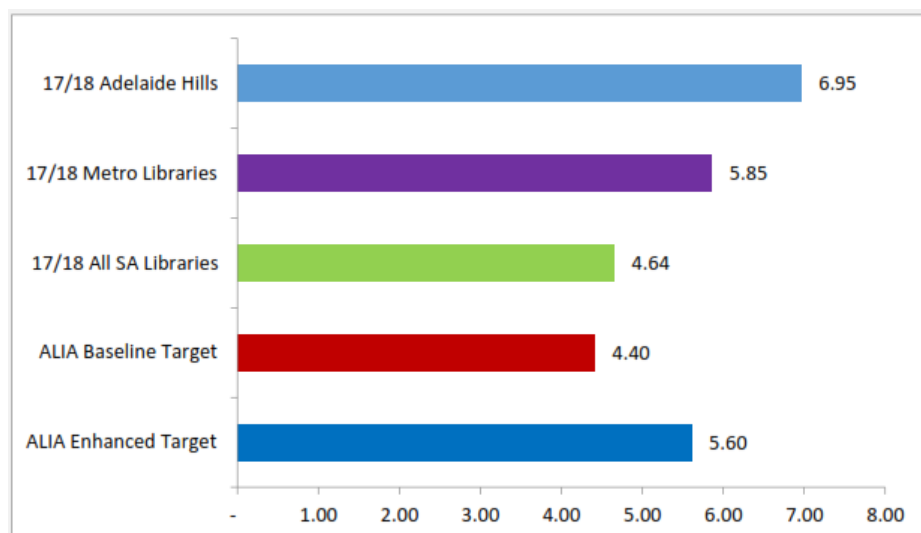
On this measure, AHC libraries:

- Markedly exceed both Baseline and Enhanced ALIA Targets
- Markedly exceed both Metro Libraries and State Libraries as a whole

- The local community also values the collection material on offer

Loan / stock turnover

This measure reflects the frequency with which a library's collection items are used, bearing in mind that less popular items may retain value in meeting requirements of diversity and specific community need.



Data source: Adelaide Hills KPI Dashboard 17/18 prepared by PLS

On this measure, AHC libraries:

- Exceed both Baseline and Enhanced ALIA Targets
- Exceed the figures of both Metro Libraries and State Libraries as a whole.
- it also demonstrates the local community values our collection and it meets their needs

In 2015/16 the AHC library service added 9,736 titles to its collection, excluding newspapers and magazines. By 2017/18 there was a 10% increase to 10,738 titles, much of the increase purchased through donations.

Over the five-year period from 2013/14 – 2017/18, the AHC library services grew their electronic collection by an average of 23% per annum and increased it to just over 22,800 items.

	e-books	eAudio	eMagazines	TOTAL number	Growth in number	%
13/14	6,967	1,422	3,432	11,821		
14/15	9,614	2,003	3,762	15,379	3,558	23
15/16	13,023	3,564	4,789	21,376	5,997	28
16/17	14,172	5,082	9,255	28,509	7,133	25
17/18	17,882	7,077	9,676	34,635	6,126	18
TOTAL					22,814	

Data source: AHC 2019

According to ALIA⁷, the last five years have seen a major increase in the number of electronic titles and e-audios now in circulation. Statistics from PLS note that the largest cohort of people using digital collections is the 65 -69-year-old age bracket.

In the Adelaide Hills Council library services however, physical items remain extremely popular with the local community. While the number of loans of physical items has decreased modestly over the past three years, and e-materials (such as eBooks and eAudio) have increased, as illustrated below, physical materials still comprise just over 95% of all loans.

Mix of hard-copy and online loans (AHC)

LOAN ITEMS	2015-16	2016-17	2017-18	% of all loans
Physical items loaned	522,034	518,323	501,309	95.1
eBooks loaned	15,135	14,172	17,930	3.4
e-audio loaned	474	5,087	7,029	1.3
Digital magazine checkouts	418	841	937	0.2
Total	538,061	538,423	527,205	100

Data source: AHC 2019

⁷ The Australian Library and Information Association (2017) *Australian libraries: the digital economy within everyone's reach*, Pg. 11 https://www.alia.org.au/sites/default/files/Australian%20Libraries%20-%20the%20digital%20economy_website.pdf

8. SERVICES: *OUTREACH*

Public library outreach services endeavour to deliver library services to people through the development of programs, policies and practices that make the library available to all people.

Outreach services are as diverse as the libraries that provide them and the communities they serve. Libraries have been reaching out to their communities for years through a range of services and programs. There are as many ways to reach out as there are users of the library. Over the years libraries have offered:

- Home Library services
- Homework Centres in libraries
- Pre-school story times
- Pop-up Libraries where the library goes out to meet the people

Essentially, outreach services link with patrons who would not typically visit the library and/or can't come to the library themselves. As defined by NSW public libraries, an outreach service is:

Any activity that introduces the library to the community and which promotes library membership, services and programs to existing and potential customers.⁸

For the purposed of the review, 'outreach services' have been classified as follows:

OUTREACH SNAPSHOT		FTES	Staff on costs	Operating Budget	VOL HRS
8.1.1	OVERARCHING: ALL Outreach services	1.73	\$150,279	\$32,931	0.31
8.1.2	Sub service: Mobile library	1.09	\$93,201	18,693	n/a
8.1.3	Sub service: Home Services	0.56	\$49,700	14,238	0.12
8.1.4	Sub service: Volunteer Management	0.08	\$7,100	0	0.19

8.1 Outreach services (Overarching)

8.1 Outreach	OVERARCHING: OUTREACH SERVICES
Purpose	<p>In order to reach a larger percentage of the population than can be served by static branches, the two main activities offered by its libraries are the Mobile Library service and Home Services.</p> <p>These services also provide an opportunity for personal interaction between residents who may be more isolated and Council employees and/or volunteers.</p> <p>Volunteer management and the hosting, rostering and replacement of Justice of the Peace services are also included in this service profile. Providing opportunities</p>

⁸ State Library of New South Wales (2015) *Mobile & Outreach Services: Practice, standards and guidelines* pg. 5, http://www.sl.nsw.gov.au/sites/default/files/mobile_outreach_services.pdf

8.1 Outreach	OVERARCHING: OUTREACH SERVICES		
	<p>for volunteering within the library service is expected both by Council and by the community.</p> <p>Managing volunteers is time consuming and it is imperative that both volunteers and the library service achieve the best possible outcome for the time invested, ensuring mutual benefit.</p>		
What others are doing	<p>City of Onkaparinga, West Torrens, Mt Barker DC, Australasian Mobile library and outreach services network, East Gippsland Shire Council, Dover Public Library {Ohio}, Silicon Valley, the UK</p> <ul style="list-style-type: none"> mobile services that assist children to read, write and calculate⁹ visits to nursing homes, retirement villages and assisted living accommodation facilities on a regular basis home assist to people in the council area who are ill or mobility impaired / restricted mobile STEAM lab featuring training tools and games in science technology etc (Dover, Ohio) Silicon Valley: BookBot Robot delivering books (flat ground only!) Parts of the UK are downsizing mobile library buses or keeping a larger vehicle but specialising in childhood literacy, youth outreach (e.g. an on-board youth cinema) or focusing on literacy for new migrants Librarians without Borders: Ideas Box, 20 minute mobile library box set up Outreach services are considered important in the total make up of libraries 		
Resources & output	Staff: 1.73	Weekly staff hours: 66	Annual hours: 3,418
AHC Cost	<p>2018/19 Annual staff budget : \$150,279</p> <p>2017/18 Annual budget: TBA</p>		
Funding sources	Adelaide Hills Council		
Maintenance / running costs	<p>2017/18: total \$32,391</p> <p><i>(Both vehicles are purchased outright. Costs for 2017/18 include \$5,329 repairs plus \$13,800 each vehicle for registration, insurance, fuel, depreciation – this last amount is averaged out across all Council vehicles)</i></p> <p>Stock estimated at \$135,000</p>		
Donations and Volunteers	<p>Donations: Nil</p> <p>Annual volunteer hours: 603 hours /0.31 FTE</p> <p>Home service 0.12 FTE: Volunteering 0.19 FTE</p>		
Delivery of AHC Strategic Plan	<p>Delivers on:</p> <ul style="list-style-type: none"> G1: People and business prosper G2: Activities and opportunities to connect G3: Places for people and nature G4: Explore ideas and work with others 		

⁹ Australasian Mobile Library Outreach Services Network <https://amlosn.org.au/>

8.1 Outreach	OVERARCHING: OUTREACH SERVICES
Community expectations (from surveys)	Library surveys have not asked for feedback on the mechanics of service delivery so there is no indication in the reports as to customer expectation. There has however been significant feedback from the community, captured in TRIM (Council's records management system) expressing appreciation for the service, concern over possible cutbacks to the service, and interest in increases to the service.
Benefit direct & indirect	ADVANTAGES <p>There are a great many benefits to the community and the library, particularly when access for all Community members to library services¹⁰</p> <ul style="list-style-type: none"> • Equity of access for all regions of Council area • Increased visibility and subsequent awareness of the Council • Visible sign of Council's commitment to less populated/outer areas • Development of community partnerships • Making connections with non-users and underserved populations • Opportunities to explore and make use of lifelong learning • Increase in the library's awareness of community interests and needs

8.2 Outreach services: Mobile library

8.2 Outreach	Sub service: Mobile Library
Purpose	<p>To service communities within the AHC area disadvantaged by distance and/or community size, the mobile library provides fortnightly access to over 4,500 library materials and reservations for residents and ratepayers at twenty stops in less populated regions. The service does not visit large schools, high schools or those with their own well-resourced libraries.</p> <p>Today, the mobile library visits twenty locations in smaller communities. Of those twenty stops, thirteen are affiliated with schools and are available to the public. Two are parked within schools and not available to the public.</p> <p>Stops are established following school and or community representation and are reviewed on a yearly basis. A review of library services in 2003 promoted the value of the mobile library due to its flexibility and ability to respond to changing needs and demands¹¹.</p> <p>Rate payers and their children who are serviced through the mobile library might not otherwise have access to a public library service. Smaller community schools in particular are not government funded at a level to provide an adequate stand-alone library.</p> <p>In 2017/18 the mobile service received 16,979 annual visits, 5.1% of all library visits. It covers approximately 45 % of the 720 km² encompassing the area of townships visited. Its usage is steadily growing, as are its loans. Now 17 years old it is due for replacement. Spare parts are increasingly difficult to purchase resulting</p>

¹⁰ State Library of Victoria (2009) *Mobile libraries and Beyond: some solutions for public libraries*
http://www.libraries.vic.gov.au/downloads/Collection_Management_Standards_Project/moblibbeyond.pdf

¹¹ Geoff Carson, Library Consultancy Services (2003) *Incoming Correspondence IC09/5614 Library Services Strategic Audit*

8.2 Outreach	Sub service: Mobile Library		
	<p>in the use of second-hand parts and the stability of shelving is lessening in response to the condition of many of the roads travelled.</p> <p>Replacement could provide more efficiently usable space, enable improved customer access to the internet and allow for better promotion and advertising of Council initiatives. It would also improve safety in regard to storing library materials.</p>		
What others are doing	<p>(examples: Richmond / Tweed, City of West Torrens, Millicent, Toowoomba, Warwickshire, Amsterdam)</p> <ul style="list-style-type: none"> • Linking with primary schools to provide a service where there is no close static library and/or smaller schools • Going to main street precincts and or parks – areas with high visibility • Visiting aged care homes • Weekend service (Saturday) • Warwickshire mobile library teamed with the British museum to present museum artefacts to mobile library customers promoting local archaeology • Digital bookmobiles a marketing strategy by overdrive in the USA to promote public library e-resources. Aimed at showing people how to browse, check out and download e-books, e-audios, music and videos. • Amsterdam's Biebus is a cross between a mobile library and a pop-up. Delivered to small villages that on their own could not finance a full time library¹². 		
Resources & output	Staff: 1.09 FTE	Weekly staff hours: 41.4	Annual hours: 2,154
AHC Cost	<p>2018/19 Annual staff: \$93,479</p> <p>2017/18 Annual depreciation \$36,000</p>		
Annual maintenance	2017/18: General budget \$18,693 (repairs, fuel, insurance, registration, RAA)		
Funding sources	Adelaide Hills Council		
Donations and Volunteers	Nil volunteer hours		
Delivery of AHC Strategic Plan	<p>Delivers on:</p> <ul style="list-style-type: none"> • G1: People and business prosper • G2: Activities and opportunities to connect • G3: Places for people and nature • G4: Explore ideas and work with others 		
Community expectations (via feedback and letters)	<ul style="list-style-type: none"> • Fulfilling Council commitment to have presence in outer regions • Ongoing mobile library service especially for outlying areas and small schools • Main street stops for mobile library to continue • New schools have an opportunity to access service in the future 		

¹² <https://www.domusweb.it/en/design/2011/04/11/biebus-the-expanding-mobile-library.html>

8.2 Outreach	Sub service: Mobile Library
Benefit direct & indirect	<ul style="list-style-type: none"> • Fulfilling Council commitment for presence in outer regions • Provide visual AHC presence within greater Council area • Maintain independence for residents unable to visit a static library • Enhance literacy, learning, concentration, emotional resilience and motor skills • Contribute to lifelong learning • Enhance inclusivity for all of Council • Build community and create community hubs / points for gathering particularly important in smaller communities

The current mobile library vehicle was purchased in 2002. In recent years the cost of maintaining the vehicle has risen due to age and general wear and tear; the vehicle has reached the stage where parts for repair are becoming more expensive and difficult to source. It is generally accepted that the average life of a mobile vehicle may be taken as 10 years and the trade in value at the end of the period as negligible¹.

According to the cost analysis undertaken by Brimarco¹³ in February 2017 and again in February 2018, replacement cost for the vehicle has been estimated at around \$480,000. This cost includes the truck, chassis, body construction and fit out of the vehicle.

The Adelaide Hills Council mobile library visits around 45% of the Council area. The remaining 55% is serviced by static libraries located in Stirling, Woodside and Gumeracha plus some of the outreach services provided through home assist.

Many of the mobile library members are long-term users who rely on this service to provide access to materials and to connect with Council. This service enables independence for many who cannot travel to a static library and an opportunity to socialise for individuals who may otherwise experience isolation in their community.

Each year all mobile library stops are reviewed and assessed for usage and functionality and this provides opportunities for the library service to visit different townships across Council, thereby ensuring equal access opportunities across a broad area.

¹³ <http://brimarco.com.au/>

Mobile Library Stops & Visits 1 July 2018 to 31 May 2019

Mobile Library Stop 1 July 2018 - 31 May 2019	Total visits	Total customer #	Average customer # per visit	School stops + public access	School stop (no public access)	School stop customer #
Ashton	20	71	3.6			
Basket Range	20	692	34.6	✓		692
Birdwood	21	578	27.5	✓		578
Charleston	8	29	3.6			
Cherryville	21	109	5.2			
Cudlee Creek	9	12	1.3			
Hills Christian Com/School	14	1463	104.5		✓ (P)	1463
Houghton	21	155	7.4			
Kersbrook	20	649	32.5	✓		649
Lenswood	22	685	31.1	✓		685
Lobethal	20	225	11.3			
Lobethal PS	19	1369	72.1		✓ (P)	1369
Montacute	21	111	5.3			
Mt Torrens	13	52	4.0			
Mylor	22	1116	50.7	✓		1116
Norton Summit PS	15	942	62.8	✓		942
Norton Summit C/Centre	19	132	6.9			
Paracombe	18	891	49.5	✓		891
Scott Creek	22	793	36.0	✓		793
Summertown	19	149	7.8			
Teringie	18	198	11.0			
Upper Sturt PS	17	1479	87.0	✓		1479
Uraidla AM	22	755	34.3	✓		755
Uraidla PM	12	405	33.8	✓		405
Total for year	433	13060	30.2			11,817
% school stop customers						90.48%

Data source: AHC 2019

IMPORTANT NOTE: Cannot separate school and adult at shared access stops**(P)** denotes a private school stop that is not opened to the public.

There are historical reasons for these 'private' visits. From an 'equity' viewpoint these stops do not align well with the Council's mobile library model, in that the sites in question do not necessarily serve disadvantaged populations. However, it is recognised that logistical issues now make it difficult to open these stops to broader public access. Documentation of these choices and their antecedents is encouraged for transparency.

8.3 Outreach services: Home services

8.3 Outreach	Sub service Home Services		
Purpose	<p>To provide a personalised mobile service to local residents unable to attend a static library or mobile library due to their personal situation. It is available only to AHC residents, can be short or long term, and requests may emanate from the individual, from friends, relatives, carers, neighbours or local community groups e.g. Meals on Wheels, Probus, Rotary. Such requests result in a home visit to establish the service.</p> <ul style="list-style-type: none"> Monthly delivery to residents and ratepayers unable to attend one of our static libraries. Ad hoc service is available for atypical circumstances Provides library materials plus social connection with library staff and volunteers <p>The Home Service vehicle operates out of Stirling and covers the entire district, visiting private homes and/or aged care facilities. The service fills the community gap between static and mobile library services, and is heavily supported by volunteers.</p> <p>Home Services are provided to people who are unable to access a public library in person for the following reasons:</p> <ul style="list-style-type: none"> Illnesses, injuries or disabilities (temporary, recurring or permanent) which prevent accessing a library Frailty or disability inhibiting the ability to carry library materials home Residents in nursing homes, hostels, supported-accommodation houses, hospitals etc. Full-time carer duties that prevent visiting a library Young children in the care of any of the above groups Lack of transport is also a consideration within the Adelaide Hills due to poor public transport <p>There are no age restrictions on becoming a home library service member¹⁴</p>		
What others are doing	<ul style="list-style-type: none"> Hawkesbury library service – seniors group activity sessions where a selection of library material is taken to the group activity for members to choose from. Monthly pop-up library service to retirement homes Richmond Tweed Regional Library – Memories on the move. Taking library out to Aged Care facilities and sharing storytelling and memory kits with stories and images Queens New York Library- video and phone conferencing to enable participation in monthly programs and discussions led by professionals in various fields 		
Resources & output	Staff: 0.56 FTE	Weekly staff hours: 21.3	Annual hours: 1,108
AHC Cost	2018/19 staff budget : \$49,700 2017/18 general budget \$14,238		
Funding sources	Adelaide Hills Council		

¹⁴ ALIA: Guidelines for Australian home library services <https://www.alia.org.au/about-alia/policies-and-guidelines/alia-policies/guidelines-australian-home-library-services>

8.3 Outreach	Sub service Home Services
Donations and Volunteers	Annual volunteer hours: 230 (0.12 FTE) Assist in selecting materials and delivering to home service customers
Delivery of AHC Strategic Plan	Delivers on: G1: People and business prosper G2: Activities and opportunities to connect G3: Places for people and nature G4: Explore ideas and work with others
Community expectations	<ul style="list-style-type: none"> members of the community are not excluded due to age, frailty, mobility issues or other personal situations that isolate or otherwise prevent them from accessing Council resources and services residents in more regional areas have access to Council's library services
Benefit direct & indirect	<ul style="list-style-type: none"> awareness of Council's commitment to all residents and ratepayers build community and create sense of belonging support and encourage lifelong learning enhance the inclusivity agenda for people on the margins provide health and wellbeing for immobilised / house bound population and contribute to their quality of life

8.4 Outreach services: Volunteer management

8.4 Outreach	Sub Service Volunteer Management
Purpose	<p>AHC library utilises the LGA's 2015 volunteers' guidelines¹⁵ to manage volunteers. The 'Local Government Volunteers Programme' ensures a direct link between the community and a Council, offering a myriad of core services by encouraging:</p> <ul style="list-style-type: none"> Community participation; Access to resources and information Social interaction and satisfaction Participation in established Council services and events Viability of core Council business and functions <p>The library service works with 65 volunteers providing 3,414 hours of assistance annually which equates to 1.8 FTE. The volunteers:</p> <ul style="list-style-type: none"> Provide learning and skill development opportunities that meet varied expectations through a wide range of activities Meet requests for general volunteer opportunities, work experience (various ages, levels of study), skill and confidence building (Newstart, etc.) and other such requirements <p>These volunteer hours are divided across outreach services, programs, digital training, collection development and customer support. Collection development has the highest involvement of volunteers, contributing, in addition to the 0.1 FTE support by the Outreach Services Team Leader, an additional 2 to 2.5 hours per week by the collections team in organising and overseeing volunteer activities.</p>

¹⁵ Local Government Association 92015): Covering all bases – an information guide for managing volunteers in Local Government.

[https://www.lga.sa.gov.au/webdata/resources/files/LGAMLS%20Volunteer%20Guide%20\(Mar%202015\).pdf](https://www.lga.sa.gov.au/webdata/resources/files/LGAMLS%20Volunteer%20Guide%20(Mar%202015).pdf)

8.4 Outreach	Sub Service Volunteer Management		
	<p>Hosting Justice of the Peace services is another significant area of volunteer contribution. Community demand has seen a Saturday session added at Stirling in addition to the three sessions already provided weekly.</p> <p>AHC's Volunteer Coordinator is responsible for overall Council policy development and processes for volunteers. The Outreach Services Team Leader recruits prospective volunteers, places them appropriately, manages enrolment documentation, maintains attendance logs, provides induction including WHS, and allocates volunteers to responsible staff members for training and ongoing support.</p> <p>Volunteer activities focus on activities not requiring access to Council systems. These activities include:</p> <ul style="list-style-type: none"> • shelving returned library items • processing incoming materials and making them shelf-ready • program support e.g. checking bookings, supporting supervision of children involved in programs, preparing craft activities • assisting customers with digital devices and accessing the internet • selection and delivery of library materials to home service customers • JP services • other tasks as requested by volunteers and supported by library staff <p>Volunteering also encourages and assists skills development and confidence for future employment opportunities. However, despite an increase in community requests for 15 hours of volunteer work to meet Newstart requirements we have not been able to accommodate such requests due to lack of space, inability to provide access to Council systems, and staff time to support applicants.</p>		
What others are doing	<ul style="list-style-type: none"> • UK – use of volunteers to run libraries under threat of closure • USA – virtual volunteering (online volunteering from home) • California (with 4 state libraries) – Get Involved: Powered by your library! Encourages volunteers to contribute actively to library management 		
Resources & output	Staff: 0.08 FTE	Weekly staff hours: 3	Annual hours: 158
AHC Cost	2018/19 annual staff budget: \$7,100 2017/18 general budget: n/a		
Funding sources	Adelaide Hills Council		
Donations and Volunteers	Annual volunteer hours: JP services 373 hours annually/0.19 FTE		
Delivery of AHC Strategic Plan	Delivers on: G1: People and business prosper G2: Activities and opportunities to connect G3: Places for people and nature G4: Explore ideas and work with others		
Community expectations <i>(not included in surveys but articulated)</i>	<ul style="list-style-type: none"> • community expectation that the library service will provide opportunities for volunteering • Expectation of assistance for older Newstart participants to volunteer in lieu of paid employment 		

8.4 Outreach	Sub Service Volunteer Management
through ongoing requests)	<ul style="list-style-type: none"> School and parental expectations for student involvement via schemes such as Edinburgh Award and work experience University requests for library student placements
Benefit direct & indirect	<ul style="list-style-type: none"> develop and strengthen the links between councils and their communities provide personal development opportunities for individuals tap into the skills, experience, talents, energies, ideas and knowledge of people in our communities enable councils to extend and expand services

9. SERVICES: CUSTOMER SERVICES

In physical terms, there has been a move towards positioning libraries as multipurpose community facilities, often co-located with providers of other community, cultural or educational services. This 'community hub' model seeks to create a more connected or seamless experience for customers and, often, to provide a face-to-face option for accessing services otherwise primarily accessible online. Current community demand for programming and events, community space, meeting rooms for community groups and technology access points are reconstituting libraries as community hubs, and driving growth in the size of library buildings.

For many community members, today's public libraries can play an essential role in enabling the functional digital literacy that has become a precondition for community learning and civic participation. In turn, developments in library management and support systems, e-resources and online platforms have required a higher level of technical support for both library staff and for Australian communities expecting assistance in accessing not only PCs but the myriad devices, e-resources and platforms now available.

The high level of customer focus and tailored services that contemporary libraries offer means that they are under constant pressure to keep abreast of community, economic, technological and inter-governmental trends. Libraries are constantly evolving dynamic systems whose elements need to work together as a well-oiled machine – often seven days a week. Customer service is about resolving issues whether in person, via phone call or online. The way in which customer service is deeply embedded in public libraries points to an inability to separate 'library' from 'customer services'. As noted in a Web Junction article:

We might even describe good customer service, for library organizations, as a core value service. Without it we fail to fulfill our mission.¹⁶

Public libraries of the future are envisaged to have streamlined administration capability, and to provide more opportunities for on-line collaboration, administration of Federal and State Government services and resource sharing.

¹⁶ Web Junction: the learning place for libraries (2012)

https://www.webjunction.org/news/webjunction/Customer_Service_as_Core_Value_for_Libraries.html

For the purpose of the review, 'customer service' has been classified as follows:

CUSTOMER SERVICE SNAPSHOT		FTES	Staff on costs	Operating Budget	VOL HRS
9.1.1	OVERARCHING: ALL CUSTOMER SERVICES	13.72	\$908,232	\$262,180	0.39
9.1.2	<i>Sub service:</i> Library Customer Service	5.05	\$341,256	\$29,179	0.39
9.1.3	<i>Sub service:</i> Council customer service	7.75	\$512,515	\$18,572	n/a
9.1.4	<i>Sub service:</i> Facilities	0.92	\$54,461	\$214,429	n/a

9.1 Customer service (Overarching)

9.1 Customer	OVERARCHING CUSTOMER SERVICES
Purpose	<p>Customer service involves resolving a customer's needs through the provision and delivery of professional, helpful, high quality services and ensuring a positive customer experience.</p> <p>There is a high level of trust and faith in public libraries that see them generally receive very positive customer approval ratings. That faith and trust is not so much about tangible interactions, whether advisory or transactional, as it is about the intangible: the relationships with staff, the ability of staff to work with more challenging customers and situations, customer service practices, customer-focused spaces, welcoming and inclusive environments, and a commitment to encourage and support their community.</p> <p>Whether Council or library customer service, communities build a relationship with their Council through these first points of contact and it is at these first points of contact and the ensuing customer experience that ratepayers and residents' opinions are shaped.</p> <p><i>Integrated Customer Service</i> (combined library and Council functions)</p> <p>Over recent years, library service customer service points have been integrated with <u>Council</u> frontline customer service and Council's phones. While this has resulted in a decreased number of 'front of house' staff employed and a reduction in costs, it has also resulted in some customer challenges. These include customer confusion about the nature of the customer service offered (i.e. library or Council), the breadth of knowledge expected of customer service staff across a range of services and service points, strain on staff as any gaps in Council frontline hours are met through re-allocation of library customer service hours which in turn impacts on professional and technical staff as they, in turn, backfill.</p>
What others are doing	<p>While there are a small number of councils in South Australia who have moved to an Integrated Customer Service Model (i.e. combining Council customer services with library customer service), the numbers are modest.</p>

9.1 Customer	OVERARCHING CUSTOMER SERVICES		
	<p>Some of the councils who have integrated their customer service have minimised the complexity of transactions dealt with by staff. Examples include</p> <ul style="list-style-type: none"> • Charles Sturt and Holdfast Bay (basic council services only – not Development Assessment inquiries or lodgements or call centre) • Barossa and Walkerville Councils have integrated at all library sites • City of Adelaide has separate customer service centres but Council staff manage some basic library inquiries • City of Port Adelaide Enfield – integrated at Enfield and Greenacres only • Alexandrina Council has discontinued integration 		
Resources & output	Library and Council customer service incl. casual staff: 13.72 FTE	Weekly staff hours: 521.4	Annual staff hours: 27,111
AHC Cost	<p>2018/19 Annual customer service staff : \$908,232 (includes shift loadings) 2017/18 operational budget : \$262,180</p> <ul style="list-style-type: none"> • \$47,751 (equipment and supplies, courier, advertising, after hours and banking services, Post and freight charges, coffee machine) • \$214,429 (maintenance, cleaning and utilities) <p>2017/18 capital budget: \$31,664 (furniture replacement, people counting sensors, replacement coffee machines)</p>		
Funding sources	<ul style="list-style-type: none"> • Adelaide Hills Council • State Government Operating Grant \$114,176 		
Income generated	2017-18: \$37,214 (Printing, photocopying and scanning; faxes; interlibrary loans; room hire and exam invigilation; coffee machines; miscellaneous items e.g. ear plugs)		
Donations and Volunteers	<p>Annual volunteer hours: 768 hours annually e.g. 0.39 FTE (support unstaffed opening hours at Gumeracha)</p> <p>Friends of the Library donate on ad hoc basis to provide/update fittings</p>		
Delivery of AHC Strategic Plan	<p>Delivers on:</p> <ul style="list-style-type: none"> • G1: People and business prosper • G2: Activities and opportunities to connect • G3: Places for people and nature 		
Community expectations (from surveys)	<ul style="list-style-type: none"> • Access to and assistance in accessing library materials • A place to study, connect, socialise, participate, relax and read • Access to wi-fi, library ICT, databases and online resources • Reliable 24/7 access to online services • A place of refuge during extreme weather conditions 		
Benefit direct & indirect	<ul style="list-style-type: none"> • Develops positive relationships with community • Provides a safe, welcoming and inclusive space for all of the community • Creates positive word of mouth at a local, state and national level • Gives employees confidence and job satisfaction • Increases community confidence with council and library • Libraries are a visible and accessible arm of council - a strongly performing library projects a favourable reflection of council 		

9.1 Customer	OVERARCHING CUSTOMER SERVICES
	<ul style="list-style-type: none"> Engenders civic pride <p>A Victorian state-wide community satisfaction survey from 2018 found that libraries were rated the no. 1 performing area in Councils.¹⁷</p>

9.2 Customer service: Library (only) customer service

9.2 Customer	Sub Service Library customer service
Purpose	<p>Library customer service involves assisting customers and handling issues for them in an informed, friendly and efficient manner. The breadth of customer service for staff is diverse. Traditional activities including locating and accessing library content and programs (hard copy materials, e-content, music, etc.) have increased as libraries evolve into a “Third Place¹⁸”. Lifelong learning and inclusivity are prime drivers for libraries, and underpin the philosophy behind delivering frontline services and assisting customers to:</p> <ul style="list-style-type: none"> Provide a safe, welcoming and inclusive environment Support and encourage a literate community Support study needs through access to flexible spaces, exam invigilation, computers and laptops, and resources (both print and digital) Provide readers’ advice to students of all ages, to parents/carers seeking advice on children’s reading, to leisure readers etc Access technology (e.g. Public pcs, use of social media and communication tools such as skype) Identify training needs and opportunities for training Undertake functional transactions e.g. Photocopying, scanning, faxing etc. Connect with other community members through programs, events and similar activities Have opportunities for personal interaction for otherwise lonely or isolated individuals Provide a community information and referral service Access other agencies online i.e., Centrelink, NDIS, MyGov etc. <p>AHC libraries have a team of library and customer service officers who are dedicated to frontline service delivery and rotate across all branches. This cohort is supported by technical and professional library staff who allocate one fifth of their work time to frontline library services (reflected in staff and budget allocations shown for other areas of service provision). The professional and technical staff are often required to supplement frontline service delivery hours when customer service staff assigned to library services are re-allocated to cover Council Customer Services.</p>

¹⁷ JWS research (2018) Local Government Community Satisfaction Survey: 2018 state-wide research report https://www.localgovernment.vic.gov.au/__data/assets/pdf_file/0030/325848/Community-Satisfaction-Survey-State-Wide-Research-Report-2018.pdf

¹⁸ The third place is the social surroundings separate from the two usual social environments of home and the workplace. Examples of third places are public libraries, churches, cafes, clubs, and parks. the term was explored by sociologist Ray Oldenburg in 1989. <https://www.steelcase.com/research/articles/topics/design-q-a/q-ray-oldenburg/>

9.2 Customer	Sub Service Library customer service		
What others are doing	<p>Digital transformation is leading to more government services being delivered exclusively online which translates to more people turning to public libraries for computer access and to library staff for help navigating online forms. At a conservative estimate, public libraries are already handling more than 10 million information enquiries each year, and this is likely to increase substantially¹⁹</p> <ul style="list-style-type: none"> • Mount Gambier – concierge style customer assistance • Nao robot library greeter; Palo Alto (US) and Yarra Plenty (Victoria) • ‘Roaming’ support assistance for digital assistance – US libraries • Tullamore Library NSW; 24/7 access (also many university libraries across Australia) • Library Express Kiosk; Springfield, Missouri • Combination Bookshop/Library; Culture Convenience Club / Tsutaya, Japan • Drive through library; Westerville Library, Ohio • Automated returns; West Torrens 		
Resources & output	Staff: 5.05 FTE (incl. casuals)	Weekly staff hours: 192	Annual hours: 9,979
AHC Cost	<p>2018/19 Annual staff: \$341,256 (includes shift loadings)</p> <p>2017/18 General budget: \$29,179 (equipment and supplies, courier, advertising, after hours and banking services, Post and freight charges, coffee machine)</p> <p>2017/18 Capital budget: \$6,337 (people counting sensors)</p>		
Funding sources	<ul style="list-style-type: none"> • Adelaide Hills Council • State Government Operational Grant \$114,176 		
Donations and Volunteers	<p>Annual volunteer hours 2017/18</p> <p>768 hours annually (Gumeracha only) e.g. 0.39 FTE</p>		
Delivery of AHC Strategic Plan	<p>Delivers on:</p> <ul style="list-style-type: none"> • G1: People and business prosper • G2: Activities and opportunities to connect • G3: Places for people and nature 		
Community expectations (from surveys)	<ul style="list-style-type: none"> • Opening main branch at Stirling on Mondays • A ‘one stop shop’ for both library and Council services • Spaces for quiet study, business and socialising • Instant access to pcs and multifunction devices • Reliable Wi-Fi and good download speeds (particularly for small businesses) • Staff are knowledgeable across a broad range of library resources, activities and Council services • Staff have good general knowledge of the surrounding community • Staff can assist with issues relating to other providers, e.g. State Government, Telstra, SA Power, DTPI etc. • Staff support a safe, clean and tidy environment 		

¹⁹ The Australian Library and Information Association (2017) *Australian libraries: the digital economy within everyone's reach*, https://www.alia.org.au/sites/default/files/Australian%20Libraries%20-%20the%20digital%20economy_website.pdf

9.2 Customer	Sub Service Library customer service
Benefit direct & indirect	<ul style="list-style-type: none"> • Ensure access to traditional and digital resources • Provide a safe and inclusive environment • Support lifelong learning, literacy, and emotional resilience • Support intergenerational interaction • Encourage social connections • Enable access to information needed for personal development, health, wellbeing and active participation in decision making • Encourage and support citizenship • Enhance the inclusivity agenda for all

9.3 Customer service: Council customer service

9.3 Customer	Sub Service Council Customer servicing
Purpose	<p>The delivery of Council customer service has been integrated with library customer service at all three static branches, providing customer access through service desks and phones to a range of Council services and enabling interactions including:</p> <ul style="list-style-type: none"> • Development Assessment Planning inquiries • Payments (Council rates, dog registrations etc) • Registering customer concerns • General information across Council's broad range of services • Assisting customers to self-navigate through Council's online services • Resolving customer enquiries at point of contact in person, by phone or by email • Provide information regarding local services and places of interest <p>An expectation from rate payers and internal Council staff combined is that customer service staff will resolve customer enquiries at point of contact, only referring on enquires that require specialist or technical knowledge. The nature of these enquiries can be convoluted at times and can include referral to external agencies e.g., Telstra, SA Power etc.</p> <p>Council's customer service is delivered across all service centres with varying operating times to meet local needs. Currently, Council's phone service is available from 8 am to 5.30 pm.</p> <p>The ways in which our community choose to communicate with Council is expanding beyond traditional methods of in person and telephone. Developed and emerging technologies are being used and currently include email, social media, digital applications and online. This in turn diversifies and increases the required skill base and workload for customer service staff.</p> <p>The drive for increased first point of contact resolution needs to allow for increased training to maintain currency and accuracy and an increase in length of customer transactions.</p>
What others are doing	<ul style="list-style-type: none"> • Integrated Customer Service (combined library and council functions) • Combined Library and community centres e.g. Port Adelaide Enfield, Onkaparinga, Charles Sturt, Marion

9.3 Customer	Sub Service Council Customer servicing		
	<ul style="list-style-type: none"> Combined library and charitable activities e.g. The Bridge, Glasgow (Glasgow Life – art gallery, theatre, community centres, library and sports centres under one roof and one management) Combined library and art galleries, museums, performing arts (Millicent, South Australia; Marion, South Australia; Puke Ariki, New Zealand) Combined library and toy library; Mount Barker and Unley South Australia 		
Resources & output	Staff: 7.75 FTE (inc casuals)	Weekly staff hours: 295	Annual hours: 15,314
AHC Cost	2018/19 Annual staff: \$512,515 (includes shift loadings) 2017/18 General budget: \$18,572 (equipment and supplies, courier, advertising, after hours and banking services, Post and freight charges, coffee machine) 2017/18 Capital budget: \$3,564 (people counting sensors)		
Funding sources	Adelaide Hills Council		
Donations and Volunteers	Annual volunteer hours: Nil		
Delivery of AHC Strategic Plan	Delivers on: <ul style="list-style-type: none"> G1: People and business prosper G2: Activities and opportunities to connect G3: Places for people and nature G4: Explore 		
Community expectations (From Surveys and general usage)	<ul style="list-style-type: none"> a 'one stop shop' for both library and Council services staff are able to resolve their enquires at first point of contact staff are knowledgeable across a broad range of library resources, activities and Council services staff have general knowledge about the surrounding community and places of interest staff can assist with issues relating to other providers i.e., State Government, Telstra, SA Power, DTPI etc. staff support a safe environment for all members of the community 		
Benefit direct & indirect	<ul style="list-style-type: none"> support a safe and inclusive environment access to a broad range of Council services promote awareness of Council services, amenities and activities enabling connectivity to whole of Council for ratepayers and visitors to our community encourage social connections enable access to information needed for active participation in decision making encourage and support citizenship promote a sense of civic pride 		

9.4 Customer service: Front of house

9.4 Customer	Sub service Library front of house		
Purpose	<p>The housekeeping role within the libraries is a necessary and often invisible function. Its purpose is to keep the materials and surrounding areas clean, presentable and easy to navigate.</p> <p>Key activities include:</p> <ul style="list-style-type: none"> • activating / deactivating public access catalogues, self-service kiosks, public PCs, digital notice boards etc. • tidying and stocking ephemeral materials (e.g. newspapers and magazines) • managing informational display areas for library and Council • tidying and re-stocking café area and business centre • emptying and processing afterhours chutes • ensuring tables and chairs and other furniture clean, tidy and allow disabled access • checking and attending to mess and spills (including public toilets) • clearing rubbish/ cleaning surfaces in public use areas • printing and restocking of library brochures and bookmarks 		
What others are doing	<p>As public libraries evolve into the major “Third Place²⁰” it is likely that more time will be required to maintain the level of ‘housekeeping’ necessary to provide a professional, clean, tidy, safe and accessible library. Currently the hours required to undertake this task on a daily basis are provided by the library staff.</p>		
Resources & output	Staff: 0.92 FTE	Weekly staff hours: 35	Annual hours: 1,818
AHC Cost	<p>2018/19 Annual staff: \$54,461</p> <p>2017/18 General budget: \$214,429</p> <ul style="list-style-type: none"> • \$98,312 maintenance • \$33,502 power/water • \$82,615 cleaning <p>2017/18 Capital budget: \$21,763 (furniture and coffee machine replacement)</p>		
Funding sources	Adelaide Hills Council		
Donations and Volunteers	Annual volunteer hours: Nil		
Delivery of AHC Strategic Plan	<p>Delivers on:</p> <ul style="list-style-type: none"> • G1: People and business prosper • G2: Activities and opportunities to connect • G3: Places for people and nature 		
Community expectations (from surveys)	<ul style="list-style-type: none"> • all sites are well maintained, safe, clean, tidy and easy to navigate • equipment functional and available • current newspapers and magazines are on display • adequate resources are readily available at all sites 		

²⁰ The third place is the social surroundings separate from the two usual social environments of home and the workplace. The term was explored by sociologist Ray Oldenberg in 1989.
<https://www.steelcase.com/research/articles/topics/design-q-a/q-ray-oldenburg/>

9.4 Customer	Sub service Library front of house
	<ul style="list-style-type: none"> information available is current, timely and easy to access after-hour returns are processed in timely manner
Benefit direct & indirect	<ul style="list-style-type: none"> promotion of a sense of civic pride community well informed and up to date regarding local activities a safe, clean, welcoming and inclusive environment available for the community environment meets 'duty of care' requirements access to information on Council services, amenities and activities availability of information needed for active participation in decision-making

9.5 Other regions (geographically dispersed and / or population based)

Part of the review includes the comparison of the Adelaide Hills Council to other council areas.

These have been undertaken using two classifications:

- 1) Other geographically dispersed communities (without necessarily matching population bases), and
- 2) Other council areas with similar population bases. For the sake of accuracy, these have been confined to South Australia and statistics collated using the PLS 2017 -18 information.

Other geographically dispersed communities

	Pop ⁿ	Area km ²	Library members	Affiliated community services	Libraries / Service Points
AHC	39,652 (2017)	795 <i>Density per hectare 0.5</i>	20,993 ²¹ 53%	N/A	3 integrated with Council customer services + Mobile Library + Home Service
Blue Mountains	78,968 (2017)	1,432 <i>Density per hectare 0.55</i>	41,064 52% 530,000 loans	1 affiliated with cultural centre – theatre, music and festivals	6 library buildings + Book Express at railway station
Kalamunda (WA)	59,218 (2017)	324 <i>Density per hectare 1.83</i>	13,921 24%	N/A	4 (adjust hours for winter months) + Housebound service

²¹ Based on AHC 2019 statistics

	Pop ⁿ	Area km ²	Library members	Affiliated community services	Libraries / Service Points
Bass Coast Shire Council (Vic)	32,804 (2016)	864 <i>Density per hectare</i> 0.38	8,012 24%	2 affiliated with community centres (1 with Visitor Information Centre plus Leisure Centre) Hosts music festivals, art shows etc.	3 libraries: Principal library plus 2 have Council Customer Service + Mobile library which moving to one static library (staffed twice a week otherwise unstaffed with one self- check unit) and two “click collect and return” points
City of Devonport	25,079 (2017)	115 <i>Density per hectare</i> 2.18	5,837 (est) 23%	State managed: Libraries Tasmania Affiliated with Convention Centre, Council and Government offices	1 library (part of bigger complex) Shared space with customer service centre, café and library returns, first floor for library
Wollondilly Shire Council (NSW)	48,519 (2016)	2,560 <i>Density per hectare</i> 1.19 (National Park/Water Catchment)	11,317 23%	Affiliated with Council’s free mobile service providing Council & community information, plus children’s activities across 12 sites Supports HSC students	1 library, + Mobile library + Home services Mobile Library to be replaced by two smaller vans to better cover area

Comparison with other geographically dispersed communities demonstrate the following:

- There is no one approach to library services across regions; as far as practical, services are tailored to the needs of the communities. For some libraries opportunities have been leveraged to ‘nest’ / integrate with Cultural and Leisure Centres, for others there are café experiences.
- AHC library has the highest membership percentage of residents, suggesting that the library service is highly valued by the local community
- Three of the six regions (including AHC) have mobile library services, although one is moving to two smaller vans to continue the service
- Two of the three regions (including AHC) share the library space with Council customer service

10. SERVICES: **SYSTEMS MANAGEMENT**

Systems management directly and indirectly supports 24/7 access to the library management system, to reliable e-Resources, and to up-to-date information through library platforms and social media. It ensures the library management system is available and accurate, and provides assistance to, and support for, customers challenged by technology. It creates the content necessary to keep customers informed across a range of platforms and interfaces. It provides targeted training in the use of technology both for the public and for library staff and manages the statistical requirements and logistics underlying service delivery.

Based on the ongoing expansion of internet-based information technology it is predicted that the information needs of the community over the coming decade will continue to expand. This is likely to include improved real time online support, progressive web Apps, virtual reality platforms, data-sharing platforms, social media, and augmented reality. To support this, library facilities and services will need to be underscored with sophisticated information technology facilities. Equally, library staff and customer service personnel will require a high proficiency in digital literacy to assist customers to navigate and utilise digital information and systems.

For the purposed of the review, 'Systems management' has been classified as follows:

DIGITAL AND SYSTEMS SNAPSHOT	FTEs	Staff on costs	Operating & Capital \$	VOL FTEs
10.1.1 OVERARCHING:	1.6	\$136,712	\$104,611	0.21
Costs 2017/18 operational budget: \$71,979 <ul style="list-style-type: none"> 23 public PCs and systems \$32,424 6 public laptops \$8,412 4 multifunction devices \$17,684 general expenditure \$13,459 			\$71,979	
Capital: Self check unit upgrade		\$	\$21,763	
State Government library management system		\$	\$13,529	
Federal Government (Connect Up)		\$	\$1,650	

10.1 Systems management (Overarching)

10.1 Digital	Systems management
Purpose	<p>Systems management liaises with Council ICT, Public Library Services and vendors to install, maintain and troubleshoot the library management system, library hardware and e-resources, ensuring availability whenever customers log on. It also provides frontline assistance to customers with their personal equipment and a myriad of devices.</p> <p>It is expected today that public libraries provide 24/7 access to, and support for, online library services. It is also expected that information provision will be current, timely and available when needed.</p> <p>With a growing range of education, information, government, and community services moving online, internet access is increasingly regarded as an essential</p>

10.1 Digital	Systems management
	<p>service. The benefits of the digital economy cannot be shared equally when some members of the community are still facing real barriers to online participation.</p> <p>The skills necessary for within this area are steadily increasing, with staff requiring knowledge of html, CSS, Java, Java Script, analytics, base graphic design and desktop publishing.</p>
<p>How Systems management is implemented across the AHC</p>	<p>Systems management within the library service is divided into four key areas of expertise as outlined below:</p> <ol style="list-style-type: none"> 1. Systems management 0.64 FTE (24.3 hrs weekly, 1,265 hrs annually) 2018/19 Staff budget: \$54,684 <ul style="list-style-type: none"> - liaises with Council ICT, Public Library Services, and vendors - assesses, implements, maintains, and troubleshoots various systems, platforms and e-Resources, ensuring 24/7 access - ensures customer support when using public computers/laptops, or personal laptops or digital devices within library facilities, - addresses issues with finding websites, downloading and uploading information including course work, re-setting passwords, problems with email, scanning documents, streaming services etc. - provides system support for all library online applications - tests, installs and updates/ maintains library software/hardware 2. Content creation 0.54 FTE (20.5 hrs weekly, 1,067 hrs annually) 2017/18 Staff budget: \$46,481 <ul style="list-style-type: none"> - liaises with Council communication and events team to meet Council requirements and guidelines - creates information for library catalogue, webpage and social media - updates and adds promotional information to digital noticeboards and self-check units - produces online newsletters and promotional materials for Programs and Collection Teams - adds library information to Council events page and to Eventbrite booking system 3. Training in use of technology 0.22 FTE (8.4 hrs weekly, 435 hrs annually) 2018/19 Staff budget: \$19,139 (vols 0.21) <ul style="list-style-type: none"> • one-on-one and group sessions for customers in use of technology including accessing the internet, library e-resources and use of digital devices • training for staff to assist them in first-line trouble shooting for customer issues 4. Logistic and statistic collection 0.20 FTE (7.6 hrs weekly, 395 hours annually) 2018/19 Staff budget: \$16,408 <ul style="list-style-type: none"> • meet State and Federal statutory reporting requirements in regard to customers and materials • meet Council reporting requirements

10.1 Digital	Systems management		
	<ul style="list-style-type: none"> ensure up to date information for collections team in regard to usage trends, customer demand, heavily reserved items, loan trends inform rotation of library materials to ensure movement of stock meets customer requirements and demand monitor promotions such as Fresh Summer Reads extract reports on bookings, e-Resource use, databases, and STEAM manage logistical reports to ensure customer information on loans, returns, missing items, claimed returns, lost and in-transit materials are current and correct 		
What others are doing	<p>In Australia, USA, UK and Japan</p> <ul style="list-style-type: none"> User-focused interfaces that improve and personalise interactions between the library system and customers Phone apps – virtual library walks Westport library: espresso print on demand books Digital noticeboards for general information, promotions, programs and events, customer feedback Integrated technology Essex, UK: kinetic bikes – cycle while charging phone Brooklyn public library: levy info commons – laptops and pcs loaded with creative software suites Digital hubs Computer and mobile basics Communication (e.g. emailing) Social media Business hubs 		
Resources & output	Staff: 1.6 FTE	Weekly staff hours: 60.8	Annual hours 3,162
AHC Cost	<p>2018/19 Annual staff budget: \$136,710</p> <p>2017/18 operational budget: \$87,122</p> <ul style="list-style-type: none"> 23 public PCs \$25,300 6 public laptops \$9,004 Multifunction devices \$22,800 Library management system \$13,529 Connecting up program \$1,650 General expenditure \$13,459 (<i>\$8,000 annual Bibliotheca maintenance and support costs; \$2,156 Adobe licence; \$2,590 BorrowBox connection; \$713 VR equipment</i>) <p>2017/18 capital budget: self-check unit upgrades \$21,765</p>		
Funding sources	<ul style="list-style-type: none"> Adelaide Hills Council State Government Operations Grant : Library Management System \$13,529 Federal Government Connecting Up Program \$1,650 		
Donations and Volunteers	<p>Annual volunteer hours (42 weeks) : 420/0.21 FTE</p> <p><i>Delivering training courses to the public</i></p>		
Delivery of AHC Strategic Plan	<p>Delivers on:</p> <ul style="list-style-type: none"> G1: People and business prosper 		

10.1 Digital	Systems management
	<ul style="list-style-type: none"> • G2: Activities and opportunities to connect • G3: Places for people and nature • G4: Explore ideas and work with others
Community expectations (from surveys)	<ul style="list-style-type: none"> • Online training • Improvements to library website – enhancing navigation and ease of access to key material <ul style="list-style-type: none"> - Better access to information on programs and events - Improve bookings and provide more information on website re programs • More e-book readers for loan • Access to Mozilla Firefox • Better connection – Wi-Fi too slow • Staff or volunteers allocated to PC area for immediate assistance and dedicated support • More software on public PCs • Ongoing combination of spaces for publicly accessible PCs, use of private devices, plus options for creative literacy programs and facilities (e.g. media labs, coding, recording).

10.2 Technology utilisation

Libraries play a key role in providing access to digital devices and the Internet, and in advancing digital literacy. Public access to network computers remains a significant need for many people who lack network connections, who don't have the confidence to navigate the internet or are looking for some support in this process. As the Federal Government continues to automate services (My Gov, drivers' licenses, childcare payment linked with attendance at library story time) and advises customers to seek assistance through their libraries, the demand for access to library PCs is likely to expand over coming years.

While many Australian households have now adopted digital technologies that support new modes of communication, access to information and services, this has only sharpened expectations that libraries will continue to play a critical role as a place for public learning and knowledge sharing²².

Digital inclusion is based on the premise that everyone should be able to make full use of digital technologies – to manage their health and wellbeing, access education and services, organise their finances, and connect with friends, family, and the world beyond ^{.23}

AHC public access computers and devices

Across the AHC library service, the Public Access Computers interface with a booking system that authorises an hour of time per user to each device. This enables use of the resource to be appropriately managed without the effort of Council staff having to maintain a manual process of allocating computers to users.

²² University of Melbourne and the State Library of Queensland, (2015) Public libraries in a Digital Culture Pg 8 https://arts.unimelb.edu.au/__data/assets/pdf_file/0005/1867865/PublicLibrariesinaDigitalCulture.pdf

²³ Roy Morgan et al *The Australian Digital Inclusion Index 2018* <https://digitalinclusionindex.org.au/wp-content/uploads/2018/08/Australian-digital-inclusion-data.pdf>

It is important to bear in mind that free Wi-Fi allows users to access the internet on their own devices.

As of May 2019, the following devices are available for public use, with free WI-FI.

Location	Number of Computers 2019
Stirling Library (<i>inclusive of the Historical Society computer</i>)	14
Woodside Library	6
Gumeracha Library	6
Norton Summit Community Centre (NSCC)	7
Torrens Valley Community Centre (TVCC)	0
TOTAL	33

Data source 2019 AHC

NOTE: The internet that the customers access at the NSCC and TVCC is funded by PLS and supported by AHC library services.

In addition, the AHC offers the following devices:

Device	Number available 2019
Kindle (a small hand-held electronic device for reading books, on to which users can download books to read)	24
iPads (<i>10 for STEAM programs & 5 for loan in library</i>)	15
Laptops (used for personal and formal training purposes. Training uses laptops for approximately 10-15% of the time)	6
TOTAL	47

Data source 2019 AHC

Demand for PCs and devices

Currently the PC arrangement has been established so that any person coming into the library is able to access a PC almost immediately. This reflects a general societal philosophy (and expectation) of people being 'time poor' and therefore having limited time to address tasks.

Research and experience from public libraries around South Australia demonstrates that booking systems are not usually taken up by patrons who expect to access a PC on arrival (or shortly thereafter) in a public library.

Across the Adelaide Hills, PC session times are limited to between 60 – 120 minutes with the computer temporarily shutting down after this time. Customers can request from staff a longer period if required.

The AHC Information Technology department together with IT library staff track usage and trends across the publicly available technology devices. Data over a four-year period (2015/2016 – 2018/19) reveals the following:

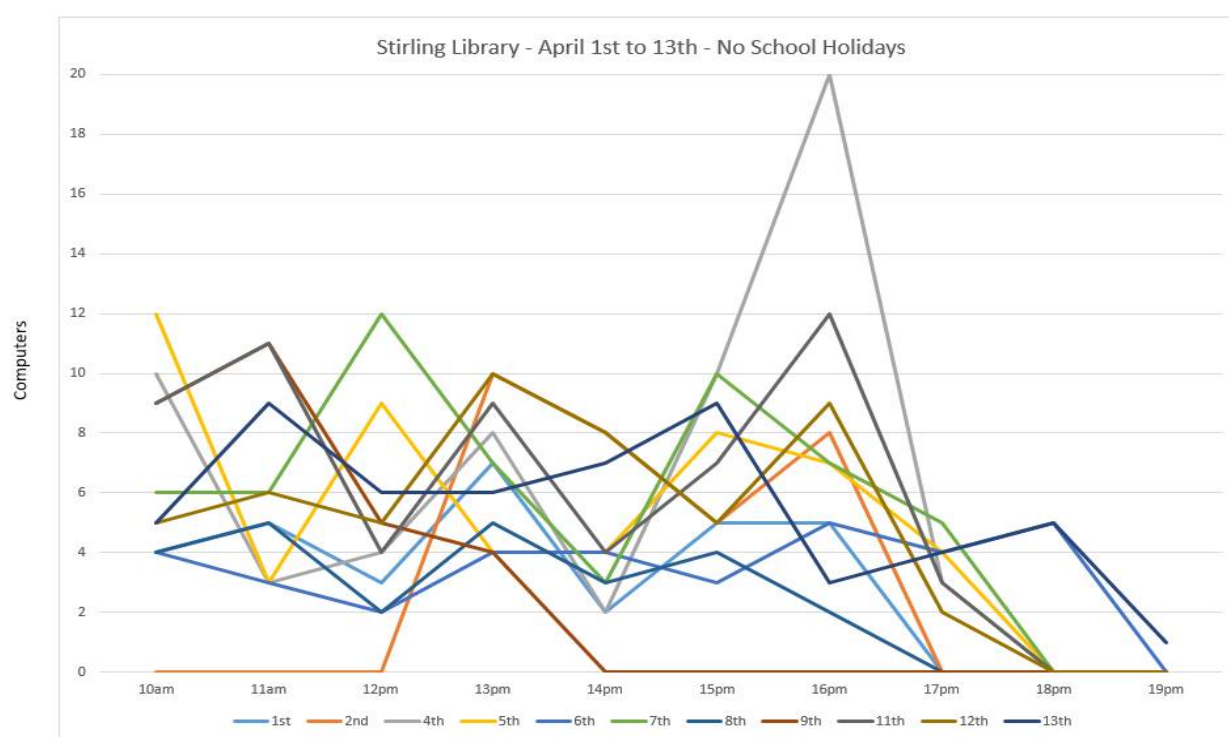
- (based on 2017/18 data)
 - Peak time for PC usage is typically between 3 – 5pm. This coincides with an increase of school students visiting the library between school and home life hours. The other time period of high demand runs broadly from 11am – 1pm.
 - Broadly speaking there is a consistent demand throughout the year
 - Usage declines slightly in April (Easter) and December (Christmas)

- It is acknowledged that these peak times may change during school holidays when the libraries typically experience a higher number of school students, many of whom enjoy accessing the PCs.
- On occasion, there are times when all the Kindles are booked out and supply cannot keep pace with demand
- Over a four-year period (2015/16 – 2018/19), there has been a slight overall decrease in the average time of use of PCs across two of the three static council sites (see table below).

Location	2015/2016 Average time on PC	2018/2019 Average time on PC
Stirling Library	44 mins	36 mins
Woodside Library	32 mins	34 mins
Gumeracha Library	60 mins	48 mins

Data source 2019 AHC

***NOTE:** At the time of writing this report the 2018/2019 figures are incomplete as the June statistics are not yet available.



Data source 2017 Public Access PC Utilisation Report (supplied AHC)

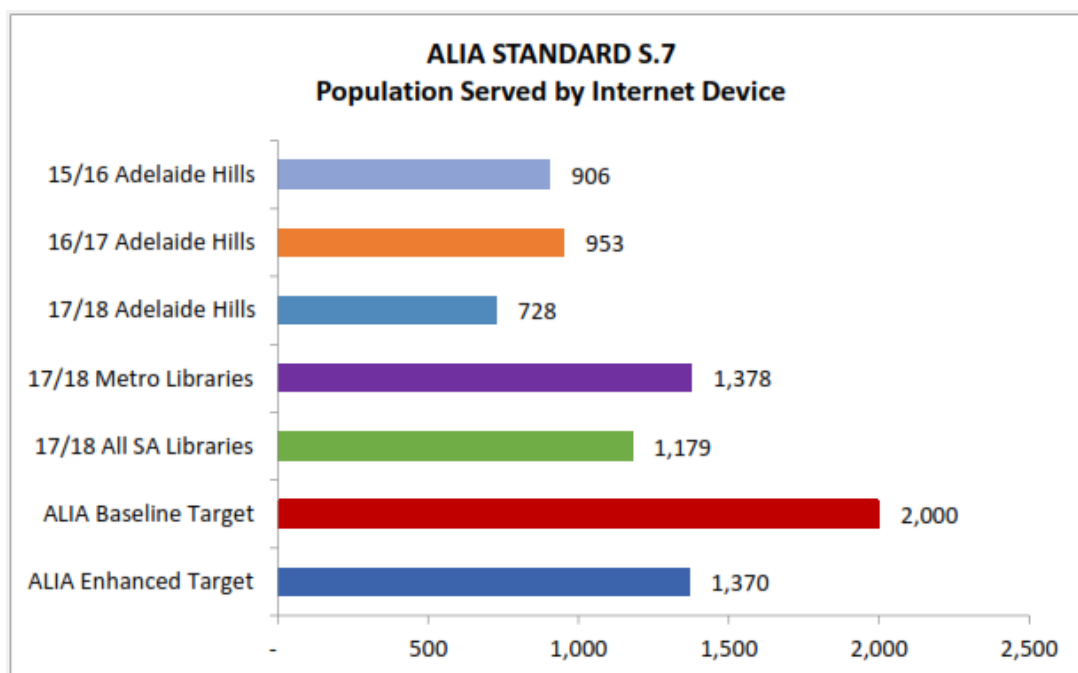
Population served by internet device

When compared with other SA metropolitan councils and the ALOA base line data, trends in population serviced by internet devices in the AHC illustrates:

- AHC exceeds both Baseline and Enhanced ALIA Targets
- AHC exceed the device provision standards of both Metro Libraries and State Libraries as a whole.

It should be noted that the population served by Internet devices is affected by number of branches and the number of customers accessing each branch.

Given the demographic data for the AHC, these trends are perhaps not surprising as the Council's population features include a higher proportion of children of primary and secondary school age (than greater Adelaide) and a larger proportion, older workers and retirees (50-59), and persons at post-retirement. These groups are typically high internet and IT users.



Data source: Adelaide Hills KPI Dashboard 17/18 prepared by PLS

Opportunities for PCs and support across the libraries

As a range of public functions continue to shift online (Government portals, banking, education and social networks), digital literacy and access are prerequisites for participation in civil society. In terms of AHC community expectations of IT in the library, the following recommendations have been identified:

- Staff or volunteers allocated to PC area for immediate / dedicated assistance
- Online training
- Improvements to library website – enhancing navigation and ease of access to key material
- Better access to information on programs and events
- More E-book readers for loan
- Better connections in the libraries, enhanced Wi-Fi speeds
- More software on public PCs

- Ongoing combination of spaces for publicly accessible PCs and use of private devices, plus options for creative literacy programs and facilities (e.g. media labs, coding, recording, Makerspace).

When considering the spatial needs and requirements for PCs at Stirling, Woodside and Gumeracha, broad opportunities exist:

- In the case of Gumeracha, the PCs have recently been relocated from the Torrens Community Centre to the library to enhance visibility and accessibility. This aligns well with the Master Plan revitalisation strategy that focuses on (amongst other things) creating a quality public realm to attract more customers/visitors and entice them to stay longer. This includes seating, shelter, signage, Wi-Fi and outdoor experiences, and community activity.
- In an ideal world, the PCs at Woodside would be given a larger space. However, within the current library footprint, this is not possible.
- In the case of Stirling, the PCs are currently located in an awkward thoroughfare area. It may be worthwhile to reconfigure the bench space and integrate the IT space with another IT activity such as a Makerspace. However, this would require considerable spatial analysis including the need to retain many of the PCs in an environment where private and quiet work could still be undertaken effectively.

As more people continue to supply and use their own devices in library spaces, it may be tempting to assume that a considerable reduction in PCs would equalise the equation. However, caution is urged in this space. While the demand for PCs in the AHC library remains strong, and the Federal and State Government continue to promote libraries as the purveyors of IT literacy and access, the need for numerous publicly available PCs (and support), is likely to continue (at least) into the short – medium term future.

As the AHC continues to support its digital culture it will need to continue to upskill staff with both technical knowledge and the capacity to support users' engagement with IT systems, processes and functionality.

11. CONCLUSIONS

Observations

The following are offered as observations on the Adelaide Hills Council library services:

- The library services of the Adelaide Hills Council are efficient, without obvious excess in the system.
- AHC provides a relevant and accessible service for its customers. The number of opening hours is higher than that offered by many comparable councils, and total expenditure as compared to other SA sample councils represents value for money.
- Despite a global trend to accessing e-resources, borrowing books remains the single most popular reason for people visiting the AHC library services. Online only comprises just under 5% of all borrowings.
- AHC collections have one of the highest turnover rates in the state due to professional and ongoing collection management: the staff work hard to match the collection to community preferences.
- Visitation statistics taken over a period of five years (2013/14 – 2017/18) demonstrate that the highest number of visitations occur at the Stirling branch. Almost three-quarters of the Library Service's members are attached to the Stirling branch, which likewise attracts approximately three-quarters of annual library visitations within the council area.
- Whilst the patronage at the Gumeracha library is not high, the complex is an important community hub and meeting place for socialising, activities, exercise and knowledge exchange for the local community.
- The mobile library service plays an important role in servicing those parts of the community that are geographically dispersed and /or primary schools that are not large enough to service their own communities with a sizeable library.
- As more people continue to supply and use their own devices in library spaces, it may be tempting to assume that a considerable reduction in PCs would equalise the equation. However, caution is urged in this space. While the demand for PCs in the AHC library remains strong, and the Federal and State Government continue to promote libraries as the purveyors of IT literacy and access, the need for numerous publicly available PCs (and support), is likely to continue (at least) into the short – medium term future.

Recommendations

The following are provided as recommendations for the Adelaide Hills Council when moving forward:

- ⇒ Continue the commitment to the mobile library as a Third place, recognising the need for this in contemporary society.
- ⇒ Document the mobile library school stop choices and their antecedents for transparency.
- ⇒ Open Stirling library on Mondays.
 - separate the opening of the Stirling library on Mondays from a reduction of hours at the Stirling library in the evening or the weekend.
- ⇒ Integrate Gumeracha library into the Gumeracha Master Plan revitalisation strategy with a quality public presence to attract more customers/visitors, including a focus on seating, shelter, signage, Wi-Fi and outdoor experiences and community activity.

- ⇒ Extend the current self-check library unit at Gumeracha to include a kiosk allowing customers to engage in council business, including making online payments and lodging development applications.
- ⇒ Support a modest increase library staff numbers to better service the diverse needs of the community while allowing library staff to continue to develop their professional competencies.
- ⇒ Explore spatial needs for all sectors of society including dedicated spaces for business, socialising, intergenerational activities, childhood and parenting activities and programs, and for youth (including a high emphasis on digital interaction, Makerspaces and study nooks)
- ⇒ Ensure ongoing monitoring of technology use and changing the offering to match customer preferences and trends
- ⇒ Look to reshape other areas: match operating hours and rostering to usage patterns across sites

More specifically:

Programs

- Continue to evolve programs to meet community emerging needs and preferences, including intergenerational activities.
- Work together with children's programs for intergenerational programs – learn together, create together.

Collections

- Focus collection where needed and rotate more frequently through smaller collections (i.e. Gumeracha); continue to evolve collection to meet special needs; continue gradual move to online.
- Retain a strong focus on physical items over the medium term.

Outreach

- Retain mobile library – update vehicle with similar size but contemporary facilities providing better serviceability, better disability access, enhanced access to library resources and better staff amenity.

Customer service

- Refine contact centre hours and rostering to match caller patterns. Triage all customer enquiries and manage routine email/web enquiries.
 - Reduces the Contact Centre hours to better reflect community needs / usage to 8.30 am – 5.00 pm. The hours saved can be rechannelled back into the service to accommodate additional work being taken on by Customer Service staff.
- Create a flatter organisation structure that both acknowledges expertise and technical competency of roles and alleviates managerial load. This may include the development of Level 3 customer service roles to reflect the levels of responsibility, knowledge and skill required.

Gumeracha

- Review space utilisation in conjunction with The Torrens Valley Community centre and Main street Revitalisation .
- Create a focused 'Book nook' with higher rotation of materials via the Mobile Library.
- Look at community use patterns for better service hours matching and investigate the viability of a service kiosk for council payments.

APPENDICES

APPENDIX A: Mobile library options

	Special purposed truck	Additional built static branches	Replaced with Home Delivery	Smaller Vehicle / van
Potential to improve service quality (reliability, equipment, personnel & responsiveness)	Continue the commitment to library as a Third place More space = more stock holding capacity Capacity for more self-serve computers including links to council customer service High visibility / promotion	Limited: Only readily able in Lobethal and Norton Summit. Lose geographical spread and school interface	Limited: Lose geographical spread and school interface – may find staff spend all time attending to school lending needs Less space = less stock holding capacity No browsing No staff amenity	Less space = less stock holding capacity Limited to reservations (no browsing) Limited staff amenity (space for fridge, sink, etc) Good visibility / promotion
Potential for closer, more meaningful relationships with stakeholders	Replacement could provide more usable space, enable improved customer access to the internet and allow for better promotion and advertising of Council initiatives. It would also improve safety in storing library materials	Diminished as rationale of outreach is abolished. Unable to service schools or provide computing	Diminished as rationale of outreach is abolished. Unable to service schools or provide computing Criteria would be required to ensure it doesn't get out of hand	With some, but not at an equitable level across the council. Changed relationship with schools Disability access unlikely or at extra cost Weather considerations for users
Address community expectation	Continue to visit main street precincts and schools to service the community Capacity for consolidated and longer stops at some areas	Diminished. Not able to service schools Staff costs in customer service and or staffing volunteers and stocking libraries	Diminished. Not able to service schools on board Staff costs in customer service and or staffing volunteers and stocking vehicle	Diminished. Not able to service schools on board smaller vehicle – more flexibility in traveling route and licence requirements
Potential for future savings	Cost to council per user only moderately higher than static libraries when extrapolated over 10 years	Cost savings in bus need to factor in 'cost' to community and extra staffing requirements to manage	Cost savings in bus need to factor in 'cost' to community and extra staffing requirements to manage	Potential saving between \$10,000 - \$25,000 per annum (as estimated by the AHC library team)

APPENDIX B: Library opening hours

	Stirling opened on Mondays (PLUS <u>no</u> reduction in current hours)	Gumeracha (reduction in staffed hours of 9 per week)	Woodside (reduction in staffed hours by 4 per week)
Potential to improve service quality (reliability, equipment, personnel & responsiveness)	Opening on Mondays is in alignment with other metropolitan and or flagship libraries Total staffed library hours per week = 52	The Library is converted into a library nook that is combined with customer service for 6 hours per week (3 hours weekday and a new weekend option of 3 hours Saturday) PLUS , Mobile library stops at the community center <u>once a week</u> for 2 – 3 hours Total staffed library hours per week = 9 +22 Vol hours	Status quo Currently this site is highly serviced and opens at 9am every weekday (something that the Stirling branch does not) Total staffed library hours per week = 45
Potential for closer, more meaningful relationships with stakeholders	Opening hours at the Stirling library slightly less than the total number of opening hours at the Woodside library, despite almost three-quarters of the Library Service's members being affiliated with the Stirling branch.	A proposed reduction in customer service hours and floor space at the library needs to be coupled with an increase in the reach and service offering of the Gumeracha community centre (Torrens Valley Community Centre) to ensure an ongoing focal point (third place) for the local community. Potential exists to link this with the AHC's larger 'revitalisation' agenda for the Onkaparinga Valley.	Status quo
Address community expectation	Visitation is highest in terms of numbers at the Stirling branch (almost 75% of all AHC visits) Mondays opening likely to be popular outcome	Council customer services have been coupled with the Gumeracha library. This means that customers can expect to continue to have council administrative matters (such as a payment, complaint, and or a town planning administrative matter) attended to at this first entry point at dedicated times	Unlikely to see an impact on the community due to very low patronage at this time (Thursday 6-8pm)
Potential for future savings	Prospective cost neutrality to be achieved through reduction in hours in other locations e.g. Gumeracha and Woodside	Cost savings of 9 hours per week in staffed time. Hours taken from Mon, Wed & Fri 9am - 12noon and Thursday 2-5pm.	Cost savings of four (4) hours per week in staffed time. Hours taken from 2x staff on Thursday evening from 6pm – 8pm.

APPENDIX C: Project acknowledgements

Strategic Matter Pty Ltd thanks the following for their invaluable input to the report:

- David Waters (Director Community Capacity, Adelaide Hills Council)
- Dee O'Loughlin (Manager Libraries & Customer Service, Adelaide Hills Council)
- Adelaide Hills Council Library staff including:
 - Karen Linsner (Services Coordinator | Library & Customer Service)
 - Susan Booth (Collection Development Coordinator)
 - Jo Kaeding (Programs Team Leader | Library & Customer Services)
 - Jodie Morbey (Team Leader Outreach Services)
 - Bernie Vogelsang (Digital Services Team Leader)
- AHC Executive Leadership Team
- AHC Elected Members
- PLS staff

Appendix 2

Business Case – Mobile Library Replacement

BUSINESS CASE

PROJECT TITLE: MOBILE LIBRARY REPLACEMENT

EXECUTIVE SPONSOR: DAVID WATERS, DIRECTOR COMMUNITY CAPACITY

PROJECT MANAGER: DEE O'LOUGHLIN

1. PROJECT/INITIATIVE DESCRIPTION AND OBJECTIVE(S)

The objective of this project is to replace the mobile library unit to enable safe, efficient continuance of outreach library services to people living more than 10km from a built library branch. The existing unit is 17 years old and has reached the end of its economic life.

2. Strategic alignment

Strategic Alignment	Comment
Strategic Plan goal and strategy	<p>Goal 2 Activities and opportunities to connect.</p> <p>Strategy 2.5 We will support opportunities for learning in our community to increase the confidence, health and wellbeing of our citizens.</p> <p>The provision of library services contributes to a number of goals in the Council's Strategic Plan, but primarily, library services are about the provision of learning and information services at all stages of life.</p>
Functional strategy	N/A
Strategic risk	Failure to provide for the welfare, well-being and interests of the community leading to decreased wellbeing and an over-reliance on social support. (This strategic risk also has other impacts. See Strategic Risk Register for full details.)
Legislative requirement	Nil.
Council policy/resolution	The 2018-19 Annual Business Plan contains provision for replacing the mobile library (subject to a business case).
Other	

3. Implications for not proceeding with proposal

The implications vary depending on what options, if any, are preferred over the proposal.

However, if the mobile library is not replaced at this time, and if there is an expectation that mobile library services continue, the administration will need to keep delivering services with the existing 17 year old unit. As the unit is aged and wearing, the Council will be exposed to ever increasing maintenance costs, WHS risks and the proposed service enhancements (better disability access, more on-board space for consumers, additional computing station) cannot be achieved at this time.

See later analysis of implications of other alternatives.

4. Options Considered

Option 1- Do nothing and continue with the existing unit

- (+) Familiarity with existing vehicle, deferring need for large capital expense.
- (-) Increased maintenance expense, risk to service continuity (breakdowns taking the unit offline).

Option 2 – Replace the existing unit with another specialised truck type unit (the proposed option)

- (+) Continuity of existing service range and level, significantly reduced risk to service continuity, reduced maintenance and operating costs, better disability access, additional space for computing.
- (-) Large upfront capital cost, ongoing limitations (due to size) on areas to park, need for MR truck licence (as now).

Option 3 – Provide more built branches and discontinue mobile library service

- (+) Potentially enhanced service for those who access the branch (compared with mobile library).
- (-) Significant upfront capital cost and ongoing operating costs, limitations on reach across the community, inability to service students in schools.

Option 4 – Discontinue mobile library service and replace with home delivery (car)

- (+) Ability to deliver when suits the consumer, not limited to people having to be at the stop at a certain time, easier to maintain and manage vehicle.
- (-) Inability to service students in schools, additional staff resourcing required (to manage reservations, packing, etc), potential for high levels of access leading to increased pressure on resources.

Note: home delivery library services are typically limited to people with mobility issues or frail aged, whereas the existing mobile library service is not restricted. If additional home delivery services are introduced in place of a mobile library, community members who presently use the mobile library would expect home delivery regardless of capacity and it could then follow that community members at large would expect home delivery, which would lead to significant costs in meeting that demand.

Option 5 – Replace the existing unit with a smaller unit (e.g. van instead of truck)

- (+) More flexibility in stopping locations, lower upfront and ongoing running costs.
- (-) Reduced ability to service students in schools.

Option 6 – Discontinue mobile library service and not replace

- (+) Reduced cost.
- (-) Inability to service students in schools, reduced social connections for isolated people, reduced access to materials for people living away from built branches.

Costing estimates in the table below are based on:

TRUCK = Option 2 (the proposed option)

VAN = Option 5

CAR = Option 4

BUSINESS CASE

Mobile Library cost calculation					
	TRUCK		VAN		CAR (additional home service)
Door count (visits) (17-18)	16,979		16,979		6,000
Loans (17-18)	28,918		28,918		12,000
Depreciation (future)	\$ 36,000		\$ 18,750		
Running costs	\$ 10,000		\$ 8,000		\$ 15,000
Staff costs	\$ 93,479		\$ 93,479		\$ 116,849
Material costs	\$ 1,000		\$ 1,000		\$ 1,000
Annual costs	\$ 140,479		\$ 121,229		\$ 132,849
Cost per visit	\$ 8.27		\$ 7.14		\$ 22.14
Cost per loan	\$ 4.86		\$ 4.19		\$ 11.07
Depreciation calculation					
Capital Cost	\$ 480,000.00		\$ 150,000.00		NA
Depreciable life	10		6		
Residual value	25%		25%		
Annual Depreciation	\$ 36,000.00		\$ 18,750.00		
Notes:					
Car running costs are nominal allocations typical of sedan type vehicles, including depreciation, fuel, etc.					
Car staff costs assume additional 0.25 FTE in managing reservations, picking books, packing, etc. Could be significantly higher.					
Residual values as advised by Finance.					
Car visits and loans based on 1 delivery every 15min over 200 days per year.					
Van visits and loans assumes same as truck. Reduced physical size of vehicle and collection may reduce visitation.					

5. Areas/Employees affected by the change

The proposal would have a positive impact on the staff who presently operate the mobile library as a new unit will have more automated features (such as deployment of stabilisers), better amenities (small fridge and microwave for lunches) and better climate control.

6. Stakeholder assessment and management

Staff - as above.

Community members

BUSINESS CASE

The mobile library has some 4,500 non-student visits per year. Should the service be discontinued or significantly changed which affects access detrimentally, there is likely to be concerns raised in the community. Many of the mobile library users are socially and/or physically isolated. Renewal of the existing mobile library with a new and better unit is likely to be seen favourably by existing users.

Students in schools

13 smaller schools with limited resources for their own libraries have access to the mobile library service. The mobile library has some 12,000 student visits per year. Feedback from schools has been that they value the service. Indeed, one school which indicated that there was no need for the library to visit, soon asked for it to return after the stop was discontinued. Should the service be discontinued or changed in a way which affects student access, it will likely be seen as a detriment to those students.

The proposed new mobile library unit would be configured in a way which maximises the ability to get numbers of people on board at one time without people having to wait outside (potentially in inclement weather). Student feedback could be sought in this regard.

7. Risk assessment and management

Separate risk assessment covering: usage fluctuations, breakdown and service continuity, staff WHS and unit match with function.

In summary: usage patterns are stable and have increased gradually with refinement of timetable, service continuity enhanced with newer more reliable unit, staff WHS enhanced with newer unit that can cope with extremes of temperature and has automated processes, unit will be bespoke designed to match function with input from stakeholders.

8. Financial Impact (insert additional lines in table if appropriate)

Description	Y1 \$'000	Y2 \$'000	Y3 \$'000	Y4 \$'000	Y5 \$'000	Y6 \$'000	Y7 \$'000	Y8 \$'000	Y9 \$'000	Y10 \$'000
Capital	480,000	-	-	-	-	-	-	-	-	-
Operating Expenditure	140,500	140,500	140,500	140,500	140,500	140,500	140,500	140,500	140,500	140,500
Operating Income	-	-	-	-	-	-	-	-	-	-
FTE Impact – Incr / (Decr)	-	-	-	-	-	-	-	-	-	-

Note: the operating expenditure is already accommodated in the Operating Budget and LTFP, with the exception of \$36,000 in annual depreciation, which is currently not incurred because the existing mobile library unit is fully depreciated.

9. Related projects

The replacement of the mobile library is considered in the context of the Library Services Review.

10. Proposed timelines and milestones

Purchase of the new mobile library would occur in the second half of 2019, with a view to commissioning it during the annual January scheduled break in service. The existing unit will be sold after the new one comes on board.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 12.5

Originating Officer: Aliza Fuller, Waste Management Coordinator

Responsible Director: Peter Bice, Director Infrastructure and Operations

Subject: Resource Recovery & Recycling Strategy

For: Adoption

SUMMARY

The purpose of this report is to present the proposed *Resource Recovery & Recycling Strategy* (the Strategy) contained within **Appendix 1**. The Strategy aims to support the Waste Management Hierarchy with the intent to minimise waste production and to reduce residual waste to landfill from the kerbside bin collection.

The recent global recycling impact, namely the *China National Sword Policy*, (China Sword), instigated a need to become more proactive in the waste and recycling management space. The existing *Waste and Resources Management Strategy 2016-2021* was formulated and adopted by Council prior to China Sword. As a result of China Sword it was considered an opportune time to instigate additional strategies to address the current waste and recycling environment. Key to these strategies was adoption of a Chief Executive Officer Performance Target at the June 2018 Council meeting. This required the development of a strategy relating to kerbside collection to maximise environmental outcomes, reduce contamination rates and provide a cost effective kerbside recycling service.

To assist with waste minimisation, resource recovery and to improve community recycling practices it is recommended that the *Resource Recovery & Recycling Strategy* be adopted.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. Council adopts the Resource Recovery & Recycling Strategy contained within Appendix 1 of this report.
 3. That the CEO be authorised to make any formatting, nomenclature or other minor changes to the Strategy prior to being released to the public.
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 3 Places for people and nature
Strategy 3.7 We will drive further reduction in waste consigned to landfill

Implementing the *Resource Recovery & Recycling Strategy* will provide direction to Council to implement strategies and actions aimed at minimising community waste production and reducing residual waste to landfill through increased recycling from the kerbside bin collection.

The *Resource Recovery & Recycling Strategy* aims to enhance existing waste policies and strategies to achieve optimum recycling practices. In particular, the *Waste and Resource Management Strategy 2016-2021* consists of objectives that are relevant to this report. In addition, Council's *Waste and Resource Recovery Service Policy* formalises the provision of the kerb side bin service including residual waste, recycling and green organic bins.

➤ Legal Implications

Council is obligated under the *Environment Protection (Waste and Resources) Policy 2010* to provide a weekly kerbside waste collection to its residents.

Section 7(b) of the *Local Government Act 1999* requires Council to provide services and facilities that benefit its area including general public services or facilities including waste collection, control or disposal services or facilities.

➤ Risk Management Implications

The adoption of the proposed Resource Recovery & Recycling Strategy will assist in mitigating the risk of:

A lack of strategic direction in waste and recycling activities leading to less than optimum environmental and financial outcomes

Inherent Risk	Residual Risk	Target Risk
High (3B)	Med (2C)	Low (1E)

Adoption of the report recommendation results in the adoption of the *proposed Resource Recovery & Recycling Strategy* which includes numerous existing and new mitigation actions.

➤ Financial and Resource Implications

Reducing waste consumption and maximising resource recovery from residual waste through increased recycling will assist with minimising waste management costs. The Solid Waste Disposal levy consists of fees of \$51.50/tonne for non-metropolitan Adelaide waste and \$103/tonne for metropolitan waste for the 2019/20 period. These fees do not include collection and transport costs.

In regard to waste disposal fees for Adelaide Hills Council the draft 2019/20 budget for residual waste from the kerbside blue bin collection and residual waste from the Heathfield Resource Recovery Centre is \$1,068,656. Of this amount, 75%, or \$800,000 is towards the solid waste levy outlined above. Annual collection costs for waste disposal from the kerbside waste bin are in the order of \$1,300,000 and are in addition to the disposal and levy costs outlined above.

Recycling is more cost effective than landfilling, notwithstanding there are also considerable environmental benefits, however there are also considerable costs. Fees for the processing of recyclable materials are between \$55 and \$65 per tonne to the period 2020/21. The draft 2019/20 budget for recyclable material includes an allocation of \$200,000 for processing. In addition, the draft budget also includes \$700,000 for the collection of recyclables from the yellow kerbside bin.

Noting the above costs it is preferable to avoid waste generation in the first instances followed by recycling prior to material going to landfill. The *Resource Recovery & Recycling Strategy* includes strategies focusing on both these elements.

In regard to resources required to implement the Strategy in early 2020 strategies requiring budget will be identified, scoped and costed for inclusion in the Long Term Financial Plan and the 2020/21 budget and beyond. To minimise the financial impact on Council funding opportunities will be explored and when appropriate applied for.

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

There is a community expectation that products being presented in the kerbside bins are being processed in the correct manner i.e. optimising resource recovery. The *Resource Recovery & Recycling Strategy* assists residents to have confidence that this is occurring.

Changes to current waste and recycling collections are not anticipated in the near future. However, as actions within the Strategy are delivered there may be changes in the way that waste and recyclable material is collected, sorted and processed. These changes will be evaluated and assessed over time and implementation progressed when it is shown that it is beneficial to do so. Implementation of any changes to the kerbside service will include an appropriate level of community consultation commensurate with the change proposed.

➤ **Environmental Implications**

The Strategy aims to reduce the impact on the environment by reducing waste disposed to landfill through the minimisation of waste generation in the first instance followed by the increased recycling of residual material destined for landfill.

For Adelaide Hills Council waste disposal volumes during the period 2010 to 2018 have slightly increased and the trend for recycling during the same period has slightly decreased. Whilst there could be a number of factors influencing this outcome, including a state wide increase in per capita production of waste between 2003/04 (2160kg/person/year) and 2016/17 (3060 kg/person/year), this is not a preferred result.

Given the trends being experienced from the Adelaide Hills Council community the Strategy includes proposed activities that will broaden the approach of Council to assist reduce the volume of waste material produced and increasing recycling from residual material going to landfill. These activities are discussed in more detail in the Analysis section of this report.

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

The *Resource Recovery and Recycling Strategy* has been developed by Adelaide Hills Council Staff with input from key stake holders including regional subsidiaries East Waste and the Adelaide Hills Region Waste Management Authority. Green Industries SA were also consulted and provided feedback.

Consultation on the development of the Strategy was as follows:

Council Committees: Not Applicable

Council Workshops: 19 March 2019 & 4 June 2019 (June workshop scheduled but did not occur. Draft Strategy circulated by email in lieu of workshop).

Advisory Groups: Normally, feedback from the Sustainability Advisory Group would have been sought. However this was not possible due to the Strategy being developed to near final draft form prior to formalisation of the group.

Administration: Director of Infrastructure and Operations
Manager Financial Services
Manager Waste and Emergency Management
Sustainability Officer

Community: Specific community consultation was not undertaken on the draft Strategy given community views were sought during the development of the Waste and Resource Management Strategy 2016-2021. However, the day to day feedback received from the community in relation to waste and recycling, which is considerable, has been considered and where appropriate incorporated into the Strategy.

2. BACKGROUND

At the beginning of 2018 the waste and recycling industry was severely impacted by the effects of the China National Sword Policy. Material that had traditionally been sent to China for recycling was no longer accepted as rigid contamination thresholds came into effect.

As a result of the China National Sword Policy and Council's long standing commitment to reduce waste to landfill and maximise community kerbside recycling rates the following CEO Key Performance Indicator was adopted at the June 2018 Council meeting:

"Develop a strategy, to Council's satisfaction, that considers approaches for the future collection and processing of recyclables with a view to maximising environmental outcomes, reduce contamination rates and provide a cost effective kerbside recycling service".

Further, and also in response to China Sword, a Motion on Notice by Cr Green to measure and report on the amount of recycled material used in Council's Capital Works Program was adopted. Collectively these two outcomes have been the impetus for the development of the proposed *Resource Recovery & Recycling Strategy*.

There are a number of internal and external drivers that relate to waste and recycling management relevant to the proposed Strategy, these are:

Key external drivers include:

- Commonwealth National Waste Policy
- South Australia's Waste Strategy 2015-2020
- *Environment Protection (Waste to Resources) Policy 2010*

Internal drivers include:

- Adelaide Hills Council's Strategic Plan.
- Waste and Resources Management Strategy 2016/20.
- Council's Annual Business Plan.

3. ANALYSIS

A significant lesson from the fallout of China Sword was the identification of the need to develop local and national markets for the reuse of recycled product generated within Australia through development of a Circular Economy. The principals of a Circular Economy in relation to waste and recycling are to minimise reliance on virgin materials, continuous functioning and extended life of materials and minimising the generation of waste and pollution. The proposed Strategy includes a section on the Circular Economy given the importance of this element in the recycling industry. In addition, there are several actions that directly relate, and many more that indirectly relate, to Adelaide Hills Council implementing Circular Economy principles.

For example the proposed Strategy includes the following actions:

- **Strategy 2.10** - We will seek evidence based assurance that our recycling material is being processed in an environmentally and circular manner
- **Strategy 4.4** - Undertake investigation & research into the Circular Economy products for use at AHC

In addition to the above, and as outlined previously, this Strategy includes an action to measure, and report on, the amount and origin of recycled material used in Council's Capital works programs (refer *Strategy 4.2*). The Strategy also includes an action to participate in a sustainable procurement pilot with other council's towards establishing a target for procuring sustainable products (refer *Strategy 4.1*). Both of these strategies further add to actions to be undertaken by Council in regard to implementing Circular Economy principals.

In formulating the actions within the proposed Strategy the Diversion Rate was used as a key indicator. The diversion rate is an industry recognised measure of the performance of programs and community behaviour to minimise waste to landfill and increase recycling. The diversion rate is measured as the combined tonnes of green organics and recycling material expressed as a percentage (the higher the better) of the total tonnes of residual waste, recycling and green organic material.

In Adelaide Hills Council the last material improvement in the diversion rate occurred between 2011/12 and 2012/13 when the rate increased from 34% to 44%. This

improvement was a result of the introduction of kerbside green organic bins to township areas within Adelaide Hills Council. Since 2012/13 the diversion rate has increased to 48% in 2017/18 largely as a result of increases in green organic material being disposed of in the green organic bin.

To achieve further material changes to the diversion rate a similar scale of change as was the case with the introduction of green organic bins to township areas will be required. The proposed Strategy includes several actions that may result in, or contribute to, a material change in the diversion rate, examples include:

- **Strategy 2.2** - We will investigate providing smaller general waste bins and larger recycling and organic bins to residents
- **Strategy 2.3** - We will explore the benefits or otherwise of implementing fortnightly kerbside waste collection
- **Strategy 2.14** - We will work with partners to analyse the benefits and feasibility of introducing a fee incentive to property owners to produce less waste and recycle more in relation to the kerbside bin service

Implementing any of the above examples will require a considerable commitment by Council to instigate a major change in the diversion rate. For example, Strategy 2.14 would include investigating a price signal for the disposal of waste. Residents who recycle more or produce less waste would pay less and those who produce more waste would pay more. If such a system was determined to be worthwhile it would require a significant commitment from Council to resource and implement.

In acknowledging the need to move to a Circular Economy approach and to improve the current diversion rate this Strategy recognises the need to broaden the traditional post consumption education approach previously undertaken by Council. This requirement is particularly important given the trends described previously in this report relating to increasing waste volumes and decreasing recycling volumes.

Noting the need for change the proposed Strategy introduces a new focus on pre consumption community education.

This new focus aims to minimise waste production in the first instance by educating the community on the Waste Management Hierarchy. The Waste Management Hierarchy is an internationally recognised framework that prioritises waste and recycling practices from least preferable to most preferable. The higher order preferences outlined in the Waste Management Hierarchy are “avoid, reduce and reuse”. Example actions in the proposed Strategy relating specifically to the Waste Management Hierarchy include:

- **Strategy 1.1** - We will provide education to the community on the need to practice the Waste Management Hierarchy
- **Strategy 1.4** - We will create an electronic (available if needed in hard copy) Waste Management Hierarchy kit
- **Strategy 1.8** - We will undertake specific community education on the Waste Management Hierarchy with a view to reducing consumption in the first instance

To further broaden the approach undertaken by Council the proposed Strategy also includes exploration of regulatory mechanisms to reduce the occurrence of persistent contamination by property owners, for example:

- **Strategy 2.1** - We will review the current Waste & Resource Recovery Service Policy to consider including a regulatory position on managing ongoing kerbside bin contamination from repeat offenders

None of the above elements have been previously been explored and in doing so will broaden the approach Council takes to minimise environmental impact from waste generated by the community. The examples provided above are a select example taken from a total of 49 strategies contained within the proposed *Resource Recovery & Recycling Strategy*. Many of the strategies are newly created whilst many are existing actions found within the current *Waste and Resource Management Strategy 2016-2021*.

The final outcomes of many of the actions identified in the proposed *Resource Recovery & Recycling Strategy* are dependent upon further more detailed consideration and exploration. Subject to the outcome of this further analysis it is envisaged one or more of the proposed actions, or several in combination, will lead to a material shift in the diversion rate for the better and stimulate the required behaviour change to foster the principals of a Circular Economy.

Reducing waste to landfill and increasing recycling of residual material is a shared responsibility between all stakeholders. Success requires a strong commitment from Federal, State and Local Government, industry and critically householders and the community as a whole. Optimum resource separation occurs at the kerb when residents place items into the bins and therefore the ultimate success or otherwise in increasing the diversion rate depends on the community.

Looking forward to 2021 it is proposed that the *Resource Recovery & Recycling Strategy* and the current *Waste and Resource Management Strategy 2016-2021* be reviewed and combined to formulate a single waste reduction, recycling and resource recovery document to guide Council's future waste and recycling activities.

4. OPTIONS

Council has the following options:

- I. To adopt the *Resource Recovery & Recycling Strategy* contained in **Appendix 1**.

This option is recommended as it will assist to improve resource recovery within the Council region and reduce waste to landfill.

- II. To adopt the *Resource Recovery & Recycling Strategy* contained in **Appendix 1** with any amendments made by Council.

This option is also recommended however it may delay adoption of the *Resource Recovery & Recycling Strategy* if Council identify the need for substantial amendments to the revised Strategy. If substantial amendments are required it is recommended that they be referred to staff for review to allow for analysis of the implications of the amendments, prior to the matter being brought back to Council for further consideration.

- III. Do not adopt the *Resource Recovery & Recycling Strategy*.

This option is not recommended as it will forego the strategic direction required to maximise the influence Council has in decreasing waste to landfill and improving recycling.

5. APPENDIX

- (1) Proposed Resource Recovery & Recycling Strategy

Appendix 1

Proposed Resource Recovery & Recycling Strategy

Resource Recovery and Recycling Strategy (Final)

Edition 1 - 2019



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1 Introduction

Council is committed to the ongoing development of kerbside recycling practices and activities with the aim of minimising the impact on the environment and minimising Council's cost for residual waste disposal.

The principal purpose of this Resource Recovery and Recycling Strategy (the Strategy) is to:

- Increase the amount of recycling material placed in the kerbside yellow and green bin from material currently going to landfill

Notwithstanding the above, the importance of avoiding, reducing and reusing virgin and recycled materials in the first instance is recognised in accordance with the Waste Management Hierarchy (refer Section 4) and therefore the Strategy also aims to:

- Educate the community on the Waste Management Hierarchy to minimise the generation of waste and recycling material in the first instance followed by appropriate recycling practices
- Practice and promote circular economy principals

The Strategy intends to support and enhance existing plans, policies and strategies towards maximising recycling practices. The Strategy has been developed by Adelaide Hills Council staff, with input from key stakeholders including regional subsidiaries the Eastern Waste Management Authority, trading as East Waste, and the Adelaide Hills Region Waste Management Authority.

The Strategy builds upon Council's Waste and Resources Management Strategy 2016-2021 which outlines a number of objectives and strategies to assist with reduction of waste to landfill.

The need for additional actions has been identified to ensure that Adelaide Hills Council continues to be proactive and responsive to recycling trends and requirements. This document is intended to address this requirement. The existing strategies and policies that Council currently has in place are still relevant and will be complemented by actions identified in the Strategy.

2 Council Profile

The Adelaide Hills Council area extends from Humbug Scrub in the north to Dorset Vale in the south and Mount Torrens in the east to Rostrevor in the west (Figure 1). The region is a short drive from Adelaide's CBD and can be reached via the South Eastern Freeway as the main feeder route. The Adelaide Hills Council area is bordered by eight Councils including metropolitan and non-metropolitan Councils. The official population of Adelaide Hills Council as of 30 June 2017 was 39,652.

The Council area covers 795 square kilometres. The land use is predominantly rural with rural - residential township areas. The diversity of land use ranges from fruit growing, conservation, farming and market gardening to urban townships. Urban areas such as the settlements of Stirling, Aldgate and Bridgewater are complimented by smaller townships and villages scattered throughout the Council region. There are several main arterial roads throughout the district with sub arterial roads completing the network.

The Council is divided into two wards, the Ranges Ward and Valleys Ward. For kerbside waste and recycling collection Council provides up to three kerbside bins for each ratable property, including a blue-lidded domestic waste bin, a yellow-lidded recycling bin, and a green-lidded organic bin (for townships only).

Figure 1 - Adelaide Hill Council Area



Domestic waste bins are collected weekly and recycling and green waste bins on alternating fortnights by Council's waste subsidiary, East Waste. The bins are collected predominantly from the verge area of most premises. Due to the vast distance between some properties and accessibility issues for the large waste trucks, bin banks are utilised in some cases. Bin banks consist of a number of bins clustered together at an appropriate location with waste collected from this point. This minimises trucks travelling a long distance to collect a minimal amount of waste and also assists with minimising risk by not having large waste collection vehicles travelling along roads that are not suitable for this type of vehicle.

3 Background

Given Council's commitment to minimise waste to landfill and maximise community kerbside recycling rates, Adelaide Hills Council has existing strategies and policies in place to realise this objective. The current Waste and Resource Management Strategy 2016-2021 is Council's primary document in relation to waste and recycling management. This document is supported by Council's Strategic Plan, specifically Strategy 3.7 *"We will drive further reduction in waste consigned to landfill"*. The prelude to the current Waste and Resource Management Strategy 2016-2021 was the Waste Management Strategy 2011-2015 adopted by Council in June 2011.

Notwithstanding Council have well established actions in reducing waste to landfill and maximising recycling, Council needs to remain aware of and responsive to contemporary challenges and opportunities in the waste and recycling industry. Most notable of these challenges were the limitations placed on global recycling markets in 2017 and 2018 by the Chinese Government known as the 'China National Sword Policy'.

The China National Sword Policy (China Sword) resulted in stockpiling of some recyclable materials in Australia as recyclable materials that had previously been sent to China were no longer accepted. This resulted in the need for the materials to be stored until future opportunities were found to recycle. Council also experienced a financial loss due to China Sword through the loss of a rebate paid for Council's recycled material. Further, Council now had to pay for the processing of recycled material collected through the kerbside recycling bins. Collectively, loss of the rebate and the need to pay for processing of recycled material resulted in a net loss of over \$360,000 per annum.

Noting the impacts of China Sword and Council's longstanding commitment to minimise waste to landfill and maximise community kerbside recycling rates, the following action was adopted by Council in June 2018.

"Develop a Strategy, to Councils satisfaction, that considers approaches, for the future collection and processing of recyclables with a view to maximising environmental outcomes, reduce contamination rates and provide a cost effective kerbside recycling service".

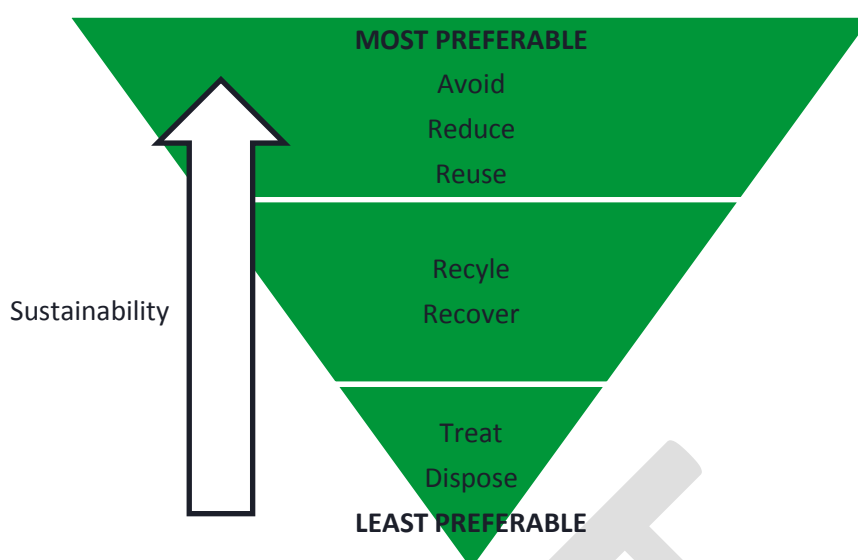
In addition to the above action, at the Ordinary Council Meeting held on 26 March 2019 Council resolved a climate emergency. The climate emergency Motion on Notice recognised the precarious position that requires urgent action by all levels of Government, including local Councils. It also reaffirms Council's commitment to both mitigating against, and adapting to, the adverse impacts of climate change within the Adelaide Hills Council. Implementation of the Strategy will assist in mitigating the climate emergency.

Taking the above into consideration and to guide decision making and the allocation of resources the Waste Management Hierarchy needs to be considered and referred to in the first instance when considering strategies relating to reducing waste to landfill and increasing recycling.

4 Waste Management Hierarchy

The Waste Management Hierarchy, as illustrated in Figure 2, is an internationally recognised framework to guide and prioritise waste and recycling practices and activities and is identified in the *Green Industries SA Act 2004*.

Figure 2: Waste Management Hierarchy



The Waste Management Hierarchy is an order of priority for the management of material in which avoiding, reducing and reusing are the most preferable activities. Recycling and recovery is the second level preference followed by treatment with disposal of material to landfill as the least preferable activity. The aims of the Strategy focus on the first and second level preferences of:

- Avoid
- Reduce
- Reuse
- Recycle
- Recover

5 Consumption

Following the preferences of the Waste Management Hierarchy it is important to encourage the community to reduce their consumption of items by avoiding, reducing and reusing in the first instance. Traditionally, Council's community education practices have focused on the recycle and recover components of the Waste Management Hierarchy. Noting the preference of the Waste Management Hierarchy is to avoid, reduce and reuse as the first priority, the relationship between consumption of items and the subsequent disposal of residual material needs to be communicated to residents to increase their understanding of the complete Waste Management Hierarchy. Accordingly, the Strategy includes a number of actions to focus on reduced community consumption in addition to recycling and recovery activities, these include:

- **Strategy 1.1** We will provide education to the community on the need to practice the Waste Management Hierarchy
- **Strategy 1.4** We will create an electronic (available if needed in hard copy) Waste Management Hierarchy kit
- **Strategy 1.8** We will undertake specific community education on the Waste Management Hierarchy with a view to reducing consumption in the first instance
- **Strategy 2.4** We will investigate providing smaller general waste bins and larger recycling and organic bins to residents
- **Strategy 2.14** We will work with partners to analyse the benefits and feasibility of introducing a fee incentive to property owners to produce less waste and recycle more in relation to the kerbside bin service

As a community leader Council needs to demonstrate practices that align with the Waste Management Hierarchy. The Strategy includes activities that aim to avoid, reduce and reuse material in relation to Council's consumption including participation in a pilot project to set a sustainable procurement target and to measure and record the amount of recycled material used in Council's Capital Works Program. The Strategy also includes actions to consider adoption of waste and recycling criteria for Council events and functions and to undertake investigation and research into circular economy products for use at Adelaide Hills Council.

6 Waste and Recycling Diversion Rate

Council's kerbside waste collection diversion rate has steadily increased since 2010. The diversion rate is the volume of recycled and green organic material expressed as a percentage of the total volume of material that would have normally gone to landfill.

Table 1: Diversion Rate - Adelaide Hills Community

	Waste Tonnes	Green Organics Tonnes	Recycling Tonnes	Percentage Diversion
2010/2011	8246	172	4132	34
2011/2012	8076	168	3946	34
2012/2013	7404	2207	3606	44
2013/2014	7490	3002	3300	46
2014/2015	7742	3047	3493	46
2015/2016	8000	3239	3743	47
2016/2017	8372	3903	3628	47
2017/2018	7933	3737	3421	48

Prior to 2012-13 a 'trial' green organics kerbside collection was provided to approximately 200 homes in the Rostrevor, Woodforde and Teringie areas. This trial accounted for the small tonnages of green organics shown in Table 1 for 2010-11 and 2011-12. The disposal path of green organics prior to the introduction of kerbside green organic bins to all township areas in 2012-13 is unknown. However, it is likely that green organics would have been burnt, went into the kerbside general waste bin or were composted.

Table 1 shows that the introduction of green organic bins to all township areas did result in a marked increase in the diversion rate at the time of 10% between 2011-12 and 2012-13. Since the introduction of green organic bins in 2012-13 the diversion rate has steadily increased from 44% to 48% in 2017-18.

Figure 3 below shows the tonnes of waste, organics and recycling material collected between 2010-11 to 2017-18. The solid black line shown in Figure 3 for each of the material streams shows the 'trend' overtime for each material.

Figure 3: Waste, Organics and Recycling Tonnes and Trends 2010/11 to 2017/18

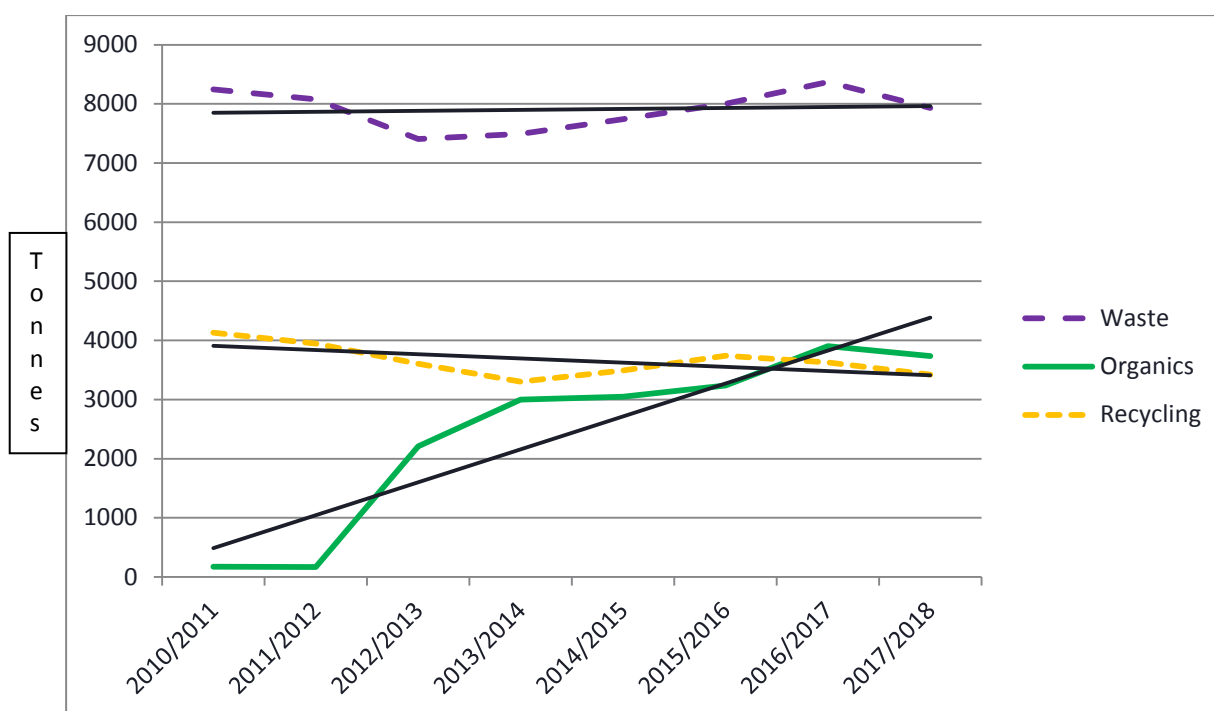


Figure 3 shows that the increase in the diversion rate is due to marked increases in the volume of green organics collected through the kerbside service over the period. Of note, the trend for waste material collected over the period has slightly increased in tonnes, whilst the trend line for recycling material has decreased in tonnes. Ideally, this outcome should be reversed and highlights the need for further work with the community to decrease waste tonnes and increase recycling. Notwithstanding these results, the introduction of the green organic bin service has achieved a positive result and without this action it is likely the increasing trend in waste tonnes demonstrated in Figure 3 would be far greater.

To assist with collecting food scraps that could be placed into the green organic bins, a grant from Zero Waste enabled Council to provide free kitchen caddy starter kits to residents in 2013-14. Initially they were only available to residents who had a kerbside green organic bin. However in 2018 it was decided that kitchen caddies would be made available to all residents. This decision was made to increase the uptake of the caddies so that residents who were home composting had access to a resource that would assist in their efforts to divert waste to landfill.

To make substantial and ongoing positive changes to the diversion rate a considerable change in current practice would be required, such as what occurred with the introduction of green organic bins to township properties. Given this need the Strategy contains several actions to investigate activities, services and resources required to make a material change to the diversion rate for future consideration by Council.

7 Shared Responsibility – Roles

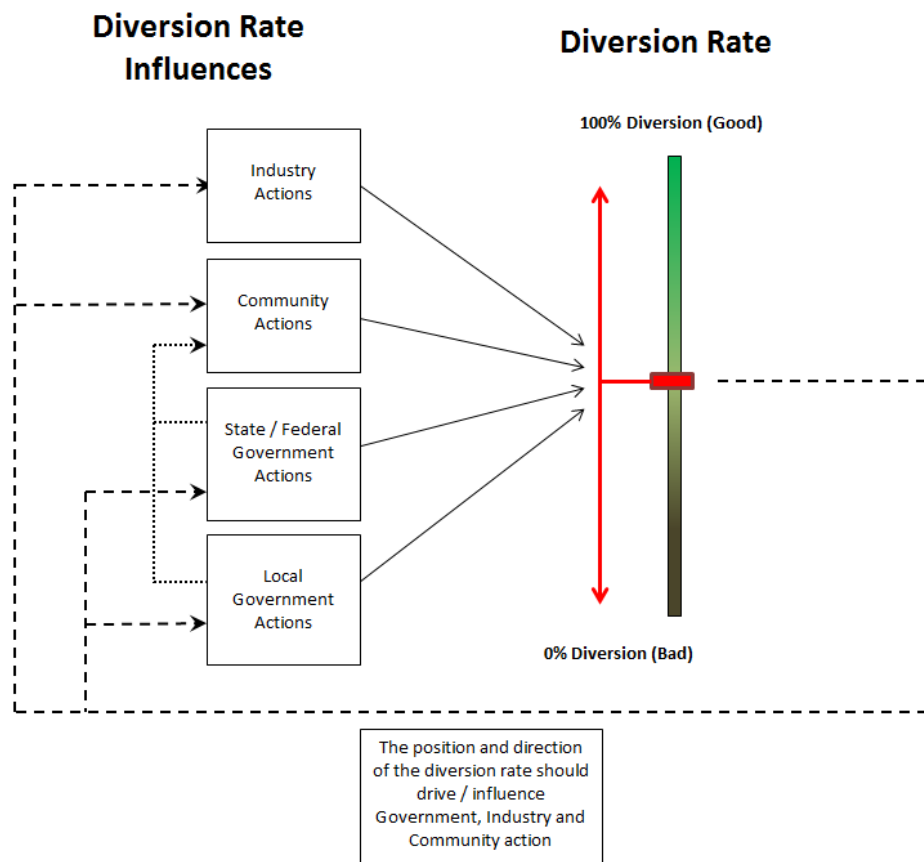
Minimising waste to landfill and maximising recycled material is a shared responsibility between key stakeholders including:

- Local, State and Federal Government
- Communities
- Individuals

- Industry

Figure 4 demonstrates the link between key stakeholders and the effect on the diversion rate. Collaborative participation by all stakeholders is key to increasing the diversion rate with no one single stakeholder working in isolation being able to effect a material change.

Figure 4: Shared Responsibility



7.1 Local Government

Councils have a role to provide waste management services including kerbside waste and recycling collection, disposal of residual waste, processing of recycled material and providing awareness and education to the community. Education is a vital role that Local Government provides to ensure that the community has the knowledge to recycle products in the correct manner and to minimise their waste to landfill. Council also has a role in leading by example, advocating for change on behalf of the community, facilitating to bring parties together and as a partner with other key stakeholders.

7.2 State and Federal Government

The primary responsibility of waste management is driven by State and Federal Government in accordance with legislation, policies and programs. They are responsible for legislation, strategies and policies for waste and recycling management frameworks. Examples include: 2009 National Waste Policy, Environmental Protection Act 1993 and Green Industries SA Act 2004.

7.3 Community and Individuals

Ultimately, the success or otherwise of minimising waste to landfill and maximising recycling of material is dependent upon the community and individuals. The community and individuals have a responsibility to ensure that they are sorting their waste and recycling materials into the correct streams. Further, the community need to alter their behaviour to align with the requirements of the Waste Management Hierarchy outlined in Section 4.

7.4 Industry

The waste and resources industry in South Australia is very well represented, with diverse businesses vying for recyclable materials. For the recycling industry to continue to thrive and improve, industry needs be responsive to emerging trends and technologies and implement additional recycling options for consumers where there is a gap. This will require investment from both industry and Government.

8 Regional Subsidiaries

Council utilises regional subsidiaries to provide waste and recycling collection and disposal services. Regional subsidiaries can be established under Section 43 of the *Local Government Act 1999* to provide a specified service or services; or to carry out a specified activity or activities; or to perform a function of the Councils establishing a regional subsidiary.

Relevant to waste and recycling management the Adelaide Hills Council is a member of two regional subsidiaries, these are:

- Eastern Waste Management Authority (East Waste)
- Adelaide Hills Region Waste Management Authority (AHRWMA)

East Waste is a regional subsidiary of the City of Burnside, the Campbelltown City Council, the City of Mitcham, the Corporation of the Town of Walkerville, the City of Prospect, the City of Norwood Payneham and St Peters and the Adelaide Hills Council. East Waste provides kerbside bin collections, at call hard waste collections and street litter bin services for Adelaide Hills Council.

The AHRWMA is a regional subsidiary of the Rural City of Murray Bridge, the Adelaide Hills Council, the District Council of Mount Barker and the Alexandrina Council. The AHRWMA operates a landfill site located at Brinkley near Murray Bridge where Adelaide Hills Council's residual waste is disposed of. The Heathfield Resource Recovery Centre (HRRRC) located at Heathfield is also managed by the AHRWMA on behalf of Council.

9 Waste Services

Currently Council's rateable properties have access to the following kerbside waste and recycling services.

9.1 Kerbside Collection

The following kerbside bins/collections are provided:

- 1 x 240L yellow lidded recycling bin, collected fortnightly.
- 1 x 240L green lidded organics bin, (in township areas), collected fortnightly.
- 1 x 140L blue lidded general waste bin, collected weekly.
- 1 x on call hard waste collection per year.

Where a service already exists, upon application, additional kerbside bins can be requested for an annual service fee.

9.2 Kitchen Caddies

Kitchen caddies are available to all households, schools, kindergartens and community groups to assist with food recycling practices. They are small containers for use in the kitchen to collect food scraps and organics that in turn can be placed in the kerbside organic bin or home composting systems.

9.3 Green Organic Vouchers

Residents who do not have access to a kerbside green organic collection may, via application, receive two vouchers per financial year to dispose of green organics at the HRRC. Each voucher entitles the resident to dispose of up to a 7x5 trailer load of green organics for free.

9.4 Street Litter Collection

Council provides street litter bins (general waste), throughout the region to sites including main streets, ovals, parks, cemeteries and bus stops/parking bay areas for the collection of foot traffic waste.

9.5 Green Organic Drop off Days

Green organic drop off days are offered to assist residents as an additional means to dispose of organic material. The green organic drops off days are provided at no cost with the aim to reduce fuel load for the fire danger season and assist residents with green organic recycling.

9.6 Disposal Sites for Kerbside Services

Currently Council's kerbside bins are processed as follows:

- Waste from blue lidded general waste bins is taken to Brinkley Waste and Recycling Transfer Station located at Murray Bridge and disposed to landfill.
- Recycling material from the yellow lidded bins is transported to the Northern Adelaide Waste Management Authority (NAWMA) located at Edinburgh. The products are sorted and processed to different recycling streams. NAWMA is a regional subsidiary established under the *Local Government Act 1999* and is owned by the Town of Gawler, the City of Playford and the City of Salisbury.
- Organic material from green lidded bins is transported to a commercial composter at Wingfield. The materials are sorted and composted which is available for purchase.
- Kerbside collected hard waste is processed at a facility located at Birkenhead where it is burnt as an 'energy from waste' activity.

9.7 Additional Recycling Disposal Options

Residents have access to a number of free specific recycling options at the HRRC. These options provide for items not permitted within the kerbside collection bins or quantities of recyclables over and above kerbside provisions.

The following items are accepted at HRRC without charge:

- x-rays
- whitegoods
- electronic waste
- steel
- vehicle oil
- cardboard
- drumMuster containers
- newspapers

9.8 Household Chemical and Paint Drop Off Facility

A household chemical and paint drop off facility is scheduled for installation at HRRC in mid-2019. This will provide for disposal of hazardous waste that cannot be placed into kerbside bins. There are legislative requirements that this waste is to be disposed of in the correct manner. The provision of this service will allow residents to safely and lawfully dispose of paint and chemical from their properties.

10 Internal Drivers

Council has a number of internal drivers to facilitate a reduction of waste to landfill and increase recycling practices, these are:

10.1 Adelaide Hills Council Strategic Plan

The Adelaide Hills Council [Strategic Plan](#) provides a framework for services that Council provides. It assists to drive new initiatives and improvements within the community. Council's Strategic Plan includes the following strategies that directly align with the Strategy.

Goal 3 Places for people and nature

Strategy 3.1 We will work with our community to encourage sustainable living and commercial practices.

Strategy 3.7 We will drive further reduction in waste consigned to landfill

Goal 4 Explore

Strategy 4.6 We will actively pursue opportunities to share resources and partner with others for better community outcomes.

10.2 Waste and Resources Management Strategy 2016 – 2021

The [Waste and Resources Management Strategy 2016-2021](#) was adopted by Council in 2016. The strategy includes 20 objectives and 57 strategies that aim to reduce waste to landfill, increase recycling and reduce Council's waste disposal costs. Of the 57 strategies, eight directly relate to kerbside recycling/diversion from landfill. These are:

- Improve the way that waste is deposited, handled and transported to landfill at the Heathfield Resource Recovery Centre in order to maximise resource recovery and provide the most effective management of received materials.
- Suitable funding projects, regionally or individually, if and when they become available.
- Investigate the opportunity to undertake a kerbside waste audit in conjunction with Council's waste collection service provider East Waste.
- Consider public place recycling services within prominent locations.
- Consider introducing kitchen caddies to schools as part of a school's education program.
- Provide education to all community members.
- Support and participate in regional education opportunities via East Waste and AHRWMA.
- Develop a waste education communication strategy.

Attachment 1 provides further information on the eight strategies including an update on their implementation.

10.3 Annual Business Plan 2018-19 and 2019-20

The [2018-19 Annual Business Plan](#) incorporates waste and recycling initiatives to further drive reduction of waste consigned to landfill. The 2018-19 Annual Business Plan contains the following key initiatives:

- Undertake kerbside bin audits with the aim to reduce waste to landfill and maximise recycling in accordance with the Waste and Resources Management Strategy 2016-2021.
- Pursuant with Council's Waste and Resources Management Strategy 2016-2021 consider recycling services within prominent public places with the aim to reduce waste to landfill.
- Investigate the feasibility of implementing soft plastic recycling within the Council area, in conjunction with East Waste and Council's Waste and Resources Management Strategy 2016-2021.
- Provide a kerbside waste, recycling and green organics service and a hard waste collection service.
- Continued provision of free green organic drop off days to assist with bushfire fuel reduction for fire prevention.

The draft 2019-20 Annual Business Plan builds on the existing recycling initiatives outlined above in the 2018-19 Annual Business Plan with an additional initiative added:

- To develop a detailed scoping study in regards to the various options to achieve improved financial and environmental outcomes in relation to green waste.

Attachment 2 provides further information on the above six initiatives including an update on their status.

10.4 Adelaide Hills Region Waste Management Authority Agreement (AHRWMA)

The AHRWMA Agreement for the HRRC includes recycling references, examples include:

- "encouraging diversion of materials from general waste streams by placing recycling drop off areas so that they can be reached before residual waste disposal areas".
- "The Operator must maintain knowledge and understanding of current and future developments, trends and policies in relation to resource recovery centres and report these findings to the Owner where appropriate".

These references assist with resource recovery at the HRRC and minimise waste to landfill.

10.5 Climate Emergency Resolution

As outlined in the Background section of the Strategy, Council declared a climate emergency at the Ordinary Council Meeting held in March 2019.

The climate emergency declaration acknowledged that Federal Government greenhouse gas emission data shows that total greenhouse gas emissions have increased in Australia compared to 2012, not decreased.

The Strategy will assist in reducing landfill gases such as methane through minimising waste to landfill. In turn, this outcome adds to and strengthens Council's activity in actioning the climate emergency resolution. The Strategy also encourages the reuse of recyclable materials which will result in less use of virgin materials and resources being required. This in turn leads to reduced consumption of inputs and manufacturing and transport environmental impacts, for example reduced fuel consumption in transport vehicles. By minimising waste to landfill from the Strategy it reaffirms Council's commitment to the climate emergency declaration.

11 External Drivers

There are a number of external drivers that support and align with Council's waste and recycling activities to ensure waste to landfill is minimised and recycling is maximised, these are:

11.1 *Commonwealth National Waste Policy: Less Waste, More Resources Nov 2009*

The [Commonwealth National Waste Policy](#) sets a clear direction for Australia over the next 10 years toward producing less waste for disposal, and managing waste as a resource to deliver economic, environmental and social benefits. The Strategy supports the National Waste Policy principles to reduce the amount of waste generated in Australia, and increase our recycling.

11.2 *South Australia's Waste Strategy 2015-2020*

[South Australia's Waste Strategy](#) was released by Green Industries in 2015. The Strategy supports the concept that we must continue to identify innovative solutions and new responses to waste management and to more efficiently manage our scarce resources. It acknowledges South Australia's leading role in waste management and encourages further growth in this area.

11.3 *Environmental Protection Waste to Resources Policy 2010*

The objective of the [Environment Protection \(Waste to Resources\) Policy 2010](#) is to achieve sustainable waste management by applying the Waste Management Hierarchy consistently. The Policy prohibits a number of materials from landfill including e-waste and the contents from kerbside recycling bins.

12 China National Sword

Until recently, a large portion of Australia's recyclable products, predominantly cardboard and paper, had been shipped to China for processing. The shipping of these materials decreased significantly when China announced the introduction of China Sword. China Sword followed the adoption by China of Operation Green Fence in 2013 to prohibit the import of unwashed and contaminated recyclable materials. China Sword was introduced to increase the environmental standards of all recyclables entering China through application of very strict and unachievable contamination rates.

In December 2017, China informed the World Trade Organisation that from 1 March 2018 they would adopt strict 'contamination thresholds' for imported recyclables. The accepted contamination threshold was set at 0.5 per cent or less.

Whilst South Australia's contamination rates were considered low and the materials of high quality, the decision by China to lower their acceptable contamination rates was a challenge to the local, state, national and global recycling industry.

Due to low contamination rates found in the recycling material collected by East Waste it was still possible to access markets for Council's recycling products thus avoiding the need to stockpile or dispose of this material to landfill as was occurring in other parts of Australia.

As outlined previously, China Sword did however have a detrimental effect on Council's financial position. Prior to China Sword, Council was receiving between \$30.00 and \$35.50 per tonne for kerbside recycling products amounting to an income of approximately \$110,000 per annum since 2015. Following China Sword Council was required to pay a fee for the processing of kerbside recycling products resulting in a budgeted expenditure of \$268,000 in the 2018/19 financial year.

Given the implications of China Sword, Adelaide Hills Council needs to continue current recycling initiatives whilst looking to the future for new opportunities that will compliment and improve current waste disposal and recycling practices within our district. It is an opportune time to work collaboratively with other bodies and industry to identify and deliver on opportunities arising from the China Sword that will support the Circular Economy and Waste Management Hierarchy principals.

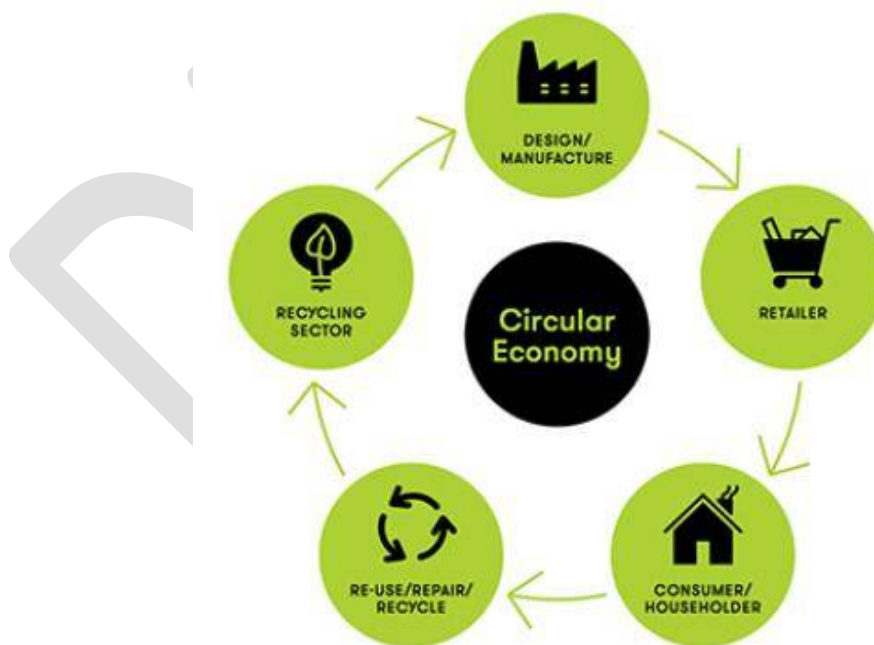
13 Circular Economy

The Circular Economy (Figure 5) is an economic model where resources are kept in circulation through recovery, recycling and reuse for as long as possible rather than the traditional ways of handling resources (take, make, use, and dispose). The Circular Economy model involves the most preferable levels of the Waste Management Hierarchy - avoid, reduce and reuse. The model reduces the demand for virgin materials and is seen as a growing driver for waste management into the future.

The *Green Industries SA Act 2004* identifies the principles of the Circular Economy as a reference to an economic model that contemplates the production of goods and services as follows:

- Reduced reliance on virgin materials.
- Continuously functioning utility and an extended lifecycle.
- In a manner that eliminates, as far as is reasonably practicable, waste or pollution, or harm to the environment.

Figure 5: Circular Economy



To develop and sustain a healthy Circular Economy changes in the waste and recycling sector will be required and 'buy in' from all stakeholders including Councils and the community.

There is an opportunity for Council to play a part towards a Circular Economy through the link between Council's kerbside recycling material and the goods we purchase as part of our everyday business. For example, increasing the amount of goods purchased by Council that are made of locally and nationally collected/repurposed items will assist to provide additional markets for the recycled material.

The above outcome increases the demand for products manufactured from our kerbside recycled material and aligns within the Circular Economy model by maintaining these materials in circulation through recovery, recycling and reuse. An example of this is purchasing bollards and street furniture that has been created from soft plastics.

Actions in the Strategy relating to the Circular Economy include:

- **Strategy 2.10** We will seek evidence based assurance that our recycling material is being processed in an environmentally and circular manner.
- **Strategy 4.4** Undertake investigation and research into Circular Economy products for use at Adelaide Hills Council



14 Strategies

The Circular Economy outlined above contains five key components where waste and recycling decisions are made and actions undertaken or implemented on a daily basis by all stakeholders including Council and the community. There are a number of roles that Council can undertake to influence and drive change in the Circular Economy, these are:

- **Leader** - Council leading the community or the Local Government sector by, for example, setting directions to meet the community's needs or role-modelling an approach.
- **Service Provider/Owner** - Council directly delivering services, providing assets or managing community funds.
- **Partner** - Council contributing funds or resources and or working collaboratively with others to deliver a service or initiative.
- **Facilitator** - Council bringing together other people and partners to achieve outcomes.
- **Regulator** - Council fulfilling a particular role as determined by legislation.
- **Advocate** - Council making representations on behalf of the community.

In addition to Council's role, many of our strategic initiatives help fulfil local, regional, state and national priorities which are indicated in the following table. The colour coded symbols used in this table are used throughout the Strategy.

Symbol	Related Priority
	<i>South Australia's Waste Strategy 2015-2020</i> , a culture enabling the South Australian community, businesses and institutions to continue and strengthen their role in implementing zero waste strategies and programs locally, nationally and internationally
	<i>Commonwealth National Waste Policy</i> , avoid waste, improve resource recovery, increase use of recycled material and build demand and markets for recycled products
	<i>Environment Protection (Waste to Resources) Policy 2010</i> , promotes the implementation of the Waste Management Hierarchy, improves resource recovery and reduces waste to landfill
	<i>Adelaide Hills Council Strategic Plan Strategy</i> , will further drive reduction in waste consigned to landfill
	<i>Adelaide Hills Council Waste and Resources Management Strategy 2016-2021</i> , provide a cost effective and adequate waste and resource management service that focuses on reducing waste disposed to landfill
	<i>Adelaide Hills Region Waste Management Authority Strategic Plan</i> , advocate, research and promote best practice waste management and actively represent member Councils in all forums
	<i>Eastern Waste Management Authority Business Plan 2015-2024</i> , vision statement: providing flexible and responsive waste and resource recovery collection services

	that focus on safety, high order recycling, elevated service levels, less vehicle movements and lower emissions
	<i>Regional Public Health Plan for the Southern Hills LGA, May 2015</i> , a focus on environmental health including food safety, health regulations, waste management and a range of other commitments

Utilising the roles and related priorities outlined above existing strategies have been identified and new ones developed as a means to maximise environmental outcomes, reduce contamination rates and provide a cost effective kerbside recycling service. These new strategies, 40 in total, have been categorised into the following themes:

Themes



- Education
- Kerbside Collection
- Emerging Trends and Technologies
- Sustainable Procurement
- Heathfield Resource Recovery Centre
- Participation and Knowledge Building





14.1 Education

Council plays a pivotal role in educating the community to assist with reducing contamination levels within the kerbside collection and increasing recycling products in both the green organic and recycling kerbside bins. The sorting of materials begins in the home prior to being placed in the kerbside bins. Residents need to have access to accurate up to date information on what can and cannot be recycled. They require the knowledge to ensure they can confidently and effectively place the correct items into each bin. Alternative disposal options need to be communicated to avoid contamination.

Whilst residents have a good understanding of basic recycling practices there is still room for improvement. This is partly due to the confusion surrounding different recycling requirements of different recycling facilities and the need to increase education and awareness to the next level. The basics of recycling cardboard, deposit containers and the like are assumed. It is the next tier of recycling that needs to be shared and encouraged. Items like soft plastics, hazardous waste and food scraps need to be recycled in the correct manner to obtain greatest benefits to reduce waste to landfill.

Food scrap recovery in particular needs to be addressed and education with our community in this space is a priority. Food scraps are one of the largest contaminants seen in kerbside bin audits. Recycling food scraps in the correct manner will support both the Circular Economy and Waste Management Hierarchy.

Goal 1 Education				
Strategy	Role	Existing or New	Responsibility	Related Priorities
Strategy 1.1 We will provide education to the community on the need to practice the Waste Management Hierarchy	<ul style="list-style-type: none"> • Leader • Service Provider • Partner 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • East Waste • AHRWMA 	
Strategy 1.2 We will provide specific education to the community to increase their level of food scrap recycling	<ul style="list-style-type: none"> • Leader • Service Provider • Partner 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • East Waste • AHRWMA • GISA • Community 	

Strategy 1.3 We will increase the level of community recycling by providing recycling and waste information to residents	<ul style="list-style-type: none"> • Service Provider • Partner • Leader 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • Community 	
Strategy 1.4 We will create an electronic (available if needed in hard copy) Waste Management Hierarchy kit	<ul style="list-style-type: none"> • Service Provider 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • Community 	
Strategy 1.5 We will provide the Waste Management Hierarchy kit to newly built premises	<ul style="list-style-type: none"> • Service Provider 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council 	
Strategy 1.6 We will support waste and recycling education programs undertaken by others	<ul style="list-style-type: none"> • Partner 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council 	
Strategy 1.7 We support and participate in regional education opportunities via East Waste and AHRWMA	<ul style="list-style-type: none"> • Partner 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • East Waste • AHRWMA 	
Strategy 1.8 We will undertake specific community education on the Waste Management Hierarchy with a view to reducing consumption in the first instance	<ul style="list-style-type: none"> • Service Provider 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council 	

14.2 Kerbside Collections

It is a legislative requirement under the *Local Government Act 1995* and the *Environment Protection (Waste to Resources) Policy 2010* that Council must provide waste services. The following regional support and collection provisions assist Council to provide this service.

The Adelaide Hills Council is a member of the regional subsidiary East Waste. East Waste collects kerbside waste, recyclables and green organics on behalf of Council. Blue lidded 140L general waste and yellow lidded 240L recycling bins are provided to approximately 16,500 properties. Green lidded 240L green organic bins are provided to approximately 10,000 properties within township areas only. The blue lidded bins are collected weekly and the yellow and green lidded bins are collected fortnightly.

Residents are also entitled to a kerbside hard waste collection annually. East Waste facilitates the bookings and collections for this service. East Waste also collects waste from approximately 230 street litter bins which are provided for the community by Council.

Goal 2 Kerbside Collections				
Strategy	Role	Existing or New	Responsibility	Related Priorities




Strategy 2.1 We will review the current Waste and Resource Recovery Service Policy to consider including a regulatory position on managing ongoing kerbside bin contamination from repeat offenders	<ul style="list-style-type: none"> • Service Provider • Regulator • Partner 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • East Waste 	
Strategy 2.2 We will investigate providing smaller general waste bins and larger recycling and organic bins to residents	<ul style="list-style-type: none"> • Service Provider • Partner 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • East Waste 	
Strategy 2.3 We will explore the benefits or otherwise of implementing fortnightly kerbside waste collection	<ul style="list-style-type: none"> • Service Provider 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • AHRWMA • East Waste 	AHC WRMS
Strategy 2.4 Subject to the identification of material benefits in Strategy 2.5 we will advocate for legislative change to occur to provide the option for metropolitan Councils to provide fortnightly kerbside waste collection services	<ul style="list-style-type: none"> • Service Provider • Advocate 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • AHRWMA • East Waste 	AHC WRMS
Strategy 2.5 We will undertake a scoping study in regard to the various options to achieve improved environmental outcomes in relation to Green Organics (subject to Budget approval 2019-20)	<ul style="list-style-type: none"> • Service Provider 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • East Waste 	
Strategy 2.6 We will investigate the feasibility of implementing soft plastics recycling within the Council area, in conjunction with East Waste	<ul style="list-style-type: none"> • Service Provider • Partner 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • East Waste 	AHC WRMS
Strategy 2.7 We will connect businesses generating food scraps with commercial composters	<ul style="list-style-type: none"> • Facilitator • Partner 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • AHRWMA • GISA 	EPP

Strategy 2.8 We will consider public place recycling services within prominent locations	<ul style="list-style-type: none"> Service Provider 	<ul style="list-style-type: none"> New 	<ul style="list-style-type: none"> Council 	AHC WRMS
Strategy 2.9 We will continue to provide a kerbside waste, recycling and green organics service and a hard waste collection service	<ul style="list-style-type: none"> Service Provider Partner 	<ul style="list-style-type: none"> New 	<ul style="list-style-type: none"> Council AHRWMA East Waste 	AHC WRMS RPHP
Strategy 2.10 We will seek evidence based assurance that our recycling material is being processed in an environmentally and circular manner	<ul style="list-style-type: none"> Service Provider 	<ul style="list-style-type: none"> New 	<ul style="list-style-type: none"> Council East Waste 	
Strategy 2.11 We will continue to provide free green organic drop off days to assist with community bushfire fuel reduction	<ul style="list-style-type: none"> Service Provider 	<ul style="list-style-type: none"> New 	<ul style="list-style-type: none"> Council 	AHC WRMS
Strategy 2.12 We will consider adoption of 'waste and recycling' criteria for Council events and functions and encourage others to do likewise	<ul style="list-style-type: none"> Service Provider Partner Advocate Leader 	<ul style="list-style-type: none"> New 	<ul style="list-style-type: none"> Council 	
Strategy 2.13 We will explore opportunities as they arise to make a material change to the diversion rate for future consideration by Council	<ul style="list-style-type: none"> Service Provider 	<ul style="list-style-type: none"> New 	<ul style="list-style-type: none"> Council 	
Strategy 2.14 We will work with partners to analyse the benefits and feasibility of introducing a fee incentive to property owners to produce less waste and recycle more in relation to the kerbside bin service	<ul style="list-style-type: none"> Service Provider Partner 	<ul style="list-style-type: none"> New 	<ul style="list-style-type: none"> Council 	CNWP AHC WRMS AHC Strat

14.3 Emerging Technologies

To improve recycling practices and assist with reducing waste to landfill, being aware of emerging trends and technologies will be crucial. There may be advances in technology that will assist with the waste diversion process and to ensure Council takes advantage of these opportunities, it is imperative they are explored and when beneficial supported or implemented.

An example of new technology is Radio Frequency Identification Device (RFID) tags. These small circular devices are fitted to kerbside bins, either retro fitted or newly fitted. They have the potential to record bin weight, frequency of collection, contamination issues and for bin identification purposes. This is valuable information for evaluating kerbside waste disposal practices.

Goal 3 Emerging Trends and Technologies				
Strategy	Role	Existing or New	Responsibility	Related Priorities
Strategy 3.1 We will maintain awareness of emerging trends and technologies	<ul style="list-style-type: none"> • Leader • Service Provider 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council 	
Strategy 3.2 We will encourage the building and construction industry to include recycling management systems in new home designs	<ul style="list-style-type: none"> • Partner • Advocate 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council 	
Strategy 3.3 We will encourage supermarkets and others to supply compostable bags in the produce sections and to accept soft plastics	<ul style="list-style-type: none"> • Partner • Advocate 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council 	
Strategy 3.4 We will explore opportunities to support and promote food research and reuse organisations	<ul style="list-style-type: none"> • Partner • Facilitator 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council 	
Strategy 3.5 We will install radio frequency identification chips to all replacement and new bins as they arise	<ul style="list-style-type: none"> • Service Provider 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council 	

14.4 Sustainable Procurement

To assist with the Circular Economy model it is imperative for Council to participate in sustainable procurement. For example, plastic that is collected in kerbside bins is processed and remodelled into street furniture. This furniture could be purchased by Council and used within the Council area. Another example is glass that has been recycled can go back into the construction of a road base.

It is imperative that Council and industry as a whole supports the recycling industry by purchasing recycled products. If not, the Circular Economy industry may struggle. This function supports the Waste Management Hierarchy as the most preferred waste recycling option of reuse.

Goal 4 Sustainable Procurement				
Strategy	Role	Existing or New	Responsibility	Related Priorities

Strategy 4.1 We will participate in a sustainable procurement pilot with other Councils towards establishing a sustainable procurement target	<ul style="list-style-type: none"> • Partner • Service Provider • Leader 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • SALGA 	EPP
Strategy 4.2 We will measure, and report on, the amount and origin of recycled material used in Council's Capital Works programs, at least annually	<ul style="list-style-type: none"> • Service Provider • Leader 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council 	EPP
Strategy 4.3 We will participate in relevant working parties and consultations to maintain and improve knowledge of sustainable procurement	<ul style="list-style-type: none"> • Partner • Advocate 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council 	EPP
Strategy 4.4 Undertake investigation and research into the Circular Economy products for use at Adelaide Hills Council	<ul style="list-style-type: none"> • Partner 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council 	
Strategy 4.5 In partnership with others lobby for changes to packaging standards towards improved environmental and recycling outcomes	<ul style="list-style-type: none"> • Partner 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council 	

14.5 Heathfield Resource Recovery Centre (HRRC)

The HRRC is located at 32 Scott Creek Road Heathfield. The facility is operated by the Adelaide Hills Region Waste Management Authority on behalf of Council.

The HRRC provides for multi-stream recycling and waste disposal options including green organics, E-waste, cardboard, X-ray, motor oil, drumMuster, clean fill, and residential loads of construction and demolition materials. Green organic material (excluding food waste but including tree and shrub matter) when presented at the facility is shredded onsite. The benefit being product that has been recycled is then on sold which is supportive of the Circular Economy elements.

In addition to the current recycling and disposal options provided at the HRRC a household chemical and paint disposal facility is currently being constructed at this site. This facility will provide localised options to assist with disposal of products that are banned to landfill (for example, paints, chemicals and pesticides).

Hard Waste



The strategy contains an action to investigate new opportunities to establish a 'salvage and reuse' facility at the HRRC. There is potential, subject to the establishment of a salvage and reuse facility at

the HRRC, to improve the current disposal process of material collected through Council's hard waste collection service.

Residential properties have access to one kerbside hard waste collection per financial year. The collection is for a maximum size load of 2m³ and bookings are made via East Waste. Guidelines apply for items to be presented for collection with alternate disposal options offered in line with the Green Industries SA A-Z guideline to household item disposal located at <https://www.whichbin.com.au/a-z-items>

East Waste collects hard waste items from verge areas and transports them to a commercial facility where they are processed into an engineered fuel product used to fire kilns. This outcome assists with reducing the use of non-renewable fossil fuels and reduces waste to landfill. Whilst this disposal method is on a lower level of the Waste Management Hierarchy it is still considered a preferred disposal method than products going to landfill. There is opportunity to improve on this disposal method and raise it to a higher level of the Waste Management Hierarchy.

If a salvage and reuse facility was available at the HRRC items collected as part of the hard waste collection could be sorted and products suitable could be on sold/reused. This outcome would elevate the disposal method of the hard waste collection service higher up the Waste Management Hierarchy to reduce/reuse as a more preferable disposal option. Transportation of the goods over a shorter distance may also assist with emission reduction.

Goal 5 Heathfield Resource Recovery Centre (HRRC)				
Strategy	Role	Existing or New	Responsibility	Related Priorities
Strategy 5.1 We will continue to provide recycling and resource recovery services at the HRRC	<ul style="list-style-type: none"> • Partner • Service Provider 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • AHRWMA 	
Strategy 5.2 We will work with project partners to establish and operate a Household Chemical and Paint Drop of Facility at the HRRC	<ul style="list-style-type: none"> • Service Provider • Partner 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • AHRWMA • GISA 	
Strategy 5.3 We will investigate new opportunities to establish a 'salvage and reuse' facility at the HRRC	<ul style="list-style-type: none"> • Service Provider 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • AHRWMA 	
Strategy 5.4 We will investigate providing a soft plastics recycling service at the HRRC (subject to 2019-20 budget approval)	<ul style="list-style-type: none"> • Service Provider 	<ul style="list-style-type: none"> • New 	<ul style="list-style-type: none"> • Council • AHRWMA 	

14.6 Participation and Knowledge Building

Council has access to a number of opportunities to participate in meetings/networking and conferences to source waste and resource recovery information. These opportunities include local, interstate and international guest speakers. These opportunities provide valuable information on emerging initiatives for waste reduction that in turn assists diversion rates.

Annually Council staff have attended the Waste SA Resource Recovery Conference in Adelaide. This conference has provided valuable information relating to the many changes and uncertainties in the waste industry both locally and internationally. A number of items from this conference have assisted in creating the Strategy including Strategy 3.4 *We will explore opportunities to support and promote food research and reuse organisations.*

Goal 6 Participation and Knowledge Building				
Strategy	Role	Existing or New	Responsibility	Related Priorities
Strategy 6.1 We will participate in waste and recycling groups and networks	• Partner	• New	• Council	
Strategy 6.2 We will provide input into industry waste and recycling consultations as they arise	• Partner	• New	• Council	AHC WRMS
Strategy 6.3 We will attend relevant industry, workshops, seminars, conferences etc	• Partner	• New	• Council	
Strategy 6.4 We will seek recycling and waste management advice from the Sustainability Advisory Group as required	• Partner	• New	• Council	

15 Resourcing Strategy

Due to the development timing and adoption of the Strategy in late June 2019 no 'additional budget required' strategies are intended to be addressed in the 2019-20 financial year.

In early 2020 those strategies requiring additional budget will be identified, scoped and costed for inclusion in the Long Term Financial Plan and the 2020-21 budget and beyond. The implementation priorities contained within Attachment 3 will be used to schedule 'budget required strategies' within the Long Term Financial Plan.

To minimise the financial impact on Council and the community of implementing the Strategy, opportunities for funding will be explored and when appropriate applied for. For this reason Strategy 5.5.2.2 has been included:

- **Strategy 5.5.2.2** We will maximise recovery, reuse and recycling by taking advantage of funding opportunities where available.

16 Additional Context

As articulated in the Strategy, there are many specific initiatives in place and envisioned for the future, however it is important to note there are already a number of initiatives and actions being undertaken across the Adelaide Hills Council which add value in the Recycling and Sustainability space.

An investigation and analysis is currently underway into the life cycle of various road surface treatments, particularly in relation to extreme events and increased heat, which is utilising recycled plastic and glass encapsulating a Circular Economy approach.

Additionally, Council is investigating the potential for marginal material from local sources to be blended with quarry products to reduce the required cartage volumes of quarry material over extensive distances for the unsealed road re-sheet program. Council is looking to partner with industry and potentially a university partner to analyse materials and undertake a trial process.

Components of these approaches include: screening and reuse of road profiling as subgrade replacement material; crushing and reuse of construction and demolition waste (predominately concrete) as base material in sealed roads and footpaths, or under kerbs; testing of the recycled product for suitability as a road re-sheet material, use of Warm Mix Additive (WMA) in asphalt used in the reseal program, resulting in lower mix temperatures which reduce energy consumption at the asphalt plant; and the use of crumb rubber (predominantly comprised of recycled tyres) as a modified binder in our spray sealed renewal programme in the 2019-20 financial year.

In addition to Council's existing commitment to use recycled material, at the June 2018 Council meeting a Motion on Notice to measure and report on recycled material used in Council's Capital Works Program was considered.

Further to the above, Adelaide Hills Council staff are involved in a working group with the Local Government Association of South Australia to develop guidelines and processes in regards to Sustainable Procurement, and a premise of Councils involvement being the setting of sustainable procurement targets for the 2019-20 Financial Year. Council is also measuring the recycling components through enhanced tendering and procurement processes, as well as developing mechanisms to record the recycled material components within Capital Works and project delivery. These will be embedded within the Project Management Framework currently in development.

Council continue to advocate for the State Government (particularly Department of Planning, Transport and Infrastructure) to utilise 50% Recycle Asphalt Product (RAP) for treatments being upgraded in the Adelaide Hills Council area, an example being the intersection upgrades requiring deep lift as part of the Freight Access Upgrade project.

17 Conclusion

The Resource Recovery and Recycling Strategy supports and complements the Waste and Resources Management Strategy 2016-2021 and provides additional initiatives to reduce waste to landfill and maximise recycling. The Strategy aims to improve environmental outcomes, reduce contamination rates whilst providing a cost effective kerbside recycling service.

The Strategy supports the Waste Management Hierarchy, the Circular Economy and external waste management requirements with an emphasis on increasing recycling practices which in turn assists with reducing waste to landfill.

Implementation of actions included in the strategy will build upon the previous successes achieved by Adelaide Hills Council in the waste and recycling area since 2012-13. However, tonnage volume trends in waste and recycling indicate there is much further work to be undertaken to lead to a material shift in the diversion rate for the better.

To achieve this change will require all stakeholders, including Council and the community, to participate and play their part. In addition, going forward business as usual will not result in the change required. Therefore, exploration and adoption of actions that will lead to a material shift in the diversion rate need to be seriously considered.

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<http://www.lga.sa.gov.au/webdata/resources/files/150601%20Health%20Plan%20Directions%20Report%20FINAL%20AFTER%20PUBLIC%20EXHIBITION.pdf>

Attachment 1 – Waste & Resources Management Strategy 2016-2021 Recycling Strategies

Topic	Objectives	Strategies	Responsibility	Timeline	Budget	Status as of May 2019
5.2 Transfer Station/Resource Recovery Centre	<p>5.2.1.1 To maximise recovery, reuse and recycling of materials entering the Heathfield Resource Recovery Centre</p> <p>5.2.1.2 To operate the Heathfield Resource Recovery Centre in an economically viable manner</p> <p>5.2.1.3 Continue to operate the Heathfield Resource Recovery Centre as a facility for the community to bring unwanted materials for reuse, recycling and disposal, in a cost effective manner</p>	5.2.2.4 Improve the way that waste is deposited, handled and transported to landfill in order to maximise resource recovery and provide the most effective management of received materials	AHRWMA Executive Officer Regional Waste Strategy Coordinator	Ongoing	Within budget	Forklift has been introduced at site (funded by Green Industries SA). Improves efficiencies of moving items and assists with WH&S considerations.

Topic	Objectives	Strategies	Responsibility	Timeline	Budget	Status as of May 2019
5.5 Funding Projects	5.5.1.1 To maximise recovery, reuse and recycling by taking advantage of funding opportunities where available	5.5.2.2 To apply for suitable funding projects, regionally or individually, if and when they become available	Regional Waste Strategy Coordinator	Ongoing and when funding projects become available	Outside budget	Funding has been sourced via grant for a Household Chemical Waste Facility at the Heathfield Resource Recovery Centre from Green Industries SA. Opportunity for grant funding for kitchen caddy bags has also been sourced.

Topic	Objectives	Strategies	Responsibility	Timeline	Budget	Status as of May 2019
5.7 Kerbside Bin Services & Street Litter Bins	5.7.1.1 To provide a kerbside bin service that meets the community's expectation	5.7.2.1 In conjunction with the AHRWMA we will undertake visual waste audits at least every two years at the Brinkley landfill	Regional Waste Strategy Coordinator Waste Coordinator	Ongoing	Within budget	
	5.7.1.2 Provide kerbside bin services that focus on reducing waste to landfill and increasing recycling	5.7.2.2 Investigate the opportunity to undertake a kerbside waste audit in conjunction with Councils waste collection service provider East Waste		Ongoing	Outside	A kerbside audit will be undertaken by KESAB in May /June 2019.
		5.7.2.5 Consider public place recycling services within prominent locations	Manager Waste, Health and Regulatory Services Regional Waste Strategy Coordinator Waste Coordinator	June 2017	Outside budget	A trial recycling service for Stirling Markets, Uraidla Show and Sustainability Fair are currently being undertaken

Topic	Objectives	Strategies	Responsibility	Timeline	Budget	Status as of May 2019
5.8 Kitchen Caddy Program	5.8.1.1 Provide services that focus on reducing food scraps and other compostable material going to landfill and increasing recycling	5.8.2.3 Consider introducing kitchen caddies to schools as part of a school's education program	Waste Coordinator	Ongoing	Within budget	Schools and Kindergartens now have access to free kitchen caddy starter kits.
5.14 Education	5.14.1.1 To educate our community regarding waste reduction and recycling 5.14.1.2 To educate the community with a direct approach	5.14.2.1 Provide education to all community members	Regional Waste Strategy Coordinator Waste Coordinator	Ongoing	Within budget	School and community group education occurring on a regular basis. Pop In education stalls occurring at all Service Centres. Education stall at Council Forums has occurred with more scheduled for the future.

Topic	Objectives	Strategies	Responsibility	Timeline	Budget	Status as of May 2019
		5.14.2.2 Support and participate in regional education opportunities via East Waste and AHRWMA	Regional Waste Strategy Coordinator Waste Coordinator	Ongoing and when available	Potentially Outside budget	East Waste assist with Waste Education material and Education Stalls.
		5.14.2.3 Develop a waste education communication strategy	Regional Waste Strategy Coordinator	March 2017	Within budget Potentially Outside budget	Commenced

Attachment 2 - Recycling drivers from Adelaide Hills Council's Annual Business Plans 2018-19 and draft 2019-20 Plan

Annual Business Plan 2018-19

Key Initiatives	Objectives	Status
Kerbside bin audits	Undertake kerbside bin audits with the aim to reduce waste to landfill and maximise recycling in accordance with Waste and Resource Management Strategy	Bin audit to be undertaken by KESAB on Council's behalf in May/June 2019.
Public place recycling	Pursuant with Council's Waste and Resource Management Strategy consider recycling services within prominent public places with the aim to reduce waste to landfill	<p>Soft Plastic recycling – East Waste will explore this initiative with assistance from Adelaide Hills Council. A soft plastic trial will be undertaken by East Waste at a Subsidiary Council. Once results of this trial are known they will be included within the new service agreement between East Waste and Council.</p> <p>A trial of recycling bins is currently occurring at the Stirling Market on a monthly basis.</p> <p>The Uraidla Show and Sustainability Fair trialled recycling at the Nov 2018 fair for the second year in a row.</p> <p>Results of 2018 Uraidla Show and Fair: Recycling occurred in over half of the bins. This was due to the event having predominantly compostable products for sale and the Sustainability Fair promoting within the fair. There was limited outside influence of products.</p> <p>Many events that are supported by Council for waste provisions are offered deposit container recycling bin options.</p>

Key Initiatives	Objectives	Status
Soft Plastic Recycling	Investigate the feasibility of implementing soft plastic recycling within the Council area, in conjunction with East Waste and Council's Waste and Resource Management Strategy	Scheduled within the Waste Strategy to discuss with East Waste in Feb to June 2019.
Domestic Kerbside Collection	Provide a kerbside waste, recyclables, green organics and hard waste collection service	<p>Kerbside collections:</p> <p>Rateable properties have access to a weekly 140L blue lidded bin, general waste collection a fortnightly 240L yellow lidded bin, recycling collection and a 240L green lidded bin, organic collection in the township areas only.</p> <p>Where the service already exists additional bins can be provided for an annual fee.</p> <p>Hard Waste collections:</p> <p>Council provides an at call hard waste kerbside collection. Residents are entitled to one collection per financial year.</p>
Green Organic Drop Off Days	Continued provision of free green organic drop off days to assist with bushfire fuel reduction for fire prevention	Council has held 22 opportunities to dispose of green organics at Drop Off Days in 2018-19. Four more opportunities are scheduled prior to June 2019.

Draft Annual Business Plan 2019-20

Key Initiatives	Objectives	Status
Green Waste Scoping Study	To develop a detailed scoping study in regards to the various options to achieve improved financial and environmental outcomes in relation to green waste.	Not yet commenced awaiting final adoption of 2019/20 Annual Business Plan and Budget.
Heathfield Resource Recovery Centre	Installation of infrastructure to provide a new service for the free recycling of soft plastics.	Quotes received. Awaiting final adoption of 2019/20 Annual Business Plan and Budget.
Solar bins / Smart Bin	Funding for a pilot to see if solar bins can provide a more cost effective way of collecting waste in certain areas.	Quotes received. Awaiting final adoption of 2019/20 Annual Business Plan and Budget.
Landfill Waste Reduction	In order to understand residents waste disposal habits, kerbside bin audits are to be undertaken on a regular basis	Awaiting final adoption of 2019/20 Annual Business Plan and Budget.

Attachment 3 – Resource Recovery & Recycling Strategy Implementation Plan

Goal	Strategies	Responsibility	Council's role	Priority	Budget
Goal 1 - Education	1.1 We will provide education to the community on the need to practice the Waste Management Hierarchy	Waste Management Coordinator	Facilitator	New strategy Ongoing	Within budget
	1.2 We will provide specific education to the community to increase their level of food scrap recycling	Waste Management Coordinator East Waste	Facilitator	New strategy Ongoing	Within budget

Goal	Strategies	Responsibility	Council's role	Priority	Budget
	1.3 We will increase the level of community recycling by providing recycling and waste information to residents	Waste Management Coordinator Green Industries SA	Facilitator Partner	New strategy Ongoing	Within budget Unexpected costings to be included LTFP
	1.4 We will create an electronic (available if needed in hard copy) Waste Management Hierarchy Information kit	Waste Management Coordinator Green Industries SA	Facilitator Partner	New strategy Medium	Within budget Unexpected costings to be included LTFP
	1.5 We will provide the Waste Management Hierarchy kit to newly built premises	Waste Management Coordinator	Facilitator	New strategy Medium	Within budget Unexpected costings to be included LTFP
	1.6 We will support waste and recycling education programs undertaken by others	Kesab East Waste Green Industries SA	Facilitator	New strategy Ongoing	Within budget

Goal	Strategies	Responsibility	Council's role	Priority	Budget
	1.7 We support and participate in regional education opportunities via East Waste and AHRWMA	Waste Management Coordinator East Waste AHRWMA	Facilitator Partner	New strategy Ongoing	Within budget Unexpected costings to be included LTFP
	1.8 We will undertake specific community education on the Waste Management Hierarchy with a view to reducing consumption in the first instance	Waste Management Coordinator	Service Provider	New strategy High	Within budget
Goal 2 - Waste and Recycling services	2.1 We will review the current Waste and Resource Recovery Service Policy to consider including a regulatory position on managing ongoing kerbside bin contamination from repeat offenders	Waste Management Coordinator East Waste	Facilitator Partner	New strategy Medium	Within budget
	2.2 We will investigate providing smaller general waste bins and larger recycling and organic bins to residents	Waste Management Coordinator East Waste	Facilitator Partner	New strategy High	LTFP

Goal	Strategies	Responsibility	Council's role	Priority	Budget
	2.3 We will explore the benefits or otherwise of implementing fortnightly kerbside waste collection	Waste Management Coordinator East Waste	Facilitator Partner	New strategy High	LTFP
	2.4 Subject to the identification of material benefits in Strategy 2.3 we will advocate for legislative change to occur to provide the option for metropolitan Councils to provide fortnightly kerbside waste collection services	Waste Management Coordinator	Leader Facilitator	New strategy High	LTFP
	2.5 We will undertake a scoping study in regard to the various options to achieve improved environmental outcomes in relation to Green Organics (subject to Budget approval 2019-20)	Waste Management Coordinator	Leader Facilitator	New strategy High	LTFP

Goal	Strategies	Responsibility	Council's role	Priority	Budget
	2.6 We will investigate the feasibility of implementing soft plastics recycling within the Council area, in conjunction with East Waste	Waste Management Coordinator East Waste	Facilitator Partner	New strategy Medium	LTFP
	2.7 We will connect businesses generating food scraps with commercial composters	Waste Management Coordinator	Facilitator	New strategy Low	Within budget
	2.8 We will consider public place recycling services within prominent locations	Waste Management Coordinator	Facilitator	New strategy Low	Within budget with implementation within LTFP
	2.9 We will continue to provide a kerbside waste, recycling and green organics service and a hard waste collection service	Waste Management Coordinator East Waste AHRWMA	Facilitator Partner	New strategy High	Within budget

Goal	Strategies	Responsibility	Council's role	Priority	Budget
	2.10 We will seek evidence based assurance that our recycling material is being processed in an environmentally and circular manner	Waste Management Coordinator East Waste AHRWMA	Facilitator Partner	New strategy High	Within budget
	2.11 We will continue to provide free green organic drop off days to assist with community bushfire fuel reduction	Waste Management Coordinator AHRWMA	Facilitator Partner	New strategy Medium	Within budget
	2.12 We will consider adoption of 'waste and recycling' criteria for Council events and functions and encourage others to do likewise	Waste Management Coordinator	Facilitator	New strategy High	Within budget
	2.13 We will explore opportunities as they arise to make a material change to the diversion rate for future consideration by Council	Waste Management Coordinator	Facilitator	New strategy Ongoing	Within budget Initiatives maybe outside of budget and require LTFP consideration

Goal	Strategies	Responsibility	Council's role	Priority	Budget
	2.14 We will work with partners to analyse the benefits and feasibility of introducing a fee incentive to property owners to produce less waste and recycle more in relation to the kerbside bin service	Manager Waste and Emergency Management	Service Provider	New strategy	Medium
Goal 3 - Emerging Trends and Technologies	3.1 We will maintain awareness of emerging trends and technologies	Waste Management Coordinator	Facilitator	New strategy Ongoing	Within budget
	3.2 We will encourage the building and construction industry to include recycling management systems in new home designs	Waste Management Coordinator	Facilitator	New strategy Medium	Within budget
	3.3 We will encourage supermarkets and others to supply compostable bags in the produce sections and to accept soft plastics	Waste Management Coordinator	Facilitator	New strategy Medium	Within budget

Goal	Strategies	Responsibility	Council's role	Priority	Budget
	3.4 We will explore opportunities to support and promote food research and reuse organisations	Waste Management Coordinator	Facilitator Leader	New strategy Low	Within budget
	3.5 We will install radio frequency identification chips to all replacement and new bins as they arise	Waste Management Coordinator East Waste	Service Provider Facilitator	New strategy Low	Within budget if fitted as part of bin replacement process. LTFP if bulk roll out required.
Goal 4 - Sustainable Procurement	4.1 We will participate in a sustainable procurement pilot with other Councils towards establishing a sustainable procurement target	Manager Civil Services	Facilitator Partner	New strategy High	Within budget
	4.2 We will measure, and report on, the amount and origin of recycled material used in Council's Capital Works programs, at least annually	Manager Civil Services	Facilitator	New strategy High	Within budget

Goal	Strategies	Responsibility	Council's role	Priority	Budget
	4.3 We will participate in relevant working parties and consultations to maintain and improve knowledge of sustainable procurement	Sustainability Officer	Facilitator	New strategy Ongoing	Within budget
	4.4 Undertake investigation and research into the Circular Economy products for use at Adelaide Hills Council	Sustainability Officer	Partner	New strategy High	LTFP
	4.5 In partnership with others lobby for changes to packaging standards towards improved environmental and recycling outcomes	Waste Management Coordinator	Partner	New strategy Low	Within budget
Goal 5 - Heathfield Resource Recovery Centre	5.1 We will continue to provide recycling and resource recovery services at the HRRC	AHRWMA	Facilitator	New strategy Medium	Within budget
	5.2 We will work with project partners to establish and operate a Household Chemical	Waste Management Coordinator AHRWMA GISA	Facilitator Partner	New strategy High	Within budget with funding

Goal	Strategies	Responsibility	Council's role	Priority	Budget
	and Paint Drop of Facility at the HRRC				
	5.3 We will investigate new opportunities to establish a 'salvage and reuse' facility at the HRRC	AHRWMA	Partner	New strategy High	LTFP
	5.4 We will investigate providing a soft plastic recycling service at the HRRC (subject to 2019-20 budget approval)	AHRWMA Waste Management Coordinator	Service Provider	New strategy High	LTFP
Goal 6 – Participation and Knowledge Building	6.1 We will participate in waste and recycling groups and networks	AHRWMA	Partner	New strategy Ongoing	Within budget
	6.2 We will provide input into industry waste and recycling consultations as they arise	Waste Management Coordinator Manager Waste and Emergency Management	Partner	New strategy Ongoing	Within budget
	6.3 We will attend relevant industry, workshops, seminars, conferences etc.	Council	Partner	New strategy Ongoing	Within budget

Goal	Strategies	Responsibility	Council's role	Priority	Budget
	6.4 We will seek recycling and waste management advice from the Sustainability Advisory Group as required	Sustainability Advisory Group Waste Management Coordinator	Partner	New strategy Ongoing	Within budget

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 12.6

Originating Officer: Kylie Caruso, Roads Officer

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Declaration of Public Road – Houghton Village Green

For: Decision

SUMMARY

The purpose of this report is to seek a resolution to declare Allotment 89 Blackhill Road, Houghton as public road to ensure the Land is legally accessible by Council to maintain, and to the general community to use for access.

Allotment 89 in Filed Plan 132880 contained in Certificate of Title Volume 5343 Folio 355 ("Land") is land in the ownership of Mr Marinus Maughan and Mr Alick Stephen Robinson (**Appendix 1**).

Pursuant to Section 210 of the *Local Government Act 1999* ("Act"), the Council may declare private road to be public road and if declared, must cause a copy of the declaration to be published in the Government Gazette.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. To declare Allotment 89 in Filed Plan No. 132880 contained in Certificate of Title Volume 5343 Folio 355 being Lot 89 Blackhill Road, Houghton as public road pursuant to Section 210 of the *Local Government Act 1999*.
 3. To authorise the publication of the resolution in the Government Gazette as required by Section 210 of the *Local Government Act 1999* to declare the road to be public road.
 4. To delegate to the Chief Executive Officer to execute the necessary documentation to give effect to this resolution.
 5. To approve the write-off of \$5,252 for the outstanding rates on the Land.
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1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 3 Place
Strategy 3.5 Proactive approach and a long term view to infrastructure maintenance and renewal.

Goal Organisational Sustainability
Strategy Risk and Responsibility

The Council maintains the road and reserve infrastructure on the Land for the benefit of the Houghton community and the broader community.

To ensure that risk is appropriately managed for the Land and that the Land is legally accessible by the Council to maintain, and to the general community to use for access purposes, the Land should be in the ownership of Council.

➤ Legal Implications

Section 210 of the Act permits the Council to declare private road, being a road in private ownership, to be public road. At least 3 months prior to a declaration being made under this section of the Act, the Council must first attempt to identify the whereabouts of the owner, serve noticed on the owner and give public notice of the proposed declaration.

A resolution to declare the Land as public road will not take effect until the publication in the Government Gazette.

➤ Risk Management Implications

The declaration to convert private road to public road will assist in mitigating the risk of:

Council maintaining and permitting access to, land it does not own or have legal rights to maintain or enter upon leading to unacceptable risk to the Council and community members.

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

The risk management assessment does not require the creation of a new mitigation action.

➤ Financial and Resource Implications

The Land is currently maintained by Council and included within existing resource allocations.

The process to declare the Land as public road and the subsequent publication in the Government Gazette will be managed within existing resource allocations.

The current outstanding rates on the Land in the amount of \$5,252 will need to be written off following the declaration as public road.

No claims for compensation from any beneficiaries have been received however a beneficiary has 5 years from the date of the declaration as public road to make a claim with the Land and Valuation Court.

➤ **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**

No consultation has been undertaken in relation to this report.

Council Committees: Not applicable

Council Workshops: Not applicable

Advisory Groups: Property Advisory Group

Administration: Technical Officer, Open Space

Community: Not applicable

2. BACKGROUND

The land referred to as Houghton Village Green is located in the centre of Houghton township as indicated on Appendix 1.

The land that comprises the Houghton Village Green comprises 5 separate allotments as follows:

1. Allotment 11 contained in CT 5363-842 owned by Adelaide Hills Council
2. Allotment 12 contained in CT 5363-452 owned by Adelaide Hills Council
3. Allotment 89 contained in CT 5343-355 owned by M Maughan and AS Robinson
4. Allotment 85 contained in CT 5343-354 owned by the Adelaide Hills Council
5. Allotment 13 contained in CT 5421-887 owned by DPTI (formerly Commissioner of Highways)

Two reports have been previously presented to the Council meetings of 24 May 2016 and 26 July 2016.

At the meeting of 24 May 2016, Council resolved:

19.2.2. Land at Houghton – Request to Purchase – Confidential Item

RELEASED 27 SEPTEMBER 2016

Moved Cr Jan Loveday S/- Cr Jan-Claire Wisdom	105
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That a further report be prepared identifying how Council might best manage all the parcels of land in Houghton Green.

At the meeting of 26 July 2016, Council resolved:

9.1.2 Land at Houghton – Request to Purchase – Confidential Item (cont)

RELEASED 27 SEPTEMBER 2016

Moved Cr John Kemp S/- Cr Jan Loveday	146
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1. The report be received and noted.
2. Approve 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.
3. 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.
4. 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.
5. 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.
6. The Mayor and the Chief Executive be authorised to finalise the above matter including signing all necessary documentation to complete all transactions.

Land owned by M Maughan & AS Robinson

The land owned by Mr Marinus Maughan & Mr Alick Stephen Robinson is used for road and road infrastructure with a portion forming part of the village green area.

The Land is owned by Mr Maughan and Mr Robinson as Joint Tenants. Upon the death of Mr Maughan on 18/9/1918, his interest in the land was automatically vested to the successor in title being Mr Robinson, who later died on 31/5/1956.

The Maughan and Robinson land is still assessed for rating purposes at a value of \$7,300 and the current rates outstanding are \$5,252.05.

Land owned by RJ & BE Day

Council completed the acquisition of Allotments 11 and 12 from RJ & BE Day on 12 September 2016 and that land is now in Council ownership.

Land Owned by City of Tea Tree Gully

The land comprised within CT 5343/354 was successfully vested from the City of Tea Tree Gully to Adelaide Hills Council on 24 July 2018. It was determined that this land should have been vested in the Adelaide Hills Council upon amalgamation from the District Council of Gumeracha in 1976. There was no cost to Council to rectify the ownership anomaly.

Land Owned by Department of Planning, Transport & Infrastructure (DPTI)

Discussions and investigations are continuing with the Department of Planning, Transport & Infrastructure (DPTI) around the land in CT 5421/887.

DPTI have advised that they are willing to transfer this land to the Council at no consideration subject to the Council declaring this land to be public road following the transfer. Council staff will continue to negotiate with DPTI to ensure that they agree that a portion of this land may be closed as public road and vested in Council as a reserve as part of the Houghton Village Green in the future if necessary.

3. ANALYSIS

Council commenced the process under Section 210 of the Act by advertising for beneficiaries or successors to Mr Robinson's interest in the Land on 14 November 2018. One person contacted Council as they believed they were a descendent of the deceased proprietor however they did not wish to undertake a process to obtain probate to prove their claim as a beneficiary.

Council gazetted its intention to declare the Land to be public road by way of notice in the Government Gazette dated 14 February 2019.

Following the public notification, no claims have been made to the estate and interest of Mr Robinson in respect of the Land, and no other possible beneficiaries have come forward.

Whilst a party can lodge a claim for compensation with the Land and Valuation Court for up to 5 years following the declaration as public road, given that no claims have been made as a result of the public notification, it is considered a low risk. A claim for compensation would require the party to prove they are legitimate beneficiary of the deceased proprietor.

4. OPTIONS

Council has the following options:

- I. Resolve to declare the Land to be public road (Recommended)
- II. Not resolve to declare the Land as public road resulting in the Land remaining in private ownership (to which there are no successors or beneficiaries), which said Land is being assessed for rates (Not Recommended)

5. APPENDIX

- (1) Map identifying location of the land

Appendix 1

Map Identifying Location of Land Parcels



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 12.7

Originating Officer: Deryn Atkinson, Manager Development Services

Responsible Director: Marc Salver, Director Development & Regulatory Services

Subject: Development Applications Involving Regulated Trees Policy Review

For: Decision

SUMMARY

Council last reviewed and adopted the Development Applications Involving Regulated Trees – Procedures and Delegations Policy in June 2016.

The current policy is working well and no significant amendments are considered necessary by Administration at this time. A number of minor improvements to text are recommended in the draft Policy but this does not change the intent or interpretation of the Policy.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. With an effective date of 9 July 2019, to revoke the 14 June 2016 Development Applications Involving Regulated Trees – Procedures and Delegations Policy and adopt the draft June 2019 Development Applications Involving Regulated Trees Policy.
-

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal Places for People & Nature

The Policy states the special circumstances when tree assessment reports will be requested in the assessment of Development Applications involving regulated tree removal.

➤ **Legal Implications**

Development applications in relation to regulated and significant trees are assessed in accordance with the Development Act 1993, Development Regulations 2008 and the Council Development Plan.

➤ **Risk Management Implications**

The continuance of the Development Applications Involving Regulated Trees Policy will assist in mitigating the risk of poor governance practices occurring through inconsistency in the approach applied by staff to requesting an arborist tree assessment report. If the approach is inconsistent potential exists for a loss of customer confidence in the assessment process.

Inherent Risk	Residual Risk	Target Risk
Medium 3C	Low 1D	Low 1D

The Policy is an existing control to mitigate the risk of applicant challenge in special circumstances when a tree assessment report is requested by planning staff in the assessment of Development Applications involving regulated trees.

➤ **Financial and Resource Implications**

The cost of a tree assessment report is dependent upon the number of regulated trees included in the development application but the cost is typically between \$350 and \$1200 per report. Funds are currently included in the departmental budget for the rare occasion when an arborist report is required to be obtained by planning staff.

Where a regulated tree is approved for removal and replacement planting is not possible on the subject land, the applicant can pay a tree levy into the Urban Tree Fund in lieu of replacement planting.

The Urban Tree Fund typically has less than \$2,000 in contributions each year. In 2018/19 the total contribution to the Fund was \$1,611. Since its establishment in 2012 the Urban Tree Fund has accumulated a total of \$7,179.

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

This Policy has been developed in order to ensure a consistent approach to the assessment of development applications involving regulated trees.

➤ **Environmental Implications**

Development applications are assessed against the Council Development Plan which identifies desired future character for policy areas and zones and criteria for the assessment of regulated trees. Replacement planting or a tree levy is sought where trees are approved to be removed.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Team Leader Statutory Planning and Senior Planner

Community: Not Applicable

2. BACKGROUND

The significant tree legislation came into effect in April 2000 and was amended by the *Development (Regulated Trees) Variation Regulations, 2011* effective 17 November 2011. These regulations implemented the Regulated Trees provisions of the *Development Act, 1993*.

A regulated tree is any tree in metropolitan Adelaide (including Hills Face Zone), Adelaide Hills Council townships (including the Country Living Zone) and parts of the Mount Barker Council with a trunk circumference of 2.0 metres or more (measured at a point 1.0 metre above natural ground level). In the case of trees with multiple trunks, regulated trees are those with trunks having a total circumference of 2.0 metres or more and an average circumference of 625 millimetres or more (measured at a point 1.0 metre above natural ground level).

A significant tree is a regulated tree in metropolitan Adelaide (including Hills Face Zone), Adelaide Hills Council townships (including the Country Living Zone) and parts of the Mount Barker Council with a trunk circumference of 3.0 metres or more (measured at a point 1.0 metre above natural ground level). In the case of trees with multiple trunks, significant trees are those with trunks having a total circumference of 3.0 metres or more and an average circumference of 625 millimetres or more (measured at a point 1.0 metre above natural ground level).

Some trees are exempt from regulated and significant tree controls because of their location within a bushfire prone area, distance to a building and their species or a combination of these. For example trees within 20 metres of a dwelling in a bushfire prone area are exempt from the controls as are trees within 10 metres of a swimming pool or dwelling (except eucalyptus species and willow myrtles). All dead trees are also exempt from needing development approval to be removed.

The legislation variation in 2011 changed the circumstances in which the Council can request an arborist report in relation to tree damaging activity to a regulated tree. This change stated the relevant authority should not request the applicant to provide an expert or technical report relating to the tree where:

- The relevant authority seeks to assess whether the tree is a significant tree; or
- The regulated tree is not a significant tree

unless special circumstances apply. The special circumstances are outlined in Section 2.3 of the Policy.

The Policy was reviewed and readopted by the Strategic Planning & Development Policy Committee on 14 June 2016:

12.2. Development Applications Involving Regulated Tree(s) Policy

Moved Cr Lynton Vonow
S/- Cr Jan Loveday

23

The Strategic Planning & Development Policy Committee resolved that:

- 1. The report be received and noted**
- 2. With an effective date of 28 June 2016, to revoke the 9 June 2015 Development Applications Involving Regulated Tree(s) – Procedures and Delegations Policy and adopt the Development Applications Involving Regulated Trees – Procedures and Delegations Policy, as contained in Appendix 1.**

Carried Unanimously

3. ANALYSIS

There has been a sufficient drop in the number of development applications involving tree removal received by Council since the legislation was amended in November 2011. Prior to the legislation change annual tree application numbers ranged between 100 and 158. In 2018 there were 22 tree development applications.

The current policy is working well but it is recommended that the Policy title be shortened by deleting procedures and delegations. Other amendments shown largely relate to correcting references where these have changed and editorial edits to improve the Policy.

There is also a deletion of reference to a separate special circumstances policy in the background of the report. The special circumstances policy was incorporated into this Policy previously in section 2.3.

It is recommended that the Policy is readopted with these minor changes.

4. OPTIONS

Council has the following options:

- I. Readopt the Policy to mitigate the risk of applicant challenge when a tree assessment report is requested by planning staff (Recommended)
- II. To request staff investigate altering an element of the Policy

5. APPENDIX

- (1) Draft Development Applications Involving Regulated Trees Policy

Appendix 1

Draft Development Applications Involving Regulated Trees Policy

COUNCIL POLICY

	<p>DEVELOPMENT APPLICATIONS INVOLVING REGULATED TREE(S) –PROCEDURES & DELEGATIONS</p>
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Policy Number:	DEV-08
Responsible Department(s):	Development & Compliance Regulatory Services
Relevant Delegations:	As outlined in this Policy
Other Relevant Policies:	None Delegations Policy for the Determination of Development Applications by CAP
Relevant Procedure(s):	None
Relevant Legislation	None Development Act 1993 and Development Regulations 2008
Policies and Procedures Superseded by this policy on its Adoption:	Significant Trees Procedures – 2 June 2009, 10.13, 190 Development Applications Involving Regulated Tree(s) - Procedures & Delegations – 23-14 June 2015 2016 , 12.4, 23
Adoption Authority:	SPDPC Council
Date of Adoption:	14 June 2016
Effective From:	28 June 2016
Minute Reference for Adoption:	Item 12.2 , 23
Next Review:	June 2019 2022 or as required by change in legislation

DEVELOPMENT APPLICATIONS INVOLVING REGULATED TREE(S) ~~–PROCEDURES & DELEGATIONS~~

BACKGROUND & INTRODUCTION

The significant tree legislation ~~which~~ came into effect in April 2000 ~~and~~ was amended by the *Development (Regulated Trees) Variation Regulations, 2011* which came into effect on 17 November 2011. These regulations implemented the Regulated Trees provisions of the *Development Act, 1993*.

A regulated tree is any tree in metropolitan Adelaide (including Hills Face Zone), Adelaide Hills Council townships (including the Country Living Zone) and parts of the Mount Barker Council with a trunk circumference of 2.0 metres or more (measured at a point 1.0 metre above natural ground level). In the case of trees with multiple trunks, regulated trees are those with trunks having a total circumference of 2.0 metres or more and an average circumference of 625 millimetres or more (measured at a point 1.0 metre above natural ground level).

A significant tree is a regulated tree in metropolitan Adelaide (including Hills Face Zone), Adelaide Hills Council townships (including the Country Living Zone) and parts of the Mount Barker Council with a trunk circumference of 3.0 metres or more (measured at a point 1.0 metre above natural ground level). In the case of trees with multiple trunks, significant trees are those with trunks having a total circumference of 3.0 metres or more and an average circumference of 625 millimetres or more (measured at a point 1.0 metre above natural ground level).

Some trees are exempt from regulated and significant tree controls because of their location within a bushfire prone area, distance to a building and their species [or a combination of these](#). For example trees within 20 metres of a dwelling in a bushfire prone area are exempt from the controls as are trees within 10 metres of a swimming pool or dwelling (except eucalyptus species and willow myrtles). All dead trees are also exempt.

The legislation [variation](#) also changed the circumstances in which the Council can request an arborist report in relation to tree damaging activity to a regulated tree. This change stated the relevant authority should not request the applicant to provide an expert or technical report relating to the tree where:

- The relevant authority seeks to assess whether the tree is a significant tree; or
- The regulated tree is not a significant tree

unless special circumstances as outlined in Section 2.3 of this Policy apply.

[The Council has a separate policy in relation to the definition of special circumstances which are detailed in Section 2.3 of the procedures below.](#)

1. PROCEDURES

1.1. General

Staff are to assess all development applications involving regulated trees in accordance with the principles and objectives as outlined in the Council's Development Plan, the relevant legislation and any legal precedents as set by the Environment Resources and Development Court.

1.2. Land Divisions

When considering land division applications (including boundary realignments), staff are to consider the possible impacts of the proposed layout design and/or access points application on any existing healthy regulated trees, including those on Council's road verges, ~~as a result of the proposed land division layout design and/or access points~~. In some instances staff may require an applicant to identify the building envelopes and associated driveway locations and Council may request a Land Management Agreement be entered into ~~in order~~ to protect regulated tree(s) worthy of retention.

1.3. Special Circumstances Policy

A qualified arborist's report may be required when a development application is lodged to either remove or prune a regulated tree (which is not a significant tree) in a manner which is more than maintenance pruning ~~which wheremeets~~ one or more of the following criteria are met:

- it is in good health; and/or,
- it poses no obvious risk to persons or property; and/or,
- it is threatened by a proposed development on adjoining land; and/or
- it makes an important contribution to the character or amenity of the local area; and/or,
- it is a tree on the National Trust of South Australia's Register of Significant Trees; and/or,
- it is indigenous to the local area and its species is listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species; and/or,
- it represents an important habitat for native fauna; and/or,
- it is part of a wildlife corridor of a remnant area of native vegetation; and/or
- it is important to the maintenance of biodiversity in the local environment; and/or
- it forms a notable visual element to the landscape of the local area; and/or,
- there is reasonable doubt regarding the species of the tree,

1.4. Second Opinions

If the Development Council Assessment Panel or planning staff ~~members~~ consider that a regulated tree meets ~~the one or more of the~~ above criteria and the arborist's report provided by the applicant is not conclusive, ~~and further justification is required to assist in the assessment of the application~~, then staff shall obtain a second opinion from an independent arborist to assist in the assessment of the application. The Council shall bear the cost of this report.

1.5. Trees Outside of Township Boundaries

Trees outside township boundaries and the Hills Face Zone are exempt from the regulated tree legislation. Such trees are subject to the requirements of *The Native Vegetation Act 1991 and Regulations 2003*.

1.6. Urban Tree Fund

The Council established an Urban Tree Fund in 2012 which allows applicants the option of paying a contribution ~~per tree removed~~, into an "Urban Tree Fund" in lieu of undertaking replacement planting. Monies paid into this fund are used by the Council to maintain or plant trees, or purchase land to plant such trees in designated areas. The ~~contribution fee~~ per tree is set by legislation annually. The contribution per tree is also reduced by 66.6% for pensioners.

2. DELEGATIONS

~~1.7.2.1.~~ Development applications which involve the removal of regulated trees in the following circumstances will be referred to the Council's ~~Development~~ Assessment Panel for determination:

All development applications which involve the removal of regulated or significant trees on the same property where separate approval for the removal of significant or regulated tree(s) has already been granted in the 12 months preceding lodgement of the current application, and staff are recommending removal of the subject tree(s) EXCEPT in one or more of the following circumstances:

- ~~1.7.1.2.1.1.~~ It is demonstrated that the tree(s) represents an unacceptable risk to public or private safety, and there are no reasonable measures that would be effective to reduce the risk;
- ~~1.7.2.2.1.2.~~ It is demonstrated that the tree(s) is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value as supported by a qualified engineer's report, and there are no reasonable measures that would be effective to reduce the risk;
- ~~1.7.3.2.1.3.~~ The tree(s) is not a notable visual element in the landscape of the locality;
- ~~1.7.4.2.1.4.~~ The tree(s) is diseased and dying and has a demonstrated life expectancy of ten years or less.

2.2. Staff has delegated authority of Council to consider and determine all other applications involving regulated trees.

2.3. The Chief Executive Officer has the delegation to:

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

3. AVAILABILITY OF THE POLICY

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

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 12.8

Originating Officer: Steven Watson, Governance and Risk Coordinator

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Public Interest Disclosure Policy

For: Decision

SUMMARY

A Whistleblowers Protection Policy (the Policy) has been in place at Adelaide Hills Council (AHC) since 2007 to manage its obligations and responsibilities under the *Whistleblowers Protection Act 1993* (the WP Act). The current version of the Policy was adopted in March 2016.

Late last year the South Australian Parliament passed the *Public Interest Disclosure Act 2018* (PID Act). The PID Act will commence operation on 1 July 2019 and when it does it will repeal and replace the WP Act.

Given the importance of these amendments to the public integrity framework, it is critical that councils give early consideration to the implementation of this regime, and to understand its operation in the wider context of the duties and requirements for public officers and public authorities.

The purpose of this report is for Council to consider the draft Public Interest Disclosure Policy in readiness for the commencement of the PID Act.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. With an effective date of 01 July 2019, to revoke the 22 March 2016 Whistleblowers Protection Policy and adopt the draft Public Interest Disclosure Policy, as contained in Appendix 1.
 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 25 June 2019 Public Interest Disclosure Policy prior to the effective date.
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1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal: Organisational Sustainability
Strategy: Governance

A key element of the Governance Strategy within the Strategic Plan is that Council 'is committed to open, participative and transparent decision making and administrative processes'.

The matters addressed in the PID Act have the potential to improve the legislative framework applying to the local government sector.

➤ Legal Implications

The *Public Interest Disclosure Bill 2016* was introduced into the State House of Assembly on 6 July 2016. The Bill passed both Houses in late 2018 and was proclaimed to come into effect on 1 July 2019. The *Public Interest Disclosure Regulations 2019* (the PID Regulations) will also come into effect on that date.

The preamble to the PID Act is:

An Act to encourage and facilitate disclosures of certain information in the public interest by ensuring that proper procedures are in place for making and dealing with such disclosures and by providing protection for persons making such disclosures; to make related amendments to the *Local Government Act 1999* and the *Public Sector Act 2009*; to repeal the *Whistleblowers Protection Act 1993*; and for other purposes.

➤ Risk Management Implications

The development of appropriate guidance, supported with effective training in the provisions and obligations of the PID legislation 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)

The development of the guidance and training are mitigations.

➤ **Financial and Resource Implications**

There are minimal direct financial or resource implications related to provisions of the PID Act. These are limited to the development of guidance and the provision of training in the provisions and obligations of the legislation.

As such, these resource implications will be accommodated within the 2018/19 and proposed 2019/20 Council budgets.

Additional resource implications will occur where disclosures lead to investigations and/or legal advice.

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

There is a high expectation that Council has appropriate processes in place to receive and manage public interest disclosures while providing the statutory protections to those who make appropriate disclosures.

➤ **Environmental Implications**

One element of the definition of public interest disclosures is information about substantial risks to public health or safety, or to the environment which is referred to in the PID Act as a disclosure of *Environmental and health information*.

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

Consultation undertaken in the preparation of this report was as follows:

Council Committees: The Audit Committee noted an information report on the PID Act at its 13 May 2019 meeting. Further, Audit Committee members has been provided the opportunity to provide input to the draft PID Policy out of session.

Advisory Groups: Not Applicable

Workshops: The impending commencement of the PID Act has been raised during professional development sessions with Council Members.

Administration: Chief Executive Officer
Executive Manager Governance and Performance
Executive Manager Organisational Development

Community: Not Applicable

2. BACKGROUND

Whistleblowers Protection Act 1993

The WP Act was enacted in 1993 with the object to:

..facilitate the disclosure, in the public interest, of maladministration and waste in the public sector and of corrupt or illegal conduct generally –
(a) by providing means by which such disclosures may be made; and
(b) by providing appropriate protections for those who make such disclosures

The WP Act provides protection for the informant or whistleblower by way of immunity from civil and/or criminal liability from appropriate disclosures, protection from victimisation and the maintenance of confidentiality of the whistleblower's identity subject to the disclosure being made in a prescribed manner and assistance being provided with investigations.

AHC initially developed a Whistleblowers Protection Policy in 2007 in response to the WP Act. The current version of the Policy was adopted in March 2016. Consistent with the Policy, a number of Responsible Officers (for the purposes of that Act) have been identified, disclosure management systems put in place, and the provisions of the Policy are communicated to new employees as part of the induction program.

Public Interest Disclosure Act 2018

The summary provided below was drawn substantially from the Independent Commissioner Against Corruption website.

In October 2013, the then Attorney-General asked the Independent Commissioner Against Corruption (the Commissioner) to conduct a review of the operation and effectiveness of the WP Act.

The Commissioner undertook a detailed review that involved extensive consultation. In September 2014 the Commissioner delivered a 217 page report that made 30 recommendations.

The recommendations were considered by government and a new law was developed in the form of the Public Interest Disclosure Bill. The Bill went through a number of iterations under different governments with a final version eventually being passed and receiving assent in November 2018.

The objects of the WP Act are:

- (a) to encourage and facilitate the disclosure, in the public interest, of information about substantial risks to public health or safety, or to the environment, and about corruption, misconduct and maladministration in public administration—
 - (i) by ensuring that proper procedures are in place for the making of such disclosures and for dealing with such disclosures; and
 - (ii) by providing appropriate protections for those who make such disclosures; and
- (b) to ensure that there is appropriate oversight of public interest disclosures about corruption, misconduct and maladministration in public administration.

The PID Act will commence operation on 1 July 2019 and when it does it will repeal and replace the WP Act. There will also be minor amendments to the *Local Government Act 1999*, specifically the reference in s302B to Whistleblowing.

The new PID Act removes any reference to whistleblowers and focuses instead on the disclosure of information. In short, the PID Act encourages and facilitates disclosures of certain information in the public interest by ensuring that proper procedures are in place for making and dealing with such disclosures and by providing protection for persons making such disclosures.

There are two types of disclosures that are covered by the PID Act. The first is a disclosure of information about substantial risks to public health or safety, or to the environment which is referred to in the PID Act as a disclosure of environmental and health information. The second is a disclosure of information about corruption, misconduct or maladministration in public administration which is referred to in the PID Act as a disclosure of public administration information.

Collectively those two types of disclosures are referred to in the PID Act as disclosures of public interest information.

The PID Act provides that if a person makes an appropriate disclosure of public interest information the person is not subject to any liability as a result of that disclosure. The PID Act also protects the identity of the person making an appropriate disclosure and makes it an offence to victimise that person.

Anyone can make an appropriate disclosure of environmental and health information. However, only a public officer can make an appropriate disclosure of public administration information. The PID Act picks up the definition of public officer that appears in the *Independent Commissioner Against Corruption Act 2012* (the ICAC Act). Schedule 1 of the ICAC Act contains a comprehensive list of public officers, which includes public sector employees, local government employees and elected members, police officers, judges, members of parliament and anyone contracted to perform work for a public authority or the Crown.

In order to qualify as an appropriate disclosure of public interest information the person making the disclosure has to make it to a relevant authority and have a certain state of mind in relation to the information.

For the purposes of the PID Act, a person makes an appropriate disclosure of:

- Environmental and health information if the disclosure is made to a relevant authority and the person:
 - o Believes on reasonable grounds that the information is true; or
 - o Is not in a position to form a belief on reasonable grounds about the truth of the information but believes on reasonable grounds that the information may be true and is of sufficient significance to justify its disclosure so that its truth may be investigated.
- Public administration information if the disclosure is made to a relevant authority and the public officer reasonably suspects that the information raises a potential issue of corruption, misconduct or maladministration in public administration.

In order to qualify for the protections offered by the PID Act an appropriate disclosure of public interest information has to be made to a relevant authority.

The term relevant authority is defined in the PID Act and choosing the correct relevant authority can depend on the identity of the person or agency to whom the disclosure relates and the subject matter of the information. For example, where the information relates to a risk to the environment, the Environment Protection Authority is a relevant authority and where the information relates to an irregular or unauthorized use of public money or substantial mismanagement of public resources, the Auditor-General is a relevant authority.

The PID Act allows for appropriate disclosures of public interest information to be made to a journalist or a Member of Parliament but only in certain circumstances.

Essentially those circumstances are that the person has already made an appropriate disclosure of substantially the same information to a relevant authority and made the person's identity known to the relevant authority but has not received notification from the relevant authority within 30 days of making the disclosure of what action is being taken in relation to the information or within 90 days of making the disclosure (or longer if written notice has been given) of what the outcome of the action taken was.

3. ANALYSIS

Section 12 of the PID Act sets out the duties of principal officers (i.e. CEO) which include the designation of responsible officers for the purposes of the PID Act, appropriate communication of the contact details of those responsible officers and the development of documentation setting out procedures for persons wanting to make disclosures and officers and employees dealing with such disclosures.

On this basis there is a need to develop a PID Policy and associated guidance, consistent with the PID Act and to train public officers in the provisions of the Act. The Local Government Association (LGA) has developed and provided a model policy and a model procedure for councils for the purposes of the PID Act.

The draft Policy (**Appendix 1**) has been based on the LGA model policy with tailoring to suit Adelaide Hills Council's governance nuances and policy suite.

In the normal course of events, the policy guidance would be provided to the Audit Committee for recommendation to Council, thereby facilitating the discharge of its specific function. Unfortunately the timing of the commencement of the Act (1 July 2019), the Audit Committee meetings (next is 12 August 2019) , results in the guidance being considered by Council prior to the next Audit Committee meeting.

Nevertheless, it is intended for a fulsome report to the Audit Committee's August 2019 meeting on the Administration's actions to implement the provisions of the Act along with suggestions to revise the Committee's TOR in light of the repeal of the WP Act and the commencement of the PID Act. Any recommendations on proposed amendments to the Committee's TOR will be presented to Council for approval at a later meeting.

Training for Council Members on their obligations under the PID Act (and also the ICAC Act) is currently scheduled for the 16 July 2019 Professional Development Session.

Training for Council Officers will be coordinated by the Organisational Development Department for all current employees and included in the induction process for new employees.

4. OPTIONS

The Committee has the following options:

- I. To adopt the draft Public Interest Disclosures Policy (Recommended).
- II. To determine to amend or alter elements of the Policy.
- III. To provide direction on further/additional actions to be undertaken to prepare for the commencement of the PID Act.

5. APPENDIX

- (1) Draft Public Interest Disclosure Policy – June 2019

Appendix 1

Draft Public Interest Disclosure Policy – June 2019

COUNCIL POLICY

	PUBLIC INTEREST DISCLOSURE
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Policy Number:	GOV-16
Responsible Department(s):	Governance and Performance
Other Relevant Policies:	<i>Fraud and Corruption Prevention Policy Code of Conduct for Council Employees Council Member Conduct Policy Internal Review of Council Decisions Policy Complaint Handling Policy</i>
Relevant Procedure(s):	Public Interest Disclosure Procedure
Relevant Legislation:	<i>Criminal Law Consolidation Act 1935 Independent Commissioner Against Corruption Act 2012 Local Government Act 1999 Ombudsman Act 1972 Public Interest Disclosure Act 2018</i>
Policies and Procedures Superseded by this policy on its Adoption:	Whistleblower Protection Policy: 08/03/2016, Item 12.2,8
Adoption Authority:	Council
Date of Adoption:	25 June 2019
Effective From:	01 July 2019
Minute Reference for Adoption:	<i>To be entered administratively</i>
Next Review:	No later than 30 June 2021 or as required by legislation or changed circumstances

PUBLIC INTEREST DISCLOSURE

1. INTRODUCTION

- 1.1.** The Adelaide Hills Council is committed to upholding the principles of transparency and accountability in its administrative and management practices and, therefore, encourages the making of disclosures that reveal public interest information.

The purpose of this Policy is to ensure that the Adelaide Hills Council:

- properly fulfils its responsibilities under the *Public Interest Disclosure Act 2018* (the PID Act);
- encourages and facilitates Disclosures of Public Interest Information in accordance with the objects and requirements of the PID Act ;
- ensures there is appropriate oversight of public interest disclosures about corruption, misconduct and maladministration in public administration;
- provides appropriate protection for those who make Disclosures in accordance with the Act; and
- acknowledges the need to appropriately support Informants, the Responsible Officer and, as appropriate, those Public Officers affected by any appropriate Disclosure.

2. OBJECTIVES

- 2.1.** This Policy applies to appropriate Disclosures of Public Interest Information that are made in accordance with the PID Act by public officers including Council Members, Officers and Employees of the Council, and by members of the public, and is intended to complement the reporting framework under the *Independent Commissioner Against Corruption Act 2012* (the ICAC Act).

- 2.2.** This Policy is also designed to complement the existing communication channels within Council, and operate in conjunction with other existing policies, including:

- Fraud & Corruption Prevention Policy;
- Code of Conduct for Council Employees;
- Council Member Conduct Policy and
- Complaint Handling Policy and Internal Review of Council Decisions Policy under section 270 of the Local Government Act 1999.

- 2.3.** The Council is committed to:

- referring, as necessary, appropriate Disclosures to another Relevant Authority;

- where the Disclosure relates to Corruption, or serious or systemic Misconduct or Maladministration in public administration, reporting the Disclosure directly to the Office of Public Integrity (OPI) in accordance with the Guidelines and the requirements of the ICAC Act;
- otherwise facilitating the investigation of appropriate Disclosures in a manner which promotes fair and objective treatment of those involved; and
- rectifying any substantiated wrongdoing to the extent practicable in all the circumstances.

3. DEFINITIONS

For the purposes of this Policy the following definitions apply.

3.1. Commissioner means the person holding or acting in the office of the Independent Commissioner Against Corruption.

3.2. Corruption in public administration is defined in section 5(1) of the ICAC Act and means:

3.2.1. an offence against Part 7 Division 4 (Offences relating to public officers) of the *Criminal Law Consolidation Act 1935*, which includes the following offences:

- (i) bribery or corruption of public officers;
- (ii) threats or reprisals against public officers;
- (iii) abuse of public office;
- (iv) demanding or requiring benefit on basis of public office;
- (v) offences relating to appointment to public office; or

3.2.2. an offence against the Public Sector (Honesty and Accountability) Act 1995 or the *Public Corporations Act 1993*, or an attempt to commit such an offence; or

3.2.3. an offence against the *Lobbyists Act 2015*, or an attempt to commit such an offence; or

3.2.4. any other offence (including an offence against Part 5 (Offences of dishonesty) of the *Criminal Law Consolidation Act 1935*) committed by a public officer while acting in his or her capacity as a public officer or by a former public officer and related to his or her former capacity as a public officer, or by a person before becoming a public officer and related to his or her capacity as a public officer, or an attempt to commit such an offence; or

3.2.5. any of the following in relation to an offence referred to in a preceding paragraph:

- (i) aiding, abetting, counselling or procuring the commission of the offence;
- (ii) inducing, whether by threats or promises or otherwise, the commission of the offence;
- (iii) being in any way, directly or indirectly, knowingly concerned in, or party to, the commission of the offence;
- (iv) conspiring with others to effect the commission of the offence

3.3. *Council* means the Adelaide Hills Council.

3.4. *Detriment* includes:

- injury, harm (including psychological harm), damage (including damage to reputation) or loss;
- intimidation or harassment;
- discrimination, disadvantage or adverse treatment in relation to a person's employment; and/or
- threats of reprisal (which may be express or implied, and/or conditional or unconditional).

3.5. *Directions and Guidelines* is a reference to the Directions and Guidelines issued pursuant to section 20 of the ICAC Act and/or section 14 of the PID Act, which are available on the Commissioner's website (www.icac.sa.gov.au).

3.6. *Disclosure* means an appropriate disclosure of public interest information made by an Informant to a Relevant Authority.

A person makes an ***appropriate disclosure of environmental and health information*** if:

- (a) the person:
 - (i) believes on reasonable grounds that the information is true; or
 - (ii) is not in a position to form a belief on reasonable grounds about the truth of the information, but believes on reasonable grounds that the information may be true and is of sufficient significance to justify its disclosure so that its truth may be investigated; and
- (b) the disclosure is made to a Relevant Authority.

A person makes an ***appropriate disclosure of public administration information*** if:

- (a) the person:

- (i) is a public officer;
- (ii) reasonably suspects that the information raises a potential issue of **corruption, misconduct or maladministration** in public administration; and

(b) the disclosure is made to a Relevant Authority.

3.7. Employee refers to all the Council's employees whether they are working in a full-time, part-time or casual capacity.

3.8. Environmental and health information means information that raises a potential issue of a substantial risk to the environment or to the health or safety of the public generally or a significant section of the public.

3.9. Fraud includes an intentional dishonest act or omission done with the purpose of deceiving.

3.10. ICAC Act is the *Independent Commissioner Against Corruption Act 2012*.

3.11. Assessor means the person designated by the Responsible Officer as being responsible for investigating a disclosure made to Adelaide Hills Council in accordance with the Public Interest Disclosure Procedure. The Assessor must not have had any involvement in the matter(s) to which the disclosure relates.

3.12. Informant means a person who makes an appropriate disclosure of public interest information to a Relevant Authority.

3.13. Maladministration in public administration is defined in section 5(4) of the ICAC Act and

3.13.1. means:

- (i) conduct of a public officer, or a practice, policy or procedure of a public authority, that results in an irregular and unauthorised use of public money or substantial mismanagement of public resources; or
- (ii) conduct of a public officer involving substantial mismanagement in or in relation to the performance of official functions; and

3.13.2. includes conduct resulting from impropriety, incompetence or negligence; and

3.13.3. is to be assessed having regard to relevant statutory provisions and administrative instructions and directions.

3.14. Misconduct in public administration is defined in section 5(3) of the ICAC Act and means:

- 3.14.1. contravention of a code of conduct by a public officer while acting in his or her capacity as a public officer that constitutes a ground for disciplinary action against the officer; or
- 3.14.2. other misconduct of a public officer while acting in his or her capacity as a public officer.

3.15. Office for Public Integrity (OPI) is the office established under the ICAC Act that has the function to:

- 3.15.1. receive and assess complaints about public administration from members of the public;
- 3.15.2. receive and assess reports about corruption, misconduct and maladministration in public administration from the Ombudsman, the Council and public officers;
- 3.15.3. refer complaints and reports to inquiry agencies, public authorities and public officers in circumstances approved by the Commissioner or make recommendations as to whether and by whom complaints and reports should be investigated;
- 3.15.4. give directions or guidance to public authorities in circumstances approved by the Commissioner;
- 3.15.5. perform other functions assigned to the Office by the Commissioner.

3.16. Public administration is defined at section 4 of the ICAC Act and, without limiting the acts that may comprise public administration, an administrative act within the meaning of the *Ombudsman Act 1972* will be taken to be carried out in the course of public administration.

3.17. Public administration information means information that raises a potential issue of corruption, misconduct or maladministration in public administration.

3.18. Public interest information means environmental or health information, or public administration information.

3.19. PID Act means the *Public Interest Disclosure Act 2018*.

3.20. Principal Officer for the purposes of the PID Act means the Chief Executive Officer of the Council.

3.21. Public Officer has the meaning given by section 4 and Schedule 1 of the ICAC Act, and includes:

- a Council Member; and
- an Employee or Officer of the Council;

3.22. Relevant Authority means the person or entity that receives an appropriate disclosure of public interest information in accordance with the PID Act, as set out in Appendix A to this Policy.

3.23. Responsible Officer is a person who has completed any training courses approved by the Commissioner for the purposes of the *Public Interest Disclosure Regulations 2019* and has been designated by the Council as responsible officer under section 12 of the PID Act.

3.24. Victimisation occurs when a person causes detriment to another on the ground, or substantially on the ground, that the other person (or a third person) has made or intends to make an appropriate disclosure of public interest information.

4. POLICY STATEMENT

4. Confidentiality

4.1. The identity of an Informant will be maintained as confidential in accordance with the PID Act.

4.2. A recipient of an appropriate Disclosure may only divulge the identity of an Informant where:

4.2.1. the recipient believes on reasonable grounds that it is necessary to divulge the identity of the Informant in order to prevent or minimise an imminent risk of serious physical injury or death to any person, and the identity of the Informant is then divulged to a person or authority that the recipient believes on reasonable grounds is the most appropriate authority or person to be able to take action to prevent or minimise the imminent risk of serious physical injury or death to any person;

4.2.2. the recipient has been issued with a notice from the OPI advising that the identity of the Informant is required by the OPI, in which case the recipient must disclose the identity of the Informant to the OPI;

4.2.3. doing so is necessary for the matter to be properly investigated (but only to the extent necessary to ensure proper investigation); or

4.2.4. the Informant consents to his/her identity being disclosed.

4.3. The PID Act does not expressly require any other information relating to a Disclosure (including, for example, the nature of the allegations) to be maintained as confidential, but in considering whether to further disclose other information provided as part of an appropriate Disclosure the Council should be mindful of the prohibition against Victimisation in the PID Act.

- 4.4.** An Informant may wish to remain anonymous, but in that event must ensure that the allegation is sufficiently supported by the provision of necessary details and evidence to enable the matter to be properly investigated.

5. Principal Officer

- 5.1.** The Principal Officer is responsible for:

- 5.1.1.** ensuring that one or more appropriately qualified officers or employees of the Council are designated as responsible officers of the Council for the purposes of the PID Act and undertake any training required by the Public Interest Disclosure Regulations; and
- 5.1.2.** ensuring that the name and contact details of each responsible officer of the Council are made available to officers and employees of the council; and
- 5.1.3.** the preparation and maintenance of the Procedure in accordance with the requirements of the PID Act and the Directions and Guidelines, in particular the Public Interest Disclosure Guidelines.

6. Disclosure Process

- 6.1.** Disclosures are to be handled by the Council in accordance with the Public Interest Disclosure Procedure.
- 6.2.** Nothing in this Policy prevents a person from making a Disclosure to a Relevant Authority external to the Council (i.e. the Ombudsman or the OPI). This is a choice to be made by the Informant at his/her discretion. The Council recommends an Informant have regard to the factors of the Public Interest Disclosure Procedure when deciding where to direct a Disclosure.
- 6.3.** A Disclosure may be made to the Council's designated Responsible Officer in person, by telephone or in writing. The relevant contact details are:

Telephone	08 8408 0400 (please direct enquiries to the Responsible Officer for Public Interest Disclosure)
Email	publicinterestdisclosure@ahc.sa.gov.au

Postal	Confidential Responsible Officer, Public Interest Disclosure PO Box 44 Woodside SA 5244
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7. The Role of the Responsible Officer

7.1. A person designated as a Responsible Officer for the Council:

7.1.1. must:

7.1.1.1. receive appropriate Disclosures relating to the Council and ensure compliance with the PID Act, and the Public Interest Disclosure Procedure, in relation to any such Disclosures;

7.1.1.2. make appropriate recommendations to the principal officer of the Council in relation to dealing with Disclosures, including any suggested changes to this Policy or the Public Interest Disclosure Procedure; and

7.1.1.3. provide advice to officer and employees of the Council in relation to the administration of the PID Act; and

7.1.1.4. complete any training courses approved by the Commissioner for the purposes of the Public Interest Disclosure Regulations; and

7.1.2. may carry out any other functions relating to the PID Act.

7.2. Upon the receipt of a Disclosure, the Responsible Officer will deal with the disclosure in accordance with the Public Interest Disclosure Procedure.

7.3. In making any determination or taking any action under this Policy or pursuant to the Public Interest Disclosure Procedure:

7.3.1. the Responsible Officer may seek legal advice from Council's Lawyers and/or guidance from SAPOL or the Ombudsman in relation to the most appropriate course of action to pursue; and

7.3.2. is authorised to incur costs in accordance with the Council's Budget for that purpose.

7.4. The Responsible Officer will liaise as required with the Informant and any Assessor in relation to any investigation process undertaken in accordance with the Public Interest Disclosure Procedure, and will ensure that the Informant is provided with

support and protection as necessary and appropriate in the circumstances of the Disclosure.

8. Information to Elected Body

- 8.1.** As a matter of discretion, the Chief Executive Officer may inform the elected body, on a confidential basis, of the fact that an investigation of a Disclosure took place and the outcome of the investigation.
- 8.2.** Factors the Chief Executive Officer will take into account in determining whether to inform the elected body under paragraph 7.1 above and the level of detail provided in doing so are to include:
 - 8.2.1.** if known, the identity of the Informant, and whether the Informant has consented to his/her identity being divulged;
 - 8.2.2.** if applicable, the identity of any person the subject of the Disclosure;
 - 8.2.3.** the impact (if any) of the disclosed matter(s) upon the Council's achievement of its objectives under its Strategic Plan and/or policies; and
 - 8.2.4.** the impact of any action taken to finalise the matter upon the Council's operations and/or budget.
- 8.3.** In the event the Disclosure and/or any subsequent investigation process is confined to issues that impact only upon Council staff and human resource processes, the Chief Executive Officer will not inform the elected body of the fact of the Disclosure and/or investigation (since these matters fall outside the roles and responsibilities of Council Members under the *Local Government Act 1999*).

9. Protection for the Informant

- 9.1.** An Informant who makes an appropriate Disclosure is protected by:
 - 9.1.1.** immunity from criminal or civil liability as provided for in section 5(1) of the PID Act;
 - 9.1.2.** a prohibition on disclosure of his/her identity as provided for in section 8 of the PID Act;
 - 9.1.3.** a prohibition against Victimisation as provided for in section 9 of the PID Act; and
 - 9.1.4.** a prohibition against hindering, obstructing or preventing an Informant from making an appropriate Disclosure as provided for in section 11 of the PID Act.

- 9.2.** The PID Act does not provide any protection to people who knowingly make disclosures that are false or misleading in a material particular (whether by reason of the inclusion or omission of a particular).
- 9.3.** A person who knowingly makes a Disclosure that is false or misleading in a material particular is guilty of an offence and may be prosecuted.
- 9.4.** A person who personally commits an act of Victimisation against an Informant is guilty of an offence and may be prosecuted.
- 9.5.** The Council will take action as appropriate in the circumstances of the relevant Disclosure/s to protect Informants from Victimisation. Such action may include acting in accordance with the risk minimisation steps set out in the Public Interest Disclosure Procedure and/or referring the matter to the SA Police.
- 9.6.** Any Council Member or employee or officer of the Council who:
- 9.6.1.** knowingly makes a disclosure that is false or misleading in a material particular; or
 - 9.6.2.** commits an act of Victimisation in relation to an Informant; or
 - 9.6.3.** acts otherwise than in accordance with this Policy or the Public Interest Disclosure Procedure (including with respect to divulging the identity of an Informant) in relation to a Disclosure
- may also face disciplinary action by the Council or the Chief Executive Officer (as appropriate).

10. DELEGATION

- 10.1.** The Chief Executive Officer has the delegation to:
- Approve, amend and review any procedures that shall be consistent with this Policy; and
 - Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

11. AVAILABILITY OF THE POLICY

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

DRAFT

Appendix A Relevant Authorities

Where the information relates to...	the relevant authority is...
<p>a public officer*</p> <p>*as defined and set out in Schedule 1 of the <i>Independent Commissioner Against Corruption Act 2012</i> - relevantly, this includes members, officers and employees of local government bodies</p>	<p>either:</p> <ul style="list-style-type: none"> the person who is designated by the Guidelines as being taken to be responsible for management or supervision of the public officer; or the person who is in fact responsible for the management or supervision of the public officer; or the relevant responsible officer (as designated by the Council in accordance with section 12 of the PID Act)
a public sector agency or public sector employee	<p>either:</p> <ul style="list-style-type: none"> the Commissioner for Public Sector Employment; or the responsible officer for the relevant public sector agency
an agency to which the <i>Ombudsman Act 1972</i> applies	the Ombudsman
a location within the area of a particular council established under the <i>Local Government Act 1999</i>	a member, officer or employee of that Council
a risk to the environment	the Environment Protection Authority
an irregular and unauthorised use of public money or substantial	the Auditor-General
the commission, or suspected commission, of any offence	a member of the police force
a judicial officer	the Judicial Conduct Commissioner
a member of Parliament	the Presiding Officer of the House of Parliament to which the member belongs
a person or a matter of a prescribed class ¹	an authority declared by the regulations to be a relevant authority in relation to such information
<p>public interest information - being:</p> <ul style="list-style-type: none"> environmental and health information (information that raises a potential issue of a substantial risk to the environment or to the health or safety of the public generally or a significant section of the public); or <p>public administration information (information that raises a potential issue of corruption, misconduct or maladministration in public administration)</p>	<ul style="list-style-type: none"> the OPI; a Minister of the Crown; or any other prescribed person or person of a prescribed class

¹ at this stage, no prescribed persons or classes have been identified

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 12.9

Originating Officer: Steven Watson, Governance and Risk Coordinator

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Delegations Review – June 2019

For: Decision

SUMMARY

Council's Register of Delegations is required to be reviewed in accordance with Section 44 (6) of the *Local Government Act 1999* at least once in every financial year. At Adelaide Hills Council a review occurs quarterly covering a proportion of the Register examining delegations under a number of Acts. This manages the annual review of each delegation in four manageable segments and also allows changes in legislation to be enacted in a timely fashion.

This report addresses delegations under the following Acts:

- *Development Act 1993 and Development Regulations 2008*
- *Dog & Cat Management Act 1995*
- *Fences Act 1975*
- *Freedom of Information Act 1991 & Freedom of Information (Fees & Charges) Regulations 2003*
- *Land & Business (Sale and Conveyancing) Act 1994*
- *Liquor Licensing Act 1997*
- *Local Government Act 1999*
- *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005*
- *Real Property Act 1886*
- *Road Traffic Act 1961 and Authorisations*

Council currently has delegations operating for all of the above Acts. Council must now determine if it will continue to delegate some or all of the powers and functions contained in the attached Instruments.

RECOMMENDATION

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 *Development Act 1993 and Development Regulations 2008*
- 2.1.2 *Dog & Cat Management Act 1995*
- 2.1.3 *Fences Act 1975*
- 2.1.4 *Freedom of Information Act 1991 & Freedom of Information (Fees & Charges) Regulations 2003*
- 2.1.5 *Land & Business (Sale and Conveyancing) Act 1994*
- 2.1.6 *Liquor Licensing Act 1997*
- 2.1.7 *Local Government Act 1999*
- 2.1.8 *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005*
- 2.1.9 *Real Property Act 1886*
- 2.1.10 *Road Traffic Act 1961 and Authorisations*

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 and 11 (each of which is individually identified as indicated below) are hereby delegated this 25th day of June 2019 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.

- *Development Act 1993 and Development Regulations 2008 (Appendix 3)*
- *Dog & Cat Management Act 1995 (Appendix 4)*
- *Fences Act 1975 (Appendix 5)*
- *Freedom of Information Act 1991 & Freedom of Information (Fees & Charges) Regulations 2003 (Appendix 6)*
- *Land & Business (Sale and Conveyancing) Act 1994 (Appendix 7)*
- *Liquor Licensing Act 1997 (Appendix 8)*
- *Local Government Act 1999 (Appendix 9)*
- *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005 (Appendix 10)*

- ***Real Property Act 1886 (Appendix 11)***
- ***Road Traffic Act 1961 and Authorisations (Appendix 12)***

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.

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal Organisational Sustainability
Strategy Governance

The review of Delegations is an important element of Council's commitment to open and transparent decision making which facilitates public accountability.

➤ **Legal Implications**

An annual review of the legislation and delegations to staff is required under Section 44(6) of the *Local Government Act 1999*.

➤ **Risk Management Implications**

The maintenance of a robust legislative delegation regime is an important control in managing 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: there are many other controls that also assist in mitigating this risk.

➤ **Financial and Resource Implications**

Not directly applicable

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

Delegations allow Council's legislative obligations to be discharged in an effective and efficient manner and enable the administration to provide more timely service.

➤ **Environmental Implications**

Not directly applicable

➤ **Engagement/Consultation with Committee, Regional Subsidiary, Advisory Group and Community**

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: The following officers are to be consulted following Councils consideration:

- Director Corporate Services
- Director Strategy & Development
- Director Community & Customer Services
- Director Engineering & Assets
- Executive Manager Governance & Performance
- Executive Manager Organisational Development
- Manager Civil Services
- Manager Open Space
- Manager Property Services
- Manager Development Services
- Manager Financial Services
- Manager Waste & Emergency Management
- Team Leader Regulatory Services
- Team Leader Public Health

Community: Not Applicable

2. **BACKGROUND**

Legislation is constantly changing and a review is required to ensure Council and staff are working with the updated legislation and have the appropriate delegations to carry out the various legislative functions. Model Delegations are prepared by Norman Waterhouse Lawyers on behalf of the Local Government Association (LGA) and have been used as a basis for this review.

Delegations can be revoked by the Council at any time and Council retains the right to act on any matter even if it has been delegated.

A schedule of reviews (**Appendix 1**) has been developed to ensure delegations under all Acts/Regulations are reviewed over the course of the year.

3. ANALYSIS

This report incorporates the remainder of updates identified in the 'Table of Updates' (**Appendix 2**), dated 31 March 2019, provided by the Local Government Association on the 09 May 2019 in Circular 19.1.

As per the table of updates and Council's schedule of reviews, the following Acts and Regulations are being reviewed this quarter:

- *Development Act 1993 and Development Regulations 2008 (Appendix 3)*
- *Dog & Cat Management Act 1995 (Appendix 4)*
- *Fences Act 1975 (Appendix 5)*
- *Freedom of Information Act 1991 & Freedom of Information (Fees & Charges) Regulations 2003 (Appendix 6)*
- *Land & Business (Sale and Conveyancing) Act 1994 (Appendix 7)*
- *Liquor Licensing Act 1997 (Appendix 8)*
- *Local Government Act 1999 (Appendix 9)*
- *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005 (Appendix 10)*
- *Real Property Act 1886 (Appendix 11)*
- *Road Traffic Act 1961 and Authorisations*

The Acts/Regulations with amendments in this review are:

- *Liquor Licensing Act 1997 (Appendix 8)*
- *Local Government Act 1999 (Appendix 9)*

All changes have been highlighted or tracked on the attached instruments.

3.1 Liquor Licensing Act 1997

It is recommended that additional powers and functions relating to Section 128E(1), Section 128E(2), Section 128F, Section 128H(3), Section 128H(5), Section 128H(6) and Section 128H(7) be delegated to the Chief Executive Officer.

3.2 Local Government Act 1999

It is recommended that additional powers and functions relating to Section 28(1), Section 28(3), Section 31(2) and Section 31(10) be delegated to the Chief Executive Officer.

It is further recommended following a recent Workshop with Council Members, that removal of powers and functions for Discretionary Rebates of Rates referencing Section 166 previously delegated to CEO be revoked.

There have been no changes to the other delegations in this review.

If the powers contained in the attached instruments were not delegated all decisions must come to Council for its consideration and the Chief Executive Officer will not be empowered to act in relation to such matters.

As with all Council delegations, delegating a power under these Acts does not transfer that power from the Council to the delegate, it merely replicates it. As such, where the situation requires, matters will be brought to Council for decision.

4. OPTIONS

It is a matter for Council to determine whether it will delegate to the Chief Executive Officer some or all of the powers and functions contained in the appendices. The previous delegations must be revoked and replaced with the new delegations.

5. APPENDICES

- (1) Delegations Review Schedule
- (2) LGA Table of updates dated 30 September 2018
- (3) Instrument of Delegation under the Development Act 1993 and Development Regulations 2008
- (4) Instrument of Delegation under the Dog & Cat Management Act 1995 (Appendix 4)
- (5) Instrument of Delegation under the Fences Act 1975
- (6) Instrument of Delegation under the Freedom of Information Act 1991 & Freedom of Information (Fees & Charges) Regulations 2003
- (7) Instrument of Delegation under the Land & Business (Sale and Conveyancing) Act 1994
- (8) Instrument of Delegation under the Liquor Licensing Act 1997
- (9) Instrument of Delegation under the Local Government Act 1999
- (10) Instrument of Delegation under the Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005
- (11) Instrument of Delegation under the Real Property Act 1886
- (12) Instrument of Delegation under the Road Traffic Act 1961 and Authorisations

Appendix 1

Delegations Review Schedule – June 2019

DELEGATIONS REVIEW SCHEDULE 2019

Act	Mar-19	Apr-19	Jun-19	Sep-19	Dec-19
LGA Circular Number	Month of Review		Month of Review	Month of Review	Month of Review
Burial & Cremation Act 2013 and the Burial and Cremation Regulations 2014	Deferred to April 2019	23-Apr-19			
Community Titles Act 1996					17-Dec-19
Crown Land Management Act 2009					17-Dec-19
Development Act 1993 and Development Regulations 2008			25-Jun-19		
Dog & Cat Management Act 1995			25-Jun-19		
Electricity Act 1996		New 23/04/2019			
Electronic Conveyancing National Law (SA) Act				24-Sep-19	
Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010	Deferred to April 2019	23-Apr-19			
Expiation of Offences Act 1996	Deferred to April 2019	23-Apr-19			
Fences Act 1975			25-Jun-19		
Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005				24-Sep-19	
Food Act 2001	Deferred to April 2019	23-Apr-19			
Freedom of Information Act 1991 & Freedom of Information (Fees & Charges) Regulations 2003			25-Jun-19		
Gas Act 1997		New 23/04/2019			
Heavy Vehicle National Law (South Australia) Act 2013		Update 23/04/2019			17-Dec-19
Land & Business (Sale and Conveyancing) Act 1994			25-Jun-19		
Liquor Licensing Act 1997			Update 25/06/2019		17-Dec-19
Local Government Act 1999		Update 23/04/2019	Update 25/06/2020		
Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017	Deferred to April 2019	23-Apr-19			
Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005			25-Jun-19		
Planning, Development and Infrastructure Act 2016				24-Sep-19	
Private Parking Areas Act 1986					17-Dec-19
Real Property Act 1886		Update 23/04/2019	25-Jun-19		
Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014			25-Jun-19		
Roads (Opening & Closing) Act 1991				24-Sep-19	
Safe Drinking Water Act 2011	Deferred to April 2019	23-Apr-19			
South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013				24-Sep-19	
Strata Titles Act 1999					17-Dec-19
Supported Residential Facilities Act 1992	Deferred to April 2019	23-Apr-19			
Unclaimed Goods Act 1987	Deferred to April 2019	23-Apr-19			
Water Industry Act 2012 and Water Industry Regulations 2012	Deferred to April 2019	23-Apr-19			
Work Health Safety Act 2012					17-Dec-19

Appendix 2

LGA Table of updates 31 March 2019

LOCAL GOVERNMENT ASSOCIATION
UPDATES OF DELEGATION TEMPLATES ON WEBSITE

(Note: Paragraph references below refer to updated version – As at 31 March 2019)

Act Document/ Page on Website	Para number in instrument which contain changes	Section number of Act/ Regulation	Whether change is Addition/ Amendment/ Deletion	Reason for change	Date of latest version	Recommendation
Webpage entitled – 'Delegations – Introduction'						
Webpage entitled – 'General Information'						
Instrument of Delegation under the Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014						
Instrument of Delegation under the Community Titles Act						
Instrument of Delegation under the Development Act, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008						
Instrument of Delegation under the Dog & Cat Management Act						
Instrument of Delegation under the Electricity Act 1996 and Electricity (Principles of Vegetation Clearance) Regulations 2010						

Act Document/ Page on Website	Para number in instrument which contain changes	Section number of Act/ Regulation	Whether change is Addition/ Amendment/ Deletion	Reason for change	Date of latest version	Recommendation
Instrument of Delegation under the Electronic Conveyancing National Law (South Australia) Act 2013						
Instrument of Delegation under the Environment Protection Act						
Instrument of Delegation under the Expiation of Offences Act						
Instrument of Delegation under the Fences Act						
Instrument of Delegation under the Fines Enforcement and Debt Recovery Act 2017						
Instrument of Delegation under the Fire & Emergency Services Act						
Instrument of Delegation under the Food Act						
Instrument of Delegation under the Freedom of Information Act						
Instrument of Delegation under the Heavy Vehicle National Law Act						
Instrument of Delegation under the Gas Act 1997						
Instrument of Delegation under the Land & Business (Sale & Conveyancing) Act						

Act Document/ Page on Website	Para number in instrument which contain changes	Section number of Act/ Regulation	Whether change is Addition/ Amendment/ Deletion	Reason for change	Date of latest version	Recommendation
Instrument of Delegation under the Liquor Licensing Act	5A.1	128E(1)	Addition	Legislative amendment	31 March 2019	Adopt updated instrument as soon as possible
	5A.2	128E(2)	Addition	Legislative amendment	31 March 2019	
	5B.1	128F	Addition	Legislative amendment	31 March 2019	
	5C.1	128H(3)	Addition	Legislative amendment	31 March 2019	
	5C.2	128H(5)	Addition	Legislative amendment	31 March 2019	
	5C.3	128H(6)	Addition	Legislative amendment	31 March 2019	
	5C.4	128H(7)	Addition	Legislative amendment	31 March 2019	
Instrument of Delegation under the Local Government Act 1999	6.1	Previous 28(6) New 28(1)	Addition	Legislative amendment	31 March 2019	Adopt updated instrument as soon as possible
	6.2	Previous 28(23)(f) and (g) New 28(3)	Addition	Legislative amendment	31 March 2019	
	6A.1	31(2)	Addition	Legislative amendment	31 March 2019	
	6A.2	31(10)	Addition	Legislative amendment	31 March 2019	
Instrument of Delegation under the Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017						

Act Document/ Page on Website	Para number in instrument which contain changes	Section number of Act/ Regulation	Whether change is Addition/ Amendment/ Deletion	Reason for change	Date of latest version	Recommendation
Instrument of Delegation under the Natural Resources Management Act						
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016						
Instrument of Delegation under the Real Property Act						
Instrument of Delegation under the Roads (Opening & Closing) Act						
Instrument of Delegation under the Road Traffic Act 1961, Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014						
Subdelegations to Chief Executive Officer under the Road Traffic Act 1961						
Authorisations under Road Traffic Act 1961						
Instrument of Delegation under the Safe Drinking Water Act 2011						

Act Document/ Page on Website	Para number in instrument which contain changes	Section number of Act/ Regulation	Whether change is Addition/ Amendment/ Deletion	Reason for change	Date of latest version	Recommendation
Instrument of Delegation under the South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013, South Australian Public Health (General) Regulations 2013 and South Australian Public Health (Fees) Regulations 2018						
Instrument of Delegation under the Strata Titles Act 1988						
Instrument of Delegation under the Supported Residential Facilities Act						
Instrument of Delegation under the Water Industry Act 2012 and Water Industry Regulations 2012						
Instrument of Delegation under the Work Health Safety Act 2012						
Instrument of Delegation under the Unclaimed Goods Act 1987						
Webpage entitled – 'Guide for use – Template Resolutions'						
Draft Resolutions for the making of Delegations						

Act Document/ Page on Website	Para number in instrument which contain changes	Section number of Act/ Regulation	Whether change is Addition/ Amendment/ Deletion	Reason for change	Date of latest version	Recommendation
Webpage entitled – 'Documents for Making Subdelegations'						
Template Instrument of Subdelegation						
Notification of Subdelegations for Council Officers						
Notification of delegations to Officers who are 'acting' in a position						
Webpage entitled – 'Legislative Requirements'						
Webpage entitled – 'Best Practice Recommendations'						

Appendix 3

*Instrument of Delegation under the
Development Act 1993 and
Development Regulations 2008*

	Direct Delegation from Council	Conditions/ Limitations
INSTRUMENT OF DELEGATION UNDER THE DEVELOPMENT ACT 1993, DEVELOPMENT (DEVELOPMENT PLANS) AMENDMENT ACT 2006 AND DEVELOPMENT REGULATIONS 2008		To be read in conjunction with CAP Delegation Policy
1. Concept of Change in the Use of Land		
1.1 The power pursuant to Section 6(3) of the Development Act 1993 ('the Act') and in circumstances where a particular use of land has been discontinued for a period of six months or more:	CEO/Council's Assessment Panel (CAP)	NIL
1.1.1 to form the opinion that the revival of that use would be inconsistent with the Development Plan and have an adverse effect on the locality in which the land is situated; and	CEO/Council's Assessment Panel (CAP)	NIL
1.1.2 to serve written notice on the owner and occupier of the land declaring that a revival of the use will be treated for the purposes of the Act as a change in the use of land.	CEO/Council's Assessment Panel (CAP)	NIL
2. Appointment of Authorised Officers		
2.1 The power pursuant to Section 18(1) of the Act to appoint a person to be an authorised officer for the purposes of the Development Act 1993.	CEO	NIL
2.2 The power pursuant to Section 18(2) of the Act to impose conditions on the appointment of an authorised officer.	CEO	NIL
2.3 The duty, pursuant to Section 18(3) of the Act to issue an authorised officer with an identity card.	CEO	NIL
2.4 The power pursuant to Section 18(5) of the Act to at any time, revoke an appointment which the Delegate or the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition.	CEO	NIL
3. Delegations		
3.1 The duty pursuant to Section 20(8) of the Act to ensure that notice of a delegation under Section 20 of the Act is, in prescribed circumstances, given in the Gazette.	CEO	NIL
4. Council or Minister May Amend a Development Plan		
4.1 Where an amendment relates to the area, or part of the area, of a council, the power pursuant to Section 24(1)(a)(i) of the Act to prepare an amendment to a Development Plan.	CEO	Subject to sign-off by SPDPC
4.2 Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to Section 24(1)(b)(i) to consult with the Minister.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
4.3	Where an amendment to a Development Plan relates to the areas, or parts of the areas, of two or more councils, the power pursuant to Section 24(1)(b)(ii) of the Act to prepare an amendment to a Development Plan at the request or with the approval of the Minister.	CEO	NIL
4.4	The power pursuant to Section 24(1a) of the Act and in accordance with subdivision 2 of Division 2 Part 3 of the Act to act jointly with one or more councils in preparing amendments to 1 or more Development Plans under sub Section (1)(a)(i) or (1)(b)(ii) of the Act.	CEO	NIL
4.5	The power pursuant to section 24(1)(a)(iva) of the Act, where the Council or the Delegate has, after commencing the processes associated with making an amendment as set out in Section 25 of the Act, to subsequently decide not to proceed with the amendment after all.	CEO	NIL
4.6	The power pursuant to Section 24(1b) of the Act to make submissions in relation to the matter within the period specified by the Minister.	CEO	NIL
4.7	The power pursuant to Section 24(2a) of the Act to make submissions (within a period specified in the notice) in relation to a matter.	CEO	NIL
5.	Amendments by a Council		
5.1	The power pursuant to Section 25(1) of the Act to prepare a 'Statement of Intent' in accordance with the Regulations.	CEO	Subject to sign-off by SPDPC
5.2	The power pursuant to Section 25(1) of the Act to reach agreement with the Minister on a 'Statement of Intent' prepared by the Council.	CEO	Subject to sign-off by SPDPC
5.3	Subject to Sections 25(4) and 25(5) of the Act the power pursuant to Section 25(3) of the Act to prepare a proposal, to be called a 'Development Plan Amendment' (or DPA) that complies with the following requirements:	CEO	Subject to sign-off by SPDPC
5.3.1	the DPA must be based on the outcome of investigations initiated by the Council or the Delegate in accordance with the terms of the Statement of Intent and such other investigations (if any) as the Council or the Delegate thinks fit;	CEO	Subject to sign-off by SPDPC
5.3.2	the DPA must include an assessment of the extent to which the proposed amendment:	CEO	Subject to sign-off by SPDPC
5.3.2.1	accords with the Planning Strategy; and	CEO	Subject to sign-off by SPDPC

		Direct Delegation from Council	Conditions/ Limitations
5.3.2.2	accords with the Statement of Intent; and	CEO	Subject to sign-off by SPDPC
5.3.2.3	accords with other parts of the Development Plan; and	CEO	Subject to sign-off by SPDPC
5.3.2.4	complements the policies in the Development Plans for adjoining areas; and	CEO	Subject to sign-off by SPDPC
5.3.2.5	satisfies the matters prescribed in the Regulations;	CEO	Subject to sign-off by SPDPC
5.3.3	the DPA must include:	CEO	Subject to sign-off by SPDPC
5.3.3.1	an explanation of the intent of the proposed amendments, the relationship between that intent and the policy of the Statement of Intent, and a summary of the major policy changes (if any) that are proposed; and	CEO	Subject to sign-off by SPDPC
5.3.3.2	a summary of the conclusions drawn from the investigations and assessments referred to above; and	CEO	Subject to sign-off by SPDPC
5.3.3.3	a draft of the amendment, or a draft of the relevant section of the Development Plan as amended (with the amendments shown in a distinctive manner);	CEO	Subject to sign-off by SPDPC
5.3.4	the DPA must include an assessment of the extent to which the proposed amendment accords with relevant infrastructure planning (with respect to both physical and social infrastructure) identified by the Council through strategic planning or other processes undertaken by the Council under the Act or the Local Government Act 1999 or identified by a Minister, or any other relevant government agency, in accordance with any scheme set out in the Regulations, in connection with the preparation of the DPA under the Act;	CEO	Subject to sign-off by SPDPC
5.3.5	the DPA must include any other matter prescribed by the Regulations.	CEO	Subject to sign-off by SPDPC
5.4	The power pursuant to Section 25(3)(a) of the Act to initiate investigations in accordance with the terms of the Statement of Intent and such other investigations as the Delegate thinks fit.	CEO	NIL
5.5	The duty, pursuant to Section 25(4) of the Act to prepare a DPA only after the Delegate has considered	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	the advice of a person with prescribed qualifications.		
5.6	The power pursuant to Section 25(5) of the Act to not, except as authorised by the Minister, propose an amendment to a part of a Development Plan that has been declared by the Minister by notice in the Gazette as being part of a set of standard policy modules for the purposes of the Act.	CEO	Subject to sign-off by SPDPC
5.7	The duty pursuant to Section 25(6) of the Act to deal with a DPA in accordance with process A, B or C as described by the Act, depending on an agreement reached between the Council or the Delegate and the Minister as part of the Statement of Intent or at some later time if so determined or agreed by the Minister.	CEO	NIL
5.8	The power pursuant to Section 25(6) of the Act to reach an agreement with the Minister as part of the Statement of Intent or at some later time if so determined or agreed by the Minister.	CEO	NIL
5.9	<u>Process A</u>	CEO	NIL
5.9.1	The duty pursuant to Section 25(7)(a) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent, for comment within the period prescribed by the Regulations.	CEO	NIL
5.9.2	The power pursuant to Section 25(7)(b) of the Act, if a response is not received within the period that applies under Section 25(7)(a) of the Act, to assume that the particular Department, agency or other body does not desire to provide any comment.	CEO	NIL
5.9.3	The power pursuant to Section 25(7)(c) of the Act to consult with the Minister.	CEO	NIL
5.9.4	The duty pursuant to Section 25(7)(c)(i) of the Act to comply with the requirement of the Minister to make an alteration to the DPA.	CEO	NIL
5.9.5	Subject to Section 25(10), 25(11), 25(12) and 25(12a) of the Act, the duty pursuant to Section 25(7)(d) of the Act to release the DPA for public consultation in accordance with the Regulations), over a period of at least 8 weeks.	CEO	NIL
5.10	<u>Process B</u>	CEO	NIL
5.10.1	The duty pursuant to Section 25(8)(a) of the Act, if required by the Minister, to first refer the DPA to the Minister for consideration.	CEO	NIL
5.10.2	The power, pursuant to Section 25(8)(a) of the Act, to consult with the Minister.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
5.10.3	The duty pursuant to Section 25(8)(a)(i) of the Act to comply with a requirement of the Minister to make an alteration to the DPA.	CEO	NIL
5.10.4	Subject to complying with Section 25(8)(a) of the Act, (if relevant) the duty and power pursuant to Section 25(8)(b)(i) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent for comment within a period of 8 weeks, and, if a response is not received within this period, to assume that the particular Department, agency or body does not desire to provide any comment.	CEO	NIL
5.10.5	Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act the duty pursuant to Section 25(8)(b)(ii) of the Act to release the DPA for public consultation in accordance with the Regulations over a period that is at least concurrent with the period that applies under Section 25(8)(b)(i) of the Act.	CEO	NIL
5.11	<u>Process C</u>	CEO	NIL
5.11.1	The duty and power pursuant to Section 25(9)(a) of the Act to refer the DPA to any government Department or agency that has a direct interest in the matter, and any other body specified in the Statement of Intent for comment within a period of 4 weeks, and, if a response is not received within this period, to assume that the particular Department, agency or body does not desire to provide any comment.	CEO	NIL
5.11.2	Subject to Sections 25(10), 25(11), 25(12) and 25(12a) of the Act, the duty pursuant to Section 25(9)(b) of the Act to release the DPA for public consultation in accordance with the Regulations, over a period that is at least concurrent with the period that applies under Section 25(9)(a) of the Act.	CEO	NIL
5.11.3	The duty pursuant to Section 25(9)(c) of the Act, at the time that the DPA is released for public consultation, to give:	CEO	NIL
5.11.3.1	an owner or occupier of any land that is directly subject to the operation of the proposed amendment; and	CEO	NIL
5.11.3.2	an owner or occupier of each piece of adjacent land to land that is directly subject to the operation of the proposed amendment, a written notice in accordance with the Regulations.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
5.12	The duty pursuant to Section 25(10) of the Act to not release a DPA for public consultation unless or until the Chief Executive Officer of the Council has, on behalf of the Council, issued a certificate in the prescribed form relating to the extent to which the proposed amendment:	CEO	NIL
5.12.1	accords with the Planning Strategy; and	CEO	NIL
5.12.2	accords with the Statement of Intent; and	CEO	NIL
5.12.3	accords with other parts of the Development Plan; and	CEO	NIL
5.12.4	complements the policies in the Development Plans for adjoining areas; and	CEO	NIL
5.12.5	satisfies the matters prescribed in the Regulations.	CEO	NIL
5.13	In addition to any requirement prescribed by the Regulations, the duty pursuant to Section 25(11) of the Act for the purposes of undertaking the public consultation, to:	CEO	NIL
5.13.1	allow interested persons to make representations in writing in relation to the matter over the period that applies for the purposes of the public consultation; and	CEO	NIL
5.13.2	subject to Section 25(11)(b) of the Act and in accordance with the Regulations, hold within the area of the Council at least 1 meeting where members of the public may attend and make representations in relation to the matter,	CEO	NIL
5.13.3	appoint a committee (which may, but need not, include members of the Council) to consider any representations made under Sections 25(11)(a) or 25(11)(b) of the Act and to provide advice in relation to those representations.	CEO	NIL
5.14	If a proposed amendment designates a place as a place of local heritage value, the duty pursuant to Section 25(12) of the Act, at or before the time when the DPA is released for public consultation, to give each owner of land constituting a place proposed as a place of local heritage value a written notice:	CEO	NIL
5.14.1	informing the owner of the proposed amendment, and	CEO	NIL
5.14.2	inviting the owner to make submissions on the amendment within the period provided for public consultation under the Regulations.	CEO	NIL
5.15	If a proposed amendment declares a tree to be a significant tree or a stand of trees to be significant trees, the duty pursuant to Section 25(12a) of the Act, at or before the time when the DPA is released for public consultation, to give each owner of land where the tree or trees are located a written notice:	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
5.15.1	informing the owner of the proposed amendment; and	CEO	NIL
5.15.2	inviting the owner to make submissions on the amendment within the period provided for public consultation under the Regulations.	CEO	NIL
5.16	The duty pursuant to Section 25(13)(a) of the Act, after complying with the requirements of Sections 25(1)-(12a) of the Act, to, in accordance with the Regulations prepare a report on the matters raised during the consultation period, on the reasons for any failure to comply with any time set for any step under Sections 25(1)-(12a) of the Act, and on any recommended alterations to the proposed amendment.	CEO	NIL
5.17	The power pursuant to Section 25(13)(b) of the Act, if the Delegate thinks fit, by notice in writing to the Minister, to decline to proceed any further with an amendment.	CEO	Subject to sign-off by SPDPC
5.18	The duty to send to the Minister:	CEO	NIL
5.18.1	a copy of a report under Section 25(13)(a); and	CEO	NIL
5.18.2	a certificate from the Chief Executive Officer;	CEO	NIL
	pursuant to and in accordance with Section 25(14) of the Act and the Regulations.	CEO	NIL
5.19	The power pursuant to Sections 25(15)(d) and 25(15)(f) of the Act to consult with the Minister.	CEO	Subject to sign-off by SPDPC
5.20	The power pursuant to and in accordance with Section 25(21) of the Act to consult with, and make submissions to the Minister.	CEO	Subject to sign-off by SPDPC
5.21	The power pursuant to Section 25(23) of the Act to consult with the Minister.	CEO	Subject to sign-off by SPDPC
6.	Amendments by the Minister		
6.1	The power pursuant to Section 26(5)(d)(i) of the Act, in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 8 weeks.	CEO	Subject to sign-off by SPDPC
6.2	The power pursuant to Section 26(5a)(a) of the Act in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 8 weeks.	CEO	Subject to sign-off by SPDPC
6.3	The power pursuant to Section 26(5b)(a) of the Act in relation to a DPA referred to the Council by the Minister, to make comment on the DPA to the Minister within a period of 4 weeks.	CEO	Subject to sign-off by SPDPC

		Direct Delegation from Council	Conditions/ Limitations
6.4	The power pursuant to Section 26(12) of the Act, to make comment to the Minister within a period determined by the Minister in relation to a proposal to act under Section 26(11) of the Act.	CEO	Subject to sign-off by SPDPC
6.5	The power pursuant to, Section 26(12) of the Act to, by notice in writing, object to the Minister's proposed action.	CEO	Subject to sign-off by SPDPC
7. Parliamentary Scrutiny		CEO	Subject to sign-off by SPDPC
7.1	The power pursuant to Section 27(6) of the Act to consult with the Minister.	CEO	Subject to sign-off by SPDPC
8. Strategic Directions Reports			
8.1	The duty pursuant to Section 30(1) of the Act, to, from time to time, in accordance with the requirements of Section 30 of the Act, prepare a report under Section 30 of the Act (a Strategic Directions Report) that:	CEO	Subject to sign-off by SPDPC
8.1.1	addresses the strategic planning issues within the area of the Council, with particular reference to:	CEO	Subject to sign-off by SPDPC
8.1.1.1	the Planning Strategy; and	CEO	Subject to sign-off by SPDPC
8.1.1.2	any other policy or document prescribed by the regulations; and	CEO	Subject to sign-off by SPDPC
8.1.2	addresses appropriate amendments to any Development Plan that applies within the area of the Council; and	CEO	Subject to sign-off by SPDPC
8.1.3	sets out the Council's priorities for:	CEO	Subject to sign-off by SPDPC
8.1.3.1	achieving orderly and efficient development through the implementation of planning policies; and	CEO	Subject to sign-off by SPDPC
8.1.3.2	the integration of transport and land-use planning within its area; and	CEO	Subject to sign-off by SPDPC
8.1.3.3	implementing any relevant targets set out in the Planning Strategy; and	CEO	Subject to sign-off by

		Direct Delegation from Council	Conditions/ Limitations
			SPDPC
8.1.3.4	implementing affordable housing policies set out in the Planning Strategy within its area; and	CEO	Subject to sign-off by SPDPC
8.1.3.5	infrastructure planning (with respect to both physical and social infrastructure), taking into account any advice provided by a Minister, or any other relevant government agency, in accordance with a scheme set out in the regulations, and any of the Council's proposals with respect to infrastructure; and	CEO	Subject to sign-off by SPDPC
8.1.3.6	other projects or initiatives considered to be relevant by the Council; and	CEO	Subject to sign-off by SPDPC
8.1.4	contains such other material as may be:	CEO	Subject to sign-off by SPDPC
8.1.4.1	prescribed by the regulations; or	CEO	Subject to sign-off by SPDPC
8.1.4.2	required by the Minister.	CEO	Subject to sign-off by SPDPC
8.2	The duty pursuant to Section 30(2) of the Act to prepare and complete a report under Section 30 of the Act:	CEO	Subject to sign-off by SPDPC
8.2.1	within 12 months after an alteration is made to the Planning Strategy, or within such longer period as the Minister may allow, if:	CEO	Subject to sign-off by SPDPC
8.2.1.1	the Minister declares, by notice in the Gazette, that the alteration is considered to be a significant alteration that should trigger a review of Development Plans, or specified Development Plans, under Section 30 of the Act in relation to issues specified by the Minister; and	CEO	Subject to sign-off by SPDPC
8.2.1.2	the Development Plan that applies in relation to the Council's area (or a part of its area) falls within the ambit of the declaration; and	CEO	Subject to sign-off by SPDPC
8.2.2	in any event, within 5 years after the completion of the last report under Section 30 of the Act.	CEO	Subject to sign-off by SPDPC
8.3	The duty, pursuant to Section 30(3) of the Act, in connection with the preparation of a report under	CEO	Subject to sign-off by

		Direct Delegation from Council	Conditions/ Limitations
Section 30 of the Act, to:			SPDPC
8.3.1	by public advertisement, invite interested persons to make written submissions to the Council within 2 months of the date of the advertisement or such longer period as may be allowed by the advertisement; and	CEO	Subject to sign-off by SPDPC
8.3.2	consult with any prescribed authority or body in the manner specified by the regulations.	CEO	Subject to sign-off by SPDPC
8.4	The duty, pursuant to Section 30(4) of the Act, in connection with the operation of Section 30(3) of the Act, to prepare and make available the documentation prescribed by the regulations.	CEO	NIL
8.5	The duty pursuant to Section 30(5) of the Act to give a person who makes a written response to an invitation under Section 30(3)(a) of the Act an opportunity to appear personally or by representative before the Council or a Council Committee and to be heard on those submissions.	CEO	NIL
8.6	The duty pursuant to Section 30(6) of the Act, in preparing a report under Section 30 of the Act, to:	CEO	Subject to sign-off by SPDPC
8.6.1	reach agreement with the Minister on a Statement of Intent with respect to any proposed amendments to a Development Plan that applies within the area of the Council; and	CEO	Subject to sign-off by SPDPC
8.6.2	if relevant, prepare a DPA that is suitable for consideration under Section 25(3) of the Act.	CEO	Subject to sign-off by SPDPC
8.7	The duty pursuant to Section 30(7) of the Act to furnish a report under Section 30 of the Act to the Minister.	CEO	NIL
8.8	The duty pursuant to Section 30(8) of the Act to, then, in accordance with any reasonable request of the Minister, enter into an agreement with the Minister on the steps that the Council will take as a result of the matters contained in the report (and the report will not be taken to have been completed unless or until such an agreement is reached with the Minister).	CEO	Subject to sign-off by SPDPC
8.9	The power pursuant to Section 30(9) of the Act to request the Minister to exempt the Council:	CEO	Subject to sign-off by SPDPC
8.9.1	from a requirement to prepare a particular report under Section 30 of the Act; or	CEO	Subject to sign-off by SPDPC
8.9.2	from a particular requirement with respect to a report under Section 30 of the Act.	CEO	Subject to sign-off by

		Direct Delegation from Council	Conditions/ Limitations
			SPDPC
8.10	The duty pursuant to Section 30(12) of the Act to make copies of a report prepared under Section 30 of the Act available for inspection (without charge) by the public at the principal office of the Council.	CEO	NIL
8.11	The duty pursuant to Section 30(13) of the Act, if a report proposes amendments to a Development Plan that applies within the area of the Council, to ensure that it releases a DPA for public consultation under Section 25 within the period prescribed by the regulations.	CEO	Subject to sign-off by SPDPC
8.12	The power pursuant to Section 30(14) of the Act, to request in accordance with the regulations a Minister identified by the regulations for the purposes of this provision to furnish to the Council within the prescribed period a statement of the nature and extent of any infrastructure that, according to the Minister's assessment, should be taken into account in connection with the preparation of a report under Section 30 of the Act.	CEO	Subject to sign-off by SPDPC
8.13	The power pursuant to Section 30(15) of the Act to act jointly with two or more councils under Section 30 of the Act and to act on behalf of, and with the agreement of, the other council or councils in undertaking any process or procedure under Section 30 of the Act.	CEO	Subject to sign-off by SPDPC
9. Copies of Plans to be Made Available to the Public			
9.1	The duty pursuant to Section 31(3) of the Act to make copies of a Development Plan published under Section 31(1) of the Act that applies in relation to the area of the Council available for inspection (without charge) and purchase by the public at an office of the Council.	CEO	NIL
10. Matters Against Which Development Must be Assessed			
10.1	The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development):	CEO/CAP	NIL
10.1.1	the provisions of the appropriate Development Plan;	CEO/CAP	Except: 1. <u>new dwellings</u> outside of townships which must have the delegate report countersigned by another Statutory

	Direct Delegation from Council	Conditions/ Limitations
		<p>Planner prior to decision being issued.</p> <p>2. Licensed premises which must have the delegate report countersigned by another Statutory Planner prior to the decision being issued</p> <p>3. <u>refusals</u> which must be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to decision being issued.</p> <p>4. <u>non-complying</u> applications determined as minor (only in accordance with Clause 3 of Schedule 9 of the Development Regulations 2008 and not where CAP delegation) – but delegate report must be <u>countersigned by</u> another Statutory Planner prior to SCAP</p>

		Direct Delegation from Council	Conditions/ Limitations
			concurrence being sought
10.1.2	the provisions of the Building Rules;	CEO	Except: 1. <u>refusals</u> which must be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to decision being issued
10.1.3	in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) on the satisfaction of the conditions specified in Section 33(1)(c) of the Act;	CEO/CAP	With the exception of minor boundary realignments involving two allotments, delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services, or Team Leader Statutory Planning prior to decision being issued
10.1.4	in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 on the satisfaction of the conditions specified in Section 33(1)(d) of the Act;	CEO/CAP	With the exception of minor boundary realignments involving two allotments, delegate report to be countersigned by either

		Direct Delegation from Council	Conditions/ Limitations
			the Director Development & Regulatory Services or Manager Development Services, or Team Leader Statutory Planning prior to decision being issued
10.1.5	the requirement that any encroachment of a building over, under, across or on a public place has been dealt with in a satisfactory manner; and	CEO/CAP	NIL
10.1.6	such other matters as may be prescribed.	CEO/CAP	NIL
10.2	The power pursuant to Section 33(3) of the Act, when granting a development plan consent, to reserve a decision on a specified matter until further assessment of the development under the Act.	CEO/CAP	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services, or Team Leader Statutory Planning prior to decision being issued
10.3	If:	CEO	NIL
10.3.1	a development only requires an assessment under paragraph (b) of Section 33(1) of the Act; and	CEO	NIL
10.3.2	the Council:	CEO	NIL
10.3.2.1	is the relevant authority; and	CEO	NIL
10.3.2.2	is to make the assessment under that paragraph; and	CEO	NIL
10.3.3	the Council determines to grant consent under that paragraph,	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
the duty, pursuant to Section 33(4b) of the Act as the relevant authority, to issue the relevant development approval with the consent.	CEO	NIL
11. Determination of Relevant Authority	CEO	NIL
11.1 The power pursuant to Section 34(1)(b)(iii) of the Act to request the Minister to declare the State Commission Assessment Panel to be the relevant authority for a proposed development.	CEO/CAP	NIL
11.2 The power pursuant to Section 34(1a) of the Act, where the Minister has made a declaration under Section 34(1)(b)(vi) of the Act, to provide the State Commission Assessment Panel with a report, relating to the application for development authorisation, within the time prescribed by the Regulations.	CEO/CAP	NIL
11.3 The power pursuant to Section 34(8a) of the Act to, in conjunction with the Councils for the areas in relation to which a regional development assessment panel has been constituted, remove a member from the panel for a failure to comply with the requirements of Section 34(6a) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act.	CEO/CAP	NIL
11.4 The power in accordance with Section 34(21) of the Act to withdraw from a regional development assessment panel	CEO/CAP	NIL
11.5 The duty pursuant to Section 34(27)(a) of the Act to establish a policy relating to the basis upon which the Council will make the various delegations required by Section 34(23) of the Act.	CEO	NIL
11.6 The duty pursuant to Section 34(27)(b) of the Act to ensure that a copy of the policy established by the Council under Section 34(27)(a) of the Act is available for inspection at the principal office of the council during ordinary office hours and for inspection on the internet.	CEO	NIL
12. Special Provisions Relating to Assessment Against Development Plans		
12.1 The duty pursuant to Section 35(1) of the Act to grant a development plan consent if the Regulations or the relevant Development Plan describes any proposed development as a complying development (subject to such conditions or exceptions as may be prescribed by the Regulations or the relevant Development Plan and subject to any other provision made by the Act or applying under the Regulations).	CEO	NIL
12.2 The power pursuant to Section 35(1b) of the Act to determine a development that is assessed by a relevant authority as being a minor variation from complying development to be complying development.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
12.3	Subject to Sections 35 (1d) and (1e) of the Act, if a proposed development meets all but 1 criteria necessary for the development to be complying development, the duty, pursuant to Section 35(1c) of the Act to regard the aspect or aspects of the development that are consistent with the development being complying development accordingly and to assess the balance of the development as merit development.	CEO	NIL
12.4	The power pursuant to Section 35(2) of the Act to assess whether or not a development is seriously at variance with the relevant Development Plan.	CEO/CAP	NIL
12.5	The power pursuant to Section 35(3)(a) of the Act in appropriate cases, to concur in the granting of consent to a development described as a non-complying development.	CEO/CAP	<u>only non-complying</u> applications determined as minor or as Category 3 providing there were no representations in opposition in accordance with Clause 3 of Schedule 9 of the Development Regulations 2008 may be concurred with by staff. Where concurrence is <u>not supported</u> or where a development is a non-complying category 3 with opposing representations development the matter must be reported to CAP
12.6	Subject to the Act, the power and duty pursuant to Section 35(6) of the Act, to accept that a proposed development complies with the provisions of the appropriate development plan to the extent that such compliance is certified by a private certifier.	CEO	NIL
13. Special Provisions Relating to Assessment Against the Building Rules			
13.1	The duty pursuant to Section 36(1) of the Act to grant a building rules consent if the Regulations provide that any proposed building work complies with the Building Rules.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
13.2 The power pursuant to and in accordance with Section 36(2) of the Act:		
13.2.1 to assess whether a development is at variance with the Building Rules;	CEO	NIL
13.2.2 to determine whether to grant building rules consent where the variance is with the performance requirements of the Building Code and the Building Rules Assessment Commission concurs in the granting of consent;	CEO	NIL
13.2.3 to determine whether to grant building rules consent where the variance is with a part of the Building Rules other than the Building Code and to determine that it is appropriate to grant the consent despite the variance on the basis that the Delegate is satisfied that:	CEO	NIL
13.2.3.1 the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building fails to conform with the Building Rules only in minor respects and the variance is justifiable having regard to the objects of the Development Plan or the performance requirements of the Building Code and would achieve the objects of the Act as effectively, or more effectively, than if the variance were not to be allowed; or	CEO	NIL
13.2.3.2 in circumstances where the development has already occurred the variance is justifiable in the circumstances of the particular case.	CEO	NIL
13.3 The duty pursuant to Section 36(3) of the Act to modify the application of the Building Rules to avoid an inconsistency between the Building Rules and the Development Plan in relation to a State heritage place or a local heritage place.	CEO	NIL
13.4 The duty pursuant to Section 36(3a) of the Act to seek and consider the advice of the Building Rules Assessment Commission before imposing or agreeing to a requirement under Section 36(3) of the Act that would be at variance with the performance requirements of the Building Code.	CEO	NIL
13.5 The duty pursuant to Section 36(4)(a) and (b) of the Act to accept that proposed building work complies with the Building Rules to the extent that:	CEO	NIL
13.5.1 such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the Regulations; or	CEO	NIL
13.5.2 such compliance is certified by a private certifier.	CEO	NIL
13.6 The power pursuant to Section 36(6) of the Act to refuse to grant a consent in relation to any	CEO	Delegate report to be

	Direct Delegation from Council	Conditions/ Limitations
development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that classification.		countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the decision being issued
14. Consultation With Other Authorities or Agencies		
14.1 Subject to Section 37AA of the Act, the duty pursuant to Section 37(1)(a) and (b) of the Act where an assessment is required of an application for the consent or approval of a proposed development of a prescribed class to:	CEO/CAP	NIL
14.1.1 refer the application, together with a copy of any relevant information provided by the applicant to a body prescribed by the Regulations and including the State Commission Assessment Panel, and	CEO/CAP	NIL
14.1.2 not make a decision until a response has been received from the prescribed body in relation to the matter or matters for which the referral was made or the presumption is made that the body does not desire to make a response or concur (as the case requires).	CEO/CAP	NIL
14.2 The duty pursuant to Section 37(5)(a) of the Act where an application has been refused or conditions imposed in respect of a development authorisation by direction of a prescribed body, to notify the applicant that the application was refused, or the conditions imposed, by direction under Section 37 of the Act.	CEO/CAP	NIL
14.3 If a relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the Act, the power, pursuant to Section 37(6) of the Act to make application for the relevant authority to be joined as a party to the proceedings.	CEO	NIL
15. Preliminary Advice and Agreement		
15.1 The power pursuant to and in accordance with Section 37AA(2)(e) of the Act to be satisfied that an application accords with an agreement indicated by a prescribed body in accordance with Section 37AA(2)(c) of the Act.	CEO/CAP	NIL
15.2 The power pursuant to and in accordance with Section 37AA(4) of the Act to determine that an agreement under Section 37AA of the Act is no longer appropriate due to the operation of Section 53 of	CEO/CAP	NIL

		Direct Delegation from Council	Conditions/ Limitations
the Act.			
16. Proposed Development Involving Creation of Fortifications			
16.1	The duty pursuant to Section 37A(1) of the Act where the Delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police ('the Commissioner').	CEO/CAP	NIL
16.2	The power pursuant to Section 37A(2)(b) of the Act to receive the Commissioner's written determination under Section 37A(2)(a) of the Act.	CEO/CAP	NIL
16.3	The duty pursuant to Section 37A(5) of the Act if the Commissioner determines that the proposed development involves the creation of fortifications to:	CEO/CAP	NIL
16.3.1	if the proposed development consists only of the creation of fortifications – refuse the application; or	CEO/CAP	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the decision being issued
16.3.2	in any other case – impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortifications.	CEO/CAP	NIL
16.4	The duty pursuant to Section 37A(6) of the Act, if the Delegate acting on the basis of a determination of the Commissioner under subsection 37A(2) refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 37A of the Act.	CEO/CAP	NIL
17. Public Notice and Consultation			
17.1	The duty, pursuant to Section 38(3) of the Act, where a person applies for a consent in respect of the Development Plan for a Category 1 development, to not on the Delegate's own initiative seek the views of the owners or occupiers of adjacent or other land in relation to the granting or refusal of development plan consent.	CEO	NIL
17.2	Where a person applies for a consent in respect of the Development Plan for a Category 2A	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
development, -		
17.2.1 the duty pursuant to Section 38(3a)(a) of the Act to:	CEO	NIL
17.2.1.1 subject to any exclusion or qualification prescribed by the Regulations – give an owner or occupier of each piece of adjoining land; and	CEO	NIL
17.2.1.2 give any other person of a prescribed class,	CEO	NIL
notice of the application; and	CEO	NIL
17.2.2 the duty pursuant to Section 38(3a)(b) of the Act, to:	CEO	NIL
17.2.2.1 give consideration to any representations in writing made in accordance with the Regulations by a person who is entitled to be given notice under paragraph (a) of Section 38(3a) of the Act; and	CEO	NIL
17.2.2.2 forward to the applicant a copy of any representations that the relevant authority must consider under subparagraph (i) of Section 38(3a)(b) of the Act and allow the applicant an opportunity to respond in writing, to those representations within the period prescribed by the Regulations; and	CEO	NIL
17.2.3 if a representation is received under paragraph (b) of Section 38(3a) of the Act within the prescribed number of days, the power pursuant to Section 38(3a)(c) of the Act to, in the Delegate's absolute discretion, allow the person who made the representation to appear personally or by representative before it to be heard in support of the representation.	CEO/CAP	NIL
17.3 The duty pursuant to Section 38(4) of the Act to give notice of a proposal for a Category 2 development.	CEO	NIL
17.4 The duty pursuant to Section 38(5) of the Act to give notice of a proposal for a Category 3 development.	CEO	NIL
17.5 The duty pursuant to Section 38(8) of the Act to forward to an applicant a copy of any representation made regarding the proposed development, and to allow the applicant to respond in writing to those representations.	CEO	NIL
17.6 The power pursuant to Section 38(10)(a) of the Act, in respect of a Category 2 development, to determine whether to allow a person who made a representation to appear personally or by representative before the Delegate.	CEO/CAP	NIL
17.7 The duty pursuant to Section 38(10)(b) of the Act, in respect of a Category 3 development, to allow a person who made a representation and who as part of that representation indicated an interest in	CEO/CAP	NIL

		Direct Delegation from Council	Conditions/ Limitations
	appearing before the Delegate, a reasonable opportunity to appear personally or by representative to be heard in support of the representation.		
17.8	The duty pursuant to Section 38(11) of the Act to allow an applicant to appear personally or by representative before the Delegate or the CAP in order to respond to any relevant matter.	CEO/CAP	NIL
17.9	The duty pursuant to Section 38(12) of the Act, where representations have been made under Section 38 of the Act, to give notice of the decision on the application to each person who made a representation and in respect of a Category 3 development of the person's appeal rights under the Act, and give notice to the Court.	CEO	NIL
17.10	The power, pursuant to subsection 38(17) of the Act, where a relevant authority is acting under Section 38 of the Act in relation to a Category 2A or Category 2 development, to not take into account under Section 38 of the Act a representation made by a person who is not entitled to be given notice of the relevant application under Section 38 of the Act.	CEO/CAP	Subject to delegate report sign off by Team Leader Statutory Planning Senior Statutory Planner, Manager Development Services or Director Development & Regulatory Services
17.11	The power, pursuant to subsection 38(18) of the Act, to not take into account under Section 38 of the Act, a representation that is not made in accordance with any requirement prescribed by the Regulations for the purposes of Section 38.	CEO/CAP	Subject to delegate report sign off by Team Leader Statutory Planning Senior Statutory Planner, Manager Development Services or Director Development & Regulatory Services
18. Application and Provision of Information			
18.1	The power pursuant to Section 39(2) of the Act to request an applicant to:	CEO/CAP	NIL
18.1.1	provide such additional documents or information to enable assessment of the application;	CEO/CAP	NIL

		Direct Delegation from Council	Conditions/ Limitations
18.1.2	remedy any defect or deficiency in any application or accompanying document or information required by or under the Act;	CEO/CAP	NIL
18.1.3	consult with an authority or body prescribed by the Regulations;	CEO/CAP	NIL
18.1.4	(where required by the Regulations) prepare a statement of effect in relation to non-complying development; and	CEO/CAP	NIL
18.1.5	comply with any other requirement prescribed by the Regulations.	CEO/CAP	NIL
18.2	If:	CEO	NIL
18.2.1	a development is of a kind that is complying development; and	CEO	NIL
18.2.2	the development falls within a class of development prescribed by the Regulations for the purpose of Section 39(2a)(b) of the Act; and	CEO	NIL
18.2.3	the applicant has complied with the requirements of Section 39(1)(a), (c) and (d),	CEO	NIL
	the duty, pursuant to Section 39(2a) of the Act, to, in making an assessment as to development plan consent, assess the application without requesting the applicant to provide additional documents or information.	CEO	NIL
18.3	If:	CEO	NIL
18.3.1	a development falls within a class of development prescribed by the Regulations for the purposes of Section 39(2b)(b) of the Act; and	CEO	NIL
18.3.2	the applicant has complied with the requirements of Section 39(1)(a), (c) and (d) of the Act,	CEO	NIL
	the power and duty pursuant to Section 39(2b)(c) of the Act, to;	CEO	NIL
18.3.3	in making an assessment as to development plan consent, request the applicant to provide additional documents or information in relation to the application on 1 occasion only; and	CEO	NIL
	the duty pursuant to Section 39(2b)(d) of the Act, to;	CEO	NIL
18.3.4	make that request within a period prescribed by the Regulations.	CEO	NIL
18.4	Pursuant to Section 39(3)(b) of the Act, where a request is made under Section 39(2) of the Act and the request is not complied with within the time specified by the Regulations, the power pursuant to Section 39(3)(b) of the Act to:	CEO/CAP	Delegate report to be countersigned by Director Development &

	Direct Delegation from Council	Conditions/ Limitations
		Regulatory Services, Manager Development Services Team Leader Statutory Planning
18.4.1 subject to Section 39(3)(b)(ii) of the Act, refuse the application; and	CEO/CAP	Delegate report to be countersigned by Director Development & Regulatory Services, Manager Development Services Team Leader Statutory Planning
18.4.2 refuse the application in prescribed circumstances (including, if the Regulations so provide, in a case involving development that is complying development).	CEO/CAP	Delegate report to be countersigned by Director Development & Regulatory Services, Manager Development Services Team Leader Statutory Planning
18.5 The duty, pursuant to Section 39(3a) of the Act, in dealing with an application that relates to a regulated tree, to seek to make any assessment as to whether the tree is a significant tree without requesting the applicant to provide an expert or technical report relating to the tree, unless the Delegate considers that special circumstances apply.	CEO/CAP	Refer to special circumstances policy
18.6 The duty, pursuant to Section 39(3b) of the Act, in dealing with an application that relates to a regulated tree that is not a significant tree, to seek to assess the application without requesting the applicant to provide an expert or technical report relating to the tree, unless the Delegate considers that special	CEO/CAP	Refer to special circumstances policy

	Direct Delegation from Council	Conditions/ Limitations
circumstances apply.		
18.7 The power pursuant to Section 39(4)(a) and Section 39(5) of the Act to permit an applicant to vary an application or vary any plans, drawings, specifications or other documents that accompanied an application.	CEO/CAP	NIL
18.8 The power pursuant to Section 39(4)(b) and Section 39(5) of the Act to permit an applicant to lodge an application without the provision of any information or document required by the Regulations.	CEO	NIL
18.9 The power pursuant to Section 39(4)(c) and Section 39(5) of the Act to waive payment of whole or part of the application fee or refund an application fee (to the extent that such fees are payable to the Council).	CEO	In accordance with Council Fee Waiver Policy
18.10 The power pursuant to Section 39(4)(d) of the Act and Regulation 17(3)(a) of the regulations to refuse an application that relates to a development of the kind that is described as a non-complying development under the Development Plan without proceeding to make an assessment of the application.	CEO/CAP	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the decision being issued
18.11 The power pursuant to Section 39(4)(e) of the Act, if there is an inconsistency between any documents lodged with the Council for the purposes of Division 1 of Part 4 of the Act, or between any such document and a development authorisation that has already been given that is relevant in the circumstances, to return or forward any document to the applicant or to any other person and to determine not to finalise the matter until any specified matter is resolved, rectified or addressed.	CEO	NIL
18.12 The power pursuant to Section 39(7) of the Act to approve an application for variation of the conditions of the development authorisation previously given under the Act, or to extend the period for which such authorisation remains operative.	CEO/CAP	Refer to CAP Delegations Policy for exceptions where staff must refer to CAP
18.13 The power, pursuant to section 39(7)(c) to determine whether representations relate to any aspect of the development under consideration on account of an application for variation, and to determine whether, in the circumstances of the case, it is unnecessary to deal with the matter as Category 3 development.	CEO/CAP	NIL

	Direct Delegation from Council	Conditions/ Limitations
18.14 The power, pursuant to section 39(7)(d) of the Act, to approve the seeking of a variation to extend the period for which the relevant authorisation remains operative.	CEO/CAP	NIL
18.15 Where granting an application for variation of a development authorisation pursuant to section 39(6), the power, pursuant to section 39(7a), to make specific provision for the variation of a condition imposed with respect to the original authorisation in its decision on the application for variation.	CEO/CAP	Refer to CAP Delegations Policy for exceptions where staff must refer to CAP
18.16 The power pursuant to Section 39(8) of the Act to issue a consent which provides for the undertaking of development in stages.	CEO/CAP	NIL
18.17 The power pursuant to Section 39(9) of the Act to determine that the applicant is entitled to a refund of the application fee in the event that an application is withdrawn.	CEO/	In accordance with Council's Development Application Fee Refund Policy
19. Determination of Application		
19.1 The duty pursuant to Section 40(1) of the Act to give notice of a decision in accordance with the Regulations (and in the case of a refusal, the duty to include the reasons for the refusal and any appeal rights that exist under the Act.)	CEO/CAP	NIL
19.2 The power pursuant to Section 40(3) of the Act to extend the period of time within which a development authorisation remains operative.	CEO/CAP	NIL
20. Time Within Which Decision Must be Made		
20.1 The duty, pursuant to Section 41(1) of the Act to deal with an application as expeditiously as possible and within the time prescribed by the Regulations.	CEO/CAP	NIL
20.2 If:	CEO	NIL
20.2.1 the relevant authority does not decide an application that relates to development that is a complying development within the time prescribed under Section 41(1) of the Act; and	CEO	NIL
20.2.2 the applicant gives the relevant authority a notice in accordance with the Regulations on the basis that the decision on the application has not been made,	CEO	NIL
the duty pursuant to Section 41(5)(d) of the Act, subject to any exclusion or qualification prescribed by the Regulations, to refund the fee received by the relevant authority under	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
Section 39(1)(d) in relation to the application.			
21. Conditions			
21.1	The power pursuant to Sections 42(1) and (3) of the Act to attach such conditions as the Delegate thinks fit or as may be prescribed by regulation to any decision under Division 1 of Part 4 of the Act.	CEO/CAP	NIL
21.2	The duty, pursuant to Section 42(4) of the Act, in accordance with Section 42(5) of the Act and subject to Sections 42(6) and (8) of the Act, if a development authorisation provides for the killing, destruction or removal of a regulated tree or a significant tree, to apply the principle that the development authorisation be subject to a condition that the prescribed number of trees (of a kind determined by the Delegate) must be planted and maintained to replace the tree (with the cost of planting to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).	CEO/CAP	NIL
21.3	The power, pursuant to Section 42(6) of the Act, on the application of the applicant, to determine that a payment of an amount calculated in accordance with the Regulations be made into the relevant fund in lieu of planting one or more replacement trees under Section 42(4) of the Act.	CEO/CAP	Subject to sign off by Team Leader Statutory Planning, Manager Development Services or Director Development & Regulatory Services
21.4	The power, pursuant to Section 42(8)(b) of the Act, after taking into account any criteria prescribed by the Regulations and if the Minister concurs, to determine that it is appropriate to grant an exemption under Section 42 of the Act in a particular case.	CEO/CAP	NIL
22. Cancellation by a Relevant Authority			
22.1	The power pursuant to Section 43 of the Act to cancel a development authorisation previously given by the Council or the Delegate.	CEO/CAP	NIL
23. Investigation of Development Assessment Performance			
23.1	The power pursuant to Section 45A(2) of the Act to explain the Council's actions and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action) to the Minister within a period (being at least 28 days) specified by the Minister.	CEO/CAP	NIL
23.2	The duty pursuant to Section 45A(14) of the Act to comply with a direction under Section 45A(11) or (13)	CEO/CAP	NIL

		Direct Delegation from Council	Conditions/ Limitations
of the Act.			
23.3	The power pursuant to Section 45A(12) of the Act to make submissions to the Minister on the report on which the action under Section 45A(11) of the Act is based within a period (being at least 28 days) specified by the Minister.	CEO/CAP	NIL
24. Crown Development and Public Infrastructure			
24.1	The power pursuant to Section 49(4a) of the Act to receive notice from the State Commission Assessment Panel containing the prescribed particulars of the development in accordance with the Regulations.	CEO/CAP	NIL
24.2	The power pursuant to Section 49(5) of the Act to report to the State Commission Assessment Panel on any matters contained in a notice from the State Commission Assessment Panel under Section 49(4a) of the Act.	CEO/CAP	NIL
24.3	The power pursuant to Section 49(9) of the Act to withdraw opposition to a State agency proposed development.	CEO/CAP	NIL
25. Electricity Infrastructure Development			
25.1	The power pursuant to Section 49A(4a) of the Act to receive notice from the State Commission Assessment Panel containing the prescribed particulars of the development in accordance with the Regulations.	CEO/CAP	NIL
25.2	The power pursuant to Section 49A(5) of the Act, where notice of a proposal to undertake development for the purposes of the provision of electricity infrastructure has been given to the Council pursuant to Section 49A(4a) of the Act, to report to the State Commission Assessment Panel on any matters contained in the said notice.	CEO/CAP	NIL
25.3	The power pursuant to Section 49A(9) of the Act, in circumstances where the Council's report to the State Commission Assessment Panel under Section 49A(5) of the Act expressed opposition to the proposed development, to withdraw that opposition.	CEO/CAP	NIL
26. Open Space Contribution System			
26.1	The power pursuant to Section 50(1) of the Act, with respect to an application for the division of land into more than 20 allotments where one or more allotments is less than one hectare in area, to require:	CEO/CAP	NIL
26.1.1	that up to 12.5% in area of the relevant area be vested in the Council to be held as open space;	CEO/CAP	Subject to receipt of

	Direct Delegation from Council	Conditions/ Limitations
or		agreement from Manager Open Space and Director Engineering & Assets prior to the Development Plan Consent being issued
26.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of by Section 50 of the Act; or	CEO/CAP	NIL
26.1.3 that the land be vested in the Council and that the applicant make a contribution determined in accordance with Section 50(7) of the Act, according to the determination and specification of the Council or Delegate.	CEO/CAP	Subject to receipt of agreement from Manager Open Space and Director Engineering & Assets prior to the Development Plan Consent being issued
26.2 The power pursuant to Section 50(1) of the Act, when proposing to take any action that is at variance with the Council's Development Plan to seek the concurrence of the State Commission Assessment Panel.	CEO/CAP	NIL
26.3 The power pursuant to Section 50(3) and 50(2)(d) of the Act to enter into an agreement on behalf of the Council with the State Commission Assessment Panel and the applicant under which certain land described by the relevant plan of division will be vested in the Council.	CEO/CAP	Subject to receipt of agreement from Manager Open Space and Director Engineering & Assets prior to the Development Plan Consent being issued
26.4 The power pursuant to Section 50(3a) of the Act to concur on behalf of the Council to the vesting of land in the Council pursuant to a requirement of the State Commission Assessment Panel that an area of the site of the development be kept as open space or in some other form that allows for active or passive recreation under Section 50(3a)(a) of the Act.	CEO/CAP	Subject to receipt of agreement from Manager Open Space and Director Engineering & Assets prior to the Development Plan

		Direct Delegation from Council	Conditions/ Limitations
			Consent being issued
26.5	The power pursuant to Section 50(10) of the Act to receive payment of monies from an applicant under Section 50(1) of the Act and the duty to immediately pay that money into a special fund established for the purposes of Section 50 and to apply that money for the purpose of acquiring or developing land as open space.	CEO/	NIL
26.6	The power pursuant to Section 50(11) of the Act to determine that the division of land is being undertaken in stages such that Section 50 of the Act does not apply to an application for development authorisation to the extent that an earlier application in respect of the same development has addressed the requirements of Section 50 of the Act in respect of the area of land as a whole.	CEO/CAP	NIL
27. Carparking Fund			
27.1	The power pursuant to Section 50A(1) of the Act to establish a car parking fund.	CEO	NIL
27.2	The duty pursuant to Section 50A(1) of the Act to publish a notice in the Gazette in accordance with Section 50A(2) of the Act where the approval of the Minister has been obtained.	CEO	NIL
27.3	The power pursuant to Section 50A(5)(c) of the Act to determine that a proposal does not provide for sufficient spaces for the parking of cars at the site of a development.	CEO/CAP	NIL
27.4	The power pursuant to Section 50A(5)(d) of the Act to agree with an applicant that a contribution calculated in accordance with a determination of the Council or the Delegate can be made by the applicant to a car parking fund in lieu of providing a certain number of spaces for the parking of cars at the site of a development.	CEO/CAP	NIL
27.5	The power pursuant to Section 50A(5) of the Act to make a determination for the purpose of calculating amounts to be paid into a carparking fund.	CEO/CAP	Subject to DPA being adopted by Strategic Planning & Development Policy Committee & Minister
27.6	The duty pursuant to and in accordance with Section 50A(6) of the Act to publish a determination for the purpose of calculating amounts to be paid into a carparking fund and any variations from time to time in the Gazette.	CEO	NIL
27.7	The power pursuant to and in accordance with Section 50A(7) of the Act to invest any money in a carparking fund and to pay any resultant income into the fund.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
27.8	The power pursuant to and in accordance with Section 50A(8) of the Act to apply money standing to the credit of the car parking fund.	CEO	NIL
28. Urban Trees Fund			
28.1	The power, pursuant to Section 50B(1) of the Act, with the approval of the Minister, to establish an urban trees fund for an area designated by the Delegate (a designated area).	CEO	Subject to SPDPC approval
28.2	The duty, pursuant to Section 50B(2) of the Act, to effect establishment of the fund by notice in the Gazette.	CEO	NIL
28.3	The duty, pursuant to Section 50B(3) of the Act, to define a designated area by reference to an area established by the relevant Development Plan.	CEO	Subject to SPDPC approval
28.4	The power, pursuant to Section 50B(5) of the Act, to invest any money in an urban trees fund that is not for the time being required for the purpose of the fund and the duty to pay any resultant income into the fund.	CEO	Subject to concurrence by Director Development & Regulatory Services and Director Corporate Services
28.5	The power, pursuant to Section 50B(6) of the Act, to apply money standing to the credit of an urban trees fund to:	CEO	NIL
28.5.1	maintain or plant trees which are, or will (when fully grown) constitute, significant trees under the Act; or	CEO	NIL
28.5.2	purchase land within the designated area in order to maintain or plant trees which are, or will (when fully grown) constitute, significant trees under the Act.	NIL	NIL
28.6	The duty, pursuant to Section 50B(7) of the Act, if the Council subsequently sells land purchased under Section 50B(6)(b) of the Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 50B of the Act subject to the following qualifications as prescribed by Sections 50B(7)(a) and (b) of the Act:	NIL	NIL
28.6.1	if an urban trees fund is no longer maintained by the Council, the proceeds must be applied for a purpose or purpose consistent with Section 50B(6)(a) or (b) of the Act;	CEO	Subject to concurrence by Director Development & Regulatory Services and Director Corporate Services

	Direct Delegation from Council	Conditions/ Limitations
28.6.2 if money from an urban trees fund only constituted a proportion of the purchase price of the land (the designated proportion), the money that is subject to these requirements is the designated proportion of the proceeds of sale.	NIL	NIL
29. Certificate in Respect of the Division of Land		
29.1 The duty pursuant to Section 51(2) of the Act to provide appropriate information to the State Commission Assessment Panel (upon request by the State Commission Assessment Panel) before it issues a certificate in respect of the division of land.	CEO	NIL
30. Saving Provisions		
30.1 The power pursuant to Section 52(4) of the Act to extend the limitation period referred to in Section 52(2) of the Act in order to avoid or reduce hardship.	CEO/CAP	NIL
31. Avoidance of Duplication of Procedures Etc		
31.1 The power pursuant to Section 52A(2)(a) of the Act to accept a document under the Commonwealth Environment Protection and Biodiversity Conservation Act, 1999 (and defined in Section 52A(9) of the Act, as a 'Commonwealth Act document') as an application, notice or other document for the purposes of the Act, if (subject to the provisions of Section 52A(7)) the document complies with the requirements of the Act.	CEO/CAP	NIL
31.2 The power pursuant to Section 52A(2)(b) of the Act where a document has been accepted for the purposes of the Act, to direct that a procedure taken under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 in relation to the said document will be taken to have fulfilled the requirements for a procedure in relation to the relevant document under the Act, if the requirements of the Act in relation to the procedure have been complied with under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.	CEO/CAP	NIL
31.3 The power pursuant to Section 52A(2)(c) of the Act to adopt or accept the whole or part of a document (whether a plan, report, statement, assessment or other document of the same kind or not) used or to be used for the purposes of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 as the document required under the Act, if (subject to the provisions of Section 52A(7) of the Act) the document has been prepared in compliance with the Act, and complies with the requirements of the Act.	CEO/CAP	NIL
31.4 The power pursuant to Section 52A(5) of the Act where a controlled action under the Commonwealth	CEO/CAP	NIL

		Direct Delegation from Council	Conditions/ Limitations
	Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity or includes an activity for which a development authorisation is required under the Act to, when considering an application for a development authorisation or for the variation of a development authorisation, for the activity, use information and other material provided to the Commonwealth Minister under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 for the purposes of the Commonwealth Minister deciding to give approval to the controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.		
31.5	Where a controlled action under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is an activity or part of an activity, or includes an activity, for which a development authorisation is required under the Act:	CEO/CAP	NIL
31.5.1	in circumstances where:	CEO/CAP	NIL
31.5.1.1	the Commonwealth Minister has given his or her approval to the controlled action; and	CEO/CAP	NIL
31.5.1.2	the applicant for the development authorisation or the Commonwealth Minister has informed the relevant authority of that fact;	CEO/CAP	NIL
	the duty pursuant to Section 52A(6)(a) of the Act to consider whether the conditions (if any) to be attached to the development authorisation should be consistent with the conditions (if any) attached to the Commonwealth Minister's approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999; and	CEO/CAP	NIL
31.5.2	the power pursuant to Section 52A(6)(b) of the Act to attach a condition to the development authorisation that requires compliance with all or some of the conditions attached to the Commonwealth Minister's approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.	CEO/CAP	NIL
32. Requirement to Upgrade Building in Certain Cases			
32.1	Where an application is made for building rules consent for building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of subsection 53A(1) of the Act, the power pursuant to Section 53A(1) of the Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition and therefore require as a condition of consent that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
and health standards.		
32.2 Where an application is made for building rules consent for building work in the nature of an alteration of a class prescribed by the Regulations the power pursuant to Section 53A(2) and subject to Section 53A(3) of the Act, to form the opinion that the affected part of the building does not comply with the performance requirements of the Building Code in relation to access to buildings and facilities and services within buildings, for people with disabilities and therefore require as a condition of consent that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code.	CEO	NIL
33. Urgent Building Work		
33.1 The power pursuant to Section 54(2)(d) of the Act to issue any directions and specify a period of time with respect to building work performed as a matter of urgency.	CEO	NIL
34. Action if Development Not Substantially Completed		
34.1 The power pursuant to Section 55(1) of the Act to apply to the Court for an order under Section 55(3) of the Act where the development to which an approval relates has been commenced but not substantially completed within the period prescribed by the Regulations for the lapse of the approval.	CEO/CAP	NIL
34.2 The power pursuant to Section 55(5) of the Act where the Court makes an order under Section 55(3)(a), (b) or (ca) of the Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out and to recover the cost of that work as a debt from the person.	CEO/CAP	NIL
34.3 The power pursuant to Section 55(6) of the Act where an amount is recoverable from a person under Section 55(5) of the Act, by notice in writing to the person, fix a period being not less than 28 days from the date of the notice within which the amount must be paid.	CEO	NIL
35. Completion of Work		
35.1 The power pursuant to Section 56(1) of the Act to issue a notice in writing requiring an owner of land to complete a development on the land within a period specified in the notice.	CEO/CAP	NIL
35.2 The power pursuant to the Section 56(2) of the Act to cause the necessary work to be carried out where an owner has failed to carry out work as required by a notice under Section 56(1) of the Act.	CEO/CAP	NIL
35.3 The power pursuant to Section 56(3) of the Act to recover the reasonable costs and expenses incurred by the Council or any person acting on behalf of the Council under Section 56 of the Act as a debt due from	CEO	NIL

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the owner.			
35.4	The power pursuant to Section 56(4) of the Act to, by notice in writing to the person, fix a period being not less than 28 days from the date of the notice, within which the amount must be paid by the person where an amount is recoverable from the person under Section 56(3) of the Act.	CEO	NIL
36. Council to Establish Development Assessment Panels			
36.1	The duty pursuant to Section 56A(3) of the Act to appoint a presiding member to the council development assessment panel in accordance with the requirements set out in Section 56A(3)(b) of the Act.	CEO	Subject to Council approval
36.2	The duty pursuant to Section 56A(3) of the Act to appoint the remaining members of the council development assessment panel in accordance with the requirements set out in Section 56A(3)(c) of the Act.	CEO	Subject to Council approval
36.3	The duty pursuant to section 56A(3)(d) of the Act to ensure that, unless granted an exemption by the Minister, at least 1 member of the panel is a woman and at least 1 is a man and to ensure that insofar as is reasonably practicable, the panel consists of equal numbers of men and women.	CEO	Subject to Council approval
36.4	The duty pursuant to Section 56A(3)(e) to determine the term of office for a member of the council development assessment panel, which period cannot exceed 2 years.	CEO	Subject to Council approval
36.5	The duty pursuant to Section 56A(3)(f) of the Act to determine any other conditions of appointment of the members of the council development assessment panel.	CEO	Subject to Council approval
36.6	The power pursuant to Section 56A(3)(g) of the Act to remove a member of the council development assessment panel from office for:	CEO	Subject to Council approval
36.6.1	breach of, or failure to comply with, the conditions of appointment; or	CEO	Subject to Council approval
36.6.2	misconduct; or	CEO	Subject to Council approval
36.6.3	neglect of duty; or	CEO	Subject to Council approval
36.6.4	incapacity to carry out satisfactorily the duty of his or her office; or	CEO	Subject to Council approval

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36.6.5 failure to carry out satisfactorily the duty of his or her office; or	CEO	Subject to Council approval
36.6.6 failure to comply with a requirement under Section 34(6) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act.	CEO	Subject to Council approval
36.7 The duty pursuant to and in accordance with Section 56A(5) of the Act to give notice of an appointment.	CEO	NIL
36.8 The duty pursuant to Section 56A(15)(b) of the Act and in accordance with Section 56A(17) of the Act to make minutes of meetings of a council development assessment available for reasonable access by members of the public.	CEO	NIL
36.9 The duty pursuant to and in accordance with Section 56A(20) of the Act to provide information to the Minister where requested by the Minister.	CEO/CAP	NIL
36.10 The duty pursuant to Section 56A(22) of the Act to appoint a public officer (who must not be a member of the council development assessment panel).	CEO	NIL
36.11 The duty pursuant to Section 56A(23) of the Act to ensure that notice of the appointment of a public officer (including the public officer's name and contact details) is published in the Gazette.	CEO	NIL
36.12 The power pursuant to Section 56A(27) of the Act to make an application to the Minister to exempt the Council from the requirement to establish a council development assessment panel under Section 56A of the Act.	CEO	Subject to Council approval
36.13 The power pursuant to Section 56A(28) of the Act to consult with the Minister in relation to revoking an exemption under Section 56A(27) of the Act.	CEO	Subject to Council approval
37. Building Rules Assessment Audits		
37.1 The duty pursuant to Section 56B(2) to have its building assessment auditor audit the Council's activities in relation to the undertaking of assessments of proposed developments against the provisions of the Building Rules in accordance with the requirements of Section 56B.	CEO	NIL
37.2 The duty pursuant to Section 56B(5) to ensure that after the expiration of the periods prescribed in Section 56B(4) an audit under Section 56B is completed at least once in every prescribed period.	CEO	NIL
37.3 The power pursuant to Section 56B(10) to respond to a report prepared by a building assessment auditor prepared in relation to the Council under Section 56B.	CEO	Report to be provided to Council

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37.4	The power pursuant to Section 56B(14) to make submissions to the Minister in relation to a matter concerning the possible exercise of the Minister's powers under Section 56B(12).	CEO	NIL
37.5	The duty pursuant to Section 56B(16) to comply with a direction given to the Council under Sections 56B(12) or 56B(15).	CEO	NIL
37A. Development Plan Assessment Audits			
37A.1	The power and duty pursuant to Section 56C(2) of the Act to have the Council's activities in relation to Development Plan assessments audited by a development assessment auditor in accordance with the requirements of Section 56C of the Act.	CEO	NIL
37A.2	The power pursuant to Section 56C(10) of the Act to provide a response to an auditor with a view to correcting any error or fact.	CEO	NIL
37A.3	The power pursuant to Section 56C(14) of the Act to make submissions in relation to the matter to the Minister.	CEO	NIL
37A.4	The power pursuant to Section 56C(15) of the Act to, if	CEO	NIL
37A.4.1	the Minister makes a recommendation to the Council under Section 56C(12)(a) of the Act; and	CEO	NIL
37A.4.2	the Minister subsequently considers that the Council has not, within a reasonable period, taken appropriate action in view of the recommendation,	CEO	NIL
	consult with the Minister.	CEO	NIL
38. Land Management Agreements			
38.1	The power pursuant to Sections 57(2) and 57(2a) of the Act to enter into an agreement relating to the development, management, preservation or conservation of land within the area of the Council with the owner of the land.	CEO/CAP	1. Waiver of agreement terms for agreements previously resolved by Council may be agreed by planning staff in relation to trees that are not protected by legislation any longer 2. Not to be sub-

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			delegated below Manager level
38.2	The duty pursuant to and in accordance with Section 57(2c) of the Act and Regulation 98A of the Regulations to establish and keep a register available for public inspection (without charge).	CEO	NIL
38.3	The duty pursuant to Section 57(2e) of the Act, in relation to the granting of development plan consent with respect to a Category 2A, Category 2 or Category 3 development, to note the existence of the agreement (or the proposal to enter the agreement), and the availability of copies of the agreement for public inspection on the notice of the relevant authority's decision.	CEO/CAP	NIL
38.4	The power pursuant to Section 57(3) of the Act to carry out on private land any work for which provision is made by agreement under Section 57 of the Act.	CEO	NIL
38.5	The power pursuant to Section 57(5) of the Act, to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land.	CEO	NIL
38.6	The power pursuant to Section 57(8) of the Act to apply to the Registrar-General where an agreement in relation to which a note has been made under Section 57 of the Act has been rescinded or amended, to enter a note of the rescission or amendment made against the instrument of title or against the land.	CEO	NIL
38.7	The power pursuant to Section 57(11) of the Act to consent to the remission of rates payable to the Council provided for in an agreement entered into by the Minister.	CEO	NIL
39. Land Management Agreements – Development Applications			
39.1	The power pursuant to and subject to Section 57A(1) of the Act to enter into an agreement under Section 57A of the Act with a person who is applying for a development authorisation under the Act.	CEO/CAP	Waiver of agreement terms for agreements previously resolved by Council may be agreed by planning staff in relation to trees that are not protected by legislation any longer
39.2	The duty pursuant to Section 57A(3) of the Act to have regard to:	CEO/CAP	NIL
39.2.1	the provisions of the appropriate Development Plan.	CEO/CAP	NIL

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39.2.2	the principle that the entering into of an agreement under Section 57A by the Council should not be used as a substitute to proceeding with an amendment to a Development Plan under the Act.	CEO/CAP	NIL
39.3	The duty pursuant to Section 57A(5) of the Act to register agreements entered into under Section 57A in accordance with the Regulations.	CEO	NIL
39.4	The duty pursuant to Section 57A(6) of the Act to keep a register available for public inspection (without charge) in accordance with the Regulations.	CEO	NIL
39.5	The power pursuant to Section 57A(7) of the Act to provide a person, on payment of the prescribed fee, a copy of an agreement registered under Section 57A(5) of the Act.	CEO	NIL
39.6	The duty, pursuant to Section 57A(8) of the Act, where an agreement is entered into under Section 57A of the Act, in connection with an application for a development authorisation with respect to a Category 2A, Category 2 or Category 3 development, to include a note of the existence of the agreement on the notice of the relevant authority's decision under the Act.	CEO/CAP	NIL
39.7	The power pursuant to Section 57A(14) of the Act to apply to the Registrar-General to note the agreement against the relevant instrument of title, or in the case of land not under the provisions of the Real Property Act 1886, against the land.	CEO	NIL
39.8	The power pursuant to Section 57A(16) of the Act to apply to the Registrar-General where an agreement under Section 57A has been rescinded or amended to enter a note of the rescission or amendment against the instrument of title, or against the land.	CEO	NIL
39.9	The power pursuant to Section 57A (18) of the Act where an agreement under Section 57A does not have effect under Section 57A within the prescribed period, to, by notice given in accordance with the regulations, lapse the relevant development approval (and the agreement will then be rescinded by force of Section 57A(18) of the Act).	CEO/CAP	NIL
40. Notification During Building			
40.1	The power pursuant to Section 59(3) of the Act to direct that building work stop when a mandatory notification stage has been reached.	CEO	NIL
41. Classification of Buildings			
41.1	The power pursuant to Section 66(2) of the Act to assign to any building a classification that conforms	CEO	NIL

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with the Regulations and the duty pursuant to Section 66(4) of the Act to give notice in writing to the owner of the building to which the classification has been assigned.			
42. Certificates of Occupancy			
42.1	The duty pursuant to and in accordance with the requirements of Sections 67(2), (3), (4), (5) and (6) of the Act to give a certificate of occupancy.	CEO	NIL
42.2	The power pursuant to Section 67(3)(a) of the Act to require information from an applicant for a certificate of occupancy.	CEO	NIL
42.3	The duty pursuant to Section 67(10) of the Act to give written notice to an applicant of the refusal of the certificate of occupancy.	CEO	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the notice being issued
42.4	The power pursuant to Section 67(13) of the Act to revoke a certificate of occupancy in prescribed circumstances.	CEO	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the revocation of the certificate
43. Temporary Occupation			
43.1	The power pursuant to Sections 68(1) and (2) of the Act to approve the occupation of a building on a temporary basis without a certificate of occupancy and subject to such conditions as the Delegate thinks fit to impose.	CEO	NIL
43.2	The duty pursuant to and in accordance with Section 68(3) of the Act to give written notice to an	CEO	Delegate report to be

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applicant of the refusal of approval for temporary occupation of a building.		countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the notice being issued
44. Emergency Orders		
44.1 Where an owner of land fails to comply with the requirements of an emergency order issued under Section 69(1) of the Act:	CEO	NIL
44.1.1 the power pursuant to Section 69(4) of the Act to cause the required work to be carried out; and	CEO	NIL
44.1.2 the power pursuant to and in accordance with Sections 69(5) and 69(6) of the Act to recover the reasonable costs and expense of that work from the owner as a debt.	CEO	NIL
44A Fire Safety		
44A.1 The power pursuant to Sections 71(18) and (19) of the Act to establish and designate a body as an appropriate authority.	CEO	NIL
44A.2 The power pursuant to Section 71(19)(a)(i) of the Act to appoint a person who holds prescribed qualifications in building surveying to the appropriate authority.	CEO	NIL
44A.3 The power pursuant to Section 71(19)(a)(ii) of the Act to determine if a person is to be nominated to the appropriate authority by the Chief Officer of the South Australian Metropolitan Fire Service or the Chief Officer of the South Australian Country Fire Service (after taking into account the nature of the Council or Council's area(s)).	CEO	NIL
44A.4 The power pursuant to Section 71(19)(a)(iii) of the Act to appoint a person with expertise in the area of fire safety to the appropriate authority.	CEO	NIL
44A.5 The power pursuant to Section 71(19)(a)(iv) of the Act to determine and select a person to be appointed to the appropriate authority.	CEO	NIL
44A.6 The power pursuant to Section 71(19)(b) of the Act to determine the term of the office not exceeding	CEO	NIL

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three years of a member of the appropriate authority.		
44A.7 The power pursuant to Section 71(19)(d) of the Act to appoint deputy members to the appropriate authority.	CEO	NIL
44A.8 The power pursuant to Section 71(19)(e) of the Act to determine the procedures of an appropriate authority.	CEO	NIL
45. Building Inspection Policies		
45.1 The duty pursuant to and in accordance with Section 71A of the Act to prepare and from time to time alter a building inspection policy.	CEO	Subject to Council endorsement except where a change is of a minor nature
46. Advertisements		
46.1 The power pursuant to and in accordance with Section 74(1) of the Act to:	CEO	NIL
46.1.1 form the opinion that an advertisement or advertising hoarding disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality or is contrary to a character desired for a locality under the relevant Development Plan; and	CEO	NIL
46.1.2 serve notice in writing requiring the removal or obliteration of the advertisement or the removal of the advertising hoarding (or both).	CEO	NIL
46.2 The power pursuant to Section 74(3) of the Act where a person has failed to comply with a notice under Section 74(1) of the Act, to enter on land, carry out the terms of the notice and recover the costs of doing so as a debt from the person on whom the notice was served.	CEO	NIL
47. Enforcement Notices		
47.1 The power pursuant to and in accordance with Section 84(2) of the Act to issue an enforcement notice where the Delegate has reason to believe on reasonable grounds that a person has breached the Act or a repealed Act.	CEO	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services

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			Team Leader Statutory Planning Team Leader Building prior to the notice being issued
47.2	The power pursuant to Section 84(3) of the Act to determine that a direction under Section 84(2) of the Act is urgently required and can be orally given by an authorised officer.	CEO	NIL
47.3	Where a person has failed to comply with a direction contained in a notice issued pursuant to Section 84(2)(b) of the Act:	CEO	NIL
47.3.1	the power pursuant to Section 84(6) of the Act to cause the necessary action to be undertaken; and	CEO	NIL
47.3.2	pursuant to and in accordance with Sections 84(7) and 84(8) of the Act to recover the costs of doing so as a debt from the person whose failure gave rise to the action.	CEO	NIL
48. Applications to Court			
48.1	The power pursuant to Section 85(1) of the Act to apply to the Court for an order to remedy or restrain a breach of the Act, or a repealed Act.	CEO	NIL
48.2	Where the Court has made an order under Section 85(6)(d) of the Act and a person has failed to comply with the order, the power pursuant to and in accordance with Section 85(12) and Section 85(13) of the Act, to cause any work contemplated by the order to be carried out and to recover the costs of doing so as a debt from the person.	CEO	NIL
49. General Right to Apply to Court			
49.1	Where the Council is a party to a dispute referred to in Section 86(1)(e) of the Act, the power pursuant to Section 86(1)(e) of the Act to apply to the Court for determination of the dispute.	CEO	NIL
50. Authority to be Advised of Certain Matters			
50.1	The power pursuant to Section 93(1)(b)(iii) of the Act to require from a private certifier who is making a decision of a prescribed kind in relation to any aspect of building work such other information or documentation as the Delegate or the Council may require.	CEO	NIL

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51. Referrals		
51.1 The power pursuant to and in accordance with Section 94 of the Act to consent to the referral by a private certifier to the Council or Delegate of any function under the Act.	CEO	NIL
52. Professional Advice to be Obtained in Relation to Certain Matters		
52.1 The power pursuant to Section 101(1) of the Act, in the exercise of a prescribed function, to rely on a certificate of a person with prescribed qualifications.	CEO	NIL
52.2 The duty pursuant to Section 101(2) of the Act to seek and consider the advice of a person with prescribed qualifications or person approved by the Minister in relation to a matter prescribed by the Regulations.	CEO/CAP	NIL
DELEGATIONS UNDER THE DEVELOPMENT (DEVELOPMENT PLANS) AMENDMENT ACT 2006		
53. Transitional Provisions		
53.1 The power pursuant to and in accordance with Clause 5(1) of Schedule 1 to the Development (Development Plans) Amendment Act 2006 ('the DPA Act'), if the Council or the Delegate has, before the commencement of Clause 5 of Schedule 1 to the DPA Act reached an agreement with the Minister on a Statement of Intent with respect to an amendment to a Development Plan, or taken steps to prepare a Plan Amendment Report on the basis of such a Statement of Intent subject to Clause 5(2) of Schedule 1 to the DPA Act, to continue with the process as set out in Section 25 of the Act (as in force immediately before the commencement of Clause 5 of Schedule 1 to the DPA Act) as if the DPA Act had not been enacted until the relevant amendment is approved (with or without alteration) or otherwise dealt with by the Minister under Section 25(15) of the Act, subject to the qualification that the relevant Plan Amendment Report may be referred to as a Development Plan Amendment.	CEO	Subject to sign-off by SPDPC
53.2 The power pursuant to Clause 5(2) of Schedule 1 to the DPA Act to agree on a Statement of Intent that is to supersede a Statement of Intent agreed between the Council or the Delegate and the Minister before commencement of Clause 5 of Schedule 1 to the DPA Act.	CEO	Subject to sign-off by SPDPC
DELEGATIONS UNDER THE DEVELOPMENT REGULATIONS 2008		
53A. Complying Development – Development Plan Consent	CEO	NIL
53A.1 The power pursuant to Regulation 8A(1)(a) of the Development Regulations 2008 ('the Regulations'), for the purposes of Sections 33(1) and 35 of the Act (subject to Regulation 8A(2)) of the Regulations to:	CEO	NIL

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53A.1.1 in the case of a proposed development lodged for assessment as residential code development – assess the development as being in a form described in Schedule 4 clause 1(2) or (3), 2A, 2B or 2C (including a form specified or provided for in a relevant Development Plan referred to in Schedule 4 clause 1(2) or (3), 2A, 2B or 2C); and	CEO	NIL
53A.1.2 in any other case – to assess the development as being in a form described in Schedule 4 Part 1 (including a form specified or provided for in a relevant Development Plan referred to in Schedule 4 Part 1).	CEO	NIL
53A.2 The power pursuant to Regulation 8A(1)(b) of the Regulations, for the purposes of Section 35(1b) of the Act, to:	CEO	NIL
53A.2.1 form the opinion that a variation from <i>complying</i> development (including <i>complying</i> development as declared under Regulation 8A(1)(a) of the Regulations) is minor; and	CEO	NIL
53A.2.2 determine that 2 or more minor variations, when taken together, constitute a ‘minor variation from <i>complying</i> development’.	CEO	NIL
53B. Complying Building Work – Building Rules		
53B.1 The power pursuant to Regulation 8B(1) of the Regulations, for the purposes of Section 36(1) of the Act to, subject to Regulation 8B(2) of the Regulations, assess building work as being in a form specified in Schedule 4 Part 2 (including a form specified or provided for in the <i>Building Code</i> referred to in Schedule 4 Part 2).	CEO	NIL
54. Infrastructure Planning		
The power pursuant to Regulation 9A(1) to, in preparing the DPA, to the extent (if any) required by the Statement of Intent, seek, in accordance with Regulation 9A(2), the advice of a Minister and any other government agency, specified by the Minister as part of the agreement on the Statement of Intent.	CEO	NIL
55. Consultation with Government Departments or Agencies		
55.1 The duty pursuant to Regulation 10A(1) of the Regulations if the Council is subject to a requirement under Section 25(7)(a) of the Act to ensure that a copy of any written report received from a Department or agency is furnished to the Minister for the purposes of considering the matter under Section 25(7)(b) of the Act.	CEO	NIL
56. Public Consultation – Section 25 & 26		

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56.1	Subject to Regulations 11A(3) and 11A(6) of the Regulations, for the purposes of Sections 25 and 26 of the Act, the duty pursuant to Regulation 11A(1) of the Regulations to give public notice of a DPA by publication in the designated manner of a notice:	CEO	NIL
56.1.1	advising the time and places at which the DPA is available for inspection (without charge) and purchase by the public; and	CEO	NIL
56.1.2	inviting any interested person to make written submissions on the amendment to the council within the relevant period specified in the notice; and	CEO	NIL
56.1.3	stating that the submissions will be available for inspection by any interested person at a place specified in the notice from the expiration of the period specified under Regulation 11A(1)(b) of the Regulations until the conclusion of any public meeting held for the purposes of Section 25(11)(b) or 26(5c)(b) of the Act (or, if no such meeting is to be held, until the decision is made not to hold the meeting); and	CEO	NIL
56.1.4	providing information about when and where any public meeting is proposed to be held for the purposes of Sections 25(11)(b) or 26(5c)(b) of the Act (subject to a decision being made under the relevant section not to hold a meeting).	CEO	NIL
56.2	If one or more written submissions are made in response to a notice published under Regulation 11A(1) of the Regulations, the duty pursuant to Regulation 11A(3) of the Regulations to make a copy of each submission available for inspection in accordance with the statement included under Regulation 11A(1)(c).	CEO	NIL
56.3	For the purposes of Sections 25(9)(c) and 26(5b)(c) of the Act, the duty pursuant to Regulation 11A(4) of the Regulations to include in the written notice the same information as required for a notice under Regulation 11A(1) of the Regulations.	CEO	NIL
56.4	The duty pursuant to Regulation 11A(5) of the Regulations, to ensure that a copy of any DPA released for public consultation under Section 25 of the Act is provided to the Minister within 2 business days after that release.	CEO	NIL
57. Public Meeting			
57.1	The duty pursuant to and in accordance with Regulation 12 of the Regulations to hold a public meeting if an amendment has been prepared by the Council or the Delegate.	CEO	NIL
57.2	The power pursuant to Regulation 12(4) of the Regulations to adjourn a public meeting from time to	CEO	NIL

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time, and place to place if necessary or appropriate.			
58. Application to Relevant Authority			
58.1	The power pursuant to Regulation 15(1)(c) of the Regulations to require an additional or lesser number of copies of plans, drawings, specifications and other documents and information relating to a proposed development than the number prescribed in Regulation 15(1)(c) of the Regulations.	CEO	NIL
58.2	The duty pursuant to and in accordance with Regulation 15(4) of the Regulations, if an application is lodged with the Council but a regional development assessment panel is the relevant authority, to retain a copy of the application and other accompanying information and to forward the application on to the appropriate person acting on behalf of the regional development assessment panel.	CEO	NIL
58.3	The duty pursuant to and in accordance with Regulation 15(5) of the Regulations, when an application is lodged with the Council but the State Commission Assessment Panel is the relevant authority, to forward all but one copy of the application and the accompanying information, as well as a written acknowledgment that the appropriate fees have been paid, including details of each fee component paid, to the State Commission Assessment Panel.	CEO	NIL
58.4	The power pursuant to Regulation 15(7)(b) of the Regulations to indicate, in such manner as may be determined by the State Commission Assessment Panel, that the Delegate wishes to receive written documentation instead of electronic access to the relevant documents and information via the Internet.	CEO	NIL
58.4A	The power and duty pursuant to Regulation 15(7b) of the Regulations, to within 2 business days of receipt of a copy of an application form under Regulation 15(7a) of the Regulations, furnish to the private certifier:	CEO	NIL
58.4A.1	the Development Assessment number assigned to the development proposed under the application; and	CEO	NIL
58.4A.2	if the private certifier, at the time of forwarding a copy of an application under Regulation 15(7a) of the Regulations, requests advice on the matters set out in subparagraphs (i) and (ii), and if such advice is relevant:	CEO	NIL
58.4A.2.1	advice about any site contamination that is believed to exist at the site where the development would be undertaken; and	CEO	NIL
58.4A.2.2	advice about the likely need for approval to alter a public road under section 221 of the Local Government Act 1999 in order to establish a new	CEO	NIL

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access point.			
58.4A.2.3	advice about whether the relevant development plan specifies any requirements relating to finished floor levels (expressed by reference to AHD or ARI) in relation to the site where the development would be undertaken.	CEO	NIL
58.5	The power pursuant to Regulation 15(8) of the Regulations to extend the period prescribed in Regulation 15(8) for the lodging of an application for the appropriate development authorisation as required by Section 54(2)(c).	CEO	NIL
58.6	[City of Tea Tree Gully only] If an application relates to a proposed development that involves the division of land in the Golden Grove Development Area which is complying development in respect of the Development Plan, the duty pursuant to Regulation 15(10)(c) to forward to the State Commission Assessment Panel within 5 business days after receipt of the application:	N/A	N/A
58.6.1	a copy of the application; and	N/A	N/A
58.6.2	a copy of the plans, drawings, specification and other documents or information accompanying the application.	N/A	N/A
58.7	The power pursuant to Regulation 15(11) of the Regulations, to modify the requirements of Schedule 5 in relation to a particular application, subject to the following qualifications:	CEO	NIL
58.7.1	in the case of an application that is lodged with the Council for assessment as <i>residential code</i> development – the requirements of Schedule 5 may not be modified in any way by the delegate assessing the application (whether so as to require more or less information), except on authority of the Minister under Section 39(1)(a) of the Act;	CEO	NIL
58.7.2	in any other case, the delegate must not, when requiring plans, drawings, specifications and other documents in relation to the application, require the applicant to provide more information than that specified under Schedule 5 (subject to Section 39 of the Act).	CEO	NIL
58.8	The power pursuant to Regulation 15(12) of the Regulations to, in exercising the discretion under Section 39(4)(b) of the Act, dispense with the requirements of Schedule 5 in relation to a particular application.	CEO	NIL
59. Nature of Development			
59.1	The duty pursuant to Regulation 16(1) of the Regulations, where an application requires the assessment	CEO	NIL

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of a proposed development against the provisions of the Development Plan, to determine the nature of the development applied for.		
59.2 The power pursuant to Regulation 16(2) of the Regulations to form the opinion that a development is non-complying, and the duty if the Delegate is of the opinion that an application relates to a kind of development that is non-complying and the applicant has not identified the development as such, by notice in writing to inform the applicant of that fact.	CEO	NIL
59.3 The power pursuant to Regulation 16(3) of the Regulations to, if an application in relation to a proposed development identifies the development as residential code development or designated development, form the opinion that the development is residential code development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact.	CEO	NIL
59.4 The power pursuant to Regulation 16(4) of the Regulations to, if an application in relation to a proposed development identifies the development as residential code development or designated development, form the opinion that the development is not residential code development and the duty to, within 5 business days of receipt of the application, by notice in writing, inform the applicant of that fact and the reasons for the Delegate's opinion.	CEO	NIL
60. Non-Complying Development		
60.1 The power pursuant to Regulation 17(3) of the Regulations, after receipt of an application which relates to a kind of development that is described as non-complying development to:	CEO/CAP	Sign off by Director Development & Regulatory Services Manager Development Services
60.1.1 refuse the application pursuant to Section 39(4)(d) of the Act and notify the applicant accordingly; or	CEO/CAP	Sign off by Director Development & Regulatory Services Manager Development Services
60.1.2 resolve to proceed with an assessment of the application.	CEO/CAP	Sign off by Director Development &

		Direct Delegation from Council	Conditions/ Limitations
			Regulatory Services Manager Development Services Team Leader Statutory Planning
60.2	The duty pursuant to Regulation 17(4) of the Regulations, in situations where the Delegate has resolved to proceed with the assessment of an application for non-complying development, to require the applicant to provide a statement of effect.	CEO/CAP	NIL
60.3	The power pursuant to Regulation 17(6) of the Regulations to determine that a proposed development is of a minor nature for the purposes of exemption from the requirements to provide a statement of effect.	CEO/CAP	A template delegate report note is prepared detailing reasons for sign off by Director Planning Manager Development Services Team Leader Statutory Planning
61. Notification of Application for Tree-Damaging Activity to Owner of Land			
61.1	Where the owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, the duty pursuant to and in accordance with Regulation 18 of the Regulations:	CEO	NIL
61.1.1	to give the owner of land notice of the application; and	CEO	NIL
61.1.2	to give due consideration, in the assessment of the application, to any submission made by the owner within a reasonable time after the giving of notice of the application.	CEO	NIL
62. Amended Applications			
62.1	The power pursuant to Regulation 20(4) of the Regulations to form the opinion that variations to an application are not substantial and that repeating of the referral process under Part 5 of the Regulations, or the giving of notice under Part 6 of the Regulations is not required.	CEO/CAP	NIL
62.2	The power pursuant to Regulation 20(5) of the Regulations, where a variation to an application changes the essential nature of a proposed development to (by agreement with the applicant) proceed with the	CEO/CAP	NIL

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variation on the basis that the application will be treated as a new application.		
63. Withdrawing/Lapsing Application		
63.1 The duty pursuant to Regulation 22(1) of the Regulations, where an applicant withdraws an application, to notify any agency to which an application was referred under Part 5 of the Regulations and any person who made a representation in relation to the application under Part 6 of the Regulations of the withdrawal.	CEO	NIL
63.2 Where at least two years have passed since the date on which an application for development authorisation under Part 4 of the Act was lodged with the Council the power, pursuant to Regulation 22(2) of the Regulations to lapse the said application.	CEO	NIL
63.3 Before taking action to lapse a development application under Regulation 22(2) of the Regulations the duty, pursuant to and in accordance with Regulation 22(3) of the Regulations to:	CEO	NIL
63.3.1 take reasonable steps to notify the applicant of the action under consideration; and	CEO	NIL
63.3.2 allow the applicant a reasonable opportunity to make submissions to the Council or the Delegate about the proposed course of action, and the power to determine the manner and form of those submissions.	CEO	NIL
64. Contravening Development		
64.1 The power pursuant to Regulation 23(2) of the Regulations, by notice in writing to the applicant to decline to proceed with an application until proceedings under the Act have been concluded.	CEO/CAP	NIL
65. Referrals		
65.1 The duty pursuant to Regulation 24(1) of the Regulations to refer an application of a prescribed kind together with a copy of any relevant information provided by the applicant to the relevant body prescribed by Schedule 8 of the Regulations and to not make a decision on the application until a response has been received from the referral body or the time period for receipt of a response has lapsed.	CEO	NIL
66. Procedure Where Concurrence Required		
66.1 The duty pursuant to Regulation 25 of the Regulations, if concurrence must be sought from another body prior to issuing a consent or approval to forward to the other body whose concurrence must be sought that information required by Regulation 25(b) of the Regulations.	CEO/CAP	NIL

	Direct Delegation from Council	Conditions/ Limitations
67. Additional Information or Amended Plans		
67.1 The duty pursuant to Regulation 27(1) of the Regulations, where an application has been referred to a prescribed body under Part 5 of the Regulations and additional information is received which is materially relevant to the referral, to repeat the referral process where the Delegate is of the opinion that the additional information or amendment is significant and the power to repeat the referral process in all other instances.	CEO/CAP	NIL
68. Special Provisions – Referrals		
68.1 The duty pursuant to and in accordance with Regulation 28(3) of the Regulations to refer an application for building rules consent to the relevant fire authority for comment and report where the Delegate considers that:	CEO	NIL
68.1.1 a proposed alternative solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for fire fighting operations of a fire authority; or	CEO	NIL
68.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for fire fighting operations of a fire authority; or	CEO	NIL
68.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code,	CEO	NIL
and the duty pursuant to Regulation 28(5) of the Regulations to have regard to any report received from the fire authority under Regulation 28.	CEO	NIL
68.2 The power pursuant to Regulation 28(4) of the Regulations, when a report from a fire authority pursuant to Regulation 28(3) is not received by the Council within 20 business days, to presume that the fire authority does not desire to make a report.	CEO	NIL
68.3 If, in respect of an application referred to a fire authority under Regulation 28, the fire authority:	CEO	NIL
68.3.1 recommends against the granting of building rules consent; or	CEO	NIL
68.3.2 concurs in the granting of consent on conditions specified in its report,	CEO	NIL
but the Delegate:	CEO	NIL
68.3.3 proposes to grant building rules consent despite a recommendation referred to in Regulation	CEO	NIL

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28(5a)(a) of the Regulations; or			
68.3.4	does not propose to impose the conditions referred to in Regulation 28(5a)(b) of the Regulations, or proposes to impose the conditions in varied form, on the grant of consent,	CEO	NIL
the duty pursuant to Regulation 28(5a) of the Regulations to:		CEO	NIL
68.3.5	refer the application to the Building Rules Assessment Commission; and	CEO	NIL
68.3.6	not grant consent unless the Building Rules Assessment Commission concurs in the granting of consent.	CEO	NIL
68.4	The duty pursuant to Regulation 28(6) of the Regulations to provide to the Building Rules Assessment Commission a copy of any report received from a fire authority under Regulation 28(1) that relates to an application referred to the Building Rules Assessment Commission under the Act.	CEO	NIL
68.5	The duty pursuant to Regulation 28(7) of the Regulations, where building work comprises or includes the construction or installation of a private bushfire shelter, not to grant a building rules consent unless the Building Rules Assessment Commission concurs in the granting of the consent.	CEO	NIL
69. Land Division Applications			
69.1	The duty pursuant to Regulation 29(1) of the Regulations, subject to the provisions in Regulation 29(2) of the Regulations, to withhold making a decision on an application which relates to a proposed development that involves the division of land until a report has been received from the State Commission Assessment Panel.	CEO	NIL
69.2	The power pursuant to Regulation 29(2) of the Regulations, when a report from the State Commission Assessment Panel pursuant to Regulation 29(1) of the Regulations is not received by the Council within eight weeks or within such longer period as the State Commission Assessment Panel may require by notice in writing to the Council, to presume that the State Commission Assessment Panel does not desire to make a report.	CEO/CAP	NIL
70. Underground Mains Area			
70.1	The power pursuant to Regulation 30(1) of the Regulations to seek a report from the relevant electricity authority where the Delegate considers that an area should be declared an underground mains area.	CEO/CAP	NIL
70.2	The power pursuant to Regulation 30(2) of the Regulations to declare an area as an underground mains area.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
70.3	The power pursuant to Regulation 30(4) of the Regulations, where a development includes the division of land within or partly within an underground mains area, to require, as a condition of the decision, that any electricity mains be placed underground.	CEO/CAP	NIL
71. Preliminary Advice and Agreement - Section 37AA			
71.1	The power pursuant to Regulation 31A(6)(b) of the Regulations to determine that an application no longer accords with an agreement indicated by the prescribed body.	CEO/CAP	Subject to sign-off by Director Development & Regulatory Services, Manager Development Services, Team Leader Statutory Planning Senior Statutory Planner,
71.2	The power pursuant to Regulation 31A(6) of the Regulations if:	CEO/CAP	NIL
71.2.1	a relevant authority permits an applicant to vary an application under Section 39(4) of the Act; and	CEO/CAP	NIL
71.2.2	the relevant authority determines that the application no longer accords with the agreement indicated by the prescribed body, to refer the application (unless withdrawn) to the prescribed body:	CEO/CAP	NIL
71.2.3	to obtain a variation to the agreement under Section 37AA of the Act; or	CEO/CAP	NIL
71.2.4	to obtain a response from the prescribed body for the purposes of Section 37 of the Act.	CEO/CAP	NIL
71.3	The power pursuant to Regulation 31A(7) of the Regulations if:	CEO/CAP	NIL
71.3.1	an application is withdrawn by the Applicant; and	CEO/CAP	NIL
71.3.2	the applicant sought to rely on an agreement under Section 37AA of the Act in connection with the application,	CEO/CAP	NIL
	to notify the relevant prescribed body of the withdrawal of an application.	CEO/CAP	NIL
71.4	The power pursuant to Regulation 31A(8) of the Regulations if:	CEO/CAP	NIL
71.4.1	an application is lapsed by a relevant authority under Regulation 22 of the Regulations; and	CEO/CAP	NIL
71.4.2	the applicant sought to rely on an agreement under Section 37AA of the Act in connection with	CEO/CAP	NIL

	Direct Delegation from Council	Conditions/ Limitations
the application,		
to notify the relevant prescribed body of the lapsing of an application.	CEO/CAP	NIL
71.5 The power pursuant to Regulation 31A(9) of the Regulations if:	CEO/CAP	NIL
71.5.1 an application seeks to rely on an agreement under Section 37AA of the Act in connection with the application; and	CEO/CAP	NIL
71.5.2 a notice of decision is issued by the relevant authority under Regulation 42 of the Regulations,	CEO/CAP	NIL
to send a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under Regulation 42 of the Regulations.	CEO/CAP	NIL
71A. Public Notice Categories		
71A.1 The power pursuant to Regulation 32(2)(5) of the Regulations to determine that a form of development comprises 2 or more elements.	CEO	NIL
72. Public Inspection of Certain Applications		
72.1 The duty pursuant to and in accordance with Regulation 34(1) of the Regulations, subject to Regulation 34(4) of the Regulations to ensure that copies of documents referred to in Regulation 34(1) concerning an application are reasonably available for inspection by the public (without charge).	CEO	NIL
72.2 The duty pursuant to Regulation 34(2) of the Regulations, subject to Regulation 34(4) of the Regulations, where a request is made within the time period that applies under Regulation 34(1) of the Regulations and on payment of a fee fixed by Council to provide to a member of the public a copy of any document of information available for inspection under Regulation 34(1) of the Regulations.	CEO	NIL
72.3 The power pursuant to Regulation 34(3) of the Regulations to require that a person who has made a request under Regulation 34(2) of the Regulations verify his or her name, address and contact details in such manner as the Delegate thinks fit.	CEO	NIL
72.4 The power pursuant to Regulation 34(4) of the Regulations to form the opinion that the present or future security of a building would be jeopardised if plans, drawings, specifications or other documents or information relating to the assessment of a proposed development against the Building Rules were to be made available for inspection.	CEO	NIL
73. Response by Applicant		

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73.1	The power pursuant to Regulation 36 of the Regulations to extend the time within which an applicant may respond to any representation	CEO	NIL
74. Determination of Commission as Relevant Authority			
74.1	Where the State Commission Assessment Panel is the relevant authority under Section 34(1)(b) of the Act:		
74.1.1	in a case where the Minister has made a declaration under Section 34(1)(b)(iii) or 34(1)(b)(vi) of the Act, the duty pursuant to and in accordance with Regulation 38(2)(a)(i) of the Regulations to forward to the State Commission Assessment Panel any application received by the Council under the Act and the Regulations in relation to the matter together with accompanying documentation or information and, as appropriate, fees; and	CEO	NIL
74.1.2	in any case, the power pursuant to and in accordance with Regulation 38(2)(b) to provide a report on matters under Section 33(1) (as relevant).	CEO	NIL
74.2	Where the State Commission Assessment Panel is the relevant authority under Section 34(1)(b)(iv) of the Act and the proposed development is to be undertaken within one kilometre of a boundary with the Council, the power, pursuant to Regulation 38(4) of the Regulations, to provide the State Commission Assessment Panel with comments on the proposed development.	CEO	NIL
75. Assessment in Respect of Building Rules Referred to the Council			
75.1	The duty pursuant to and in accordance with Regulation 39 of the Regulations, where the Council is the relevant authority pursuant to Section 34(2) of the Act, not to give any decision in respect of the assessment against the Building Rules until the State Commission Assessment Panel or the regional development assessment panel (as the case may be) has made its decision.	CEO	NIL
76. Notification of Decision to Applicant (Including Conditions)			
76.1	The duty pursuant to and in accordance with Regulation 42 of the Regulations to give notice of a decision on an application under Division 1 of Part 4 of the Act including, but not limited to, the power to endorse approved plans and documentation under Regulation 42(4).	CEO	NIL
77. Notification of Decision to a Prescribed Body			
77.1	The duty pursuant to and in accordance with Regulation 43 of the Development Regulations, to send a copy of the notice of decision issued under Regulation 42 of the Regulations to any prescribed body to	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
which the application had been referred.			
77.2	The duty pursuant to and in accordance with Regulation 43(3) of the Regulations to send a copy of a notice of a decision on an application, if or when a development authorisation is issued in relation to a proposed division of land, to the State Commission Assessment Panel.	CEO	NIL
78. Notification of Decision to Owner of Land			
78.1	The duty pursuant to and in accordance with Regulation 44 of the Regulations to send a copy of any notice issued under Regulation 42 of the Regulations to the owner of land to which a decision on the application relates where the owner is not a party to the application.	CEO	NIL
79. Scheme Description – Community Titles			
79.1	The duty pursuant to Regulation 45(2) of the Regulations to endorse a scheme description under Section 3 of the Community Titles Act 1996 in the following terms:	CEO	NIL
79.1.1	<p>All the consents or approvals required under the Development Act 1993 in relation to the division of the land (and a change in the use of the land (if any)) in accordance with the scheme description and the relevant plan of community division under the Community Titles Act 1996 have been granted.</p> <p>OR</p> <p>No consent or approval is required under the Development Act 1993 in relation to the division of land (or a change in the use of the land) in accordance with this scheme description.</p> <p>This endorsement does not limit a relevant authority's right to refuse, or to place conditions on, development authorisation under the Development Act 1993 in relation to any other development envisaged by this scheme description.</p> <p>Signed:</p> <p>Dated:</p>	CEO	NIL
79.2	The power pursuant to Regulation 45(2) of the Regulations to include in an endorsement of a scheme description under Section 3 of the Community Titles Act 1996, notes concerning conditions on any consent or approval, and notes concerning additional approvals that may be required in the future and to sign and date the endorsement.		

	Direct Delegation from Council	Conditions/ Limitations
80. Special Provisions Relating to Staged Consents		
80.1 The duty pursuant to and in accordance with Regulation 46(1) of the Regulations, and in a case where the development is within the ambit of Schedule 1A, subject to, in accordance with Regulations 46(4) and (5) of the Regulations, any step that the Delegate, as the relevant authority considers it needs to take under Section 42 of the Act, to issue a Notice of Approval in the circumstances prescribed by Regulation 46 of the Regulations.	CEO	NIL
81. Endorsed Plans		
81.1 The duty pursuant to Regulation 47 of the Regulations to return to a successful applicant, a copy of the plans, drawings, specifications and other documents and information lodged by the applicant duly endorsed with the building rules consent.	CEO	NIL
81A. Minor Variation of Development Authorisation		
81A.1 The power pursuant to Regulation 47A(1) of the Regulations, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion that the variation is minor in nature and, if the delegate is satisfied that the variation is minor in nature, to approve the variation.	CEO	NIL
82. Lapse of Consent or Approval		
82.1 The power pursuant to Regulation 48(2) of the Regulations to extend the time when any consent or approval under Part 4 of the Act will lapse.	CEO	NIL
83. Width of Roads and Thoroughfares		
83.1 The power pursuant to Regulation 51(4) of the Regulations to dispense with the requirements of Regulation 51(1) and (3) dealing with the width of any proposed road or thoroughfare where the Delegate is of the opinion that the prescribed width is not necessary for the safe and convenient movement of vehicles or pedestrians or for underground services.	CEO/CAP	Subject to receipt of advice from Council's Engineering Department prior to the Development Plan Consent being issued
83.2 The power pursuant to Regulation 51(6) of the Regulations to dispense with the requirements of Regulation 51(5) dealing with the width of a road at the head of every cul-de-sac where it appears that the cul-de-sac is likely to become a through road.	CEO/CAP	Subject to receipt of advice from Council's Engineering Department

		Direct Delegation from Council	Conditions/ Limitations
			prior to the Development Plan Consent being issued
84. Road Widening			
84.1	The power pursuant to Regulation 52(1) of the Regulations to require a road widening if land to be divided abuts an existing road.	CEO/CAP	Subject to receipt of advice from Council's Engineering Department prior to the Development Plan Consent being issued
85. Requirement as to Forming of Roads			
85.1	The power pursuant to Regulation 53(1) and (2) of the Regulations to specify the width of roads.	CEO/CAP	Subject to receipt of advice from Council's Engineering Department prior to the Development Plan Consent being issued
85.2	The power pursuant to Regulation 53(4) of the Regulations to dispense with the requirements of Regulation 53(3) of the Regulations that adequate provision be made for the turning of vehicles at the head of a cul-de-sac where the Delegate is of the opinion that the cul-de-sac is likely to become a through road.	CEO/CAP	Subject to receipt of advice from Council's Engineering Department prior to the Development Plan Consent being issued
85.3	The power pursuant to Regulation 53(6) of the Regulations to dispense with the requirements of Regulation 53(5) dealing with the forming of footpaths, water-tables, kerbing, culverts and drains on proposed roads.	CEO/CAP	Subject to receipt of advice from Council's Engineering Department prior to the Development Plan Consent being issued
86. Construction of Roads, Bridges, Drains and Services			

		Direct Delegation from Council	Conditions/ Limitations
86.1	The power pursuant to Regulation 54(1) of the Regulations to require the paving and sealing of the roadway of proposed roads.	CEO/CAP	Subject to receipt of advice from Council's Engineering Department prior to the Development Plan Consent being issued
87. Supplementary Provisions			
87.1	The duty pursuant to Regulation 55(1) of the Regulations to consider and if appropriate approve a road location and grading plan for the forming of any proposed road, including every footpath, water-table, kerbing, culvert and drain.	CEO	Subject to receipt of advice from Council's Engineering Department prior to the Development Plan Consent being issued or work commencing.
87.2	The duty pursuant to Regulation 55(2) of the Regulations to consider, and if appropriate approve, detailed construction plans and specifications signed by a professional engineer or licensed surveyor for all work referred to in Regulations 53 and 54 of the Regulations.	CEO	Subject to receipt of advice from Council's Engineering Department prior to work commencing.
87.3	The duty pursuant to Regulation 55(4) of the Regulations to consider, and if appropriate accept, that all connections for water supply and sewerage services to any allotment delineated on a plan of division have been laid under the surface of a proposed road before the roadway is sealed.	CEO	Subject to receipt of advice from Council's Engineering Department prior to work commencing.
88. General Land Division			
88.1	The power pursuant to and in accordance with Regulation 58(1) of the Regulations to enter into a binding arrangement with an applicant for land division for the satisfaction of outstanding requirements.	CEO	NIL
88.2	The power pursuant to and in accordance with Regulation 58(2) of the Regulations to advise the State Commission Assessment Panel that an applicant has entered into appropriate binding arrangements pursuant to Section 51(1) of the Act.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
89. Division of Land by Strata Title		
89.1 The power pursuant to Regulation 59(1) of the Regulations to advise the State Commission Assessment Panel that an applicant has entered into a binding arrangement with the Council for the satisfaction of the requirements of Section 33(1)(d) of the Act and that the arrangement is supported by adequate security.	CEO	NIL
90. General Provisions		
90.1 The power pursuant to and in accordance with Regulation 60(1) of the Regulations to enter into a form of arrangement with an applicant to the satisfaction of the State Commission Assessment Panel for the purposes of Section 51(1) of the Act.	CEO/CAP	Subject to receipt of advice from the Director Engineering & Assets
90.2 The power pursuant to Regulation 60(7) of the Regulations, for the purposes of Section 51(4) of the Act, to request (in such a manner as may be determined by the State Commission Assessment Panel) that a copy of a certificate or plan (or certificates and plans) referred to in Regulation 30(4) of the Regulations be furnished to the Council by sending a written copy to the Council.	CEO	NIL
90.3 The power pursuant to Regulation 60(9) of the Regulations to consult with the State Commission Assessment Panel before it grants an extension of the period prescribed by Regulation 60(8) of the Regulations.	CEO	NIL
91. Declaration by The Minister - Section 46		
91.1 The duty pursuant to and in accordance with Regulation 61(2) of the Regulations, to transmit to the Minister any relevant documentation (including the application and any accompanying documentation or information lodged by the proponent with the Council under Division 1 of Part 4 of the Act) within 10 business days after the receipt of a copy of a notice required by Regulation 61(1) of the Regulations.	CEO	Subject to any covering letter being signed by the CEO
91.2 At the same time that documents are transmitted to the Minister under Regulation 61(2) of the Regulations, the duty pursuant to Regulation 61(3) of the Regulations to also transmit to the Minister any fees that have been paid by the proponent under Schedule 6 (less any amount that the Minister determines should be retained by the Council).	CEO	NIL
91.3 Where an application lodged with the Minister under Section 46 of the Act requires an assessment against the Building Rules and the assessment against the Building Rules is to be referred to the Council, the power pursuant to Regulation 61(5)(d) of the Regulations, to require from the applicant additional copies of the plans, drawings, specifications and other documents and information required by	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
Regulation 61(4) of the Regulations.			
92. Referral of Assessment of Building Work			
92.1	Where a development application which is subject to the operation of Section 48 of the Act is referred to the Council for assessment in respect of the Building Rules the duty pursuant to and in accordance with Regulation 64(2) of the Regulations, to ensure that the assessment is consistent with any development plan consent previously given under Section 48 of the Act.	CEO	NIL
92.2	Where the Council acting under Regulation 64(1) of the Regulations determines that it is appropriate to give a certification with respect to the development complying with the Building Rules (and if the assessment of the Council is consistent with any development plan consent) the duty, pursuant to Regulation 64(3) of the Regulations to:	CEO	NIL
92.2.1	provide the certification in the form set out in Schedule 12A; and	CEO	NIL
92.2.2	to the extent that may be relevant and appropriate:	CEO	NIL
92.2.2.1	issue a schedule of essential safety provisions under Division 4 of Part 12 of the Act; and	CEO	NIL
92.2.2.2	assign a classification to the building under the Regulations; and	CEO	NIL
92.2.2.3	ensure that the appropriate levy has been paid under the <i>Construction Industry Training Fund Act 1993</i> .	CEO	NIL
92.3	Where the Council issues a certificate in the form set out in Schedule 12A of the Regulations as required by Regulation 64(3)(a) of the Regulations, the duty pursuant to Regulation 64(4) of the Regulations to furnish to the Minister a copy of the certificate together with a copy of any schedule of essential safety provisions.	CEO	NIL
93. Notifications During Building Work			
93.1	The power pursuant to Regulation 74(1)(b) to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in Section 59(1) of the Act.	CEO	NIL
93.2	The power pursuant to Regulation 74(1)(c) to specify by notice in writing to the building owner, on or before development approval is granted in respect of the work, any stage of the building work, for the purposes of the notification requirements in Section 59(1) of the Act.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
93.3	The duty pursuant to Regulation 74(4) of the Regulations to make a note on the relevant building file of any notice given in accordance with Regulation 74(3)(d) by a person by telephone.	CEO	NIL
94. Essential Safety Provisions			
94.1	The duty pursuant to Regulation 76(4) of the Regulations, on either the granting of a building rules consent or on application by the owner of a building, to issue a schedule in the form set out in Schedule 16 specifying the essential safety provisions for buildings and the standards and requirements for maintenance and testing in respect of those provisions.	CEO	NIL
94.2	The power pursuant to Regulation 76(10) of the Regulations to require compliance with Regulation 76(7) despite Regulation 76(9) of the Regulations if the essential safety provisions were installed under a modification of the Building Rules under Section 36(2) of the Act or the building has been the subject of a notice under Section 71 of the Act.	CEO	NIL
94A Swimming Pool Safety			
94A.1	The power pursuant to Regulation 76D(4a) of the Regulations to, for the purposes of Section 71AA(7) of the Act, subject to Regulation 76(D)(4b) of the Regulations, establish a swimming pool inspection policy.	CEO	NIL
95. Building Rules: Bushfire Prone Areas			
95.1	Where:	CEO	NIL
95.1.1	application is made for building rules consent for building work in the nature of an alteration to a class 1, 2 or 3 building under the Building Code; and	CEO	NIL
95.1.2	the building is in a bushfire prone area under Regulation 78(1) of the Regulations; and	CEO	NIL
95.1.3	the total floor area of the building would, after the completion of the proposed building work, have increased by at least 50% when compared to the total floor area of the building as it existed 3 years before the date of the application (or, in the case of a building constructed since that time, as it existed at the date of completion of original construction),	CEO	NIL
	the power, pursuant to Regulation 78(2) of the Regulations, to require, as a condition of consent, that the entire building be brought into conformity with the relevant requirements of the Building Rules for bushfire protection.	CEO	NIL
96. Construction Industry Training Fund			

		Direct Delegation from Council	Conditions/ Limitations
96.1	The duty pursuant to Regulation 79(2) of the Regulations to withhold issuing a building rules consent until satisfied that the appropriate levy has been paid under the Construction Industry Training Fund Act 1993 or that no such levy is payable.	CEO	NIL
96.2	The power pursuant to Regulation 79(4) of the Regulations to form an opinion whether the appropriate levy under the Construction Industry Training Fund Act 1993 has or has not been paid, or is or is not payable, and notify the applicant that a building rules consent cannot be issued until the Delegate is satisfied that the levy has been paid or is not payable.	CEO	NIL
96.3	The power pursuant to and in accordance with Regulation 79(5)(b) of the Regulations to determine that the application has lapsed.	CEO	NIL
96A Requirement to Up-grade Building in Certain Cases			
96A.1	The power pursuant to Regulation 80(1a) of the Regulations, if an application for a building rules consent relates to building work in the nature of an alteration to a class 2 to class 9 building constructed before 1 January 2002, to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition, and to require, as a condition of consent:	CEO	NIL
96A.1.1	that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards; or	CEO	NIL
96A.1.2	that the building work comply with Minister's Specification SA: Upgrading health and safety in existing buildings (to the extent reasonably applicable to the building and its condition).	CEO	NIL
97. Classification of Buildings			
97.1	The power pursuant to Regulation 82(3)(b)(i) of the Regulations to require such details, particulars, plans, drawings, specifications, certificates and other documents as may reasonably be required to determine a building's classification upon application by an owner of a building under Regulation 82(1) or (2) of the Regulations.	CEO	NIL
97.2	The power pursuant to Regulation 82(4) of the Regulations and subject to Regulation 82(4a) of the Regulations, to assign the appropriate classification under the Building Code to a building upon being satisfied on the basis of the owner's application and accompanying documents that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
97.2A	The power pursuant to Regulation 82(4a) of the Regulations, if an application under Regulation 82 of the Regulations is made in respect of an existing class 2 to class 9 building, to require the applicant to satisfy the delegate that Minister's Specification SA: Upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use).	CEO	NIL
97.3	The power pursuant to Regulation 82(5) of the Regulations, on assigning a classification to a building (or part of a building), to, if relevant, determine and specify in the notice to the owner under Section 66(4) of the Act – 97.3.1 the maximum number of persons who may occupy the building (or part of the building); and 97.3.2 If the building has more than one classification – the part or parts of the building to which each classification relates and the classification currently assigned to the other parts of the building.	CEO	NIL
98. Certificates of Occupancy			
98.1	The power pursuant to Regulation 83(2)(c) of the Regulations to require from an applicant for a certificate of occupancy reasonable evidence that conditions attached to a development approval have been satisfied.	CEO	NIL
98.2	The power pursuant to Regulation 83(2)(d) of the Regulations where an application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, to require from an applicant for a certificate of occupancy reasonable evidence that in the case of a building of more than 1 storey, the requirements of Minister's Specification SA 83 have been complied with, or in any other case the building is suitable for occupation.	CEO	NIL
98.3	The power pursuant to Regulation 83(3) of the Regulations to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after the commencement of the Development (Building Cladding) Variation Regulations 2018, dispense with the requirement to provide a Statement of Compliance under Regulation 83(2)(a) if the Delegate is satisfied that a person required to complete 1 or both parts of the Statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification(s) and it appears to the Delegate that the relevant building is suitable for occupation.	CEO	NIL
98.4	Where:	CEO	NIL
98.4.1	a building is required by the Building Rules:	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
98.4.1.1 to be equipped with a booster assembly for use by a fire authority; or	CEO	NIL
98.4.1.2 to have installed a fire alarm that transmits a signal to a fire station; and	CEO	NIL
98.4.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act,	CEO	NIL
the duty pursuant to Regulation 83(4) of the Regulations to not grant a certificate of occupancy unless or until a report has been sought from the fire authority as to whether those facilities have been installed and operate satisfactorily.	CEO	NIL
98.5 The power pursuant to Regulation 83(5) of the Regulations, when a report from the fire authority pursuant to Regulation 83(4) is not received within 15 business days, to presume that the fire authority does not desire to make a report.	CEO	NIL
98.6 The duty pursuant to Regulation 83(6) of the Regulations to have regard to any report received from a fire authority under Regulation 83(4) before issuing a certificate of occupancy.	CEO	NIL
98.7 The power pursuant to Regulation 83(9) of the Regulations to revoke a certificate of occupancy.	CEO	NIL
99. Certificate of Independent Technical Expert in Certain Case		
99.1 The power pursuant to Regulation 88(3) of the Regulations, in circumstances where Regulation 88 of the Regulations applies, to rely on the certificate of an independent technical expert.	CEO	NIL
100. Fees		
100.1 The power pursuant to Regulation 95(2) of the Regulations to require an applicant to provide such information as the Delegate may reasonably require to calculate any fee payable under Schedule 6 and the power to make any other determination for the purposes of Schedule 6.	CEO	NIL
100.2 The power pursuant to the provisions of Regulation 95(3) of the Regulations to calculate any fee on the basis of estimates made by the Delegate where the Delegate believes that any information provided by an applicant is incomplete or inaccurate.	CEO	NIL
100.3 The power pursuant to Regulation 95(4) of the Regulations to, at any time, and despite any earlier acceptance of an amount in respect of the fee, reassess a fee payable under the Regulations.	CEO	NIL
100.4 The duty pursuant to Regulation 95(5) of the Regulations, on a reassessment under Regulation 95(4) of the Regulations:	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
100.4.1 if it appears that an overpayment has occurred, to refund any amount due in accordance with the reassessment; and	CEO	NIL
100.4.2 if it appears that an underpayment has occurred, to charge any further amount payable in accordance with the reassessment.	CEO	NIL
101. Register Of Applications		
101.1 The duty pursuant to Regulation 98 of the Regulations to keep available for public inspection a register of applications for consent, approval, or the assignment of building classifications under the Act.	CEO	NIL
101.2 The power pursuant to Regulation 98(3) to fix a fee and upon payment of that fee, make available to a member of the public a copy of any part of a register or document kept for the purposes of Regulation 98(1).	CEO	NIL
102. Registration of Land Management Agreements		
102.1 The duty pursuant to and in accordance with Regulation 99(2) of the Regulations to establish a register of agreements entered into by the Council under Section 57(2) of the Act.	CEO	NIL
102.2 The power pursuant to Regulation 99(3) of the Regulations to determine what other information may be contained in the Register.	CEO	NIL
103. Land Management Agreements - Development Applications		
103.1 The duty pursuant to Regulation 100(2) of the Regulations to establish a register of agreements entered into by the Council under Section 57A of the Act.	CEO	NIL
103.2 The duty pursuant to Regulation 100(3) of the Regulations to include in the register a copy of each agreement entered into by the Council under Section 57A of the Act and other information the Delegate considers appropriate.	CEO	NIL
103.3 The duty pursuant to Regulation 100(5) of the Regulations to keep the register at the principal office of the Council.	CEO	NIL
103.4 The duty pursuant to Regulation 100(6) of the Regulations to keep the register available for public inspection during normal office hours for the office where the register is situated.	CEO	NIL
103.5 The duty pursuant to Regulation 100(9) to give a copy of a notice under Regulation 100(8) to any owner of the land who is not a party to the agreement.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
104. Documents to be Preserved by a Council		
104.0 The power and duty pursuant to Regulation 101(a1) of the Regulations to retain a copy of each document provided to the Council by a private certifier in relation to any application for a development plan consent assessed by the private certifier.	CEO	NIL
104.1 The duty pursuant to Regulation 101(1) of the Regulations to retain a copy of the documents listed in Regulation 101 of the Regulations in relation to any building work approved under the Act.	CEO	NIL
104.1A The power and duty pursuant to Regulation 101(1a) of the Regulations to preserve any document referred to in Regulation 101(a1) for a period of at least 10 years.	CEO	NIL
104.2 The duty pursuant to Regulation 101(2) of the Regulations to preserve any document referred to in Regulation 101(1) of the Regulations until the building to which the document relates is demolished or removed.	CEO	NIL
104.3 The power pursuant to and in accordance with Regulation 101(3) of the Regulations to offer to give plans and specifications in the Council's possession to a building owner and if the building owner declines the offer, the power to destroy the documents.	CEO	NIL
104.4 The power pursuant to and in accordance with Regulation 101(4) of the Regulations to make available for inspection at the offices of the Council during normal office hours any document retained by the Council under Regulation 101(a1) or (1) of the Regulations (without charge) and to fix a reasonable fee for a copy of any document retained by the Council under Regulation 101(a1) or (1) of the Regulations.	CEO	NIL
104.5 The power pursuant to Regulation 101(5) of the Regulations to not make available of any plans, drawings specifications or other documents or information:	CEO	NIL
104.5.1 for inspection under Regulation 101(4)(a) if to do so would:	CEO	NIL
104.5.1.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or	CEO	NIL
104.5.1.2 constitute a breach of any other law; or	CEO	NIL
104.5.2 for copying under Regulation 101(4)(b) if to do so would:	CEO	NIL
104.5.2.1 in the opinion of the Delegate, unreasonably jeopardise the present or future security of a building; or	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
104.5.2.2 involve an infringement of copyright in matter contained in a document; or	CEO	NIL
104.5.2.3 constitute a breach of any other law.	CEO	NIL
104A Documents to be Provided by Private Certifier		
104A.1 The power pursuant to Regulation 102(2) of the Regulations to request a private certifier to produce to the Council within a reasonable period, a copy of any document that has been submitted to the private certifier for the purposes of an application for development plan consent (and that it is not already held by the Council under the Regulations) so that the Council can respond to a request from a member of the public for access to such document.	CEO	NIL
105. Transfer of Development Potential		
105.1 The duty pursuant to Regulation 104 of the Regulations, wherever the provisions of the Development Plan provide for the transfer of development potential, to maintain a register of development rights containing the information prescribed in Regulation 104(1) and to make the said register available for public inspection on payment of the appropriate fee.	CEO/CAP	NIL
106. System Indicators		
106.1 The duty pursuant to Section 115(1)(a) of the Regulations to keep and collate the information specified in the system indicators document on a quarterly basis.	CEO	NIL
106.2 The duty pursuant to Section 115(1)(b) of the Regulations to provide the information for each quarter to the Minister in a manner and form determined by the Minister, within 21 days after the end of the quarter.	CEO	NIL
106.3 The power pursuant to Regulation 115(2) of the Regulations to apply to the Minister to exempt the Council from a requirement in the system indicators document.	CEO	NIL
107. Schedule 1A – Demolition		
107.1 The power, pursuant to Clause 12(3) of Schedule 1A of the Regulations, to make an application to the Minister for an area to be declared by the Minister to be a designated area.	CEO	NIL
107.2 The power pursuant to Clause 12(9) of Schedule 1A of the Regulations, before the Minister takes action to vary or revoke a declaration under Clause 12(3) of Schedule 1A of the Regulations or a condition under Clause 12(7) of Schedule 1A of the Regulations, to in response to a notice in writing from the Minister, show, within the specified time, why the proposed course of action should not be taken.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
108. Schedule 4 – New Dwellings		
108.1 The power pursuant to Clause 2B(4)(b) of Schedule 4 of the Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land other than a previous use or activity for residential purposes.	CEO	NIL
109. Schedule 6 - Fees		
109.1 The power pursuant to Clause 1(7) of Schedule 6 to the Regulations to determine the amount of the fee to be charged to an applicant to cover the Council's reasonable costs in giving public notice of the application under Section 38(5) of the Act.	CEO	Subject to Council approval
110. Schedule 8 – Development Near The Coast		
110.1 The power pursuant to Item 1(b) of Clause 2 of Schedule 8 of the Regulations, where development is on coastal land, to form the opinion that the development is of a minor nature only, and comprises the alteration of an existing building or the construction of a building to facilitate the use of an existing building.	N/A	N/A
111. Schedule 8 - Development Adjacent To Main Roads		
111.1 The power pursuant to Item 3 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is likely to:	CEO/CAP	NIL
111.1.1 alter an existing access; or	CEO/CAP	NIL
111.1.2 change the nature of movement through an existing access; or	CEO/CAP	NIL
111.1.3 create a new access; or	CEO/CAP	NIL
111.1.4 encroach within a road widening setback under the Metropolitan Adelaide Road Widening Plan Act 1972,	CEO/CAP	NIL
in relation to an existing or proposed arterial road, primary road, primary arterial road or secondary arterial road, or within 25 metres of a junction with an existing or proposed arterial road, primary road,	CEO/CAP	NIL

	Direct Delegation from Council	Conditions/ Limitations
primary arterial road or secondary arterial road (as delineated in the relevant Development Plan).		
112. Schedule 8 - State Heritage Places		
112.1 The power pursuant to Item 5(1) of Clause 2 of Schedule 8 of the Regulations to form the opinion that a development materially affects the context within which a State Heritage place is situated	CEO/CAP	NIL
113. Schedule 8 – Mining – General		
113.1 The power pursuant to and in accordance with Item 7 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development is of a minor nature only.	CEO/CAP	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services prior to the decision being made
114. Schedule 8 - Activity of Environmental Significance		
114.1 The power pursuant to Item 10(b) of Clause 2 of Schedule 8 of the Regulations, where development involves, or is for the purposes of an activity specified in Schedule 21 of the Regulations (including, where an activity is only relevant when a threshold level of capacity is reached, development with the capacity or potential to operate above the threshold level, and an alteration or expansion of an existing development (or existing use) where the alteration or expansion will have the effect of producing a total capacity exceeding the relevant threshold level), other than development which comprises the alteration of, or addition to, an existing building, to form the opinion that the development does not change the use of the building, and is of a minor nature only, and does not have any adverse effect on the environment.	CEO/CAP	NIL
115. Schedule 8 – Aquaculture Development		
115.1 The power pursuant to and in accordance with Item 15 of Clause 2 of Schedule 8 of the Regulations to form the opinion that development involves a minor alteration to an existing or approved development.	CEO/CAP	NIL
116. Schedule 8 – Development Within the River Murray Floodplain Area		
116.1 The power pursuant to and in accordance with Item 19(b) of Clause 2 of Schedule 8 of the Regulations to form the opinion that development materially affects the context within which a State Heritage place is	CEO/CAP	NIL

	Direct Delegation from Council	Conditions/ Limitations
situated.		
117. Schedule 8 – Development Within the River Murray Tributaries Area		
117.1 The power pursuant to and in accordance with Item 20(a) of Clause 2 of Schedule 8 of the Regulations to form the opinion that development materially affects the context within which a State Heritage place is situated.	CEO/CAP	NIL
118. Schedule 9 - Part One, Category One Development and Part Two Category Two Development		
118.1 The power pursuant to Clause 1 of Part 1 to Schedule 9 of the Regulations in circumstances where a development would be a complying development under the Regulations or the relevant Development Plan but for the fact that it fails to meet the conditions associated with the classification, to form the opinion that the failure to meet those conditions is of a minor nature only.	CEO/CAP	Delegate report to be countersigned by other statutory planner prior to the decision being made
118.2 The power pursuant to Clause 2(1)(g) of Part 1 to Schedule 9 of the Regulations to form the opinion that a development is of a kind which is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	CEO/CAP	Delegate report to be countersigned by other statutory planner prior to the decision being made
118.3 The power pursuant to the following designated sub-paragraphs of Clause 3 of Part 1 to Schedule 9 of the Regulations, where a development is classified as non complying under the relevant Development Plan, to form the opinion that:	CEO/CAP	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services or Team Leader Statutory Planning Prior To The Decision Being Made
118.3.1 the alteration of, or addition to, a building is of a minor nature only, pursuant to sub-paragraph (a);	CEO/CAP	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development

	Direct Delegation from Council	Conditions/ Limitations
		Services or Team Leader Statutory Planning Prior To The Decision Being Made
118.3.2 the construction of a building to be used as ancillary to or in association with an existing building and which will facilitate the better enjoyment of the purpose for which the existing building is being used constitutes development of a minor nature only pursuant to sub-paragraph (b).	CEO/CAP	Delegate report to be countersigned by either the Director Development & Regulatory Services or Manager Development Services or Team Leader Statutory Planning Prior To The Decision Being Made
118.4 The power pursuant to Clause 5 of Part 1 to Schedule 9 of the Regulations to form the opinion:	CEO/CAP	NIL
118.4.1 that the division of land (including for the construction of a road or thoroughfare) is for a proposed use which is consistent with the objective of the zone or area under the Development Plan; and	CEO/CAP	NIL
118.4.2 whether the division will change the nature or function of an existing road.	CEO/CAP	NIL
118.5 The power pursuant to Clause 11 of Part 1 to Schedule 9 of the Regulations, in circumstances where development comprises a special event and the special event will not be held over more than 3 consecutive days, to form the opinion that an event of a similar or greater size or of a similar or greater impact on surrounding areas, has not been held on the same site (or substantially the same site) within 6 months immediately preceding the day or days on which the special event is proposed to occur.	CEO/CAP	NIL
118.6 Pursuant to Clause 17 of Part 1 of Schedule 9 to the Regulations for the purpose of determining whether a development should be considered to be of a minor nature only:	CEO/CAP	Delegate report to be countersigned by another Statutory Planning prior to the decision being made
118.6.1 the duty to not take into account what is included within Schedule 3 of the Regulations; and	CEO/CAP	NIL

	Direct Delegation from Council	Conditions/ Limitations
118.6.2 the power to take into account the size of the site of the development, the location of the development within that site, and the manner in which the development relates to the locality of the site; and	CEO/CAP	NIL
118.6.3 the power to conclude, if relevant, that the development is of a minor nature only despite the fact that it satisfies some, but not all, of the criteria set out in item 2(d) of Part 1 of Schedule 9 to the Regulations.	CEO/CAP	Delegate report to be countersigned by either the Director Development & Regulatory Services Manager Development Services or Team Leader Statutory Planning prior to the decision being made
118.7 The power pursuant to Clause 21 of Part 2 to Schedule 9 of the Regulations, except where development is classified as non complying development under the relevant Development Plan, to form the opinion:	CEO/CAP	NIL
118.7.1 that in respect of a proposed division of land that the applicant's proposed use of the land, is for a purpose which is consistent with the zone or area under the Development Plan; and	CEO/CAP	NIL
118.7.2 whether the proposed division will change the nature or function of an existing road.	CEO/CAP	NIL

Appendix 4

*Instrument of Delegation under the
Dog & Cat Management Act 1995*

	Direct Delegation from Council	Conditions/ Limitations
INSTRUMENT OF DELEGATION UNDER THE DOG AND CAT MANAGEMENT ACT 1995		
1. Appointment of Authorised Persons		
1.1 The power pursuant to Section 25A(1) of the Dog and Cat Management Act 1995 (the Act) to appoint suitable persons (other than members of the Council) to be authorised persons for the purposes of the Act.	CEO	NIL
1.2 The power pursuant to Section 25A(2) of the Act to make an appointment subject to conditions specified in the instrument of appointment.	CEO	NIL
1.3 The power pursuant to Section 25A(3) of the Act to, at any time, revoke the appointment of an authorised person, or vary or revoke the conditions of appointment of an authorised person.	CEO	NIL
2. Identification of Authorised Persons		
2.1 The power pursuant to Section 25B(1) of the Act to issue to an authorised person an identity card in a form approved by the Board.	CEO	NIL
2.2 The power pursuant to Section 25B(2) of the Act, if the powers of the authorised person have been limited by conditions, to issue an identity card to the person containing a statement of those conditions.	CEO	NIL
3. Area Limitation on Authorised Persons Appointed by Councils		
3.1 The power pursuant to Section 25C(c) of the Act to arrange with another council for an authorised person appointed by the Council to exercise powers under the Act within the area of the other council.	CEO	NIL
4. Council Responsibility for Management of Dogs and Cats		
4.1 The power pursuant to Section 26 of the Act to administer and enforce the provisions of the Act relating to dogs and cats within the Council area and for that purpose to:	CEO	NIL
4.1.1 maintain a register of dogs containing information required by the Board (which may be kept in the form of a computer record); and	CEO	NIL
4.1.2 ensure that the Board is provided with information contained in the register as required by the Board from time to time; and	CEO	NIL
4.1.3 maintain such other registers as may be required by the Board; and	CEO	NIL
4.1.4 make the registers kept under the Act available for inspection by members of the public in	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	accordance with any guidelines issued by the Board; and		
4.1.5	if guidelines issued by the Board so require, limit inspection of a register or part of a register kept under the Act by members of the public; and	CEO	NIL
4.1.6	appoint a suitable person to be Registrar; and	CEO	NIL
4.1.7	make satisfactory arrangements for issuing and replacing certificates of registration and registration discs; and	CEO	NIL
4.1.8	appoint at least 1 full time authorised person or make other satisfactory arrangements for the exercise of the functions and powers of authorised persons; and	CEO	NIL
4.1.9	make satisfactory arrangements for the detention of dogs seized under the Act (and make such arrangements for cats seized under the Act); and	CEO	NIL
4.1.10	make satisfactory arrangements for fulfilling other obligations under the Act.	CEO	NIL
4.2	The power pursuant to Section 26(1a) of the Act, to without limiting Section 26(2) of the Act, nominate a facility approved by the Board at which dogs or cats may be detained.	CEO	NIL
4.3	The power pursuant to Section 26(4) of the Act to keep separate accounts of money received under the Act and of money expended in the administration and enforcement of the provisions of the Act relating to dogs and cats.	CEO	NIL
4.4	The power pursuant to Section 26(5) of the Act to pay into the Fund the percentage fixed by regulation of the dog registration fees received by the Council.	CEO	NIL
4.5	The power pursuant to Section 26(6) of the Act to charge:	CEO	NIL
4.5.1	fees for the provision of extracts from registers kept under the Act; and	CEO	NIL
4.5.2	fees for the receipt and management of information relating to a register contemplated by Section 26(1)(ac) of the Act; and	CEO	NIL
4.5.3	fees which may be differential but which must not exceed an amount prescribed by the regulations for the purposes of paragraph (b) of Section 26(6) of the Act:	CEO	NIL
4.5.3.1	for the registration of dogs or businesses under Part 4 of the Act; and	CEO	NIL
4.5.3.2	for the late payment of registration fees; and	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
4.5.3.3	for meeting any other requirement imposed on the Council under the Act.	CEO	NIL
4.6	The power pursuant to Section 26(7) of the Act, in the case of a standard dog or cat, to, provide for a percentage rebate of a fee that would otherwise be charged for the registration of a dog or cat under the Act.	CEO	NIL
5. Plans of Management Relating to Dogs and Cats			
5.1	The power pursuant to Section 26A(1) of the Act to in accordance with Sections 26A(2) and (3) of the Act, prepare a plan relating to the management of dogs and cats within the Council area.	CEO	NIL
5.2	The power pursuant to Section 26A(5) of the Act to amend a plan of management at any time during the course of the 5 year period covered by the plan, with the approval of the Board.	CEO	NIL
6. Rectification of Register			
6.1	The power pursuant to Section 39 of the Act upon application by any person aggrieved by an entry in the register, to rectify the register.	CEO	NIL
7. Destruction and Control Orders			
7.1	The power pursuant to Section 50(1) of the Act to, in accordance with Division 2 of Part 5 of the Act, make an order of any of the following classes in relation to a specified dog:	CEO	NIL
7.1.1	a Destruction Order;	CEO	NIL
7.1.2	a Control (Dangerous Dog) Order;	CEO	NIL
7.1.3	a Control (Menacing Dog) Order;	CEO	NIL
7.1.4	a Control (Nuisance Dog) Order;	CEO	NIL
7.1.5	a Control (Barking Dog) Order.	CEO	NIL
7.2	The power pursuant to Section 50(2)(b) of the Act to approve some other place to the place specified in the order for a dog to be kept or detained until destroyed.	CEO	NIL
8. Grounds on Which Orders May be Made			
8.1	The power pursuant to Section 51 of the Act to make an order in relation to a dog under Division 3 of Part 5 of the Act, if satisfied that:	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
8.1.1	in the case of a Destruction Order:	CEO	NIL
8.1.1.1	the dog is unduly dangerous; and	CEO	NIL
8.1.1.2	the dog has attacked, harassed or chased a person or an animal or bird owned by or in the charge of a person in circumstances that would constitute an offence against the Act; or	CEO	NIL
8.1.2	in the case of a Control (Dangerous Dog) Order:	CEO	NIL
8.1.2.1	the dog:	CEO	NIL
	(a) is dangerous; and	CEO	NIL
	(b) has attacked, harassed or chased a person or an animal or bird, or is likely to do so, in circumstances that would constitute an offence against the Act or any other Act; or	CEO	NIL
8.1.2.2	the dog is subject to an order made under a law of another jurisdiction that corresponds with a Control (Dangerous Dog) Order; or	CEO	NIL
8.1.3	in the case of a Control (Menacing Dog) Order:	CEO	NIL
8.1.3.1	the dog:	CEO	NIL
	(a) is menacing; and	CEO	NIL
	(b) has attacked, harassed or chased a person or an animal or bird, or is likely to do so, in circumstances that would constitute an offence against the Act or any other Act; or	CEO	NIL
8.1.3.2	the dog is subject to an order made under a law of another jurisdiction that corresponds with a Control (Menacing Dog) Order; or	CEO	NIL
8.1.4	in the case of a Control (Nuisance Dog) Order:	CEO	NIL
8.1.4.1	the dog:	CEO	NIL
	(a) is a nuisance; and	CEO	NIL
	(b) has attacked, harassed or chased a person or an animal or bird, or is likely to do so, in circumstances that would constitute an offence against the Act or	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
any other Act; or			
8.1.4.2	the dog is subject to an order made under a law of another jurisdiction that corresponds with a Control (Nuisance Dog) Order; or	CEO	NIL
8.1.5	in the case of a Control (Barking Dog) Order:	CEO	NIL
8.1.5.1	the dog is a nuisance; and	CEO	NIL
8.1.5.2	the dog has created noise by barking or otherwise in circumstances that would constitute an offence against the Act or any other Act.	CEO	NIL
9. Procedure for Making and Revoking Orders			
9.1	The power pursuant to Section 52(1) of the Act to:	CEO	NIL
9.1.1	make an order under Division 3 of Part 5 of the Act on the Delegate's own initiative or on an application made in a manner and form determined by the Council or the Delegate; and	CEO	NIL
9.1.2	to determine the manner and form of an application for an order under Division 3 of Part 5 of the Act.	CEO	NIL
9.2	The power pursuant to Section 52(1) of the Act before making an order under Division 3 of Part 5 of the Act, to take reasonable steps:	CEO	NIL
9.2.1	to ascertain all persons who own or are responsible for the control of the dog; and	CEO	NIL
9.2.2	to give each of the persons so ascertained at least 7 days written notice:	CEO	NIL
9.2.2.1	identifying the dog in relation to which it is proposed that the order be made;	CEO	NIL
9.2.2.2	setting out the terms of the proposed order; and	CEO	NIL
9.2.2.3	inviting the owner or other person to make submissions to the Council or the Delegate in respect of the matter within 7 days or such longer period as is allowed by the Council or the Delegate.	CEO	NIL
9.3	The power pursuant to Section 52(2) of the Act to:	CEO	NIL
9.3.1	make an order in the manner and form required by the Board; and	CEO	NIL
9.3.2	note an order in the register kept by the Council under the Act.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
9.4	The power pursuant to Section 52(3) of the Act to take all reasonable steps to give a copy of the order to each person who owns or is responsible for the control of the dog.	CEO	NIL
9.5	The power pursuant to Section 52(4) of the Act to revoke an order made by the Council by written notice to the person who owns or is responsible for the control of the dog.	CEO	NIL
9.6	The power pursuant to Section 52(5) of the Act to enter a note of the revocation in the register kept by the Council under the Act.	CEO	NIL
9.7	The power pursuant to Section 52(6) of the Act to, at the request of the Board, note in the register kept under the Act an order made by the Board.	CEO	NIL
10. Directions About How to Comply with Order			
10.1	The power pursuant to Section 53(1) of the Act to issue, from time to time, written directions to a person who owns or is responsible for the control of a dog subject to an order under Division 3 of Part 5 of the Act about how the order may be complied with in the area of the Council.	CEO	NIL
11. Power of Court to Order Destruction or Control of Dog on Application			
11.1	The power pursuant to Section 59 of the Act to apply to the Magistrates Court for any order in relation to a dog that the Court could have made if the proceedings had been criminal proceedings under the Act.	CEO	NIL
12. Prohibition Orders			
12.1	The power pursuant to Section 59A(1) of the Act to, in accordance with Division 3 of Part 5 of the Act, make a Prohibition Order against a person.	CEO	NIL
12.2	The power pursuant to Section 59A(2)(b)(ii) of the Act to approve some other place to that specified in the order for a dog to be kept or detained until destroyed or disposed of.	CEO	NIL
12.3	The power pursuant to Section 59A(3) of the Act upon the Delegate's own initiative or on application, to make a Prohibition Order against a person if satisfied that, subject to Section 59A(4) of the Act:	CEO	NIL
12.3.1	while the person owned or was responsible for the control of a dog, the dog attacked, harassed or chased a person or animal or bird owned by or in the charge of a person in circumstances that would constitute an offence against the Act; and	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
12.3.2 –	CEO	NIL
12.3.2.1 the dog was already subject to a Destruction Order or a Control (Dangerous Dog) Order; or	CEO	NIL
12.3.2.2 during the 5 years preceding the event referred to in Section 59A(3)(a) of the Act, a Destruction Order or a Control (Dangerous Dog) Order was made in relation to some other dog on grounds that arose while the person owned or was responsible for the control of that other dog.	CEO	NIL
12.4 The power pursuant to Section 59A(3a) of the Act to, on the Delegate's own initiative or on application, make a Prohibition Order against a person if satisfied that the person is subject to a supervision order under Section 2690 of the <i>Criminal Law Consolidation Act 1935</i> .	CEO	NIL
12.5 The power pursuant to Section 59A(5) of the Act to:	CEO	NIL
12.5.1 make an order in the manner and form required by the Board; and	CEO	NIL
12.5.2 record the order in a manner and form approved by the Board, and keep the record readily available for public inspection.	CEO	NIL
12.6 The power pursuant to Section 59A(6) of the Act to revoke an order made by the Council by written notice to the person against whom the order was made.	CEO	NIL
12.7 The power pursuant to Section 59A(7) of the Act to enter a note of the revocation in the record kept by the Council under Section 59A of the Act.	CEO	NIL
13. Procedure Following Seizure of Dog		
13.1 The power pursuant to Section 61(4) of the Act if a dog is seized in order to prevent or stop it attacking, harassing or chasing a person or an animal or bird because it is unduly dangerous, to as soon as practicable, proceed to consider making an order in relation to the dog or applying to the Magistrates Court for an order in relation to the dog.	CEO	NIL
13.2 The power pursuant to Section 61(6) of the Act to recover the cost of taking action under Section 61(3) of the Act from the person who owns or is responsible for the control of the dog as a debt due to the Council.	CEO	NIL
14. Power to Seize and Detain Cats		

		Direct Delegation from Council	Conditions/ Limitations
14.1	The power pursuant to Section 64(2)(c) of the Act to nominate a facility at which cats may be destroyed.	CEO	NIL
15.	Certain Bodies May Microchip and Desex Detained Dogs and Cats		
15.1	The power pursuant to Section 64B(1) of the Act, despite any other provision of the Act, or any other Act or law, if the Council is detaining a dog or cat seized under the Act or any other Act, to, in accordance with any guidelines determined by the Board for the purposes of Section 64B of the Act, do 1 or more of the following:	CEO	NIL
15.1.1	microchip the dog or cat;	CEO	NIL
15.1.2	desex the dog or cat;	CEO	NIL
15.1.3	cause the dog or cat to be microchipped or desexed or both.	CEO	NIL
15.2	The power pursuant to Section 64B(2) of the Act to recover the cost of taking action under Section 64B of the Act as a debt from a person who owns or is responsible for the control of the dog or cat.	CEO	NIL

Appendix 5

*Instrument of Delegation under the
Fences Act 1975*

	Direct Delegation from Council	Conditions/ Limitations
INSTRUMENT OF DELEGATION UNDER THE FENCES ACT 1975		
1. Notice of Intention to Perform Fencing Work		
1.1 The power pursuant to Section 5(1) of the Fences Act 1975 (“the Act”) to serve notice, in accordance with Section 5(2) of the Act, on an adjoining land owner of a proposal to erect a fence to divide the Council's land (being land of less than one hectare) from the land of the adjoining land owner.	CEO	NIL
1.2 The power pursuant to Section 5(3) of the Act to serve notice in accordance with Section 5(4) of the Act on an adjoining land owner of a proposal to perform any replacement, repair or maintenance work in relation to a fence dividing the Council’s land (being land of less than one hectare) and the adjoining owner’s land.	CEO	NIL
2. Cross-notice		
2.1 The power pursuant to Section 6(1) of the Act to serve in the prescribed form and to determine the criteria under Section 6(2) of the Act, a cross-notice on an adjoining land owner, objecting to and/or putting forward counter-proposals in relation to fencing work to divide the Council's land (being land of less than one hectare) from the land of the adjoining land owner.	CEO	NIL
2.2 The power pursuant to Section 6(3) of the Act to object and serve notice on the adjoining owner to any counter-proposal contained in any cross-notice under Section 6(2) of the Act.	CEO	NIL
3. Agreement upon Basis of Proposals and Counter-proposals		
3.1 The power pursuant to Section 7 of the Act to authorise payment of part or all of the cost of constructing or maintaining a fence adjacent to Council land, (being land which is less than one hectare in area).	CEO	NIL
4. Performance of Fencing Work		
4.1 The power pursuant to Section 8 of the Act to authorise the commencement and completion of fencing work to divide the Council's land (being land of less than one hectare) from the land of the adjoining land-owner.	CEO	NIL

Appendix 6

*Instrument of Delegation under the
Freedom of Information Act 1991 & Freedom of
Information (Fees & Charges)
Regulations 2003*

	Direct Delegation from Council	Conditions/ Limitations
INSTRUMENT OF DELEGATION UNDER THE FREEDOM OF INFORMATION ACT 1991 AND THE FREEDOM OF INFORMATION (FEES AND CHARGES) REGULATIONS 2003		
1. Publication of Information Concerning Councils		
1.1. The duty pursuant to Section 9(1a) of the Freedom of Information Act 1991 ("the Act") and in accordance with Section 9(2), (3) and (4) to cause, at intervals of not more than 12 months, an up to date information statement to be published in the manner prescribed by regulation.	CEO	NIL
2. Availability of Certain Documents		
2.1. The duty pursuant to Section 10(1) of the Act to cause copies of the Council's most recent information statement and each of its policy documents to be made available for inspection and purchase by members of the public.	CEO	NIL
2.2. The power pursuant to Section 10(2) of the Act to delete information from the copies of a policy document if its inclusion would result in the document being an exempt document otherwise then by virtue of Clause 9 or 10 of Schedule 1 to the Act.	CEO	NIL
2.3. The duty pursuant to Section 10(3) of the Act not to enforce a particular policy to the detriment of a person:	CEO	NIL
2.3.1. if the relevant policy document should have been, but was not, made available for inspection and purchase in accordance with Section 10 at the time the person became liable to the detriment; and	CEO	NIL
2.3.2. the person could, by knowledge of the policy, have avoided liability to the detriment.	CEO	NIL
3. Persons by Whom Applications to be Dealt With and Time Within Which Applications Must be Dealt With		
3.1. The duty, pursuant to Section 14(1) of the Act to ensure that an accredited FOI officer deals with an application for access to Council's documents.	CEO	NIL
3.2. The duty pursuant to Section 14(2) of the Act to deal with an application for access to the Council's documents as soon as practicable (and, in any case, within 30 days) after it is received.	CEO	NB
4. Incomplete and Wrongly Directed Applications		

4.1. The duty pursuant to Section 15 of the Act not to refuse to accept an application merely because it does not contain sufficient information to enable the document to which it relates to be identified without first taking such steps as are reasonably practicable to assist the applicant to provide such information.	CEO	NB
5. Transfer of Application		
5.1. The power pursuant to Section 16(1) of the Act to transfer an application for access to Council's documents to another agency if the document to which it relates:	CEO	NB
5.1.1. is not held by the Council but is, to the knowledge of the Council, held by the other agency; or	CEO	NB
5.1.2. is held by the Council but is more closely related to the functions of the other agency.	CEO	NB
5.2. The duty pursuant to Section 16(2) of the Act, where an application is transferred to another agency and the Council holds a copy of the document to which the application relates, to forward a copy of the document to the other agency together with the application.	CEO	NB
5.3. The duty pursuant to Section 16(3) of the Act to cause notice of the transfer to be given to the applicant where the application has been transferred to another agency.	CEO	NB
5.4. The duty pursuant to Section 16(4) of the Act to specify in a notice under Section 16(3), the day on which, and the agency to which, the application was transferred.	CEO	NB
5.5. The power pursuant to Section 16(5) of the Act not to include in a notice under Section 16(3) any matter which by its inclusion would result in the notice being an exempt document.	CEO	NB
6. Council May Require Advance Deposits		
6.1. The power pursuant to Section 17(1) of the Act to form the opinion that the cost of dealing with an application is likely to exceed the application fee, and to request the applicant to pay such reasonable amount, by way of advance deposit, as the Delegate may determine.	CEO	NB
6.2. The power pursuant to Section 17(2) of the Act to form the opinion that the cost of dealing with an application is likely to exceed the sum of the application fee and of any advance deposits paid in respect of the application and, to request the applicant to pay such reasonable amount, by way of further advance deposit as the Delegate may determine.	CEO	NB
6.3. The duty pursuant to Section 17(3) of the Act to ensure that the aggregate of the application fee and the advance deposit(s) do not exceed the Delegate's estimate of the cost of dealing with the application.	CEO	NIL

6.4. The duty pursuant to Section 17(4) of the Act, where a request for an advance deposit is made, to ensure that the request is accompanied by a notice that sets out the basis upon which the amount of the deposit has been calculated.	CEO	NB
7. Council May Refuse to Deal with Certain Applications		
7.1. The power pursuant to Section 18(1) of the Act to refuse to deal with an application if it appears to the Delegate that the nature of the application is such that the work involved in dealing with it (within the period allowed under Section 14 of the Act or, within any reasonable extension of that period under Section 14A of the Act) would, if carried out, substantially and unreasonably divert the Council's resources from their use by the Council in the exercise of its functions.	CEO	NB
7.2. The duty pursuant to Section 18(2) of the Act not to refuse to deal with such an application without first endeavouring to assist the applicant to amend the application so that the work involved in dealing with it would, if carried out, no longer substantially and unreasonably divert the Council's resources from their use by the Council in the exercise of its functions.	CEO	NB
7.3. The power pursuant to Section 18(2a) of the Act to refuse to deal with an application if, the Delegate forms the opinion, that the application is part of a pattern of conduct that amounts to an abuse of the right of access or is made for a purpose other than to obtain access to information.	CEO	NB
7.4. The power pursuant to Section 18(3) of the Act to refuse to continue dealing with an application if:	CEO	NB
7.4.1. the delegate has requested payment of an advance deposit in relation to the application; and	CEO	NB
7.4.2. payment of the deposit has not been made within the period specified in the request.	CEO	NB
7.5. The duty pursuant to Section 18(4) of the Act where the Delegate refuses in accordance with Section 18(3) of the Act to continue to deal with an application to refund to the applicant such part of the advance deposits paid in respect of the application as exceeds the costs incurred by the Council in dealing with the application and the power to retain the remainder of those deposits.	CEO	NB
7.6. The duty pursuant to Section 18(5) of the Act to cause written notice of a refusal to deal with an application in accordance with Section 18(3) of the Act to be given to the applicant.	CEO	NB
7.7. The duty pursuant to Section 18(6) of the Act to include in a notice under Section 18(5) of the Act the reasons for the refusal and the findings on any material questions of fact underlying those reasons, together with a reference to the sources of information on which those findings are based.	CEO	NB
7.8. The power pursuant to Section 18(7) of the Act not to include in a notice under Section 18(5) of the Act any matter which by its inclusion would result in the notice being an exempt document.	CEO	NB

8. Determination of Applications		
8.1. The duty pursuant to Section 19(1) of the Act, after considering an application for access to the Council's documents, to determine:	CEO	NB
8.1.1. whether access to the document is to be given (either immediately or subject to deferral) or refused; and	CEO	NB
8.1.2. if access to the document is to be given, any charge payable in respect of the giving of access; and	CEO	NB
8.1.3. any charge payable for dealing with the application.	CEO	NB
8.2. The power pursuant to Section 19(2a) of the Act to make a determination to give access to a document on an application after the period within which the Delegate was required to deal with the application.	CEO	NB
9. Refusal of Access		
9.1. The power pursuant to Section 20(1) of the Act to refuse access to a document:	CEO	NB
9.1.1. if it is an exempt document;	CEO	NB
9.1.2. if it is a document that is available for inspection at the Council or some other agency (whether as a part of a public register or otherwise) in accordance with Part 2 of the Act, or in accordance with a legislative instrument other than the Act, whether or not inspection of the document is subject to a fee or charge;	CEO	NB
9.1.3. if it is a document that is usually and currently available for purchase;	CEO	NB
9.1.4. if it is a document that:	CEO	NB
9.1.5. was not created or collated by the Council itself; and	CEO	NB
9.1.6. genuinely forms part of library material held by the Council; or	CEO	NB
9.1.7. subject to the exceptions listed at Section 20(2) of the Act if it is a document that came into existence before 1 January 1987.	CEO	NB
9.2. The duty pursuant to Section 20(4) not to refuse access to a document if:	CEO	NB
9.2.1. it is practicable to give access to a copy of a document from which the exempt matter has been deleted; and	CEO	NB

9.2.2. it appears to the Delegate (either from the terms of the application or after consultation with the applicant) that the applicant would wish to be given access to such a copy	CEO	NB
to that limited extent.	CEO	NB
10. Deferral of Access		
10.1. The power pursuant to Section 21(1) of the Act to defer access to a document:	CEO	NB
10.1.1. if it is a document that is required by law to be published but is yet to be published;	CEO	NB
10.1.2. if it is a document that has been prepared for presentation to Parliament, but is yet to be presented; or	CEO	NB
10.1.3. if it is a document that has been prepared for submission to a particular person or body, but is yet to be submitted.	CEO	NB
10.2. The duty pursuant to Section 21(2) of the Act not to defer access to a document to which Section 21(1)(a) of the Act applies beyond the time the document is required by law to be published.	CEO	NB
10.3. The duty pursuant to Section 21(3) of the Act not to defer access to a document to which Section 21(1)(b) or (c) of the Act applies for more than a reasonable time after the date of its preparation.	CEO	NB
11. Forms of Access		
11.1. The power pursuant to Section 22(1) of the Act to give a person access to a document by –	CEO	NB
(a) giving the person a reasonable opportunity to inspect the document; or	CEO	NB
(b) giving the person a copy of the document; or	CEO	NB
(c) in the case of a document from which sounds or visual images are capable of being reproduced, whether or not with the aid of some other device by making arrangements for the person to hear or view those sounds or visual images; or	CEO	NB
(d) in the case of a document in which words are recorded in a manner in which they are capable of being reproduced in the form of sound by giving the person a written transcript of the words recorded in the document; or	CEO	NB
(e) in the case of a document in which words are contained in the form of shorthand writing or in encoded form-by giving the person a written transcript of the words contained in the document; or	CEO	NB

(f) in the case of a document in which words are recorded in a manner in which they are capable of being reproduced in the form of a written document-by giving the person a written document so reproduced.	CEO	NB
11.2. The duty pursuant to Section 22(2) of the Act to give an applicant access to a document in a particular way requested by the applicant unless giving access as requested:	CEO	NB
11.2.1. would unreasonably divert the resources of the Council (or, if the document is in the custody of State Records, the resources of State Records) from their use for other official purposes; or	CEO	NB
11.2.2. would be detrimental to the preservation of the document or (having regard to the physical nature of the document) would otherwise not be appropriate; or	CEO	NB
11.2.3. would involve an infringement of copyright in matter contained in a document,	CEO	NB
in which case access may be given in some other way.	CEO	NB
11.3. The duty pursuant to Section 22(2a) of the Act where a document is in the custody of State Records, to determine that the way in which access is given to the document will be made by or jointly with the Manager of State Records.	CEO	NB
11.4. The duty pursuant to Section 22(3) of the Act where an applicant has requested that access to a document be given in a particular way and access is given in some other way, not to require the applicant to pay a charge in respect of the giving of access that is greater than the charge that the applicant would have been required to pay had access been given as requested.	CEO	NB
11.5. The power pursuant to Section 22(4) of the Act but subject to Section 22(2a) of the Act to agree with the applicant the particular way access to a document is to be given.	CEO	NB
11.6. The power pursuant to Section 22(5) of the Act to refuse to give access to a document if a charge payable in respect of the application, or giving access to the document, has not been paid.	CEO	NB
12. Notices of Determination		
12.1. The duty pursuant to Section 23(1) of the Act to give written notice to an applicant of the determination of his/her application or, if the application relates to a document that is not held by the Council, of the fact that the Council does not hold such a document.	CEO	NB
12.2. The duty pursuant to Section 23(2) of the Act to specify in a notice given under Section 23(1) of the Act those matters set out at Section 23(2)(a) – (g) of the Act.	CEO	NB

12.3. The power pursuant to Section 23(3) of the Act where an applicant applies for access to a document that is an exempt document for reasons related to criminal investigation or law enforcement, to give notice to the applicant in the form that neither admits or denies the existence of the document and, if disclosure of the existence of the document could prejudice the safety of a person, the duty to ensure that notice is given in that form.	CEO	NB
12.4. The power pursuant to Section 23(4) of the Act not to include in a notice under this Section any matter which by its inclusion would result in the notice being an exempt document.	CEO	NB
13. Documents Affecting Inter-Governmental or Local Governmental Relations		
13.1. The duty pursuant to Section 25(2) of the Act not to give access under the Act to a document which contains matter concerning the affairs of the Government of the Commonwealth or of another State or a council (including a council constituted under a law of another State) unless the Council has taken such steps as are reasonably practicable to obtain the views of the Government or council concerned as to whether or not the document is an exempt document by virtue of Clause 5 of Schedule 1 to the Act.	CEO	NB
13.2. The duty pursuant to Section 25(3) of the Act, if:	CEO	NB
13.2.1. the Delegate determines, after having sought the views of the Government or council concerned, that access to a document to which Section 25(2) of the Act applies is to be given; and	CEO	NB
13.2.2. the views of the Government or council concerned are that the document is an exempt document by virtue of Clause 5 of Schedule 1 to the Act,	CEO	NB
to forthwith give written notice to the Government or council concerned:	CEO	NB
13.2.3. that the Council has determined that access to the document is to be given; and	CEO	NB
13.2.4. of the rights of review conferred by the Act in relation to the determination; and	CEO	NB
13.2.5. of the procedures to be followed for the purpose of exercising those rights; and	CEO	NB
defer giving access to the document until after the expiration of the period within which an application for a review under the Act may be made or, if such an application is made, until after the application has been finally disposed of.	CEO	NB
14. Documents Affecting Personal Affairs		

14.1. The duty pursuant to Section 26(2) of the Act not to give access under the Act to a document which contains information concerning the personal affairs of any person (whether living or dead) except to the person concerned, unless the Council has taken such steps as are reasonably practicable to obtain the views of the person concerned as to whether or not the document is an exempt document by virtue of Clause 6 of Schedule 1 to the Act.	CEO	NB
14.2. The duty pursuant to Section 26(3) of the Act, if:	CEO	NB
14.2.1. the Delegate determines, after having sought the views of the person concerned, that access to a document to which Section 26(2) of the Act applies is to be given; and	CEO	NB
14.2.2. the views of the person concerned are that the document is an exempt document by virtue of Clause 6 of Schedule 1 to the Act; or	CEO	NB
14.2.3. after having taking reasonable steps to obtain the views of the person concerned, the Delegate is unable to obtain the views of the person and determines that access to the documents should be given,	CEO	NB
to forthwith give written notice to the person concerned:	CEO	NB
14.2.4. that the Delegate has determined that access to the document is to be given; and	CEO	NB
14.2.5. of the rights of review conferred by the Act in relation to the determination; and	CEO	NB
14.2.6. of the procedures to be followed for the purpose of exercising those rights; and	CEO	NB
defer giving access to the document until after the expiration of the period within which an application for review under the Act may be made or, if such an application is made, until after the application has been finally disposed of.	CEO	NB
14.3. The power pursuant to Section 26(4) of the Act where:-	CEO	NB
14.3.1. an application is made to the Council for access to a document to which Section 26 of the Act applies; and	CEO	NB
14.3.2. the document contains information of a medical or psychiatric nature concerning the applicant; and	CEO	NB
14.3.3. the Delegate is of the opinion that disclosure of the information to the applicant may have an adverse effect on the physical or mental health or emotional state, of the applicant; and	CEO	NB
14.3.4. the Delegate decides that access to the document is to be given,	CEO	NB

to give access to the document to a registered medical practitioner nominated by the applicant.	CEO	NB
15. Documents Affecting Business Affairs		
15.1. The duty pursuant to Section 27(2) of the Act not to give access under the Act to a document which contains:	CEO	NB
15.1.1. information concerning the trade secrets of any person; or	CEO	NB
15.1.2. information (other than trade secrets) that has a commercial value to any person; or	CEO	NB
15.1.3. any other information concerning the business, professional, commercial or financial affairs of any person;	CEO	NB
except to the person concerned, unless the Council has taken such steps as are reasonably practicable to obtain the views of the person concerned as to whether or not the document is an exempt document by virtue of Clause 7 of Schedule 1 to the Act.	CEO	NB
15.2. The duty pursuant to Section 27(3) of the Act, if:	CEO	NB
15.2.1. the Delegate determines, after seeking the views of the person concerned, that access to a document to which Section 27(2) of the Act applies is to be given; and	CEO	NB
15.2.2. the views of the person concerned are that the document is an exempt document by virtue of Clause 7 of Schedule 1 to the Act,	CEO	NB
to forthwith give written notice to the person concerned:	CEO	NB
15.2.3. that the Council has determined that access to the document is to be given; and	CEO	NB
15.2.4. of the rights of review conferred by the Act in relation to the determination; and	CEO	NB
15.2.5. of the procedures to be followed for the purpose of exercising those rights; and	CEO	NB
defer giving access to the document until after the expiration of the period within which an application for a review under the Act may be made or, if such an application is made, until after the application has been finally disposed of.	CEO	NB
16. Documents Affecting the Conduct of Research		

16.1. The duty pursuant to Section 28(2) of the Act not to give access under the Act to a document which contains information concerning research that is being, or is intended to be, carried out by or on behalf of any person except to the person concerned, unless such steps have been taken as are reasonably practicable to obtain the views of the person concerned as to whether or not the document is an exempt document by virtue of Clause 8 of Schedule 1 to the Act.	CEO	NB
16.2. The duty pursuant to Section 28(3) of the Act, if:	CEO	NB
16.2.1. the Delegate determines, after seeking the views of the person concerned, that access to a document to which Section 28(2) of the Act applies is to be given; and	CEO	NB
16.2.2. the views of the person concerned are that the document is an exempt document by virtue of Clause 8 of Schedule 1 to the Act,	CEO	NB
16.2.3. to forthwith give written notice to the person concerned:	CEO	NB
16.2.4. that the Council has determined that access to the document is to be given; and	CEO	NB
16.2.5. of the rights of review conferred by the Act in relation to the determination; and	CEO	NB
16.2.6. of the procedures to be followed for the purpose of exercising those rights; and	CEO	NB
defer giving access to the document until after the expiration of the period within which an application for a review under the Act may be made or, if such an application is made, until after the application has been finally disposed of.	CEO	NB
17. Internal Review		
17.1. The power pursuant to Section 29(3) of the Act, where an application for review of a determination is made under Part 3 of the Act and in accordance with Section 29(2) of the Act, to confirm, vary or reverse the determination under review.	CEO	NIL
17.2. The duty pursuant to Section 29(4) of the Act to refund any application fee paid in respect of the review where the delegate varies or reverses a determination so that access to a document is to be given either immediately or subject to deferral.	CEO	NIL
18. Persons by Whom Applications for Amendment of Records May be Dealt With and Time Within Which Applications Must be Dealt With		
18.1. The duty pursuant to Section 32(1) of the Act to ensure that an accredited FOI officer deals with an application for amendment of the Council's records.	CEO	NB

18.2. The duty pursuant to Section 32(2) of the Act to deal with an application for amendment of the Council's records as soon as practicable (and, in any case, within 30 days) after it is received.	CEO	NB
19. Incomplete Applications for Amendment of Records		
19.1. The duty pursuant to Section 33 of the Act not to refuse to accept an application merely because the application does not contain sufficient information to enable the Council's document to which the applicant has been given access to be identified without first taking such steps as are reasonably practicable to assist the applicant to provide such information.	CEO	NB
20. Determination of Applications		
20.1. The duty pursuant to Section 34 of the Act to determine within thirty (30) days of its receipt an application for amendment of the Council's records by amending the Council's records in accordance with the application or, by refusing to amend the Council's records.	CEO	NB
21. Refusal to Amend Records		
21.1. The power pursuant to Section 35 of the Act to refuse to amend the Council's records in accordance with an application:	CEO	NB
a) if the Delegate is satisfied that the Council's records are not incomplete, incorrect, out of date or misleading in a material respect; or	CEO	NB
b) if the Delegate is satisfied that the application contains a matter that is incorrect or misleading in a material respect; or	CEO	NB
c) if the procedures for amending the Council's records are prescribed by or under the provisions of a legislative instrument other than the Act, whether or not amendment of those records is subject to a fee or charge.	CEO	NB
22. Notices of Determination		
22.1. The duty pursuant to Section 36(1) of the Act to give written notice to an applicant of the Council's determination of his/her application or, if the application relates to records that are not held by the Council, of the fact that the Council does not hold such records.	CEO	NB
22.2. The duty pursuant to Section 36(2) of the Act when giving a written notice in accordance with Section 36(1) to specify –	CEO	NB
22.2.1. the day on which the determination was made; and	CEO	NB

22.2.2. if the determination is to the effect that amendment of the Council's records is refused –	CEO	NB
(i) the name and designation of the officer by whom the determination was made; and	CEO	NB
(ii) the reasons for that refusal; and	CEO	NB
(iii) the findings on any material questions of fact underlying those reasons, together with a reference to the sources of information on which those findings are based; and	CEO	NB
(iv) the rights of review conferred by the Act in relation to the determination; and	CEO	NB
(v) the procedures to be followed for the purpose of exercising those rights.	CEO	NB
22.3. The power pursuant to Section 36(3) of the Act not to include in a notice given under Section 36(1) of the Act any matter which by its inclusion would result in the notice being an exempted document.	CEO	NB
23. Notations to be Added to Records		
23.1. The duty pursuant to Section 37(2) of the Act where the Delegate has refused to amend the Council's records and the applicant has, by notice in writing lodged at the Council offices, requiring the Council to add to those records a notation –	CEO	NB
23.1.1. specifying the respects in which the applicants claims the records to be incomplete, incorrect, out of date or misleading; and	CEO	NB
23.1.2. if the applicant claims the records to be incomplete or out of date, setting out such information as the applicant claims is necessary to complete the records or to bring them up to date,	CEO	NB
to cause written notice of the nature of the notation to be given to the applicant.	CEO	NB
23.2. The duty pursuant to Section 37(3) of the Act, if the Council discloses to any person (including any other agency) any information contained in the part of its records to which a notice under Section 37 relates, to:	CEO	NB
23.2.1. ensure that, when the information is disclosed, a statement is given to that person:	CEO	NB
23.2.1.1. stating that the person to whom the information relates claims that the information is incomplete, incorrect, out of date or misleading; and	CEO	NB
23.2.1.2. setting out particulars of the notation added to its records under Section 37; and	CEO	NB
the power pursuant to Section 37(3)(b) of the Act to include in the statement the reason for the Council's refusal to amend its records in accordance with the notation.	CEO	NB
24. Internal Review		

24.1. The power pursuant to Section 38(3) of the Act, where an application for review of a determination is made under Part 4 of the Act and in accordance with Section 38(2) of the Act to, confirm, vary or reverse the determination under review.	CEO	NIL
25. Review by Ombudsman or Police Ombudsman		
25.1. The duty and power pursuant to Section 39(5)(b)(i) of the Act to sort or compile documents relevant to a review under Section 39 of the Act or to undertake consultation.	CEO	NB
25.2. The duty and power pursuant to Section 39(5)(b)(ii) of the Act to attend at a time and place specified by the relevant review authority (as defined by the Act) for the purposes of sorting or compiling documents relevant to a review under Section 39 of the Act or to undertake consultation.	CEO	NB
25.3. The power:	CEO	NIL
25.3.1. to participate in and effect a settlement conducted under Section 39(5)(c)(i) of the Act; and	CEO	NIL
25.3.2. to request a suspension of proceedings under Section 39 at any time to allow an opportunity for a settlement to be negotiated.	CEO	NIL
25.4. The duty and power pursuant to Section 39(7) to cooperate in a process proposed by the relevant review authority (as defined by the Act) for the purposes of the conduct of a review under Section 39 of the Act (including any attempt of the relevant review authority to effect a settlement between the participants) and to do all such things as are reasonably required to expedite the process.	CEO	NIL
26. Reviews by SACAT		
26.1. The power pursuant to Section 40(1) of the Act and with the permission of SACAT, to apply for a review under Section 34 of the South Australian Civil and Administrative Tribunal Act 2013 of the determination by SACAT on a question of law.	CEO	NIL
27. Consideration of Restricted Documents		
27.1. The power pursuant to Section 41(1) of the Act to make application to SACAT to have SACAT receive evidence and hear argument in the absence of the public, the other party to the review and, the other party's representative.	CEO	NIL
28. Deliberately left blank		
28.1. Deliberately left blank	Deliberately left blank	Deliberately left blank

29. Fees & Charges		
29.1. The power pursuant to Section 53(2a) of the Act, as the Delegate thinks fit, to waive, reduce or remit a fee or charge in circumstances other than those in which such action is provided for under the regulations.	CEO	NIL
29.2. The duty pursuant to Section 53(3) of the Act, where the Delegate determines a fee or charge, to review the fee or charge on request of the person required to pay the same, and if the Delegate thinks fit, reduce it.	CEO	NIL
29.3. The power pursuant to Section 53(5) of the Act to recover a fee or charge as a debt due and owing to the Council.	CEO	NIL
30. Provision of Information to Minister		
30.1. The duty pursuant to Section 54AA of the Act–	CEO	NB
30.1.1. to furnish to the Minister administering the Act, such information as the Minister requires by notice in the Gazette –	CEO	NB
30.1.1.1. for the purpose of monitoring compliance with the Act; and	CEO	NB
30.1.1.2. for the purpose of preparing a report under Section 54 of the Act; and	CEO	NB
30.1.2. to comply with any requirements notified by the Minister in the Gazette concerning the furnishing of that information and the keeping of records for the purposes of Section 54AA of the Act.	CEO	NB
31. Documents Containing Confidential Material		
31.1. The power pursuant to clause 13(2)(b)(iii) of Schedule 1 of the Act to approve a term for inclusion in a contract that the disclosure of the matter in the contract would constitute a breach of the contract or found an action for breach of confidence.	CEO	NB
31.2. The duty pursuant to clause 13(6) of Schedule 1 of the Act to notify the Minister administering the Act, in writing, and as soon as practicable, if the Delegate approves a term of a contract in accordance with clause 13(2)(b)(iii) of Schedule 1 of the Act.	CEO	NB
DELEGATIONS UNDER THE FREEDOM OF INFORMATION (FEES AND CHARGES) REGULATIONS 2003		
32. Fees & Charges		

<p>32.1. The duty pursuant to Regulation 5 of the Freedom of Information (Fees and Charges) Regulations 2003 to waive or remit the fee or charge where a person, liable to pay a fee or charge to the Council under the Act, satisfies the delegate that:</p> <ul style="list-style-type: none"> (a) he or she is a concession cardholder; or (b) payment of the fee would cause financial hardship to the person. 	CEO	NB
<p>32.2. The duty pursuant to Regulation 6 of the Freedom of Information (Fees and Charges) Regulations 2003 to provide a Member of Parliament, who applies for access to Council documents under the Act, access to the documents without charge unless the work generated by the application involves fees and charges (calculated in accordance with Schedule 1 of the Act) totalling more than \$1,000.</p>	CEO	NB

Appendix 7

*Instrument of Delegation under the
Land & Business (Sale and Conveyancing) Act 1994*

		Direct Delegation from Council	Conditions/ Limitations
INSTRUMENT OF DELEGATION UNDER THE LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994			
1.	The duty pursuant to Section 12(1) of the land and business (sale and conveyancing) act 1994 ("the act") within eight clear business days after receiving a request for information under this section, to provide the applicant with information reasonably required as to -	CEO	NIL
1.1.	any charge or prescribed encumbrance over land within the Council's area of which the Council has the benefit; or	CEO	NIL
1.2.	insurance under Division 3 of Part 5 of the Building Work Contractors Act 1995, in relation to a building on land within the Council's area.	CEO	NIL

Appendix 8

*Instrument of Delegation under the
Liquor Licensing Act 1997*

	Direct Delegation from Council	Conditions/ Limitations
INSTRUMENT OF DELEGATION UNDER THE LIQUOR LICENSING ACT 1997		
0. Application for Review of Commissioner's Decision		
0.1 The power pursuant to Section 22(1) and subject to Sections 22(2) and (3) of the Liquor Licensing Act 1997 (the Act), to apply to the Court for a review of the Commissioner's decision.	CEO	NIL
1. Extension of Trading Area		
1.1 The power pursuant to Section 69(3)(e) of the Act, on application by a licensee who holds a licence authorising the sale of liquor for consumption on the licensed premises to the extent the authority conferred by the licence so that the licensee is authorised to sell liquor in a place adjacent to the licensed premises for consumption in that place, to approve or not approve the application for extension where the relevant place is under the control of the Council.	CEO	NIL
2. Rights of Intervention		
2.1 The power pursuant to Section 76(2) of the Act where licensed premises exist or premises propose to be licensed are situated in the Council area, to introduce evidence or make representations on any question before the licensing authority where proceedings are on foot or underway.	CEO	NIL
3. Noise		
3.1 The power pursuant to Section 106(2)(b) of the Act to lodge a complaint about an activity on, or the noise emanating from licensed premises, or the behaviour of persons making their way to or from licensed premises in the Council area with the Commissioner under Section 106(1).	CEO	NIL
3.2 The power pursuant to Section 106(4) of the Act to engage in conciliation between the parties facilitated by the Commissioner.	CEO	NIL
3.3 The power pursuant to Section 106(5) of the Act to request the Commissioner to determine the matter where the complaint is not to be conciliated, or is not resolved by conciliation under Section 106(4).	CEO	NIL
4. Disciplinary Action Before the Court		
4.1 the power pursuant to Section 120(1) and (2) of the Act to lodge a complaint, provided the subject matter of the complaint is relevant to the responsibilities of the Council and within whose area the licensed premises are situated, with the Court alleging that proper grounds for disciplinary action exists on those grounds stated in the complaint, against a specified person.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
5. Commissioner's Power to Suspend or Impose Conditions Pending Disciplinary Action		
5.1 The power pursuant to Section 120A(3) of the Act to apply to the Court for a review of the Commissioner's decision as if the Council were a party to proceedings before the Commissioner.	CEO	NIL
5A Preparation of Draft Local Liquor Accords		
5A.1 The power pursuant to Section 128E(1) of the Act to prepare a draft local liquor accord and give it to the Commissioner for approval.	CEO	NIL
5A.2 The power pursuant to Section 128E(2) of the Act to include in a draft local liquor accord the following details:	CEO	NIL
5A.2.1 the name of each party to the draft;	CEO	NIL
5A.2.2 the name and address of the coordinator for the local liquor accord (being a party to the draft or a representative of a party to the draft);	CEO	NIL
5A.2.3 the proposed accord area;	CEO	NIL
5A.2.4 any other details prescribed by the regulations.	CEO	NIL
5B Terms of Local Liquor Accords		
5B.1 The power pursuant to Section 128F of the Act to, in a local liquor accord, make provision for or with respect to authorising or requiring any licensees who are parties to it to do one or more of the following:	CEO	NIL
5B.1.1 to cease or restrict either or both of the following on their licensed premises:	CEO	NIL
5B.1.1.1 the sale of liquor on those premises (including the sale of liquor for consumption off premises);	CEO	NIL
5B.1.1.2 allowing the consumption of liquor on those premises;	CEO	NIL
5B.1.2 to restrict the public's access to the licensed premises in the manner and to the extent provided by the local liquor accord;	CEO	NIL
5B.1.3 to take any other measure prescribed by the regulations as a measure that may be taken to prevent or reduce alcohol-related violence.	CEO	NIL
5C Approval of Local Liquor Accords		
5C.1 The power pursuant to Section 128H(3) of the Act to apply to the Commissioner to vary the accord	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
(including the accord area).			
5C.2	The power pursuant to Section 128H(5) of the Act to give to the Commissioner a written request for the Council to be removed or added as a party to the local liquor accord.	CEO	NIL
5C.3	The power pursuant to Section 128H(6) of the Act to apply to the Commissioner to terminate a local liquor accord where the Council is the coordinator.	CEO	NIL
5C.4	The power pursuant to Section 128H(7) of the Act to:	CEO	NIL
	5C.4.1 only make an application under Section 128H(6) of the Act as coordinator with the consent of the parties to the local liquor accord; or	CEO	NIL
	5C.4.2 consent as a party to a local liquor accord to the coordinator making an application under Section 128H(6) of the Act.	CEO	NIL
6. Commissioner's Power to Suspend or Impose Conditions Pending Disciplinary Action			
6.1	The power pursuant to Section 131(1ab) of the Act and subject to Section 131 of the Act, to, by notice in the Gazette, prohibit the consumption or possession or both of liquor in the public place or public places within the area of the Council specified in the notice during the period (not exceeding 48 hours) specified in the notice.	CEO	NIL
6.2	The power pursuant to Section 131(1ad) of the Act to, within 7 days after publishing a notice under Section 131(1ab) of the Act, give a copy of the notice to the Commissioner of Police.	CEO	NIL
6.3	The power pursuant to Section 131(1c) of the Act to vary or revoke a notice under Section 131(1ab) of the Act by further notice in the Gazette.	CEO	NIL

Appendix 9

*Instrument of Delegation under the
Local Government Act 1999*

		Direct Delegation from Council	Conditions/ Limitations
INSTRUMENT OF DELEGATION UNDER THE LOCAL GOVERNMENT ACT 1999			
1. Composition and Wards			
1.1.	The power pursuant to Section 12(1) of the Local Government Act 1999 ('the Act') to, by notice in the Gazette, after complying with the requirements of Section 12 of the Act,	CEO	Subject to the approval of Council
1.1.1.	alter the composition of the Council;	CEO	Subject to the approval of Council
1.1.2.	divide, or redivide, the area of the Council into wards, alter the division of the area of the Council into wards, or abolish the division of the area of the Council into wards.	CEO	Subject to the approval of Council
1.2.	The power pursuant to Section 12(2) of the Act, also by notice under Section 12 of the Act, to	CEO	Subject to the approval of Council
1.2.1.	change the Council from a municipal council to a district council, or change the Council from a district council to a municipal council;	CEO	Subject to the approval of Council
1.2.2.	alter the name of:	CEO	Subject to the approval of Council
1.2.2.1.	the Council;	CEO	Subject to the approval of Council
1.2.2.2.	the area of the Council;	CEO	Subject to the approval of Council
1.2.3.	give a name to, or alter the name of, a ward, (without the need to comply with Section 13 of the Act).	CEO	Subject to the approval of Council
1.3.	The duty pursuant to Section 12(3) of the Act to, before publishing a notice, conduct and complete a review under Section 12 of the Act for the purpose of determining whether the Council's community would benefit from an alteration to the Council's composition or ward structure.	CEO	NIL
1.4.	The power pursuant to Section 12(4) of the Act to review a specific aspect of the composition of the Council, or of the wards of the Council, or of those matters generally and the duty to ensure that all aspects of the composition of the Council, and the issue of the division, or potential division, of the area of the Council into wards, are comprehensively reviewed at least once in each relevant period that is prescribed by the regulations.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
1.5.	Deliberately left blank.	Deliberately left blank.	Deliberately left blank.
1.6.	Deliberately left blank.	Deliberately left blank.	Deliberately left blank.
1.7.	The duty pursuant to Section 12(5) of the Act to initiate the preparation of a representation options paper by a person who, in the opinion of the Delegate, is qualified to address the representation and governance issues that may arise with respect to the matters under review.	CEO	NIL
1.8.	The duty pursuant to Section 12(7) of the Act to give public notice of the preparation of a representation options paper and notice in a newspaper circulating within the Council's area, and to ensure that the notice contains an invitation to interested persons to make written submissions to the Council or the Delegate on the subject of the review within a period specified by the Council or the Delegate, being a period of at least six weeks.	CEO	NIL
1.9.	The duty pursuant to Section 12(8) of the Act to make copies of the representation options paper available for public inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council during the period that applies under Section 7(a)(ii).	CEO	NIL
1.10.	At the conclusion of public consultation under Section 12(7)(a), the duty pursuant to Section 12(8a) of the Act to prepare a report that:	CEO	NIL
1.10.1.	provides information on the public consultation process undertaken by the Council and the Council's or the Delegate's response to the issues arising from the submissions made as part of that process; and	CEO	NIL
1.10.2.	sets out:	CEO	NIL
1.10.2.1.	any proposals that the Council or the Delegate considers should be carried into effect under Section 12 of the Act; and	CEO	NIL
1.10.2.2.	in respect of any such proposal - an analysis of how the proposal relates to the principles under Section 26(1)(c) of the Act and the matters referred to in Section 33 of the Act (to the extent that may be relevant); and	CEO	NIL
1.10.3.	sets out the reasons for the Council's or the Delegate's decision insofar as a decision of the Council or the Delegate is not to adopt any change under consideration as part of the representation options paper or the public consultation process.	CEO	NIL
1.11.	The duty pursuant to Section 12(9) of the Act to make copies of the report available for public inspection	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
at the principal office of the Council and to give public notice, by way of a notice in a newspaper circulating in its area, informing the public of its preparation of the report and its availability and inviting interested persons to make written submissions on the report to the Council or the Delegate within a period specified by the Council or the Delegate, being not less than three weeks.		
1.12. The duty pursuant to Section 12(10) of the Act to give any person who makes written submissions in response to an invitation under Section 12(9), an opportunity to appear personally or by representative before the Council or a Council committee or the Delegate and to be heard on those submissions.	CEO	NIL
1.13. The duty pursuant to Section 12(11) of the Act to finalise the report including recommendations with respect to such related or ancillary matters as it sees fit.	CEO	NIL
1.14. With respect to a proposal within the ambit of Section 12(11a), the power pursuant to Section 12(11b) of the Act:	CEO	NIL
1.14.1. insofar as may be relevant in the particular circumstances, to separate a proposal (and any related proposal), from any other proposal contained in the report; and	CEO	NIL
1.14.2. to determine to conduct the relevant poll in conjunction with the next general election for the Council or at some other time.	CEO	NIL
1.15. Where a poll is required under Section 12(11a) of the Act the duty pursuant to Section 12(11c)(b) of the Act to:	CEO	NIL
1.15.1. prepare a summary of issues surrounding the proposal to assist persons who may vote at the poll; and	CEO	NIL
1.15.2. obtain a certificate from the Electoral Commissioner that he or she is satisfied that the Council or the Delegate has taken reasonable steps to ensure the summary is a fair and comprehensive overview of the arguments for and against the proposal; and	CEO	NIL
1.15.3. after obtaining the certificate of the Electoral Commissioner, ensure that copies of the summary are made available for public inspection at the principle office of the Council, and on the internet and distributed in any other manner as may be directed by the Electoral Commissioner.	CEO	NIL
1.16. The duty pursuant Section 12(12) of the Act having then taken into account the operation of Section 12(11d) of the Act to refer the report to the Electoral Commissioner.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
1.17. The duty pursuant to Section 12(12a) of the Act to send with the report copies of any written submissions received by the Council or the Delegate under Section 12(9) of the Act that relate to the subject matter of the proposal.	CEO	NIL
1.18. The power pursuant to Section 12(15)(b) of the Act to provide by notice in the Gazette, for the operation of any proposal that is recommended in the report, where a certificate is given by the Electoral Commissioner.	CEO	NIL
1.19. The power and duty pursuant to Section 12(16) of the Act to take such action as is appropriate in circumstances (including the power, as the Delegate thinks fit, to alter the report) where the matter is referred back to the Council by the Electoral Commissioner and the power to then refer the report back to the Electoral Commissioner.	CEO	NIL
1.20. Where the Council or the Delegate makes an alteration to the report under Section 12(16)(a) of the Act, the duty pursuant to Section 12(17) of the Act to comply with the requirements of Sections 12(9) and (10) of the Act as if the report, as altered, constituted a new report, unless the Council or the Delegate determines the alteration is of a minor nature only.	CEO	NIL
1.21. The duty pursuant to Section 12(24) of the Act to undertake a review of ward representation within a period specified by the Electoral Commissioner, where the Electoral Commissioner notifies the Council in writing that the number of electors represented by a councillor for a ward varies from the ward quota by more than 20%.	CEO	NIL
2. Status of a Council or Change of Various Names		
2.1. The power pursuant to Section 13(1) of the Act, to, by notice in the Gazette, after complying with the requirements of Section 13 of the Act:	NIL	NIL
2.1.1. change the Council from a municipal council to a district council, or change the Council from a district council to a municipal council;	NIL	NIL
2.1.2. alter the name of:	NIL	NIL
2.1.2.1. the Council;	NIL	NIL
2.1.2.2. the area of the Council;	NIL	NIL
2.1.3. alter the name of a ward.	NIL	NIL
2.2. The duty, pursuant to Section 13(2) of the Act, to, before publishing a notice, comply with the following	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
requirements:		
2.2.1. to give public notice of the proposal and invite any interested persons to make written submissions on the matter within a specified period, being no less than six weeks;	CEO	NIL
2.2.2. publish the notice in a newspaper circulating within the area; and	CEO	NIL
2.2.3. give any person who makes written submissions in response to the invitation an opportunity to appear personally or by representative before the Council, Council committee or the Delegate and be heard on those submissions.	CEO	NIL
3. Staffing Arrangements		
3.1. Deliberately left blank	Deliberately left blank	Deliberately left blank
4. Functions of Panel		
4.1. Deliberately left blank	Deliberately left blank	Deliberately left blank
5. Council Initiated Proposal		
5.1. Deliberately left blank	Deliberately left blank	Deliberately left blank
5.2. Deliberately left blank	Deliberately left blank	Deliberately left blank
5.2.1. Deliberately left blank	Deliberately left blank	Deliberately left blank
5.2.2. Deliberately left blank	Deliberately left blank	Deliberately left blank
5.2.3. Deliberately left blank	Deliberately left blank	Deliberately left blank
5.2.4. Deliberately left blank	Deliberately left blank	Deliberately left blank
5.3. Deliberately left blank	Deliberately left blank	Deliberately left blank
5.3.1. Deliberately left blank	Deliberately left blank	Deliberately left blank
5.3.2. Deliberately left blank	Deliberately left blank	Deliberately left blank
6. Commission to Receive Proposals		
6.1. The power pursuant to Section 28(1) of the Act to, subject to Section 28 of the Act, refer a proposal for the making of a proclamation under Chapter 3 of the Act to the Commission.	NIL	NIL

	Direct Delegation from Council	Conditions/ Limitations
6.2. The power pursuant to Section 28(3) of the Act, to in relation to a proposal under Section 28 of the Act:	CEO	NIL
6.2.1. set out in general terms the nature of the proposal; and	CEO	NIL
6.2.2. comply with any requirements of the proposal guidelines.	CEO	NIL
6A Inquiries – General Proposals	CEO	NIL
6A.1 The power pursuant to Section 31(2) of the Act to make a submission to the Commission on the proposed appointments of investigators to conduct inquiries under Section 31 of the Act.	CEO	NIL
6A.2 The power pursuant to Section 31(10) of the Act to request the Minister consult with the relevant councils about the matter.	CEO	NIL
7. General Powers and Capacities		
7.1. The power pursuant to Section 36(1)(a)(i) of the Act to enter into any kind of contract or arrangement where the common seal of the Council is not required.	CEO	NIL
7.2. The power pursuant to Section 36(1)(c) of the Act to do anything necessary, expedient or incidental but within any policy or budgetary constraints set by the Council to perform or discharge the Council's functions or duties or to achieve the Council's objectives.	CEO	NIL
7.3. The power pursuant to Section 36(2) of the Act to act outside the Council's area:	CEO	NIL
7.3.1. to the extent considered by the Delegate to be necessary or expedient to the performance of the Council's functions; or	CEO	NIL
7.3.2. in order to provide services to an unincorporated area of the State.	CEO	NIL
7.4. The duty pursuant to Section 36(3) of the Act to take reasonable steps to separate the Council's regulatory activities from its other activities in the arrangement of its affairs.	CEO	NIL
8. Provision Relating to Contract and Transactions		
8.1. The power pursuant to Section 37(b) of the Act to authorise another officer, employee or agent of the Council to enter into a contract, on behalf of the Council, where the common seal of the Council is not required.	CEO	NIL
9. Committees		
9.1. The power pursuant to Section 41(1) and (2) of the Act to establish committees.	NIL	NIL

	Direct Delegation from Council	Conditions/ Limitations
9.2. The power pursuant to Section 41(3) of the Act to determine the membership of a committee.	NIL	NIL
9.3. The power pursuant to Section 41(4) of the Act to appoint a person as a presiding member of a committee, or to make provision for the appointment of a presiding member.	NIL	NIL
9.4. The power pursuant to Section 41(6) of the Act to appoint the principal member of the Council as an ex officio member of a committee.	NIL	NIL
9.5. The power and duty pursuant to Section 41(8) of the Act, to, when establishing a committee, determine the reporting and other accountability requirements that are to apply in relation to the committee.	NIL	NIL
10. Delegations		
10.1. The duty pursuant to Section 44(6) of the Act to cause a separate record to be kept of all delegations under the Act.	CEO	NIL
10.2. The duty pursuant to Section 44(7) of the Act to make available the record of delegations for inspection (without charge) by the public at the principal office of the Council during ordinary office hours.	CEO	NIL
11. Principal Office		
11.1. The duty pursuant to Section 45(1) of the Act to nominate a place as the principal office of the Council for the purposes of the Act.	NIL	NIL
11.2. The power and duty pursuant to Section 45(2) of the Act to determine the hours the principal office of the Council will be open to the public for the transaction of business and the duty to keep the principal office of Council open to the public for the transaction of business during hours determined by the Delegate or the Council.	CEO	NIL
11.3. The power pursuant to Section 45(3) of the Act to consult with the local community in accordance with Council's public consultation policy about the manner, places and times at which the Council's offices will be open to the public for the transaction of business and about any significant changes to those arrangements.	CEO	NIL
12. Commercial Activities		
12.1. Subject to the Act, the power pursuant to Section 46(1) of the Act to, in the performance of the Council's functions, engage in a commercial activity or enterprise ('a commercial project').	CEO	NIL
12.2. The power pursuant to Section 46 (2) of the Act, to, in connection with a commercial project:	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
12.2.1. establish a business;	CEO	NIL
12.2.2. participate in a joint venture, trust, partnership or other similar body.	CEO	NIL
13. Interests in Companies		
13.1. The power pursuant to Section 47(2)(b) of the Act to participate in the formation of, or to become a member of a company limited by guarantee established as a national association to promote and advance the interests of an industry in which local government has an interest.	NIL	NIL
14. Prudential Requirements for Certain Activities		
14.00 The power and duty pursuant to Section 48(aa1) of the Act and in accordance with Section 48(a1) of the Act, to develop and maintain prudential management policies, practices and procedures for the assessment of projects to ensure that the Council -	CEO	Policy submitted to Audit Committee prior to adoption by Council
14.00.1 acts with due care, diligence and foresight; and	CEO	Policy submitted to Audit Committee prior to adoption by Council
14.00.2 identifies and manages risks associated with a project; and	CEO	Policy submitted to Audit Committee prior to adoption by Council
14.00.3 makes informed decisions; and	CEO	Policy submitted to Audit Committee prior to adoption by Council
14.00.4 is accountable for the use of Council and other public resources.	CEO	Policy submitted to Audit Committee prior to adoption by Council
14.0 The duty pursuant to Section 48(a1) of the Act to ensure the prudential management policies, practices and procedures developed by the Council for the purposes of Section 48(aa1) of the Act, are consistent with any regulations made for the purposes of Section 48(a1) of the Act.	CEO	NIL
14.1. Without limiting Section 48(aa1) of the Act, the power and duty pursuant to Section 48(1) of the Act to obtain and consider a report, that addresses the prudential issues set out at Section 48(2) of the Act, before the Council:	NIL	NIL

	Direct Delegation from Council	Conditions/ Limitations
14.1.1. Deliberately left blank.	Deliberately left blank.	Deliberately left blank.
14.1.2. engages in any project (whether commercial or otherwise and including through a subsidiary or participation in a joint venture, trust, partnership or other similar body) -	CEO	NIL
14.1.2.1. where the expected operating expenses calculated on an accrual basis of the Council over the ensuring five years is likely to exceed 20 per cent of the Council's average annual operating expenses over the previous five financial years (as shown in the Council's financial statements); or	NIL	NIL
14.1.2.2. where the expected capital cost of the project over the ensuing five years is likely to exceed \$4,000,000.00 (indexed); or	CEO	NIL
14.1.2.3. where the Council or Delegate considers that it is necessary or appropriate.	NIL	NIL
14.2. Deliberately left blank.	Deliberately left blank.	Deliberately left blank.
14.3. The power and duty pursuant to Section 48(5) of the Act to make a report under Section 48(1) of the Act available for public inspection at the principal office of the Council once the Council has made a decision on the relevant project (and the power to make the report available at an earlier time unless the Council orders that the report be kept confidential until that time).	CEO	NIL
15. Contracts and Tenders Policies		
15.0. The power and duty pursuant to Section 49(a1) of the Act to develop and maintain procurement policies, practices and procedures directed towards:	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.0.1. obtaining value in the expenditure of public money; and	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.0.2. providing for ethical and fair treatment of participants; and	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.0.3. ensuring probity, accountability and transparency in procurement operations.	CEO	Policy submitted to Audit Committee prior to adoption by Council

	Direct Delegation from Council	Conditions/ Limitations
15.1. Without limiting Section 49(a1) of the Act, the power and duty pursuant to Section 49(1) of the Act to prepare and adopt policies on contracts and tenders including policies on the following:	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.1.1. the contracting out of services; and	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.1.2. competitive tendering and the use of other measures to ensure that services are delivered cost effectively; and	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.1.3. the use of local goods and services; and	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.1.4. the sale or disposal of land or other assets.	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.2. The power and duty pursuant to Section 49(2) of the Act to ensure that any policies on contracts and tenders:	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.2.1. identify circumstances where the Council will call for tenders for the supply of goods, the provision of services or the carrying out of works, or the sale or disposal of land or other assets; and	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.2.2. provide a fair and transparent process for calling tenders and entering into contracts in those circumstances; and	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.2.3. provide for the recording of reasons for entering into contracts other than those resulting from the tender process; and	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.2.4. are consistent with any requirement prescribed by the regulations.	CEO	Policy submitted to Audit Committee prior to

	Direct Delegation from Council	Conditions/ Limitations
		adoption by Council
15.1. The power pursuant to Section 49(3) of the Act to, at any time, alter a policy under Section 49 of the Act, or substitute a new policy or policies (but not so as to affect any process that has already commenced).	CEO	Policy submitted to Audit Committee prior to adoption by Council
15.2. The duty pursuant to Section 49(4) of the Act to make available for inspection (without charge) a policy adopted under this Section at the principal office of Council during office hours.	CEO	NIL
16. Public Consultation Policies		
16.1. The power and duty pursuant to Section 50(1) and (2) of the Act to prepare and adopt a public consultation policy which sets out the steps the Council will follow:	CEO	Policy to be adopted by Council
16.1.1. in cases where the Act requires the Council to follow its public consultation policy; and	CEO	Policy to be adopted by Council
16.1.2. in other cases involving Council decision making, if relevant.	CEO	Policy to be adopted by Council
16.2. The duty pursuant to Section 50(3) of the Act to include in the steps set out in the public consultation policy reasonable opportunities for interested persons to make submissions in cases where the Act requires the Council to follow its public consultation policy and to make other arrangements appropriate to other classes of decisions, within the scope of the policy.	CEO	Policy to be adopted by Council
16.3. The duty pursuant to Section 50(4) of the Act to ensure that the public consultation policy, in cases where the Act requires the policy to be followed, provides for:	CEO	Policy to be adopted by Council
16.3.1. the publication of a notice:	CEO	Policy to be adopted by Council
16.3.1.1. in a newspaper circulating within the area of the Council; and	CEO	Policy to be adopted by Council
16.3.1.2. on a website determined by the Chief Executive Officer,	CEO	Policy to be adopted by Council
16.3.1.3. describing the matter under consideration and inviting interested persons to	CEO	Policy to be adopted by

	Direct Delegation from Council	Conditions/ Limitations
make submissions in relation to the matter within a period (which must be at least 21 days) stated in the notice; and		Council
16.3.2. the consideration of any submissions made in response to that invitation.	CEO	Policy to be adopted by Council
16.4. The power pursuant to Section 50(5) of the Act, to, from time to time, alter the Council's public consultation policy, or substitute a new policy.	CEO	Policy to be adopted by Council
16.5. Before the Council or the Delegate adopts a public consultation policy or alters, or substitutes a public consultation policy, the duty pursuant to Section 50(6) of the Act to:	CEO	Policy to be adopted by Council
16.5.1. prepare a document that sets out its proposal in relation to the matter; and	CEO	Policy to be adopted by Council
16.5.2. publish in a newspaper circulating within the area of the Council, a notice of the proposal inviting interested persons to make submissions on the proposal within a period stated in the notice, which must be at least one month.	CEO	Policy to be adopted by Council
16.5.3. consider any submissions made in response to an invitation made under Section 50(6)(d) of the Act.	CEO	Policy to be adopted by Council
16.6. The power pursuant to Section 50(7) of the Act to determine if the alteration of a public consultation policy is of minor significance that would attract little or no community interest.	CEO	Policy to be adopted by Council
16.7. The duty pursuant to Section 50(8) of the Act to ensure the public consultation policy is available for inspection (without charge) at the principal office of Council during ordinary office hours.	CEO	NIL
17. Deliberately left blank.	Deliberately left blank.	Deliberately left blank.
18. Inspection of Register		
18.1. The duty pursuant to Section 70(1) of the Act to make available for inspection (without charge) the Register of Interests at the principal office of the Council during ordinary office hours.	CEO	NIL
19. Reimbursement of Expenses		
19.1. The power pursuant to Section 77(1)(b) of the Act to reimburse to members of the Council expenses of a kind prescribed for the purposes of Section 77(1)(b) of the Act and approved by the Council (either specifically or under a policy established by the Council for these purposes) incurred in performing or	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
discharging official functions and duties.		
19.2. The duty pursuant to Section 77(3) of the Act to make available for inspection (without charge) any policy of Council concerning these reimbursements at the principal office of the Council during ordinary office hours.	CEO	NIL
20. Register of Allowances and Benefits		
20.1. The duty pursuant to Section 79(3) of the Act to make available for inspection (without charge) the Register of Allowances and Benefits, at the principal office of the Council during ordinary office hours.	CEO	NIL
21. Insurance of members		
21.1. The duty pursuant to Section 80 of the Act to take out a policy of insurance insuring every member of the Council and a spouse, domestic partner or another person who may be accompanying a member of the Council, against risks associated with the performance or discharge of official functions and duties by members.	CEO	NIL
22. Training and Development		
22.1. The power and duty pursuant to Section 80A(1) of the Act to prepare a training and development policy in accordance with Section 80A(2) of the Act for the Council's members.	CEO	Policy to be adopted by Council
22.2. The duty pursuant to Section 80A(2) of the Act to ensure that the Council's training and development policy is aimed at assisting the Council's members in the performance and discharge of their functions and duties.	CEO	Policy to be adopted by Council
22.3. The power pursuant to Section 80A(3) of the Act to, from time to time, alter the Council's training and development policy or substitute a new policy.	CEO	Policy to be adopted by Council
22.4. The duty pursuant to Section 80A(4) and (5) of the Act to make available the training and development policy for inspection (without charge) at the principal office of the Council during ordinary office hours and for purchase (on payment of a fee fixed by the Council).	CEO	NIL
23. Committee Meetings		
23.1. The power pursuant to Section 87(1) of the Act and in accordance with Section 87(2) of the Act to determine the times and places of ordinary meetings of Council committees.	NIL	NIL
23.2. The duty pursuant to Section 87(2) of the Act in appointing a time for the holding of an ordinary meeting	NIL	NIL

	Direct Delegation from Council	Conditions/ Limitations
of a Council committee to take into account:		
23.2.1. the availability and convenience of members of the committee; and	NIL	NIL
23.2.2. the nature and purpose of the committee.	NIL	NIL
24. Meetings To Be Held in Public Except in Special Circumstances		
24.1. The duty pursuant to Section 90(7) of the Act to make a note in the minutes of the making of an order under Section 90(2) of the Act and the grounds on which it was made.	CEO	NIL
24.2. The power pursuant to Section 90(8a)(a) of the Act to adopt a policy on the holding of informal gatherings or discussions subject to Section 90(8b) of the Act.	CEO	NIL
24.3. The power pursuant to Section 90(8c) of the Act, to, from time to time, alter the Council's policy or substitute a new policy.	CEO	NIL
25. 25. Minutes and Release of Documents		
25.1. The duty pursuant to Section 91(3) to supply each member of the Council with a copy of all minutes of the proceedings of the Council or Council committee meeting, within 5 days after that meeting.	CEO	NIL
25.2. Subject to Section 91(7), the duty pursuant to Section 91(4) of the Act to place a copy of the minutes of a meeting of the Council on public display in the principal office of the Council within 5 days after the meeting and to keep those minutes on display for a period of 1 month.	CEO	NIL
25.3. Subject to Section 91(7) of the Act, the duty pursuant to Section 91(5) of the Act to make available for inspection, without payment of a fee, at the principal office of the Council:	CEO	NIL
25.3.1. minutes of the Council and Council committee meetings; and	CEO	NIL
25.3.2. reports to the Council or to a Council committee received at a meeting of the Council or Council committee; and	CEO	NIL
25.3.3. recommendations presented to the Council in writing and adopted by resolution of the Council; and	CEO	NIL
25.3.4. budgetary or other financial statements adopted by the Council.	CEO	NIL
26. Access to Meetings and Documents – Code of Practice		
26.1. The power and duty pursuant to Section 92(1) of the Act, and subject to Section 92(4) of the Act, to	CEO	Subject To Council

	Direct Delegation from Council	Conditions/ Limitations
prepare and adopt a Code of Practice relating to the principles, policies, procedures and practices that the Council will apply for the purposes of the operation of Parts 3 and 4 of Chapter 6 of the Act.		Approval
26.2. The power and duty pursuant to Section 92(2) of the Act to review the operation of the Council's Code of Practice within 12 months after the conclusion of each periodic election.	CEO	Subject To Council Approval
26.3. The power pursuant to Section 92(3) of the Act, to, at any time, alter the Council's code of practice or substitute a new code of practice.	CEO	Subject To Council Approval
26.4. The duty pursuant to Section 92(5) of the Act to ensure that before the Council or the Delegate adopts, alters or substitutes a code of practice that:	CEO	NIL
26.4.1. copies of the proposed code, alterations or substitute code (as the case may be) are made available for inspection or purchase at the Council's principal office and available for inspection on a website determined by the Chief Executive Officer; and	CEO	NIL
26.4.2. the relevant steps set out in the Council's Public Consultation Policy are followed.	CEO	NIL
26.5. The duty pursuant to Section 92(6) and (7) of the Act to ensure that the Code of Practice is available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of Council during ordinary office hours.	CEO	NIL
27. Meetings of Electors		
27.1. The power pursuant to Section 93(1) of the Act to convene a meeting of electors of the area or part of the area of the Council.	CEO	NIL
27.2. The duty pursuant to Section 93(11) of the Act to provide each member of the Council with a copy of the minutes of any meeting of electors within 5 days of that meeting.	CEO	NIL
27.3. The power pursuant to Section 93(14) of the Act to determine the procedure for the purposes of making a nomination under Sections 93(3)(a)(ii) or 93(3)(b)(ii).	CEO	NIL
28. Obstructing of Meetings		
28.1. The power pursuant to Section 95 of the Act to take proceedings under the Act against a person who intentionally obstructs or hinders proceedings at a meeting of the Council or a Council committee or at a meeting of electors.	CEO	NIL
29. Register of Remuneration Salaries and Benefits		

	Direct Delegation from Council	Conditions/ Limitations
29.1. The duty pursuant to Section 105(3) of the Act to make available the Register of Salaries of employees of the Council for inspection by the public at the principal office of the Council during ordinary office hours.	CEO	NIL
30. Certain Periods Of Service To Be Regarded As Continuous		
30.1. The duty pursuant to Sections 106(2) and 106(2a) of the Act to ensure any other council receives within one month of the Council having received written notice requiring payment, the appropriate contribution to an employee's service benefits.	CEO	NIL
30.2. The duty pursuant to Section 106(4) of the Act to supply to any other council, at its request, details of the service of an employee or former employee of the Council.	CEO	NIL
30.3. The duty pursuant to Section 106(5) of the Act to hold and apply a payment or contribution received by the Council under Section 106 in accordance with the Regulations.	CEO	NIL
31. Deliberately left blank	Deliberately left blank	Deliberately left blank
32. Application of Division		
32.1. The power pursuant to Section 111(b) of the Act to declare any other officer, or any other officer of a class, to be subject to the operation of Chapter 7, Part 4, Division 1 of the Act.	CEO	NIL
33. Certain Aspects of Strategic Management Plans		
33.1. The duty pursuant to Section 122(6) of the Act to develop a process or processes to ensure that members of the public are given a reasonable opportunity to be involved in the Council's development and review of its strategic management plans.	CEO	NIL
33.2. The duty pursuant to Section 122(7) of the Act to ensure that copies of the Council's strategic management plans are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.	CEO	NIL
34. Annual Business Plans and Budgets		
34.1. Before the Council adopts an annual business plan, the duty pursuant to Section 123(3) of the Act to, -	CEO	NIL
34.1.1. prepare a draft annual business plan; and	CEO	NIL
34.1.2. follow the relevant steps set out in the Council's public consultation policy, taking into account and complying with the requirements of Section 123(4) of the Act.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
34.2. The duty pursuant to Section 123(5) of the Act to ensure that copies of the draft annual business plan are available at the meeting arranged pursuant to and in accordance with Section 123(4)(a)(i) and (4)(b) of the Act, and for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council and on the website at least 21 days before the date of that meeting	CEO	NIL
34.3. The duty pursuant to Section 123(5a) of the Act to ensure that provision is made for:	CEO	NIL
34.3.1. a facility for asking and answering questions; and	CEO	NIL
34.3.2. the receipt of submissions,	CEO	NIL
on the Council's website during the public consultation period.	CEO	NIL
34.4. After the Council has adopted an annual business plan and a budget, the duty, pursuant to Section 123(9) of the Act, to:	CEO	NIL
34.4.1. ensure:	CEO	NIL
34.4.1.1. that a summary of the annual business plan is prepared in accordance with the requirements set out at Sections 123(10), (11) and (12) of the Act, so as to assist in promoting public awareness of the nature of the Council's services and the Council's rating and financial management policies, taking into account its objectives and activities for the ensuing financial year; and	CEO	NIL
34.4.1.2. that a copy of the summary of the annual business plan accompanies the first rates notice sent to ratepayers after the declaration of the Council's rates for the financial year; and	CEO	NIL
34.4.2. ensure:	CEO	NIL
34.4.2.1. that copies of the annual business plan and the budget (as adopted) are available for inspection (without charge) or purchase (on payment of a fee fixed by the Council); and	CEO	NIL
34.4.2.2. that copies of the summary of the annual business plan are available for inspection and to take (without charge),	CEO	NIL
34.4.2.3. at the principal office of the Council; and		
34.4.3. ensure that electronic copies of the annual business plan and the budget (as adopted) are published on a website determined by the Chief Executive Officer.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
35. Accounting Records to be Kept		
35.1. The duty pursuant to Section 124(1) of the Act to:	CEO	NIL
35.1.1. keep such accounting records as correctly and adequately record and explain the revenues, expenses, assets and liabilities of the Council;	CEO	NIL
35.1.2. keep the Councils accounting records in such manner as will enable:	CEO	NIL
35.1.2.1. the preparation and provision of statements that fairly present financial and other information; and	CEO	NIL
35.1.2.2. the financial statements of the Council to be conveniently and properly audited.	CEO	NIL
35.2. The power pursuant to Section 124(2) to determine the form or forms and the place or places (within the state) to keep the accounting records of the Council.	CEO	NIL
36. Internal Control Policies		
36.1. The duty pursuant to Section 125 of the Act to ensure that appropriate policies, practices and procedures of internal control are implemented and maintained in order to assist the Council to carry out its activities in an efficient and orderly manner, to achieve its objectives, to ensure adherence to management policies, to safeguard the Council's assets, and to secure (as far as possible) the accuracy and reliability of the Council's records.	CEO	NIL
37. Audit Committee		
37.1. The power and duty pursuant to Section 126(1) of the Act to appoint an audit committee in accordance with Section 126(2) of the Act.	NIL	NIL
37.2. If an audit committee is appointed by the Delegate or the Council, the power to determine the membership of any audit committee in accordance with Section 126(2) of the Act.	NIL	NIL
38. Financial Statements		
38.1. The duty pursuant to Section 127(1) of the Act to prepare for each financial year:	CEO	NIL
38.1.1. financial statements and notes in accordance with standards prescribed by the regulations; and	CEO	NIL
38.1.2. other statements and documentation referring to the financial affairs of the Council required by the Regulations.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
38.2. The duty pursuant to Section 127(2) of the Act to ensure that the financial statements prepared for the Council pursuant to Section 127(1) of the Act:	CEO	NIL
38.2.1. are prepared as soon as is reasonably practicable after the end of the relevant financial year and in any event before the day prescribed by the Regulations; and	CEO	NIL
38.2.2. comply with standards and principles prescribed by the Regulations; and	CEO	NIL
38.2.3. include the information required by the Regulations.	CEO	NIL
38.3. The duty pursuant to Section 127(3) of the Act to submit for auditing by the Council's auditor the statements prepared for each financial year.	CEO	NIL
38.4. The duty pursuant to Section 127(4) of the Act to submit a copy of the auditor's statements to the persons or bodies prescribed by the Regulations on or before the day prescribed by the Regulations.	CEO	NIL
38.5. The duty pursuant to Section 127(5) of the Act to ensure that copies of the Council's audited statements are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.	CEO	NIL
39. The Auditor		
39.1. The power and duty pursuant to and in accordance with Section 128(2), (3) (4), (4a), (5), (6), (7) and (8) of the Act to appoint an auditor on the recommendation of the Council's audit committee.	NIL	NIL
39.2. The duty pursuant to Section 128(8) of the Act to comply with any requirements prescribed by the Regulations with respect to providing for the independence of the auditor.	CEO	NIL
39.3. The duty pursuant to Section 128(9) of the Act to ensure that the following information is included in the Council's annual report:	CEO	NIL
39.3.1. information on the remuneration payable to the Council's auditor for work performed during the relevant financial year, distinguishing between:	CEO	NIL
39.3.1.1. remuneration payable for the annual audit of the Council's financial statements; and	CEO	NIL
39.3.1.2. other remuneration;	CEO	NIL
39.3.2. 39.3.2 if a person ceases to be the auditor of the Council during the relevant financial year, other than by virtue of the expiration of his or her term of appointment and is not being	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
reappointed to the office - the reason or reasons why the appointment of the Council's auditor came to an end.		
40. Conduct of Audit		
40.1. The duty pursuant to Section 129(9) of the Act to ensure the opinions under Section 129(3) of the Act provided to Council under Section 129 of the Act accompany the financial statements of the Council.	CEO	NIL
41. Other Investigations		
41.1. The power, pursuant to and in accordance with Sections 130A(1) and (2) of the Act, as the Delegate thinks fit, to request the Council's auditor, or some other person determined by the Delegate to be suitably qualified in the circumstances, to examine and report on any matter relating to financial management, or the efficiency and economy with which the Council manages or uses its resources to achieve its objectives, that would not otherwise be addressed or included as part of an annual audit under Division 4 of Chapter 8 of the Act and that is considered by the Delegate to be of such significance as to justify an examination under this Section.	NIL	NIL
41.2. Unless Section 130A(7) of the Act applies, the duty pursuant to Section 130A(6) of the Act to place the report prepared pursuant to Section 130A(1) of the Act on the agenda for consideration:	CEO	NIL
41.2.1. unless Section 130A(6)(b) of the Act applies – at the next ordinary meeting of the Council in accordance with Section 130A(6)(a), of the Act;	CEO	NIL
41.2.2. if the agenda for the next ordinary meeting of the Council has already been sent to members of the Council at the time that the report is provided to the principal member of the Council – at the ordinary meeting of the Council next following the meeting for which the agenda has already been sent unless the principal member of the Council determines, after consultation with the Chief Executive Officer, that the report should be considered at the next meeting of the Council as a late item on the agenda in accordance with Section 130A(6)(b) of the Act.	CEO	NIL
42. Annual Report to be Prepared and Adopted		
42.1. The duty pursuant to Section 131(1) of the Act and in accordance with Sections 131(2) and (3) of the Act, to prepare and adopt on or before 30 November each year, an annual report relating to the operations of the Council for the financial year ending on the preceding 30 June.	CEO	Subject to Council Approval
42.2. The duty pursuant to Section 131(2) and (3) of the Act to include in that report the material, and include specific reports on the matters, specified in Schedule 4 as amended from time to time by regulation.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
42.3. The duty pursuant to Section 131(4) of the Act to provide a copy of the annual report to each member of the Council.	CEO	NIL
42.4. The duty pursuant to Section 131(5) of the Act to submit a copy of the annual report to:	CEO	NIL
42.4.1. the Presiding Member of both Houses of Parliament; and	CEO	NIL
42.4.2. to the persons or body prescribed by the Regulations,	CEO	NIL
on or before the date determined under the Regulations.	CEO	NIL
42.5. The power pursuant to Section 131(7) of the Act to provide to the electors for the area an abridged or summary version of the annual report.	CEO	NIL
42.6. The duty pursuant to Section 131(8) of the Act to ensure that copies of Council's annual report are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.	CEO	NIL
43. Access to Documents		
43.1. The duty pursuant to Section 132(1) of the Act to ensure a member of the public is able:	CEO	NIL
43.1.1. to inspect a document referred to in Schedule 5 of the Act at the principal office of the Council during ordinary office hours without charge; and	CEO	NIL
43.1.2. to purchase a document referred to in Schedule 5 to the Act at the principal office of the Council during ordinary office hours for a fee fixed by the Council.	CEO	NIL
43.2. The power pursuant to Section 132(2) of the Act to make a document available in electronic form for the purposes of Section 132(1)(a).	CEO	NIL
43.3. The power and duty, pursuant to and in accordance with Section 132 (3) of the Act, to make the following documents available for inspection on a website determined by the Chief Executive Officer within a reasonable time after they are available at the principal office of the Council:	CEO	NIL
43.3.1. agendas for meetings of the Council or Council committees;	CEO	NIL
43.3.2. minutes of meetings of the Council or Council committees;	CEO	NIL
43.3.3. codes of conduct or codes of practice adopted by the Council under this Act or the Local Government (Elections) Act 1999;	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
43.3.4. the Council's contract and tenders policies, public consultation policy and order-making policies;	CEO	NIL
43.3.5. the Council's draft annual business plan, annual business plan (as adopted by the council) and the summary of the annual business plan required under Part 2 of this Chapter;	CEO	NIL
43.3.6. the Council's budget (as adopted by the Council for a particular year);	CEO	NIL
43.3.7. a list of fees and charges imposed by the Council under this Act;	CEO	NIL
43.3.8. by-laws made by the Council and any determination in respect of a by-law made under Section 246(3)(e) of the Act;	CEO	NIL
43.3.9. procedures for the review of decisions established by the Council under Part 2 of Chapter 13;	CEO	NIL
43.3.10. the audited financial statements of the Council;	CEO	NIL
43.3.11. the annual report of the Council;	CEO	NIL
43.3.12. the Council's most recent information statement under the Freedom of Information Act 1991, unless the Council provides it as part of the annual report of the Council.	CEO	NIL
44. Related Administrative Standards		
44.1. The power and duty pursuant to Section 132A of the Act to ensure that appropriate policies, practices and procedures are implemented and maintained in order:	CEO	NIL
44.1.1. to ensure compliance with any statutory requirements; and	CEO	NIL
44.1.2. to achieve and maintain standards of good public administration.	CEO	NIL
45. Sources of Funds		
45.1. Subject to the Act, the power pursuant to Section 133 of the Act to obtain funds as permitted under the Act or another Act and as may otherwise be appropriate in order to carry out the Council's functions under the Act or another Act.	CEO	NIL
46. Ability of a Council to Give Security		
46.1. The power pursuant to Section 135(1) of the Act and subject to Section 135(2) of the Act to provide various forms of security, including:	NIL	NIL

	Direct Delegation from Council	Conditions/ Limitations
46.1.1. guarantees (including guarantees relating to the liability of a subsidiary of the Council);	NIL	NIL
46.1.2. debentures charged on the general revenue of the Council (including to support a guarantee provided under Section 135(1) of the Act);	NIL	NIL
46.1.3. bills of sale, mortgages or other charges (including to support a guarantee provided under Section 135(1)(a) of the Act.	NIL	NIL
46.2. The power and duty pursuant to Section 135(2) of the Act, if the Council or the Delegate proposes to issue debentures on the general revenue of the Council to:	CEO	NIL
46.2.1. assign a distinguishing classification to the debentures to be included in the issue so as to distinguish them from those included or to be included in previous or subsequent issues; and	CEO	NIL
46.2.2. if the debentures are being offered generally to members of the public, appoint a trustee for the debenture holders.	CEO	NIL
47. Expenditure of Funds		
47.1. Subject to the Act or another Act, the power pursuant to Section 137 of the Act to expend the Council's approved budgeted funds in the exercise, performance or discharge of the Council's powers, functions or duties under the Act or other Acts.	CEO	NIL
48. Investment Powers		
48.1. The power pursuant to Section 139(1) of the Act to invest money under the Council's control.	CEO	NIL
48.2. The duty pursuant to Section 139(2) of the Act in exercising the power of investment, to:	CEO	NIL
48.2.1. exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and	CEO	NIL
48.2.2. avoid investments that are speculative or hazardous in nature.	CEO	NIL
48.3. The duty pursuant to Section 139(3) of the Act to take into account when exercising the power of investment, so far as is appropriate in the circumstances and without limiting the matters which may be taken into account, the following matters:	CEO	NIL
48.3.1. the purposes of the investment;	CEO	NIL
48.3.2. the desirability of diversifying Council investments;	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
48.3.3. the nature of and risk associated with existing Council investments;	CEO	NIL
48.3.4. the desirability of maintaining the real value of the capital and income of the investment;	CEO	NIL
48.3.5. the risk of capital or income loss or depreciation;	CEO	NIL
48.3.6. the potential for capital appreciation;	CEO	NIL
48.3.7. the likely income return and the timing of income return;	CEO	NIL
48.3.8. the length of the term of a proposed investment;	CEO	NIL
48.3.9. the period for which the investment is likely to be required;	CEO	NIL
48.3.10. the liquidity and marketability of a proposed investment during, and on determination of, the term of the investment;	CEO	NIL
48.3.11. the aggregate value of the assets of the Council;	CEO	NIL
48.3.12. the likelihood of inflation affecting the value of a proposed investment;	CEO	NIL
48.3.13. the costs of making a proposed investment;	CEO	NIL
48.3.14. the results of any review of existing Council investments.	CEO	NIL
48.4. Subject to the matters specified in Section 139(3) of the Act, the power pursuant to Section 139(4) of the Act, so far as may be appropriate in the circumstances, to have regard to:	CEO	NIL
48.4.1. the anticipated community benefit from an investment; and	CEO	NIL
48.4.2. the desirability of attracting additional resources into the local community.	CEO	NIL
48.5. The power pursuant to Section 139(5) of the Act to obtain and consider independent and impartial advice about the investment of funds or the management of the Council's investments from the person whom the Delegate reasonably believes to be competent to give the advice.	CEO	NIL
49. Review of Investment		
49.1. The duty pursuant to Section 140 of the Act to review the performance (individually and as a whole) of the Council's investments, at least once in each year.	CEO	NIL
50. Gifts to a Council		

	Direct Delegation from Council	Conditions/ Limitations
50.1. Within the confines of Section 44(3) of the Act:	CEO	NIL
50.1.1. the power pursuant to Section 141(1) of the Act to accept a gift made to the Council;	CEO	NIL
50.1.2. the power pursuant to Section 141(2) of the Act to carry out the terms of any trust (if any) that affects a gift to Council;	CEO	NIL
50.1.3. the power pursuant to Section 141(3) of the Act to apply to the Supreme Court for an order varying the terms of a trust for which the Council has been constituted a trustee;	CEO	NIL
50.1.4. where a variation is sought in the terms of a trust, the duty pursuant to Section 141(4) of the Act to give notice describing the nature of the variation by public notice and in any other such manner as may be directed by the Supreme Court; and	CEO	NIL
50.1.5. the duty pursuant to Section 141(6) of the Act to publish a copy of any order of the Supreme Court to vary the terms of the trust, in the Gazette, within 28 days after that order is made.	CEO	NIL
51. Duty to Insure Against Liability		
51.1. The duty pursuant to Section 142 of the Act to take out and maintain insurance to cover the Council's civil liabilities at least to the extent prescribed by the Regulations.	CEO	NIL
52. Writing off Bad Debts		
52.1. The power pursuant to Section 143(1) of the Act to write off any debts owed to the Council:	CEO	Submitted to Audit Committee prior to consideration by Council
52.1.1. if the Council has no reasonable prospect of recovering the debts; or	CEO	Subject to a Report to Audit Committee
52.1.2. if the costs of recovery are likely to equal or exceed the amount to be recovered,	CEO	Subject to a Report to Audit Committee
up to and including an amount of \$5,000.00 in respect of any one debt.	CEO	NIL
52.2. The duty pursuant to Section 143(2) of the Act to ensure that no debt is written off unless the Chief Executive Officer has certified:	CEO	NIL
52.2.1. reasonable attempts have been made to recover the debt; or	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
52.2.2. the costs of recovery are likely to equal or exceed the amount to be recovered.	CEO	NIL
53. Recovery of Amounts due to Council		
53.1. The power pursuant to Section 144(1) of the Act to recover as a debt, by action in a Court of competent jurisdiction, any fee, charge, expense or other amount recoverable from a person or payable by a person under this or another Act.	CEO	NIL
53.2. The power pursuant to Section 144(2), (3) and (4) of the Act to recover any fee, charge, expense or other amount as if it were a rate declared on the property, after giving at least 14 days notice requiring payment, where the fee, charge, expense or other amount payable to the Council relates to something done in respect of rateable or other property.	CEO	NIL
54. Land Against Which Rates May be Assessed		
54.1. The power and duty pursuant to Section 148(2) of the Act to make decisions about the division of land and the aggregation of land for the purposes of Section 148(1) of the Act fairly and in accordance with principles and practices that apply on a uniform basis across the area of the Council.	CEO	NIL
55. Basis of Rating		
55.1. Before the Council:	CEO	NIL
55.1.1. changes the basis of the rating of any land (including by imposing differential rates on land that has not been differentially rated in the preceding financial year, or by no longer imposing differential rates on land that has been differentially rated in the preceding financial year); or	CEO	NIL
55.1.2. changes the basis on which land is valued for the purposes of rating; or	CEO	NIL
55.1.3. changes the imposition of rates on land by declaring or imposing a separate rate, service rate or service charge on any land;	CEO	NIL
55.1.4. the power and duty pursuant to Section 151(5)(d) and (e) of the Act to:	CEO	NIL
55.1.5. prepare a report on the proposed change in accordance with Section 151(6) of the Act; and	CEO	NIL
55.1.6. follow the relevant steps set out in its public consultation policy in accordance with Section 151(7) of the Act.	CEO	NIL
55.2. The duty pursuant to Section 151(8) of the Act to ensure that copies of the report required under Section 151(5)(d) of the Act are available at the meeting held under Section 151(7)(a)(i) of the Act, and for	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council at least 21 days before the end of the period for public consultation.		
56. General Rates		
56.1. The power pursuant to Section 152(2)(d) and (3) of the Act to determine, on application, if two or more pieces of rateable land within the area of the Council constitute a single farm enterprise.	CEO	NIL
57. Service Rates and Service Charges		
57.1. The duty pursuant to Section 155(6) of the Act, subject to Section 155(7) of the Act, to apply any amounts held in a reserve established in connection with the operation of Section 155(5) of the Act for purposes associated with improving or replacing Council assets for the purposes of the relevant prescribed service.	CEO	NIL
57.2. The power pursuant to Section 155(7) of the Act, if a prescribed service under Section 155(6) of the Act is, or is to be, discontinued, to apply any excess funds held by the Council for the purposes of the service (after taking into account any expenses incurred or to be incurred in connection with the prescribed service) for another purpose specifically identified in the Council's annual business plan as being the purpose for which the funds will now be applied.	CEO	NIL
58. Basis of Differential Rates		
58.1. The power pursuant to Section 156(3), (9), (10), (11) of the Act to attribute the use of the land for any basis for a differential rate and to decide objections to any of those attributions.	CEO	NIL
58.2. The power and duty pursuant to Section 156(14a) of the Act, before the Council changes from declaring differential rates in relation to any land on the basis of a differentiating factor under either paragraphs (a), (b) or (c) of Section 156(1) of the Act to a differentiating factor under another of those paragraphs, to -	CEO	NIL
58.2.1. prepare a report on the proposed change in accordance with Section 156(14b) of the Act; and	CEO	NIL
58.2.2. follow the relevant steps set out in its public consultation policy in accordance with Section 156(14d) of the Act.	CEO	NIL
58.3. The duty pursuant to Section 156(14e) of the Act to ensure that copies of the report required under Section 156(14a)(a) of the Act are available at the meeting held under Section 156(14d)(a)(i); and for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
office of the Council at least 21 days before the end of the period for public consultation.		
59. Notice of Differentiating Factors		
59.1. If the Council declares differential rates, the duty pursuant to Section 157 of the Act in each rates notice, to specify the differentiating factor or combination of factors that governs the calculation of rates on the land to which the account relates.	CEO	NIL
60. Preliminary		
60.1. The power pursuant to Section 159(1) of the Act to determine the manner and form and such information as the Delegate may reasonably require, for a person or body to apply to the Council to determine if grounds exist for the person or body to receive a rebate of rates.	CEO	NIL
60.2. The power pursuant to Section 159(3) to grant a rebate of rates if satisfied that it is appropriate to do so (whether on application or on the Delegate's own initiative).	CEO	NIL
60.3. The power pursuant to Section 159(4) of the Act to increase the rebate on the Delegate's initiative, if a rebate specifically fixed by Division 5 Chapter 10 of the Act is less than 100%.	CEO	NIL
60.4. The power pursuant to Section 159(10) of the Act to determine, for proper cause, that an entitlement to a rebate of rates in pursuance of Division 5 no longer applies.	CEO	NIL
61. Rebate of Rates - Community Services		
61.1. The power pursuant to Section 161(1) and (3) of the Act to grant a rebate of more than 75% of the rates on land being predominantly used for service delivery or administration (or both) by a community service organisation, where that organisation:	CEO	NIL
61.1.1. is incorporated on a not-for-profit basis for the benefit of the public; and	CEO	NIL
61.1.2. provides community services without charge or for charge that is below the cost to the body of providing their services; and	CEO	NIL
61.1.3. does not restrict its services to persons who are members of the body.	CEO	NIL
62. Rebate of Rates - Educational Purposes		
62.1. The power pursuant to Section 165(1) and (2) of the Act to grant a rebate of rates at more than 75% on land:	CEO	NIL
62.1.1. occupied by a Government school under a lease or license and being used for educational	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
purposes; or		
62.1.2. occupied by non-Government school registered under the Education and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes; or	CEO	NIL
62.1.3. land being used by University or University College to provide accommodation and other forms of support for students on a not-for-profit basis.	CEO	NIL
63. Discretionary Rebates of Rates		
63.1. The duty pursuant to Section 166(1a) of the Act to take into account, in deciding an application for a rebate under Section 166(1)(d), (e), (f), (g), (h), (i) or (j):	NIL	NIL
63.1.1. the nature and extent of the Council's services provided in respect of the land for which the rebate is sought in comparison to similar services provided elsewhere in its area; and	NIL	NIL
63.1.2. the community need that is being met by activities being carried out on the land for which the rebate is sought; and	NIL	NIL
63.1.3. the extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons;	NIL	NIL
63.1.4. any other matter considered relevant by the Council or the Delegate.	NIL	NIL
63.2. The power pursuant to Section 166(1), (2) and (4) of the Act and taking into account Section 166(1a) of the Act and in accordance with Section 166(3b) of the Act to grant a rebate of rates or service charges on such conditions as the Delegate sees fit and such rebate may be up to and including 100% of the relevant rates or service charge, in the following cases:	NIL	NIL
63.2.1. where the rebate is desirable for the purpose of securing the proper development of the area or part of the area;	NIL	NIL
63.2.2. where the rebate is desirable for the purpose of assisting or supporting a business in the area;	NIL	NIL
63.2.3. where the rebate will be conducive to the preservation of buildings or places of historic significance;	NIL	NIL
63.2.4. where the land is being used for educational purposes;	NIL	NIL
63.2.5. where the land is being used for agricultural, horticultural or floricultural exhibitions;	NIL	NIL
63.2.6. where the land is being used for a hospital or health centre;	NIL	NIL

	Direct Delegation from Council	Conditions/ Limitations
63.2.7. where the land is being used to provide facilities or services for children or young persons;	NIL	NIL
63.2.8. where the land is being used to provide accommodation for the aged or disabled;	NIL	NIL
63.2.9. where the land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1997 (Commonwealth) or a day therapy centre;	NIL	NIL
63.2.10. where the land is being used by an organisation which, in the opinion of the Delegate, provides a benefit or a service to the local community;	NIL	NIL
63.2.11. where the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment;	NIL	NIL
63.2.12. where the rebate is considered by the Delegate to be appropriate to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to:	NIL	NIL
63.2.12.1. redistribution of the rates burden within the community arising from a change to the basis or structure of the Council's rates; or	NIL	NIL
63.2.12.2. change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations.	NIL	NIL
63.2.13. where the rebate is considered by the Delegate to be appropriate to provide relief in order to avoid what would otherwise constitute:	NIL	NIL
63.2.13.1. liability to pay a rate or charge that is inconsistent with the liabilities that were anticipated by the Council in its annual business plan; or	NIL	NIL
63.2.13.2. liability that is unfair or unreasonable;	NIL	NIL
63.2.14. where the rebate is to give effect to a review of a decision of the Council under Chapter 13 Part 2; or	NIL	NIL
63.2.15. where the rebate is contemplated under another provision of the Act.	NIL	NIL
63.3. The power pursuant to Section 166(3) of the Act to grant a rebate of rates or charges for a period exceeding 1 year but not exceeding 10 years in the following cases:	NIL	NIL
63.3.1. where the rebate is desirable for the purpose of securing a proper development of the area or	NIL	NIL

	Direct Delegation from Council	Conditions/ Limitations
part of the area; or		
63.3.2. where the rebate is desirable for the purpose of assisting or supporting a business in the area; or	NIL	NIL
63.3.3. where the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment.	NIL	NIL
63.4. The power pursuant to Section 166(3a) of the Act to grant a rebate of rates or charges under Section 166(1)(l) of the Act for a period exceeding 1 year but not exceeding 3 years.	NIL	NIL
64. Valuation of Land for the Purposes of Rating		
64.1. The power pursuant to Section 167(1) of the Act to adopt valuations that are to apply to land within the Council's area, for rating purposes for a particular financial year.	CEO	Subject to Council Approval
64.2. For the purpose of adopting a valuation of land for rating, the duty pursuant to Section 167(2) of the Act and in accordance with Section 167(3), (4) and (5) of the Act, to adopt:	CEO	NIL
64.2.1. valuations made, or caused to be made, by the Valuer-General; or	CEO	NIL
64.2.2. valuations made by a valuer employed or engaged by the Council, or by a firm or consortium of valuers engaged by the Council;	CEO	NIL
or a combination of both.	CEO	NIL
64.3. The duty pursuant to Section 167(6) of the Act to publish a notice of the adoption of valuations in the Gazette, within 21 days after the date of the adoption.	CEO	NIL
65. Valuation of Land		
65.1. 65.1 The power pursuant to Section 168(1) of the Act to request the Valuer-General to value any land within the Council's area (being land that is capable of being separately rated).	CEO	NIL
65.2. The duty pursuant to Section 168(2) of the Act to furnish to the Valuer-General any information requested by the Valuer General for the purposes of valuing land within the area of the Council.	CEO	NIL
65.3. 65.3 The power and duty pursuant to Section 168(3)(b) and (c) of the Act to enter a valuation in the assessment record, as soon as practicable after the valuation has been made and to give notice of the valuation to the principal ratepayer in accordance with the Regulations.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
66.	66. Objections to Valuations Made by Council		
66.1.	The duty pursuant to Section 169(1), (2), (3), (4) and (5) of the Act to refer an objection to a valuation of land to the valuer who made the valuation and to request the valuer to reconsider the valuation, where:	CEO	NIL
66.1.1.	66.1.1 the objection does not involve a question of law; and	CEO	NIL
66.1.2.	66.1.2 the objection is made in writing (setting out a full and detailed statement of the grounds on which the objection is based); and	CEO	NIL
66.1.3.	66.1.3 is made within 60 days after the date of service of the notice of the valuation to which the objection relates (unless the Delegate, in his/her discretion, allows an extension of time for making the objection).	CEO	NIL
66.2.	66.2 The power pursuant to Section 169(3)(b) of the Act to grant an extension of time for making an objection to a valuation of land.	CEO	NIL
66.3.	The duty pursuant to Section 169(7) of the Act to give the objector written notice of the outcome of the reconsideration of the objection.	CEO	NIL
66.4.	The duty pursuant to and in accordance with Section 169(8) and (9) of the Act to refer the valuation to the Valuer-General for further review, if the objector remains dissatisfied with the valuation and requests such further review, provided the request is:	CEO	NIL
66.4.1.	66.4.1 in the prescribed manner and form;	CEO	NIL
66.4.2.	66.4.2 made within 21 days after the objector receives notice of the outcome of his or her initial objection; and	CEO	NIL
66.4.3.	66.4.3 accompanied by the prescribed fee.	CEO	NIL
66.5.	The power pursuant to Section 169(15) of the Act to apply to SACAT for a review of the decision of a valuer after a further review on a request under Section 169(8) of the Act, in accordance with Section 169(15a) of the Act.	CEO	NIL
67.	Notice of Declaration of Rates		
67.1.	The duty pursuant to Section 170 of the Act to ensure the notice of declaration of a rate or service charge is published in the Gazette and in a newspaper circulating in the area within 21 days after the date of the declaration.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
68. Alterations to Assessment Record		
68.1. The power pursuant to Section 173(3) and (5) of the Act to determine the procedure for a review of a decision by the Chief Executive Officer on an application for alteration of the assessment record.	CEO	NIL
68.2. The duty pursuant to Section 173(6) of the Act to give a person written notice of Council's decision on a review of a decision of the Chief Executive Officer concerning alteration of the assessment record.	CEO	NIL
69. Inspection of Assessment Record		
69.1. The duty pursuant to Section 174(1) and (2) of the Act to ensure that the assessment record is available for inspection and purchase of an entry (on payment of a fee fixed by the Council), by the public at the principal office of the Council during ordinary office hours.	CEO	NIL
70. Liability for Rates		
70.1. The power pursuant to Section 178(3) of the Act and subject to Section 178(9) of the Act to recover rates as a debt from:	CEO	NIL
70.1.1. the principal ratepayer; or	CEO	NIL
70.1.2. any other person (not being a principal ratepayer) who is an owner or occupier of the land; or	CEO	NIL
70.1.3. any other person who was at the time of the declaration of the rates an owner or occupier of the land.	CEO	NIL
70.2. The power pursuant to Section 178(4) of the Act by written notice to a lessee or a licensee of land in respect of which rates have fallen due, to require him or her to pay to the Council rent or other consideration payable under the lease or a licence in satisfaction of any liability for rates.	CEO	NIL
70.3. Where a notice under Section 178(4) of the Act is given to a lessee or a licensee of land, the power pursuant to Section 178(5) of the Act to make and give notice of an additional charge of 5% of the amount in arrears, as payable and recoverable as part of the debt for unpaid rates.	CEO	NIL
70.4. The power pursuant to Section 178(6) of the Act to remit the charge of 5% of the amount in arrears payable under the Act in whole or in part.	CEO	NIL
71. 71. Liability for Rates if Land is Not Rateable for the Whole of the Financial Year		
71.1. The power pursuant to Section 179(2) of the Act to adopt a valuation of land that has become rateable after the adoption of valuations by the Council for the relevant financial year.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
71.2. The duty pursuant to Section 179(5) of the Act to refund to the principal ratepayer an amount proportionate to the remaining part of the financial year, if land ceases to be rateable during the course of a financial year and the rates have been paid.	CEO	NIL
72. Service of Rate Notice		
72.1. The duty pursuant to Section 180(1) of the Act and in accordance with Section 180(2) of the Act to send to the principal ratepayer or, in the case of a service charge, the owner or occupier of the relevant land, a rates notice, as soon as practicable after:	CEO	NIL
72.1.1. the declaration of a rate; or	CEO	NIL
72.1.2. the imposition of a service charge; or	CEO	NIL
72.1.3. a change in the rates liability of land.	CEO	NIL
73. Payment of Rates – General Principles		
73.1. The power pursuant to Section 181(2) of the Act to determine the day on which each instalment of rates falls due in the months of September, December, March and June of the financial year for which the rates are declared.	CEO	NIL
73.2. If the Council declares a general rate for a particular financial year after 31 August in that financial year, the power, pursuant to Section 181(3) of the Act, to adjust the months in which instalments would otherwise be payable under Section 181(1) (taking into account what is reasonable in the circumstances).	CEO	NIL
73.3. The power pursuant to Section 181(4)(b) of the Act to agree with the principal ratepayer that rates will be payable in such instalments falling due on such days as may be specified in the agreement and in that event, the ratepayer's rates will then be payable accordingly.	CEO	NIL
73.4. The duty pursuant to Section 181(5) of the Act in relation to each instalment of rates to send a rates notice to the principal ratepayer shown in the assessment record in respect of the land setting out in accordance with Sections 181(6) and (7) of the Act:	CEO	NIL
73.4.1. the amount of the instalment; and	CEO	NIL
73.4.2. the date on which the instalment falls due, or in the case where payment is to be postponed under another provision of the Act, the information prescribed by the Regulations.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
73.5. The power pursuant to Section 181(7a) of the Act where the Council has entered into an agreement with a principal rate payer under Section 181(4)(b) of the Act, as part of the agreement, to vary the periods for the provision of a notice under Section 181(7) of the Act.	CEO	NIL
73.6. The power pursuant to Section 181(9) of the Act to remit any amount payable under Section 181(8) of the Act in whole or in part.	CEO	NIL
73.7. The power pursuant to Section 181(11) of the Act to grant discounts or other incentives in order to encourage:	CEO	NIL
73.7.1. the payment of instalments of rates in advance; or	CEO	NIL
73.7.2. prompt payment of rates.	CEO	NIL
73.8. The power pursuant to Section 181(12)(b) of the Act to impose a surcharge or administrative levy not exceeding 1% of the rates payable in a particular financial year with respect to the payment of rates by instalments under Section 181(4)(b) of the Act.	CEO	NIL
73.9. The power pursuant to Section 181(13) and subject to Section 44(3)(b) of the Act in relation to the payment of separate rates or service rates, by written notice incorporated in a notice for the payment of those rates sent to the principal ratepayer shown in the assessment record in respect of the land at the address shown in the assessment record, at least 30 days before an amount is payable in respect of the rates for a particular financial year, to impose a requirement that differs from the requirements of Section 181 of the Act.	CEO	NIL
73.10. The power pursuant to Section 181(15) of the Act to decide that rates of a particular kind will be payable in more than 4 instalments in a particular financial year and in such case:	CEO	NIL
73.10.1. the instalments must be payable on a regular basis (or essentially a regular basis) over the whole of the financial year, or the remainder of the financial year depending on when the rates are declared; and	CEO	NIL
73.10.2. the Delegate must give at least 30 days notice before an instalment falls due.	CEO	NIL
74. Remission and Postponement of Payment		
74.1. The power pursuant to Section 182(1) of the Act to decide on the application of a ratepayer that payment of rates in accordance with the Act would cause hardship and, if so, to:	CEO	NIL
74.1.1 postpone payment in whole or in part for such period as the Delegate thinks fit; or	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
74.1.2 remit the rates in whole or in part.	CEO	NIL
74.2. The power pursuant to Section 182(2) of the Act on a postponement of rates:	CEO	NIL
74.2.1 to grant the postponement on condition that the ratepayer pay interest on the amount affected by the postponement at a rate fixed by the Delegate (but not exceeding the cash advance debenture rate);	CEO	NIL
74.2.2 to grant the postponement on other conditions determined by the Delegate; and	CEO	NIL
74.2.3 to revoke the postponement, at the Delegate's discretion (in which case the Delegate must give the ratepayer at least 30 days written notice of the revocation before taking action to recover rates affected by the postponement).	CEO	NIL
74.3. The power pursuant to Section 182(3) of the Act to grant other or additional postponements of rates:	CEO	NIL
74.3.1 to assist or support a business in the Council's area; or	CEO	NIL
74.3.2 to alleviate the affects of anomalies that have occurred in valuations under the Act.	CEO	NIL
74.4. The power pursuant to Section 182(4) of the Act to grant other or additional remissions of rates on the same basis as applies under the Rates and Land Tax Remission Act 1986, (such remissions will be in addition to the remissions that are available under that Act).	CEO	NIL
74.5. The power pursuant to Section 182(5) of the Act to require a ratepayer who claims to be entitled to a remission of rates by virtue of a determination under Section 182(4) of the Act to provide evidence to the satisfaction of the Delegate verifying that entitlement.	CEO	NIL
74.6. The power pursuant to Section 182(6) of the Act to revoke a determination under Section 182(4) of the Act at any time (but the revocation will not effect an entitlement to remission in relation to rates declared before the revocation takes effect).	CEO	NIL
75. Postponement of Rates - Seniors		
75.1. The power pursuant to Section 182A(2) of the Act to require that an application pursuant to Section 182A(1) of the Act be accompanied by such information as the Delegate may reasonably require.	CEO	NIL
75.2. The power pursuant to Section 182A(3) of the Act, on an application for a postponement of the payment of the prescribed proportion of rates for the current or future financial made in accordance with Sections 182A(1) and (2) of the Act to:	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
75.2.1 reject an application for the postponement of rates; or	CEO	NIL
75.2.2 impose conditions on the postponement of rates but only in accordance with the Regulations.	CEO	NIL
76. Application of money in respect of rates		
76.1. The power and the duty to apply monies received or recovered in respect of rates pursuant to and in accordance with Section 183 of the Act.	CEO	NIL
77. Sale of Land for Non-Payment of Rates		
77.1. The power pursuant to Section 184(1) of the Act to sell land, if an amount payable by way of rates in respect of the land, has been in arrears for 3 years or more.	CEO	Subject to Council Approval
77.2. The duty pursuant to Section 184(2) of the Act before selling land for non-payment of rates, to send a notice to the principal ratepayer at the address appearing in the assessment record:	CEO	NIL
77.2.1. stating the period for which the rates have been in arrears; and	CEO	NIL
77.2.2. stating the amount of the total liability for rates presently outstanding in relation to the land; and	CEO	NIL
77.2.3. stating that if that amount is not paid in full within 1 month of service of the notice (or such longer time as the Delegate may allow), the Council intends to sell the land for non-payment of rates.	CEO	NIL
77.3. The duty pursuant to Section 184(3) of the Act to send a copy of a notice sent to a principal ratepayer under Section 184(2) of the Act:	CEO	NIL
77.3.1. to any owner of the land who is not the principal ratepayer; and	CEO	NIL
77.3.2. to any registered mortgagee of the land; and	CEO	NIL
77.3.3. if the land is held from the Crown under a lease, licence or agreement to purchase, to the Minister who is responsible for the administration of the Crown Lands Act 1929.	CEO	NIL
77.4. If:	CEO	NIL
77.4.1. the Delegate cannot, after making reasonable enquiries, ascertain the name and address of a person to whom a notice is to be sent under Section 184(2) or (3) of the Act; or	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
77.4.2. the Delegate considers that it is unlikely that a notice sent under Section 184(2) or (3) of the Act would come to the attention of the person to whom it is to be sent,	CEO	NIL
77.4.3. the power pursuant to Section 184(4) of the Act to effect service of the notice by:	CEO	NIL
77.4.4. placing a copy of the notice in a newspaper circulating throughout the State; and	CEO	NIL
77.4.5. leaving a copy of the notice in a conspicuous place on the land.	CEO	NIL
77.5. The power pursuant to Section 184(5) of the Act to proceed to have the land sold, if the outstanding amount of rates is not paid in full within the time allowed in the notice given to the ratepayer under Section 184(2) of the Act.	CEO	NIL
77.6. The duty pursuant to Section 184(6) and (7) of the Act to conduct the sale of land for non-payment of rates by public auction and the power to set the reserve price for the purposes of the auction, except in the case of land held from the Crown under a lease, licence or agreement to purchase, unless the Minister responsible for the administration of the Crown Lands Act 1929 grants consent to sale by public auction.	CEO	NIL
77.7. The duty pursuant to Section 184(8) of the Act to advertise the auction of land under Section 184 of the Act on at least 2 separate occasions in a newspaper circulating throughout the State.	CEO	NIL
77.8. The duty pursuant to Section 184(9) of the Act to call off the auction, if before the date of such an auction, the outstanding amount and the costs incurred by the Council in proceeding under this Section are paid to the Council.	CEO	NIL
77.9. The power pursuant to Section 184(10) of the Act to sell the land by private contract for the best price that can be reasonably obtained, if an auction fails or an auction is not held because the land is held from the Crown under a lease, licence or agreement to purchase.	CEO	NIL
77.10. The power and duty to apply monies received by the Council in respect of the sale of land for non-payment of rates pursuant to and in accordance with Section 184(11) of the Act.	CEO	NIL
77.11. The duty pursuant to Section 184(12) of the Act to make reasonable enquiries to find the owner of land to be sold for non-payment of rates and where the owner cannot be found, the power to deal with the amount payable to the owner as unclaimed money under the Unclaimed Moneys Act 1981.	CEO	NIL
78. Objection, Review or Appeal		
78.1. If an objection, review or appeal in respect of a valuation of land results in the alteration of a valuation	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
or of a decision to attribute a particular land use to land, and a due adjustment is made, the power pursuant to Section 186(2) of the Act and subject to Section 186(3), (4) and (5) of the Act:		
78.1.1. to refund or credit the overpaid amount against future liabilities for rates on the land subject to the rates; or	CEO	NIL
78.1.2. to recover an additional amount payable on account of an alteration of the value as arrears after at least 30 days have expired from the date on which notification of the alteration is given to the person who initiated the objection, review or appeal.	CEO	NIL
79. Certificate of Liabilities		
79.1. The power pursuant to Section 187(1) of the Act to issue a certificate, on application by or on behalf of a person who has an interest in land within the area, stating that:	CEO	NIL
79.1.1. the amount of any liability for rates or charges on the land imposed under Part 1 of Chapter 10 or Schedule 1B of the Act (including rates and charges under Part 1 of Chapter 10 or Schedule 1B of the Act that have not yet fallen due for payment, and outstanding interest or fines payable in respect of rates and charges under Part 1 of Chapter 10 or Schedule 1B of the Act); and	CEO	NIL
79.1.2. any amount received on account of rates or charges on the land imposed under this part, that is held in credit against future liabilities for rates or charges in relation to the land.	CEO	NIL
80. Investigation by Ombudsman		
80.1. The duty pursuant to Section 187B(6) of the Act if the Ombudsman's report prepared pursuant to Section 187B(3) of the Act makes any recommendations as to action that should be taken by the Council, to within 2 months after receipt of that report, provide a written response to:	CEO	NIL
80.1.1. the Ombudsman; and	CEO	NIL
80.1.2. if relevant, the person who made the complaint.	CEO	NIL
80.2. The power pursuant to Section 187B(7) of the Act to grant a rebate or remission of any rate or service charge, or of any charge, fine or interest under Part 1 of Chapter 10 of the Act, if the Ombudsman recommends that the Council do so on the ground of special circumstances pertaining to a particular ratepayer.	CEO	NIL
81. Fees and Charges		

	Direct Delegation from Council	Conditions/ Limitations
81.1. The power pursuant to Section 188(1) and (2) of the Act to impose fees and charges:	CEO	NIL
81.1.1. for the use of any property or facility owned, controlled, managed or maintained by the Council;	CEO	NIL
81.1.2. for services supplied to a person at his or her request;	CEO	NIL
81.1.3. for carrying out work at a person's request;	CEO	NIL
81.2. The power pursuant to Section 188(3) of the Act to provide for:	CEO	NIL
81.2.1. specific fees and charges;	CEO	NIL
81.2.2. maximum fees and charges and minimum fees and charges;	CEO	NIL
81.2.3. annual fees and charges;	CEO	NIL
81.2.4. the imposition of fees or charges according to specified factors;	CEO	NIL
81.2.5. the variation of fees or charges according to specified factors in respect of fees and charges set under Section 188(1)(a) – (c) of the Act inclusive; and	CEO	NIL
81.2.6. the reduction, waiver or refund, in whole or in part, of any fees and charges.	CEO	NIL
81.3. The power pursuant to Section 188(5) of the Act to fix, vary or revoke those fees and charges set under Section 188(1)(a), (b) and (c) of the Act.	CEO	NIL
81.4. 81.4 The duty pursuant to Section 188(6) of the Act to keep a list of fees and charges imposed under this Section on public display during ordinary office hours at the principal office of the Council.	CEO	NIL
81.5. The duty pursuant to Section 188(7) of the Act to, if the Council fixes or varies a fee imposed under this Section, up-date the list referred to in Section 188(6) of the Act and take reasonable steps to bring the fee or charge, or variation of the fee or charge, to the notice of persons who may be affected.	CEO	NIL
82. Acquisition of Land by Agreement		
82.1. The power pursuant to Section 190 of the Act to acquire land by agreement.	CEO	NIL
83. Compulsory Acquisition of Land		
83.1. The power pursuant to Section 191(1) of the Act to acquire land compulsorily, in circumstances which require the Minister's written approval, after the Council has obtained the Minister's approval.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
83.2.	The power pursuant to Section 191(2) of the Act to acquire land compulsorily for a purpose classified by the Regulations as an approved purpose.	CEO	NIL
84.	84. Assumption of Care, Control and Management of Land		
84.1.	The power pursuant to Section 192(1) of the Act to assume the care, control and management of land in the Council area that has been set aside for the use or enjoyment of the public or a section of the public under the circumstances specified in Section 192(1)(a) and (b) of the Act.	CEO	NIL
84.2.	The duty pursuant to Section 192(4) of the Act to immediately cause a copy of a resolution under Section 192(1) of the Act to assume the care, control and management of land to be published in the Gazette.	CEO	NIL
85.	Classification		
85.1.	The duty pursuant to Section 193(6) of the Act to give notice in the Gazette of a resolution:	CEO	NIL
85.1.1.	to exclude land from classification as community land under Section 193(4) of the Act; or	CEO	NIL
85.1.2.	to classify as community land, land that had previously been excluded from classification as such under Section 193(5) of the Act.	CEO	NIL
86.	Revocation of Classification of Land as Community Land		
86.1.	The duty pursuant to Section 194(2) of the Act before the Council revokes the classification of land as community land to:	CEO	NIL
86.1.1.	prepare and make publicly available a report on the proposal containing:	CEO	NIL
86.1.1.1.	a summary of reasons for the proposal; and	CEO	NIL
86.1.1.2.	a statement of any dedication, reservation or trust to which the land is subject; and	CEO	NIL
86.1.1.3.	a statement of whether revocation of the classification is proposed with a view to sale or disposal of the land and, if so, details of any Government assistance given to acquire the land and the statement of how the Council proposes to use the proceeds; and	CEO	NIL
86.1.1.4.	an assessment of how implementation of the proposal would affect the area and the local community; and	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
86.1.1.5. if the Council is not the owner of the land, a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification; and	CEO	NIL
86.1.2. follow the relevant steps set out in the Council's public consultation policy.	CEO	NIL
86.2. After complying with the requirements of Section 194(2) of the Act, the duty pursuant to Section 194(3) of the Act to prepare a report on all submissions made on it as part of the public consultation process.	CEO	NIL
86.3. The power pursuant to Section 194(4) of the Act to consult with the Minister in relation to a regulation made under Section 194(1) over a specific piece of land.	CEO	NIL
87. Effect of Revocation of Classification		
87.1. If it appears from the Register Book that the land is subject to a dedication, reservation or trust, other than a dedication, reservation or trust under the Crown Lands Act 1929, the duty pursuant to Section 195(2) of the Act immediately after the revocation of the classification of the land as community land, to give notice of the revocation to the Registrar-General in the manner and form approved by the Registrar-General.	CEO	NIL
88. Management Plans		
88.1. The power and duty pursuant to and in accordance with Section 196(1), (2), (3) and (7) of the Act to prepare and adopt management plan or management plans for the Council's community land, for which a management plan must be prepared, that:	CEO	Subject to Council Approval
88.1.1. identifies the land to which it applies; and	CEO	Subject to Council Approval
88.1.2. states the purpose for which the land is held by the Council; and	CEO	Subject to Council Approval
88.1.3. states the Council's objectives, policies (if any) and proposals for the management of the land; and	CEO	Subject to Council Approval
88.1.4. states performance targets and how the Council proposes to measure its performance against its objectives and performance targets.	CEO	Subject to Council Approval
88.2. If a management plan relates to land that is not in the Council's ownership, the power and duty pursuant to Section 196(4) of the Act to consult with the owner of the land at an appropriate stage during the	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
preparation of the plan and the plan must:		
88.2.1. identify the owner of the land; and	CEO	NIL
88.2.2. state the nature of any trust, dedication or restriction to which the land is subject apart from the Act; and	CEO	NIL
88.2.3. contain any provisions that the owner reasonably requires and identify those provisions as provisions required by the owner.	CEO	NIL
88.3. The duty pursuant to Section 196(5) of the Act to ensure (as far as practicable) that the management plan is consistent with other relevant official plans and policies about conservation, development and use of the land and contains any special provisions required under the Regulations.	CEO	NIL
89. Public Consultation on Proposed Management Plan		
89.1. Before the Council adopts a management plan for community land, the duty to pursuant to Section 197(1) of the Act and subject to Section 197(2) of the Act:	CEO	NIL
89.1.1. make copies of the proposed plan available for inspection or purchase at the Council's principal office; and	CEO	NIL
89.1.2. follow the relevant steps set out in Council's public consultation policy.	CEO	NIL
89.2. The duty pursuant to Section 197(3) of the Act to give public notice of the adoption of a management plan.	CEO	NIL
90. Amendment or Revocation of Management Plan		
90.1. The power pursuant to Section 198(1) of the Act and in accordance with Section 198(2) and (3) of the Act to amend or revoke a management plan by the adoption of a proposal for its amendment or revocation.	NIL	NIL
90.2. The power pursuant to Section 198(2) and (3) of the Act to conduct public consultation prior to the Council or the Delegate adopting a proposal for amendment to or revocation of a management plan, unless in the opinion of the Delegate the amendment has no impact or no significant impact on the interests of the community.	CEO	Subject to Council Approval
90.3. The duty pursuant to Section 198(4) of the Act to give public notice of Council's or the Delegate's adoption of a proposal for the amendment or revocation of a management plan.	CEO	Subject to Council Approval
91. Effect of Management Plan		

	Direct Delegation from Council	Conditions/ Limitations
91.1. The duty pursuant to Section 199 of the Act to manage community land in accordance with any management plan for the relevant land.	CEO	NIL
92. Use of Community Land for Business Purposes		
92.1. The power pursuant to Section 200(1), (2) and (3) of the Act to approve a person's use of community land for a business purpose, consistent with provisions of the management plan and on any conditions the Delegate considers appropriate.	CEO	NIL
93. Sale or Disposal of Local Government Land		
93.1. The power pursuant to Section 201(1) of the Act to sell or otherwise dispose of an interest in land:	NIL	NIL
93.1.1. vested in the Council in fee simple; or	NIL	NIL
93.1.2. vested in the Council as lessee.	NIL	NIL
93.2. The power pursuant to Section 201(2) of the Act to:	NIL	NIL
93.2.1. grant an easement (including a right of way) over community land; and	NIL	NIL
93.2.2. grant an easement (excluding a right of way) over a road or part of a road.	NIL	NIL
94. Alienation of Community Land by Lease or Licence		
94.1. The power pursuant to Section 202(1) and (5) of the Act and subject to Section 202(7) of the Act to grant a lease or licence over community land (including community land that is, or forms part of, a park or reserve), and to make provision in a lease or licence for:	CEO	NIL
94.1.1. the erection or removal of buildings and other structures for the purpose of activities conducted under the lease or licence;	CEO	NIL
94.1.2. the exclusion, removal or regulation of persons, vehicles or animals from or on the land, and the imposition of admission or other charges (subject to the fixing or varying of the charge by Council, pursuant to Section 44(3)(j) of the Act);	CEO	NIL
94.1.3. any other matter relevant to the use or maintenance of the land.	CEO	NIL
94.2. The duty pursuant to Section 202(2) and (3) of the Act and subject to Section 202(7) of the Act before granting a lease or licence relating to community land to follow the relevant steps set out in Council's public consultation policy, unless:	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
94.2.1. the grant of the lease or the licence is authorised in an approved management plan for the land and the term of the proposed lease or licence is 5 years or less; or	CEO	NIL
94.2.2. the Regulations provide, in the circumstances of the case, for an exemption from compliance with the public consultation policy.	CEO	NIL
94.3. The power and duty pursuant to Section 202(4) of the Act and subject to Section 202(4a) and Section 202(7) of the Act to grant or renew a lease or a licence for a term (not exceeding 42 years) and to extend the term of the lease or licence but not so that the term extends beyond a total of 42 years.	CEO	NIL
94.4. The duty pursuant to Section 202(6) of the Act and subject to Section 202(7) of the Act to ensure that a lease or licence relating to community land is consistent with any relevant management plan.	CEO	NIL
95. Register		
95.1. The duty pursuant to Section 207(1) of the Act to keep a register of all community land in Council's area.	CEO	NIL
95.2. The duty pursuant to Section 207(2)(a) and (b) of the Act to ensure that the register:	CEO	NIL
95.2.1. contains the information required by the Regulations; and	CEO	NIL
95.2.2. contains copies of current management plans.	CEO	NIL
95.3. The power pursuant to Section 207(2)(c) of the Act to include in the register (if the Delegate so decides) a computer record of the relevant information.	CEO	NIL
95.4. The duty pursuant to Section 207(3) and (4) of the Act to make available the register of all community land in the Council's area for inspection (without charge) or purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council during ordinary office hours.	CEO	NIL
96. Ownership of Public Roads		
96.1. The duty pursuant to Section 208(4) of the Act to cause a copy of a resolution declaring a road or land to be a public road, or preserving an easement under Section 208(3), to be published in the Gazette.	CEO	NIL
97. Ownership of Fixtures and Equipment Installed on Public Roads		
97.1. The power pursuant to Section 209(3) of the Act to enter into an agreement with the provider of public infrastructure or the holder of an authorisation or permit under Section 209(1) and (2) of the Act which provides for the vesting of property in fixtures and equipment in the Council.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
98. Conversion of Private Road to Public Road		
98.1. The duty pursuant to Section 210(1)(b) of the Act to make reasonable enquiries to find the owner of a private road which the Council is seeking to declare be a public road.	CEO	NIL
98.2. The duty pursuant to Section 210(2) of the Act at least 3 months before the Council makes a declaration under Section 210 of the Act to:	CEO	NIL
98.2.1. if the identity and whereabouts of the owner of the road are known to the Council, give written notice to the owner of land subject to the proposed declaration; and	CEO	NIL
98.2.2. if a person has some other form of registered legal interest over the road and the identity and whereabouts of that person are known to the Council – give written notice to the person of the proposed declaration; and	CEO	NIL
98.2.3. give public notice of the proposed declaration.	CEO	NIL
98.3. The duty pursuant to Section 210(5) to publish in the Gazette a declaration of the Council made in accordance with Section 210(1) of the Act.	CEO	NIL
98.4. The duty pursuant to Section 210(7) of the Act to furnish to the Registrar-General a copy of any declaration under Section 210 of the Act in a manner and form approved by the Registrar-General immediately after it is made.	CEO	NIL
99. Highways		
99.1. The power pursuant to Section 211(1)(a) of the Act to enter into an agreement with the Commissioner of Highways in order for the Council to exercise its powers under Part 2 of Chapter 11 of the Act in relation to a highway.	CEO	NIL
100. Power to Carry Out Roadwork		
100.1. The power pursuant to Section 212(1) of the Act to have road works carried out in the Council's area or, by agreement with another Council, in the area of another Council.	CEO	NIL
100.2. The power pursuant to Section 212(3) of the Act to do anything reasonably necessary for, or incidental, to roadwork pursuant to Section 212(2) of the Act, providing that:	CEO	NIL
100.2.1. the roadwork is carried out in compliance with any relevant requirement under the Road Traffic Act 1961; and	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
100.2.2. before carrying out roadwork in relation to a road that runs into or intersects with a highway (and that may have an affect on the users of that highway), consult with the Commissioner of Highways; and	CEO	NIL
100.2.3. the roadwork in relation to a private road is only carried out if:	CEO	NIL
100.2.3.1. the owner agrees; or	CEO	NIL
100.2.3.2. the Council has given the owner reasonable notice of the proposed roadwork and a reasonable opportunity to make representations and has considered any representations made in response to the notice; or	CEO	NIL
100.2.3.3. the identity or whereabouts of the owner is unknown; and	CEO	NIL
100.2.4. the roadwork on other private land is carried out with the agreement of the owner (unless otherwise provided in the Act).	CEO	NIL
101. Recovery of Cost of Roadwork		
101.1. Where roadwork has been carried by agreement, the power pursuant to Section 213(1) of the Act to recover the whole of the cost or an agreed contribution determined by the Delegate under the terms of the agreement.	CEO	NIL
101.2. Where roadwork has been carried out to repair damage to a road, the power pursuant to Section 213(2) of the Act to recover the cost of carrying out the work, as a debt, from:	CEO	NIL
101.2.1. the person who caused the damage; or	CEO	NIL
101.2.2. in the case of damage caused by the bursting, explosion or fusion of any pipe, wire, cable, fitting or other object – the person who is the owner, or who has control of that infrastructure.	CEO	NIL
101.3. If the Council carries out roadwork on a private road, the power pursuant to Section 213(3) of the Act to recover the cost of the work or a contribution towards the cost of the work determined by the Delegate as a debt from the owner of the private road.	CEO	NIL
102. Contribution Between Councils where Road is on Boundary Between Council Areas		
102.1. Where roadwork is a carried out on a road on the boundary between 2 Council areas, the power pursuant to Section 214(1) and (2) of the Act to recover a reasonable contribution from the other Council towards the cost of the work, being an amount agreed between the Councils or, in the absence of an	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
agreement, an amount determined by the Court in which the action for contribution is bought.		
103. Special Provisions for Certain Kinds of Roadwork		
103.1. If the Council changes the level of a road, the duty pursuant to Section 215(1) of the Act to:	CEO	NIL
103.1.1. ensure that adjoining properties have adequate access to the road; and	CEO	NIL
103.1.2. construct any retaining walls, embankments or other structures necessary to provide protection required in consequence of the change of level.	CEO	NIL
103.2. The power pursuant to Section 215(2) of the Act to carry out road work to allow water from a road to drain into adjoining property if, in the Delegate's opinion:	CEO	NIL
103.2.1. there is no significant risk of damage to the adjoining property; or	CEO	NIL
103.2.2. the road work does not significantly increase the risk of damage to adjoining property.	CEO	NIL
103.3. The duty pursuant to Section 215(4) of the Act to give reasonable notice of proposed action to drain water into land under Section 215(2) of the Act to the owner of the land, except in a case of urgency.	CEO	NIL
104. Power to Order Owner of Private Road to Carry out Specific Roadwork		
104.1. The power pursuant to Section 216(1) of the Act to, by order in writing in accordance with Section 216(2) of the Act to the owner of a private road, require the owner to carry out specified roadwork to repair or improve the road.	CEO	NIL
104.2. The duty pursuant to Section 216(2) of the Act to apply Divisions 2 and 3 of Part 2 of Chapter 12 of the Act with respect to:	CEO	NIL
104.2.1. any proposal to make an order; and	CEO	NIL
104.2.2. if an order is made, any order,	CEO	NIL
under Section 216(1) of the Act.	CEO	NIL
105. Power to Order Owner of Infrastructure on Road to Carry Out Specified Maintenance or Repair Work.		
105.1. The power pursuant to Section 217(1) of the Act by order in writing to the owner of a structure or equipment (including pipes, wires, cables, fittings and other objects) installed in, on, across, under or over a road, to require the owner:	CEO	NIL
105.1.1. to carry out specified work by way of maintenance or repair; or	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
105.1.2. to move the structure or equipment in order to allow the Council to carry out roadwork.	CEO	NIL
105.2. Where the order made pursuant to Section 217(1) of the Act is not complied with within a reasonable time fixed in the order, the power pursuant to Section 217(2)(a) of the Act to take action required by the order and to recover the cost of doing so as a debt from the owner.	CEO	NIL
106. Power to Require Owner of Adjoining Land to Carry Out Specific Work		
106.1. The power pursuant to Section 218(1) of the Act to, by order in writing in accordance with Section 218(2) of the Act to the owner of land adjoining the road, require the owner to carry out specified work to construct, remove or repair a crossing place from the road to the land.	CEO	NIL
106.2. The duty pursuant to Section 218(2) of the Act to apply Divisions 2 and 3 of Part 2 of Chapter 12 of the Act with respect to:	CEO	NIL
106.2.1. any proposal to make an order; and	CEO	NIL
106.2.2. if an order is made, any order	CEO	NIL
under Section 218(1) of the Act.	CEO	NIL
107. Power to Assign a Name, or Change the Name, of a Road or Public Place		
107.1. The power pursuant to Section 219(1) of the Act to assign a name to a public or private road, or to a public place, or change the name of a public or private road, or of a public place.	CEO	NIL
107.2. The duty pursuant to Section 219(1a) of the Act to assign a name to a public road created after the commencement of Section 219(1a) of the Act by land division.	CEO	NIL
107.3. Where it is proposed to change the name of a public road that runs into the area of an adjoining council, the duty pursuant to Section 219(2) of the Act to:	CEO	NIL
107.3.1. give the adjoining council at least 2 months notice of the proposed change; and	CEO	NIL
107.3.2. consider any representations made by the adjoining council in response to that notice.	CEO	NIL
107.4. The duty pursuant to Section 219(3) of the Act to:	CEO	NIL
107.4.1. immediately notify the Registrar-General, the Surveyor-General and the Valuer-General of the assignment of a name, or the change of a name, under Section 219 of the Act; and	CEO	NIL
107.4.2. on request by the Registrar-General, the Surveyor-General or the Valuer-General, provide	CEO	NIL

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information about the names of roads or public places in the Council's area.		
107.5. The duty pursuant to Section 219(4) of the Act to give public notice of the assigning or changing of a name under Section 219(1) of the Act.	CEO	NIL
107.6. The power pursuant to Section 219(5) of the Act to prepare and adopt a policy relating to the assigning of names under Section 219 of the Act.	CEO	Subject to Council Approval
107.7. The power pursuant to Section 219(6) of the Act to, at any time, alter a policy or substitute a new policy.	CEO	NIL
107.8. The duty pursuant to Section 219(7) of the Act to give public notice of the adopting or altering of a policy under Section 219 of the Act.	CEO	NIL
107.8.1. in the Gazette; and	CEO	NIL
107.8.2. in a newspaper circulating in the area of the council; and	CEO	NIL
107.8.3. on a website determined by the Chief Executive Officer.	CEO	NIL
108. Numbering of Premises and Allotments		
108.1. The power pursuant to Section 220(1) of the Act to adopt a numbering system for buildings and allotments adjoining a road.	CEO	NIL
108.2. The duty pursuant to Section 220(1a) of the Act to assign a number (as part of its primary street address) to all buildings or allotments adjoining a public road created after the commencement of Section 220(1a) of the Act by land division.	CEO	NIL
108.3. The duty pursuant to Section 220(1b) of the Act to ensure that an assignment under Section 220(1a) of the Act occurs within 30 days after the issue of certificate of title in relation to the relevant land division in accordance with any requirements prescribed by regulations made for the purposes of Section 220(1b) of the Act.	CEO	NIL
108.4. The power pursuant to Section 220(2) of the Act to, from time to time, alter a numbering system, or substitute a new numbering system, under Section 220 of the Act.	CEO	NIL
108.5. The duty pursuant to Section 220(3) of the Act to give public notice of the adopting, altering or substituting of a numbering system for a particular road.	CEO	NIL
108.6. The duty pursuant to Section 220(4) of the Act to notify the Valuer-General of the decision to adopt, alter or substitute a numbering system.	CEO	NIL

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108.7. The power pursuant to Section 220(6) of the Act to request an owner of land to ensure that the appropriate number for the owner's building or allotment is displayed in a form directed or approved by the Delegate.	CEO	NIL
109. Alteration of Road		
109.1. The power pursuant to Section to 221(1) and (2) of the Act to authorise a person (other than the Council or a person acting under some other statutory authority) to make an alteration to a public road, such as:	CEO	NIL
109.1.1. altering the construction or arrangement of the road to permit or facilitate access from an adjacent property; or	CEO	NIL
109.1.2. erecting or installing a structure (including pipes, wires, cables, fixtures, fittings and other objects) in, on, across, under or over the road; or	CEO	NIL
109.1.3. changing or interfering with the construction, arrangement or materials of the road; or	CEO	NIL
109.1.4. changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings and other objects) associated with the road; or	CEO	NIL
109.1.5. planting a tree or other vegetation on the road, interfering with vegetation on the road or removing vegetation from the road.	CEO	NIL
109.2. Before authorising the erection or installation of a structure under Section 221(2)(b) of the Act the duty pursuant to Section 221(4) of the Act to give consideration as to whether the structure will:	CEO	NIL
109.2.1. unduly obstruct the use of the road; or	CEO	NIL
109.2.2. unduly interfere with the construction of the road; or	CEO	NIL
109.2.3. have an adverse effect on road safety.	CEO	NIL
109.3. The power pursuant to Section 221(6) of the Act to grant an authorisation under Section 221 of the Act:	CEO	NIL
109.3.1. for a particular act or occasion; or	CEO	NIL
109.3.2. for a term which is, subject to revocation for breach of a condition, to remain in force for a term (not exceeding 42 years) stated in the authorisation and, at the expiration of the term, the power to renew the term for a further term (not exceeding 42 years) fixed by the Delegate at the time of the renewal.	CEO	NIL

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110. Permits for Business Purposes		
110.1. The power pursuant to Section 222(1) of the Act to authorise a person to use a public road for business purposes and to give a permit to do so.	CEO	NIL
110.2. Subject to the Act, the power pursuant to Section 222(2) of the Act to issue a permit that grants rights of exclusive occupation in relation to part of a public road.	CEO	NIL
110.3. The power pursuant to Section 222(3) of the Act to issue a permit to use a public road for a particular occasion or for a term stated in the permit.	CEO	NIL
111. Public Consultation		
111.1. The duty pursuant to Section 223(1) of the Act before granting the authorisation to alter a public road or the permit to use a public road for business purposes, to follow the relevant steps set out in Council's public consultation policy, if the Delegate proposes to grant an authorisation or permit:	CEO	NIL
111.1.1. that confers a right of exclusive occupation; or	CEO	NIL
111.1.2. that would have the effect of restricting access to a road; or	CEO	NIL
111.1.3. in relation to a use or activity for which public consultation is required under the Regulations.	CEO	NIL
111.2. The duty pursuant to Section 223(2) of the Act to give written notice of the proposal to agencies that are, under the Regulations, to be notified of the proposal to grant an authorisation to alter a public road or to permit the use of a public road for business purposes.	CEO	NIL
112. Conditions of Authorisation or Permit		
112.1. The power pursuant to Section 224 of the Act, subject to Sections 224(2) and (4) of the Act, to grant an authorisation or permit under Division 6 of Part 2, Chapter 11 on conditions the Delegate considers appropriate.	CEO	NIL
113. Cancellation of Authorisation or Permit		
113.1. The power pursuant to Section 225(1) of the Act by notice in writing to the holder of an authorisation or permit:	CEO	NIL
113.1.1. in the case of a permit for the purposes of a mobile food vending business under Section 222 of the Act – cancel the permit for breach of a condition if the breach is sufficiently serious to	CEO	NIL

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justify cancellation of the permit; or		
113.1.2. in the any other case - cancel the authorisation or permit for breach of a condition.	CEO	NIL
113.2. The duty pursuant to Section 225(2) of the Act before cancelling an authorisation or permit, to:	CEO	NIL
113.2.1. give the holder of the authorisation or permit a written notice of the proposed cancellation stating the grounds on which the Delegate proposes to act and allowing the holder a reasonable period to make written representations to the Delegate on the proposed cancellation; and	CEO	NIL
113.2.2. consider any representations made in response to the notice.	CEO	NIL
113.3. The power pursuant to Section 225(3) of the Act to determine if a shorter period of notice should apply under Section 225(2)(a) of the Act, to protect the health or safety of the public, or otherwise to protect the public interest.	CEO	NIL
113.4. The power pursuant to Section 225(4) of the Act if the Council cancels a permit under Section 225(1)(a) of the Act, to specify at the time of cancellation a period (not exceeding six months) that an application for a permit for the purposes of a mobile food vending business under Section 222 of the Act must not be made by or on behalf of the person who, before the cancellation, held the permit.	CEO	NIL
113A Location Rules – General		
113A.1 The power pursuant to Section 225A(1) of the Act and subject to Section 225A(2) of the Act, to prepare and adopt rules (location rules) that set out locations within the Council area in which mobile food vending businesses may operate.	CEO	NIL
113A.2 The power pursuant to Section 225A(4) of the Act to:	CEO	NIL
113A.2.1 from time to time amend the Council's location rules;	CEO	NIL
113A.2.2 amend its location rules in order that the rules comply with:	CEO	NIL
113A.2.2.1 any requirement specified by the Minister under Section 225A(2)(b) of the Act; or	CEO	NIL
113A.2.2.2 any direction given by the Small Business Commissioner under Section 225A(7) of the Act.	CEO	NIL
114. Register		
114.1. The power and duty pursuant to Section 231(1) and (2) of the Act to keep a register of public roads in the Council's area, which:	CEO	NIL

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114.1.1. includes the information required by regulation; and	CEO	NIL
114.1.2. may consist (if the Delegate so decides) of a computer record of the relevant information.	CEO	NIL
114.2. The duty pursuant to Section 231(3) and (4) of the Act to make the register available for public inspection (without charge) and purchase of extracts (upon payment of a fee fixed by the Council) at the principal office of the Council during ordinary office hours.	CEO	NIL
115. Trees		
The power pursuant to Section 232 of the Act to plant vegetation or authorise or permit the planting of vegetation, on a road, only after complying with the following matters (in addition to complying with any other statutory requirement):	CEO	NIL
115.1. giving consideration to whether the vegetation is, on balance, appropriate to the proposed site taking into account -	CEO	NIL
115.1.1. environmental and aesthetic issues; and	CEO	NIL
115.1.2. the use and construction of the road (including the potential for interference with the construction of the road or with structures (including pipes, wires, cables, fixtures, fittings or other objects) in the road); and	CEO	NIL
115.1.3. road safety matters; and	CEO	NIL
115.1.4. other matters (if any) considered relevant by the Delegate; and	CEO	NIL
115.2. where the vegetation may have a significant impact on residents, the proprietors of nearby businesses or advertisers in the area, to follow the relevant steps set out in its public consultation policy.	CEO	NIL
116. Damage		
116.1. The power pursuant to Section 233(1) and (2) of the Act to recover damages, in the same way as damages for a tort, where a person, without the Council's permission, intentionally or negligently damages a road or a structure (including pipes, wires, cables, fixtures, fittings and other objects) belonging to the Council associated with the road.	CEO	NIL
117. Council's Power to Remove Objects etc from Roads		
117.1. The power pursuant to Section 234(1) of the Act to remove and dispose of any structure, object or substance from a road if:	CEO	NIL

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117.1.1. it has been erected, placed or deposited on the road without the authorisation or permit required under Part 2 of Chapter 11 of the Act; or	CEO	NIL
117.1.2. an authorisation or permit has been granted but has later expired or been cancelled.	CEO	NIL
117.2. The power pursuant to Section 234(2) of the Act to recover the cost of acting under Section 234 of the Act as a debt from the person who erected, placed or deposited the structure, object or substance on the road.	CEO	NIL
117.3. Where, as a result of an accident involving a vehicle or vehicles, any wreckage, objects or materials are left on a road, the power pursuant to Section 234(3) of the Act to clear the area and to recover the cost from the driver of the vehicle or, if more than one vehicle was involved, the driver of any one of the vehicles.	CEO	NIL
118. Deliberately Left Blank	Deliberately left blank.	Deliberately left blank.
119. Abandonment of Vehicles and Farm Implements		
119.1. The power pursuant to Section 236(2) of the Act to seek an order from the court by which a person is convicted of an offence against Section 236(1) of the Act, that the convicted person pay to the Council any costs incurred by the Council in removing or disposing of a vehicle abandoned on a public road or public place.	CEO	NIL
120. Removal of Vehicles		
120.1. The duty pursuant to Section 237(4) of the Act to ensure that the owner of the vehicle is notified of the removal of the vehicle	CEO	NIL
120.1.1. by written notice in the prescribed form:	CEO	NIL
120.1.1.1. served on the owner personally; or	CEO	NIL
120.1.1.2. served on the owner by the use of person-to-person registered post,	CEO	NIL
as soon as practicable after the removal of the vehicle; or	CEO	NIL
120.1.2. if the owner is unknown or cannot be found – by public notice published in a newspaper circulating generally in the State within 14 days after the removal of the vehicle.	CEO	NIL
120.2. If the owner of a removed vehicle does not, within 1 month after service or publication of the notice, pay all expenses in connection with the removal, custody and maintenance of the vehicle, and of serving,	CEO	NIL

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publishing or posting the notice, and take possession of the vehicle, the power and duty pursuant to Section 237(5) of the Act to, subject to Section 237(6)(b) of the Act, offer the vehicle for sale by public auction or public tender.		
120.3. The power pursuant to Section 237(6) of the Act to dispose of the vehicle in such manner as the Delegate thinks fit if:	CEO	NIL
120.3.1. the vehicle is offered for sale but not sold; or	CEO	NIL
120.3.2. the Delegate reasonably believes that the proceeds of the sale of the vehicle would be unlikely to exceed the costs incurred in selling the vehicle or the costs incidental to removing or holding the vehicle, or those costs combined.	CEO	NIL
120.4. The duty pursuant to Section 237(7) of the Act, where the vehicle is sold, to apply the proceeds of sale as follows:	CEO	NIL
120.4.1. firstly, in payment of the costs of and incidental to the sale;	CEO	NIL
120.4.2. secondly, in payment of the costs of and incidental to the removal, custody and maintenance of the vehicle and of the notice served, posted or published under Section 237 of the Act;	CEO	NIL
120.4.3. thirdly, in payment of the balance to the owner of the vehicle.	CEO	NIL
120.5. The duty pursuant to Section 237(8) of the Act to make reasonable inquiry to find the owner of the vehicle following sale and, if after that reasonable inquiry, the owner cannot be found, the duty to pay the balance of the proceeds of sale to the Council.	CEO	NIL
120.6. The duty pursuant to Section 237(9) of the Act to take reasonable steps to return property found in the vehicle, and where the property cannot be returned, the duty to deal with the property as unclaimed goods under the Unclaimed Goods Act 1987 as if the Council were the bailee of those goods.	CEO	NIL
121. Time Limits for Dealing with Certain Applications		
121.1. Where the power to decide upon certain applications to which the Section applies has been delegated, the duty pursuant to Section 242(1) and (2) of the Act within two months after the relevant date, to make a decision in respect of the application and, if not so decided, it is taken to have been refused.	CEO	NIL
121.2. The duty pursuant to Section 242(3) of the Act to notify the applicant in writing as soon as practicable of a decision or presumptive decision on an application to which Section 242 of the Act applies.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
122. Registrar-General to Issue Certificate of Title		
122.1. The duty pursuant to Section 243(1) of the Act to apply to the Registrar-General for the issue of a Certificate of Title for the land under the Real Property Act 1896, where land vests for an estate in fee simple in the Council under this Act.	CEO	NIL
122.2. The duty pursuant to Section 243(2) of the Act to make such application to the Registrar-General for the issue of a Certificate of Title as follows:	CEO	NIL
122.2.1. in a manner and form approved by the Registrar-General; and	CEO	NIL
122.2.2. accompanied by:	CEO	NIL
122.2.2.1. Deliberately left blank	CEO	NIL
122.2.2.2. any surveys of the land and other materials that the Registrar-General may reasonably require; and	CEO	NIL
122.2.2.3. a fee fixed by the Registrar-General.	CEO	NIL
123. Liability for Injury, Damage or Loss Caused by Certain Trees		
123.1. The power and duty pursuant to Section 245 of the Act to take reasonable action in response to a written request by an owner or occupier of property adjacent to a road for the Council to take reasonable action to avert a risk of damage to property of the owner or occupier from a tree growing in the road (whether planted by the Council or not).	CEO	NIL
124. Council May Require Bond or Other Security in Certain Circumstances		
124.1. Subject to Section 245A of the Act, if,	CEO	NIL
124.1.1. a person has approval to carry out development under the Development Act 1993; and	CEO	NIL
124.1.2. the delegate has reason to believe that the performance of work in connection with the development could cause damage to any local government land (including a road) within the vicinity of the site of the development,	CEO	NIL
the power, pursuant to Section 245A of the Act, to, by notice in writing serve on the person who has the benefit of the approval, require the person to enter into an agreement that complies with any requirements prescribed by the regulations so as to ensure that money is available to address the cost of any damage that may be caused.	CEO	NIL

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124.2. The power pursuant to Sections 37(b) and 245A of the Act, where a person has approval to carry out development under the Development Act 1993 and a notice in writing has been served pursuant to Section 245A of the Act on the person who has the benefit of the approval, to enter into an agreement that complies with any requirements prescribed by the regulations so as to ensure that money is available to address the cost of any damage that may be caused.	CEO	NIL
125. Power to Make By-Laws		
125.1. The duty pursuant to Section 246(4a) of the Act, if the Council makes a determination under Section 246(3)(e) of the Act, to ensure that notice of the determination is published in the Gazette and in a newspaper circulating in the area of the Council.	CEO	NIL
126. Passing By-Laws		
126.1. If it is proposed that the Council make a by-law, then at least 21 days before the Council resolves to make the by-law, the duty pursuant to Section 249(1) of the Act to:	CEO	NIL
126.1.1. make copies of the proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) available for public inspection, without charge and during ordinary office hours, at the principal office of the Council, and so far as is reasonable practicable on the Internet; and	CEO	NIL
126.1.2. by notice in a newspaper circulating in the area of the Council:	CEO	NIL
126.1.2.1. inform the public of the availability of the proposed by-law; and	CEO	NIL
126.1.2.2. set out the terms of the by-law, or describe in general terms the by-law's nature and effect.	CEO	NIL
126.2. Before the Council makes a by-law, the duty pursuant to Section 249(4) of the Act to obtain a certificate, in the prescribed form, signed by a legal practitioner certifying that, in the opinion of the legal practitioner:	CEO	NIL
126.2.1. the Council has power to make the by-law by virtue of a statutory power specified in the certificate; and	CEO	NIL
126.2.2. the by-law is not in conflict with the Act.	CEO	NIL
126.3. The duty pursuant to Section 249(5) of the Act to publish a by-law in the Gazette.	CEO	NIL

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126.4. The duty pursuant to Section 249(7) of the Act to publish a notice of the making of a by-law under Section 249 of the Act in a newspaper circulating in the area of the Council.	CEO	NIL
127. 127. Model By-Laws		
127.1. The duty pursuant to Section 250(5) of the Act to publish the resolution adopting a model by-law or alteration made under Section 250 of the Act in the Gazette.	CEO	NIL
127.2. The duty pursuant to Section 250(7) of the Act to publish a notice of the adoption of a model by-law or alteration made under Section 250 of the Act in a newspaper circulating in the area of the Council.	CEO	NIL
128. Register of By-Laws and Certified Copies		
128.1. The duty pursuant to Section 252(1) and (2) to cause a separate register to be kept of all by-laws made or adopted by the Council; such register to include a copy of any code, standard or other document referred to or incorporated in a by-law.	CEO	NIL
128.2. The duty pursuant to Section 252(3) and (4) of the Act to make available the register of by-laws for inspection or purchase an extract from the register (on payment of a fee fixed by the Council) by the public at the principal office of the Council during ordinary office hours.	CEO	NIL
128.3. The duty pursuant to Section 252(5) of the Act to make available, on payment of a fee fixed by the Council, a certified copy of a by-law of the Council in force at the particular time.	CEO	NIL
129. Power to Make Orders		
129.1. The power pursuant to Section 254 of the Act to order a person to do or to refrain from doing a thing specified in Column 1 of the Table in Part 2 of Chapter 12, if in the opinion of the Delegate, the circumstances specified in Column 2 of the Table exist and the person is within the description in Column 3 of the Table.	CEO	NIL
130. Procedures to be Followed		
130.1. The duty pursuant to Section 255(1) of the Act before taking action to make an order under Part 2 of Chapter 12 (but subject to this Section), to give the person to whom it is proposed that the order be directed a notice in writing:	CEO	NIL
130.1.1. stating the proposed action, including the terms of the proposed order and the period within which compliance with the order will be required; and	CEO	NIL

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130.1.2. stating the reasons for the proposed action; and	CEO	NIL
130.1.3. inviting the person to show, within a specified time (being a reasonable period), why the proposed action should not be taken (by making representations to the Delegate).	CEO	NIL
130.2. If a notice of intention to make an order is directed to a person who is not the owner of the relevant land, the duty pursuant to Section 255(2) of the Act to take reasonable steps to serve a copy of the notice on the owner.	CEO	NIL
130.3. The power pursuant to Section 255(3) of the Act after considering representations made within the time specified under Section 255(1) of the Act:	CEO	NIL
130.3.1. to make an order in accordance with the terms of the original proposal; or	CEO	NIL
130.3.2. to make an order with modifications from the terms of the original proposal; or	CEO	NIL
130.3.3. to determine not to proceed with an order.	CEO	NIL
130.4. The power pursuant to Section 255(5) of the Act to:	CEO	NIL
130.4.1. include two or more orders in the same instrument;	CEO	NIL
130.4.2. direct two or more persons to do something specified in the order jointly.	CEO	NIL
130.5. The duty pursuant to Section 255(6) of the Act to ensure that the order:	CEO	NIL
130.5.1. subject to Section 255 of the Act, specifies a reasonable period within which compliance with the order is required; and	CEO	NIL
130.5.2. states the reasons for the order.	CEO	NIL
130.6. The duty pursuant to Section 255(7) of the Act to serve an order in accordance with Part 2 of Chapter 14 of the Act on the person to whom it is addressed.	CEO	NIL
130.7. If an order is directed to a person who is not the owner of the relevant land, the duty pursuant to Section 255(8) of the Act to take reasonable steps to serve a copy of the order on the owner.	CEO	NIL
130.8. The power pursuant to Section 255(11) of the Act at the request or with the agreement of the person to whom an order is directed, to vary the order on the Delegate's own initiative, or to revoke an order if satisfied that it is appropriate to do so.	CEO	NIL
130.9. If the Delegate, in the circumstances of a particular case, considers:	CEO	NIL

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130.9.1. that an activity constitutes, or is likely to constitute, a threat to life or an immediate threat to public health or public safety; or	CEO	NIL
130.9.2. that an emergency situation otherwise exists,	CEO	NIL
the Delegate has the power pursuant to Section 255(12) of the Act to:	CEO	NIL
130.9.3. Proceed immediately to make an order under this Section without giving notice under Section 255(1); and	CEO	NIL
130.9.4. require immediate compliance with an order despite Section 255(6)(a).	CEO	NIL
131. Rights of Review		
131.1. The duty pursuant to Section 256(1) and (2) of the Act to ensure that an order made under Part 2 of Chapter 12 includes a statement setting out the rights of the person to seek a review of the order under the Act, and to include the information specified by the Regulations to the Act.	CEO	NIL
132. Action on Non-Compliance		
132.1. The power pursuant to Section 257(1) of the Act, where the requirements of an order are not complied with within the time fixed for compliance, or if there is an application for review, within 14 days after the determination of the review, to (subject to the outcome of any review) take the action required by the order.	CEO	NIL
132.2. The power pursuant to Section 257(2) of the Act to authorise an employee or another person to take action under Section 257(1) of the Act.	CEO	NIL
132.3. The power pursuant to Section 257(3) of the Act to take action to recover the reasonable costs and expenses incurred by the Council in taking action for the non-compliance with an order, as a debt from the person who failed to comply with the requirements of the order.	CEO	NIL
132.4. The power pursuant to Section 257(5) of the Act where an amount is recoverable from a person by the Council for action of non-compliance with an order, by notice in writing to the person, to fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid and, if the amount is not paid by the person within that period:	CEO	NIL
132.4.1. the person is liable to pay interest charged at the prescribed rate per annum on the amount unpaid; and	CEO	NIL

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132.4.2. if the person is the owner of the land to which the order relates – the power, in accordance with Schedule 6, to impose a charge over the land for the unpaid amount, together with interest.	CEO	NIL
133. Councils to Develop Policies		
133.1. The power and duty pursuant to Section 259(1) of the Act to take reasonable steps to prepare and adopt policies concerning the operation of Part 2 of Chapter 12 of the Act.	CEO	Subject to Council Approval
133.2. The power and duty pursuant to Section 259(2) of the Act to:	CEO	NIL
133.2.1. prepare a draft of a Policy; and	CEO	NIL
133.2.2. by notice in a newspaper circulating in the area of the Council, give notice of the place or places at which copies of the draft are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) and invite interested persons to make written representations on the draft within a period specified by the Council or the Delegate (being at least four weeks).	CEO	NIL
133.3. The duty pursuant to Section 259(3) of the Act to consider any submission made on a proposed policy in response to an invitation under Section 259(2) of the Act.	CEO	NIL
133.4. The power pursuant to Section 259(4) of the Act to amend a policy at any time.	CEO	NIL
133.5. The duty pursuant to Section 259(5) of the Act before adopting an amendment to a policy, to take the steps specified in Section 259(2) and (3) (as if the amendment were a new policy), unless the Council or the Delegate determines the amendment is only of minor significance.	CEO	NIL
133.6. The duty pursuant to Sections 259(6) and (7) of the Act to make a policy available for inspection (without charge) and purchase (upon payment of a fee fixed by the Council) at the principal office of the Council during ordinary office hours.	CEO	NIL
133.7. The duty pursuant to Section 259(8) of the Act in considering whether to make an order under Part 2 of Chapter 12 of the Act, to deal with the particular case on its merits and the duty to take into account any relevant policy under Division 3 of Part 2, Chapter 12 of the Act.	CEO	NIL
134. Appointment of Authorised Persons		
134.1. The power, pursuant to Section 260(1) of the Act by instrument in writing, to appoint a person (other than a member of the Council) to be an authorised person.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
134.2. The power pursuant to Section 260(2) of the Act to make an appointment of an authorised person subject to such conditions or limitations as the Delegate determines and specified in the instrument of appointment.	CEO	NIL
134.3. The power and duty pursuant to Section 260(3) of the Act to issue to an authorised person an identity card:	CEO	NIL
134.3.1. containing a photograph of the authorised person; and	CEO	NIL
134.3.2. identifying any conditions or limitations imposed under Section 260(2) of the Act.	CEO	NIL
134.4. The power pursuant to Section 260(5) of the Act to at any time revoke an appointment under Section 260 of the Act, or to vary or revoke a condition or limitation, or impose a further condition or limitation on the appointment.	CEO	NIL
135. Procedures for Review of Decisions and Requests for Services		
135.00 The power and duty pursuant to Section 270(a1) of the Act and in accordance with Sections 270(a2) and (4a) of the Act, to develop and maintain policies, practices and procedures for dealing with: The power and duty pursuant to Section 270(a1) of the Act and in accordance with Sections 270(a2) and (4a) of the Act, to develop and maintain policies, practices and procedures for dealing with:	CEO	NIL
135.00.1 any reasonable request for the provision of a service by the Council or for the improvement of a service provided by the Council; or	CEO	NIL
135.00.1 any reasonable request for the provision of a service by the Council or for the improvement of a service provided by the Council; and	CEO	NIL
135.00.2 complaints about the actions of the Council, employees of the Council, or other persons acting on behalf of the Council.	CEO	NIL
135.0. The power and duty pursuant to Section 270(a2) of the Act to ensure the policies, practices and procedures required under Section 270(a1) of the Act, are directed towards:	CEO	NIL
135.0.1. dealing with the relevant requests or complaints in a timely, effective and fair way; and	CEO	NIL
135.0.2. 135.0.2 using information gained from the Council's community to improve its services and operations.	CEO	NIL
135.1. Without limiting Sections 270(a1) and (a2) of the Act, the power and duty pursuant to Section 270(1) of	CEO	NIL

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the Act and in accordance with Sections 270(2) and (4a) of the Act, to establish procedures for the review of decisions of: The duty pursuant to Section 270(1) of the Act to establish procedures for the review of decisions of:		
135.1.1. the Council;	CEO	NIL
135.1.2. employees of the Council;	CEO	NIL
135.1.3. other persons acting on behalf of the Council,	CEO	NIL
135.2. The duty pursuant to Section 270(2) of the Act to ensure that the procedures established under Section 270(1) of the Act address the following matters (and any other matters which the Delegate or the Council determines to be relevant): the duty pursuant to Section 270(2) of the Act to ensure that the internal review procedures established under Section 270(1) of the Act address the following matters (and any other matters which the Delegate determines to be relevant):	CEO	NIL
135.2.1. the manner in which an application for review may be made;	CEO	NIL
135.2.2. the assignment of a suitable person to reconsider a decision under review;	CEO	NIL
135.2.3. the matters that must be referred to the Council itself for consideration or further consideration;	CEO	NIL
135.2.3A in the case of applications that relate to the impact that any declaration of rates or service charges may have had on ratepayers – the provision to be made to ensure that these applications can be dealt with promptly and, if appropriate, addressed through the provision of relief or concessions under the Act;	CEO	NIL
135.2.4. the notification of the progress and outcome of an application for review;	CEO	NIL
135.2.5. the timeframes within which notifications will be made and procedures on a review will be completed.	CEO	NIL
135.3. The power pursuant to Section 270(4) of the Act to refuse to consider an application for review of a decision under Section 270 of the Act, if:	CEO	NIL
135.3.1. the application was made by an employee of the Council and relates to an issue concerning his or her employment; or	CEO	NIL
135.3.2. it appears that the application is frivolous or vexatious; or	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
135.3.3. the applicant does not have a sufficient interest in the matter.	CEO	NIL
135.4. The power and duty pursuant to Section 270(5) of the Act to ensure that copies of a document concerning the policies, practices and procedures that apply under Section 270 of the Act are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.	CEO	NIL
135.5. The power pursuant to Section 270(6) of the Act to, from time to time, amend the policies, practices and procedures established under Section 270 of the Act.	CEO	Policy to be adopted by Council
135.6. The power and duty pursuant to Section 270(8) of the Act to, on an annual basis, initiate and consider a report that relates to:	CEO	NIL
135.6.1. the number of applications for review made under Section 270; and	CEO	NIL
135.6.2. the kinds of matters to which the applications relate; and	CEO	NIL
135.6.3. the outcome of applications under this Section; and	CEO	NIL
135.6.4. such other matters as may be prescribed by the Regulations.	CEO	NIL
135.7. The power pursuant to Section 270(9) of the Act on an application for the provision of some form of relief or concession with respect to the payment of those rates, to, if appropriate, in view of the outcome of the application, refund the whole or a part of any amount that has been paid.	CEO	NIL
136. Mediation, Conciliation and Neutral Evaluation		
136.0. The power pursuant to Section 271(1) of the Act as part of, or in addition to, the procedures established under Section 270 of the Act, to make provision for disputes between a person and the Council to be dealt with under a scheme involving mediation, conciliation or neutral evaluation.	CEO	NIL
136.1. The duty pursuant to Section 271(2) of the Act to provide for the constitution of panels of persons who are available to act as mediators, conciliators and evaluators, and for the selection of an appropriate mediator, conciliator or evaluator, if a dispute is to be dealt with under a Scheme established under Section 271(1) of the Act.	CEO	NIL
136A. Provision of Information to Minister		
136A.1 The power and duty, pursuant to Section 271A of the Act, to, at the request of the Minister, provide to the Minister specified information, or information of a specified kind, relating to the affairs or	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
operations of the Council.			
136A.2	The power pursuant to Section 271A(3) of the Act to, provide information in accordance with a request under Section 271A(1) of the Act, even if:	CEO	NIL
136AA.2.1	the information was given to the Council in confidence; or	CEO	NIL
136AA.2.2	is held on a confidential basis under Chapter 6 Part 4.	CEO	NIL
136B. Investigation of a Council			
136B.1	The power pursuant to Section 272(3) of the Act, to, before the Minister refers a matter, explain the Council's actions and make submissions to the Minister.	CEO	NIL
136B.2	The power pursuant to Section 272(5) of the Act, to make submissions to the Minister in relation to the matter.	CEO	NIL
136C. Action on a Report			
136C.1	The power pursuant to Section 273(3) of the Act to make submissions to the Minister on the report on which the action is based.	CEO	NIL
136E. Action on a Report			
136E.1	The power pursuant to Section 275(2) of the Act to make submissions to the Minister.	CEO	NIL
137. Special Jurisdiction			
137.0.	The power pursuant to Section 276(1) and (2) of the Act to commence, defend or participate in the following proceedings before the District Court, on behalf of the Council:	CEO	NIL
137.0.1.	proceedings to try the title of a member to an office;	CEO	NIL
137.0.2.	proceedings to try the right of a person to be admitted or restored to an office;	CEO	NIL
137.0.3.	proceedings to compel restoration or admission;	CEO	NIL
137.0.4.	proceedings to compel the Council to proceed to an election, poll or appointment;	CEO	NIL
137.0.5.	proceedings to try the validity of a rate or service charge;	CEO	NIL
137.0.6.	proceedings to try the validity of a by-law;	CEO	NIL
137.0.7.	proceedings to compel the production or delivery of any books, voting papers, or other	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
documents or papers to the production or possession of which the Council or person is entitled under this Act.		
138. Service of Documents by Councils etc		
138.0. Where a document is required or authorised to be served on or given to a person by the Council, the power and duty to effect service in accordance with and pursuant to Section 279 of the Act.	CEO	NIL
139. Service of Documents on Councils		
139.0. The power pursuant to Section 280(1)(c) and (d) of the Act to determine the means available for service of documents on the Council and the power to accept or authorise a person to accept documents on Council's behalf.	CEO	NIL
140. Recovery of Amounts from Lessees or Licensees		
140.0. Where an owner of land is liable to pay an amount to the Council, the power pursuant to Section 281(1) of the Act by written notice to a lessee or licensee of the land, to require him or her to pay to the Council rent or other consideration payable under the lease or license in satisfaction of the liability to the Council.	CEO	NIL
141. Ability of Occupiers to Carry out Works		
141.0. Where an owner of land fails to carry out work that the Council has required the owner to carry out under an Act, the power pursuant to Section 282(1) of the Act to give approval to the occupier of the land to cause the work to be carried out.	CEO	NIL
142. Power to Enter and Occupy Land in Connection with an Activity		
142.0. The duty pursuant to Section 294(1a) of the Act and subject to Section 294(1b) of the Act, to give an owner or occupier of land at least 48 hours notice in writing of an intention to exercise a power under Section 294(1)(b) or (c) of the Act.	CEO	NIL
142.1. The duty pursuant to Section 294(3) of the Act:	CEO	NIL
142.1.1. to pay to the owner or occupier of the land rent on a quarterly or half-yearly basis, at a rate to be determined by agreement between the Council and the owner or occupier or, in default of agreement, by the Land and Valuation Court; and	CEO	NIL
142.1.2. to pay to the owner or occupier of the land within 1 month after occupying the land -	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
reasonable compensation for damage caused to any crops on the land; and		
142.1.3. within 6 months of ceasing to occupy the land:	CEO	NIL
142.1.3.1. remedy damage to land caused by the Council while in occupation of the land (to such extent as this may be reasonably practicable); and	CEO	NIL
142.1.3.2. to pay to the owner or occupier of the land reasonable compensation for any other loss or damage caused by the Council, including the full value of any earth, minerals or resources taken from the land;	CEO	NIL
142.2. The duty pursuant to Section 294(5) of the Act, at the request of an owner or occupier of the land entered and occupied by Council, to erect a fence of reasonable quality and design between the occupied land and the adjoining land.	CEO	NIL
143. Reclamation of Land		
143.0. Where the Council raises, fills in, improves, drains, levels or reclaims land in the area of the Council, the power pursuant to Section 296(1) of the Act to recover the whole or a proportion of the cost of the work from the owners of adjacent or adjoining rateable land improved by the performance of the work in proportion to additional value the work has added to the land.	CEO	NIL
143.1. The power pursuant to Section 296 (2) of the Act to appoint a valuer to determine the additional value added to the land by Council's activities, under Section 296(1) of the Act.	CEO	NIL
143.2. The duty pursuant to Section 296(3) of the Act to give notice of a valuation to the relevant owner under this Section of the Act.	CEO	NIL
143.3. The duty pursuant to Section 296(5) of the Act to conduct an objection or appeal in the same manner as an objection to or appeal against a valuation under Division 6 of Part 1, Chapter 10 of the Act.	CEO	NIL
144. Property in Rubbish		
144.0. The power pursuant to Section 297 of the Act to sell or dispose of any rubbish that the Council collects within its area, as the Delegate thinks appropriate.	CEO	NIL
145. Power of Council to Act in Emergency		
145.0. Where flooding in the area of the Council has occurred or is imminent and the Delegate is of the opinion that a situation of emergency has arisen in which there is danger to life or property, the power pursuant to Section 298(1) of the Act to order that action be taken as the Delegate thinks fit to avert or reduce the	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
danger.		
146. Vegetation Clearance		
146.0. Deliberately left blank.	Deliberately left blank.	Deliberately left blank.
146.1. Deliberately left blank.	Deliberately left blank.	Deliberately left blank.
147. Costs of Advertisements		
147.0. The duty pursuant to Section 300(1) of the Act to pay the cost of an advertisement required by the Act, or where the Council or an employee of the Council takes any action that immediately necessitates the advertisement.	CEO	NIL
148. Whistleblowing		
148.0. The duty pursuant to Section 302B of the Act to ensure that a member of staff of the Council who has the qualifications prescribed by the Local Government (General) Regulations 2013 is designated as the responsible officer for the Council for the purposes of the Whistleblowers Protection Act 1993.	CEO	NIL
148A Use of Facilities		
148A.1 The power pursuant to Clause 13 of Schedule 1A of the Act to arrange with the Authority for the Authority to make use of the services of the staff, equipment or facilities of the Council.	CEO	NIL
149. Deliberately left blank	Deliberately left blank.	Deliberately left blank.
150. Deliberately left blank	Deliberately left blank.	Deliberately left blank.
151. Deliberately left blank	Deliberately left blank.	Deliberately left blank.
151A Preparation of Stormwater Management Plans by Councils		
151A.1 The power pursuant to Clause 17(1) of Schedule 1A of the Act to prepare a stormwater management plan which: (a) complies with the guidelines issued by the Authority; and (b) is prepared in consultation with the relevant regional NRM board or boards; and (c) is prepared in accordance with any other procedures or requirements prescribed by the Regulations.	CEO	NIL
151B Authority May Issue Order		

	Direct Delegation from Council	Conditions/ Limitations
151B.1 The power pursuant to Clause 20(5) of Schedule 1A of the Act, before the Authority takes any action under Clause 20(4) of Schedule 1A of the Act, to make submissions to the Authority in relation to the matter.	CEO	NIL
151B.2 The power pursuant to Clause 20(6) of Schedule 1A of the Act, if costs and expenses are to be recovered from the Council as a debt, to enter into an agreement with the Authority for the debt to be repaid over a period of time, subject to the payment by the Council of interest on the debt (and the power to agree the rate with the Authority).	CEO	NIL
152. Deliberately left blank	Deliberately left blank	Deliberately left blank
153. Deliberately left blank	Deliberately left blank	Deliberately left blank
154. Special Powers in Relation to Land		
<p>154.0. The power pursuant to Clause 24(1) of Schedule 1A of the Act and in accordance with Clause 24(2) of Schedule 1A of the Act, for the purpose of taking action consistent with the provisions of an approved stormwater management plan or a condition imposed on approval of a stormwater management plan or action required by an order under Clause 20 of Schedule 1 of the Act, to:</p> <ul style="list-style-type: none"> (a) enter and occupy any land; and (b) construct, maintain or remove any infrastructure; and (c) excavate any land; and (d) inspect, examine or survey any land and for that purpose: <ul style="list-style-type: none"> (i) fix posts, stakes or other markers on the land; and (ii) dig trenches or sink test holes in the land to determine the nature of the top soil and underlying strata; and (iii) remove samples for analysis. (e) alter water table levels, stop or reduce the flow of water in a watercourse, divert water flowing in a watercourse to another watercourse or to a lake or control the flow of water in any other manner; and (f) hold any water in a watercourse or lake or by any other means; and (g) divert water to an underground aquifer, dispose of water to a lake, underground aquifer or the sea, or deal with water in any other manner; and (h) deepen, widen or change the course of a watercourse, deepen or widen a lake or take action 	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
<p>to remove any obstruction to the flow of water; and</p> <p>(i) undertake any other form of work (including work undertaken for the purposes of stormwater management or flood mitigation); and</p> <p>(j) undertake any testing, monitoring or evaluation; and</p> <p>(k) undertake any other activity of a prescribed kind.</p>		
154.1. The power pursuant to Clauses 24(2)(b) and 25 of Schedule 1A of the Act to acquire an easement or other appropriate interest over the relevant land by agreement with the owner or in accordance with the Land Acquisition Act 1969 and any other applicable laws.	CEO	NIL
155. Entry and Occupation of Land Other Than Council Land		
155.0. The power pursuant to Clause 25(2) of Schedule 1A of the Act, subject to Clause 25(3) of Schedule 1A of the Act, to give reasonable notice of an intention to enter, or to enter and occupy, land in accordance with Clause 24 of Schedule 1A of the Act to the occupier of the land.	CEO	NIL
155.1. The power pursuant to Clause 25(3)(b) of Schedule 1A of the Act to, in an emergency, give such notice (if any) as the delegate considers is reasonable in the circumstances.	CEO	NIL
156. Vesting of Infrastructure, etc		
156.0. The power pursuant to Clause 26(3) of Schedule 1A of the Act to, before the Minister publishes a notice vesting the care, control and management of infrastructure or land in the Council under Clauses 26(1) or (2) of Schedule 1A of the Act make submissions to the Minister in relation to the proposed notice.	CEO	NIL
157. Building Upgrade Agreement (May only be delegated to CEO)		
157.0. The power pursuant to Clause 2(1) of Schedule 1B of the Act, subject to Clause 2 of Schedule 1B of the Act, to, in relation to a building situated on land within the area of the Council, enter into an agreement (a building upgrade agreement) under which:	CEO	NIL
157.0.1. the building owner agrees to undertake upgrade works in respect of the building; and	CEO	NIL
157.0.2. a finance provider agrees to advance money to the building owner for the purpose of funding those upgrade works; and	CEO	NIL
157.0.3. the Council agrees:	CEO	NIL
157.0.3.1. to levy a charge on the relevant land (a building upgrade charge), to be paid by the building owner, for the purpose of recouping the money advanced by the	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
finance provider for the upgrade works (and any interest or other charges payable to the finance provider under the agreement); and		
157.0.3.2. to pay to the finance provider any money paid to the Council by way of the building upgrade charge (other than any service fee or late payment fee that the Council is permitted by the agreement to deduct and retain).	CEO	NIL
157.1. The power pursuant to Clause 2(3) of Schedule 1B of the Act to include in a building upgrade agreement, payment to the finance provider of penalty interest on money advanced by the finance provider under the agreement, at such rate as determined in accordance with the regulations, and, if the regulations do not provide for the determination of the rate at such rate as determined in accordance with the agreement.	CEO	NIL
157.2. The power pursuant to Clause 2(4) of Schedule 1B of the Act to agree that a building upgrade agreement may be entered into by any other persons that the delegate considers should be parties to the agreement.	CEO	NIL
158. Variation or Termination of Agreement (May only be delegated to CEO)		
158.0. The power pursuant to Clause 4 of Schedule 1B of the Act to vary or terminate a building upgrade agreement by further agreement between the primary parties.	CEO	NIL
159. Contents of Agreement (May only be delegated to CEO)		
159.0. The power pursuant to Clause 5(1) of Schedule 1B of the Act to make a building upgrade agreement in writing and specify:	CEO	NIL
159.0.1. the upgrade works to be undertaken by or on behalf of the building owner under the agreement; and	CEO	NIL
159.0.2. the amount of money to be advanced by the finance provider under the agreement; and	CEO	NIL
159.0.3. the amount of the building upgrade charge to be levied by the Council under the agreement; and	CEO	NIL
159.0.4. the schedule for the payment, by the building owner, of a building upgrade charge to the Council; and	CEO	NIL
159.0.5. the amount of, or a method for calculating the amount of, any service fee or late payment fee that the Council may deduct and retain; and	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
159.0.6. any prescribed matters.	CEO	NIL
159.1. The power pursuant to Clause 5(2) of Schedule 1B of the Act to, in a building upgrade agreement:	CEO	NIL
159.1.1. provide for the early repayment of any amount payable under the agreement; and	CEO	NIL
159.1.2. include and agree to other provisions.	CEO	NIL
160. Declaration of Building Upgrade Charge (May only be delegated to CEO)		
160.0. The power pursuant to Clause 6(1) of Schedule 1B of the Act, after the Council enters into a building upgrade agreement, to, in accordance with the terms of the agreement, declare a building upgrade charge in respect of the relevant land (being a charge of the agreed amount specified in the building upgrade agreement).	CEO	NIL
160.1. The power pursuant to Clause 6(2) of Schedule 1B of the Act, if the Council or delegate declares a building upgrade charge, to, within 28 days after the declaration give the building owner written notice in accordance with Clauses 6(3) and (4) of Schedule 1B of the Act specifying:	CEO	NIL
160.1.1. the name and address of the building owner; and	CEO	NIL
160.1.2. a description of the relevant land in respect of which the building upgrade charge is being levied; and	CEO	NIL
160.1.3. the building upgrade agreement under which the building upgrade charge is being levied; and	CEO	NIL
160.1.4. the amount for which the building owner is liable; and	CEO	NIL
160.1.5. the manner of payment of the amount; and	CEO	NIL
160.1.6. the due date for payment of the amount, in accordance with the schedule for the payment of the building upgrade charge to the Council (specified in the building upgrade agreement); and	CEO	NIL
160.1.7. the amount of, or method of calculating, any service fee of the Council authorised by the building upgrade agreement and any late payment fee that may be imposed by the Council if the building owner fails to pay an amount for which the building owner is liable by the due date; and	CEO	NIL
160.1.8. any prescribed matters.	CEO	NIL
160.2. The power pursuant to Clause 6(4) of Schedule 1B of the Act, to, in relation to each payment in respect of a building upgrade charge for which a building owner is liable, give a notice under Clause 6(2) of	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
Schedule 1B of the Act to the building owner at least 28 days before the date for payment specified in the notice.		
161. Payment of Building Upgrade Charge		
161.0. The power pursuant to Clause 7(2) of Schedule 1B of the Act, on payment of money in respect of a building upgrade charge to the Council, to deduct and retain any service fee and late payment fee authorised by the building upgrade agreement.	CEO	NIL
161.1. The power pursuant to Clause 7(3) of Schedule 1B of the Act in relation to money paid to the Council in respect of a building upgrade charge, to, other than any service fee and late payment fee retained by the Council,	CEO	NIL
161.1.1. hold that money on behalf of the finance provider pending payment to the finance provider; and	CEO	NIL
161.1.2. pay that money to the finance provider in accordance with the terms of the building upgrade agreement under which the charge was levied.	CEO	NIL
162. Sale of Land for Non-payment of Building Upgrade Charge		
162.0. The power pursuant to Clause 9(1) of Schedule 1B of the Act, subject to clause 9 of Schedule 1B of the Act to, if an amount for which a building owner is liable in respect of a building upgrade charge remains unpaid for more than 3 years, sell the relevant land in accordance with the regulations.	NIL	NIL
162.1. The power pursuant to Clause 9(2) of Schedule 1B of the Act to, apply any money received by the Council in respect of the sale of land under Clause 9 of Schedule 1B of the Act as follows:	CEO	NIL
162.1.1. firstly – in paying the costs of the sale and any other costs incurred in proceeding under Clause 9 of Schedule 1B of the Act;	CEO	NIL
162.1.2. secondly – in discharging any liabilities to the Council in respect of the land (other than any building upgrade charge, service fee or late payment fee in relation to a building upgrade charge);	CEO	NIL
162.1.3. thirdly – in discharging any liability to the Council for a building upgrade charge, service fee or late payment fee in relation to a building upgrade charge;	CEO	NIL
162.1.4. fourthly – in discharging any liability to the Crown for rates, charges or taxes, or any prescribed liability to the Crown in respect of the land;	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
162.1.5. fifthly – in discharging any liabilities secured by registered mortgages, encumbrances or charges;	CEO	NIL
162.1.6. sixthly – in discharging any other mortgages, encumbrances or charges of which the Council has notice;	CEO	NIL
162.1.7. seventhly – in payment to the owner of the land.	CEO	NIL
162.2. The power pursuant to Clause 9(3) of Schedule 1B of the Act, if the owner cannot be found after making reasonable inquiries as to his or her whereabouts, to deal with an amount payable to the owner as unclaimed money under the Unclaimed Moneys Act 1891.	CEO	NIL
163. Repayment of Advances to Finance Provider		
163.0. The power pursuant to Clause 10(2) of Schedule 1B of the Act, if a building upgrade agreement is terminated before all the money that the finance provider agreed to advance to the building owner is advanced, to:	CEO	NIL
163.0.1. adjust the building upgrade charge to reflect the lower amount advanced to the building owner; and	CEO	NIL
163.0.2. give the building owner written notice of the adjustment.	CEO	NIL
163.1. The power pursuant to Clause 10(3) of Schedule 1B of the Act, if, as a result of an adjustment being made to a building upgrade charge under clause 10 of Schedule 1B of the Act:	CEO	NIL
163.1.1. the building owner has made payment in respect of the charge in excess of the adjusted amount; and	CEO	NIL
163.1.2. the excess amount has been paid by the Council to the finance provider,	CEO	NIL
to refund the building owner the excess amount paid.	CEO	NIL
164. Register of Building Upgrade Agreements		
164.0. The power pursuant to Clause 13(1) of Schedule 1B of the Act to keep a register of building upgrade agreements in accordance with Clause 13(2) of Schedule 1B of the Act.	CEO	NIL
164.1. The power pursuant to Clause 13(3) of Schedule 1B of the Act to make available the register for inspection (without charge) by a member of the public at the principal office of the Council during ordinary office hours and to provide a person with an extract from the register (without charge).	CEO	NIL

Appendix 10

*Instrument of Delegation under the
Natural Resources Management Act 2004, Natural
Resources Management (General) Regulations 2005
and Natural Resources Management (Transitional
Provisions - Levies) Regulations 2005*

	Direct Delegation from Council	Conditions/ Limitations
INSTRUMENT OF DELEGATION UNDER THE NATURAL RESOURCES MANAGEMENT ACT 2004 THE NATURAL RESOURCES MANAGEMENT (GENERAL) REGULATIONS 2005 AND THE NATURAL RESOURCES MANAGEMENT (TRANSITIONAL PROVISIONS LEVIES) REGULATIONS 2004		
1. Collaboration with NRM board		
1.1. The power pursuant to Section 29(4)(d) of the Natural Resources Management Act 2004 ("the Act") to work collaboratively with a regional NRM board in the performance of its functions.	CEO	NIL
2. The power pursuant to Section 30 of the Act to act in conjunction with a regional NRM board in relation to the NRM board doing anything necessary, expedient or incidental to –	CEO	NIL
a) performing the functions of the NRM group under the Act or any other Act; or	CEO	NIL
b) assisting in the administration of the Act; or	CEO	NIL
c) furthering the objects of the Act	CEO	NIL
3. Special Vesting of Infrastructure		
3.1. The power pursuant to Section 33(7) of the Act to give consent on behalf of the Council in respect of making, varying or revoking a proclamation under Section 33(1), 33(2) or 33(6) of the Act.	CEO	NIL
4. Approval of Delegation by NRM board to Council Officers		
4.1. The power pursuant to Section 36(1)(c) of the Act to give approval to a regional NRM board to delegate a function or a power of the board under the Act or any other Act to the Council or a Council officer.	CEO	NIL
5. Use of Facilities		
5.1. The power pursuant to Section 41 of the Act to enter into arrangements with a regional NRM board for the board to make use of the services of the staff, equipment or facilities of the Council.	CEO	NIL
6. Boards Power to Provide Financial Assistance etc		
6.1. The power pursuant to Section 42(2) of the Act where a Council wishes to obtain financial or any other form of assistance from a regional NRM board under Section 42(1) of the Act, to make a written submission to the board setting out –	CEO	NIL
6.1.1. the nature of the assistance requested (and, in the case of financial assistance, the amount requested); and	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
6.1.2. the purpose or purposes for which and the manner in which the assistance will be used; and	CEO	NIL
6.1.3. the reasons why, in the Delegate's opinion, the granting of the assistance by the regional NRM board is justified.	CEO	NIL
7. Assignment of Responsibility for Infrastructure		
7.1. The power pursuant to Section 43(2) of the Act to make a submission to a regional NRM board in response to notice given by the board under Section 43(2) of the Act of the proposed assignment of the responsibility for the care, control or management of infrastructure to the Council as a third party pursuant to Section 43(1) of the Act.	CEO	NIL
7.2. The power pursuant to Section 43(3) of the Act to enter into an agreement in accordance with the Regulations with a regional NRM board as contemplated in Section 43(1) for the assignment of the responsibility for the care, control or management of infrastructure to the Council as a third party pursuant to Section 43(1) of the Act.	CEO	NIL
8. Appointment of Body to act as a Board		
8.1. The power pursuant to Section 44(4)(c) of the Act to agree that by way of a regulation revoking a regulation made under Section 44(1) of the Act, the assets, rights and liabilities of a body appointed by such regulation to be a regional NRM board under the Act, will vest in or attach to the Council.	CEO	NIL
9. Establishment of Areas		
9.1. The power pursuant to Section 45(5) of the Act to receive notice as a constituent council from a regional NRM board and to make a submission to the regional NRM board within a period (being at least 21 days) specified in the notice.	CEO	NIL
9.2. The power pursuant to Section 46(5) of the Act to enter into an agreement pursuant to which the property, assets, rights or liabilities of the local NRM group will vest in the Council pursuant to a notice under Section 46(4) of the Act.	CEO	NIL
10. Composition of NRM groups		
10.1. The power pursuant to Section 48(2)(b)(i) of the Act to consult with the relevant regional NRM board or boards, if the Council is also a constituent council for the area of the NRM group to which that board belongs, before an appointment is made by the board under Section 48(1) of the Act.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
11. Functions of Groups		
11.1. The power pursuant to Section 52(2)(c) of the Act, to work collaboratively with an NRM group in the performance of its functions under Section 52(1) of the Act.	CEO	NIL
12. Acting in Conjunction with NRM Group		
12.1. The power pursuant to Section 53(2)(g) of the Act to act in conjunction with an NRM group in relation to the NRM group doing anything necessary expedient or incidental to:	CEO	NIL
a) performing its functions under the Act or any other Act	CEO	NIL
b) assisting in the administration of the Act or	CEO	NIL
c) furthering the objects of the Act pursuant to Section 53(1) of the Act.	CEO	NIL
13. Power of Delegation		
13.1. The power pursuant to Section 55(2) of the Act, to approve a delegation made by an NRM group in accordance with Section 55(1) of the Act to the Council or a Council subsidiary, or to an officer of the Council or a Council subsidiary (as the case requires), of a function or power of the NRM group under the Act or any other Act.	CEO	NIL
14. Use of Facilities		
14.1. The power pursuant to Section 60 of the Act to enter into an arrangement with an NRM group for the NRM group to use the services of the staff, equipment or facilities of the Council.	CEO	NIL
15. Appointment of Body to Act as Group		
15.1. The power pursuant to Section 61(4)(c) of the Act to agree that by way of a regulation revoking a regulation made under Section 61 of the Act, the assets, rights and liabilities of a body appointed by such regulation, to be a regional NRM group under the Act, will vest in or attach to the Council.	CEO	NIL
16. Regional Authorised Officers		
16.1. The power pursuant to Section 67(10) of the Act to agree to the appointment of an officer of the Council as an authorised officer by a regional NRM board	CEO	NIL
17. State NRM Plan		

	Direct Delegation from Council	Conditions/ Limitations
17.1. The power pursuant to Section 74(8) of the Act to consult with the NRM Council in relation to any proposal to create or amend the State NRM Plan as defined in Section 74 of the Act, where the Local Government Association has nominated the Council pursuant to Section 74(14)(b) of the Act.	CEO	NIL
18. Regional NRM Plans		
18.1. The duty pursuant to Section 75(9) of the Act, when performing functions or exercising powers under the Local Government Act 1999 or any other Act, to have regard to any regional NRM plan that applies within the relevant area and in particular to give consideration to the question of whether changes should be implemented to the manner in which, or the means by which, the Council performs a function or exercises a power or undertakes any other activity that has been identified in the regional NRM plan as requiring change.	CEO	NIL
19. Deliberately left blank		
Deliberately left blank	Deliberately left blank	Deliberately left blank
20. Preparation of Plans and Consultation		
20.1. The power pursuant to Section 79(6)(a)(vii) of the Act where a draft plan has been prepared by a regional NRM board, to receive a copy of the draft plan.	CEO	NIL
20.2. The power pursuant to Section 79(8) of the Act to prepare and furnish a response to the regional NRM board within the period prescribed by the Regulations to a draft plan provided to the Council as a constituent council in accordance with Section 79(6)(a)(vii) of the Act.	CEO	NIL
21. Submission of Plan to Minister		
21.1. The power pursuant to Section 80(5) of the Act to receive a copy of a draft plan as amended by the Minister, or if it appears to the Minister that the part or parts of the plan that have been amended can conveniently be substituted in the draft plan – a copy of that part or those parts as amended.	CEO	NIL
22. Review and Amendment of Plans		
22.1. The power pursuant to Section 81(7)(a)(ii) of the Act, to consult with a regional NRM board within the prescribed period (being a period of at least 21 days), in respect of amendments to a regional NRM plan which are within the ambit of Section 81(8) of the Act.	CEO	NIL
23. Time for Implementation of Plans		

		Direct Delegation from Council	Conditions/ Limitations
23.1.	The power pursuant to Section 82(2) of the Act to give consent to the implementation by a regional NRM board of a draft plan or amendments to a plan that have not been adopted by the Minister.	CEO	NIL
24.	Contributions by Constituent Councils		
24.1.	The duty pursuant to Section 92(1) of the Act if a regional NRM plan for a regional NRM board specifies an amount (the base contribution amount) to be contributed by the constituent councils for the region towards the costs of the board performing its functions under the Act in a particular financial year, to make a contribution based on that amount in accordance with the requirements of Part 1 of Chapter 5 of the Act in respect of that financial year.	CEO	NIL
24.2.	The power pursuant to Section 92(7) of the Act to receive notice from the Minister of the Minister's determination.	CEO	NIL
25.	Payment of Contributions by Councils		
25.1.	The duty pursuant to Section 93(1) of the Act, subject to Section 93(2) of the Act, to pay the Council's share of the amount to be contributed by the constituent councils in approximately equal instalments on 30 September, 31 December, 31 March and 30 June in the year to which the contribution relates, including any interest which accrues on any amount unpaid at the rate and in the manner prescribed by regulation.	CEO	NIL
25.2.	The duty pursuant to Section 93(2) of the Act, if notice of a regional NRM levy imposed by a Council in respect of a financial year could not be included in the notice of general rates for that year because the share to be contributed was not approved by the Governor on or before 1 June preceding that year, to pay the Council's share of the amount to be contributed by constituent councils in approximately equal instalments on 31 December, 31 March and 30 June in that year.	CEO	NIL
26.	Deliberately left blank		
26.1.	Deliberately left blank	Deliberately left blank	Deliberately left blank
26.2.	Deliberately left blank	Deliberately left blank	Deliberately left blank
26.3.	Deliberately left blank	Deliberately left blank	Deliberately left blank
26.4.	Deliberately left blank	Deliberately left blank	Deliberately left blank
27.	Cost of Councils		

	Direct Delegation from Council	Conditions/ Limitations
27.1. The power pursuant to Section 96(1) of the Act, subject to Section 96(2) and 96(3) of the Act, to receive an amount from a regional NRM board determined in accordance with the regulations on account of the costs of the Council as a constituent council in complying with the requirements of Part 1 of Chapter 5 of the Act.	CEO	NIL
28. Declaration of Prescribed Water Resources		
28.1. The duty pursuant to Section 125(5)(b) of the Act, to receive a copy of a notice from the Minister outlining a proposed recommendation to the Governor declaring that part of the State is a surface water prescribed area.	CEO	NIL
29. Requirement for notice of certain applications		
29.1. The power pursuant to Section 136(3) of the Act, where the Council is a person specified in the plan to whom notice of an application must be given pursuant to Section 136(2) of the Act to make representations in writing to the relevant authority in relation to the granting or refusal of a permit.	CEO	NIL
29.2. The duty pursuant to Section 136(6) of the Act, if the Council has made a representation under Section 136(3) of the Act, as part of that representation indicated an interest in appearing before the authority, to appear personally or by representative before the authority to be heard in support of the representation.	CEO	NIL
29.3. The power pursuant to Section 136(11) of the Act to lodge an appeal with the ERD Court.	CEO	NIL
30. By-Laws		
30.1. The power pursuant to Section 171(7)(a) of the Act to consult with a regional NRM board before a by-law is made by the NRM board under Section 171 of the Act that directly affects the area of the Council.	CEO	NIL
30.2. The power pursuant to Section 171(7)(c) of the Act to submit to the regional NRM board the Council's views on a by-law proposed to be made under Section 171 of the Act.	CEO	NIL
31. Orders made by ERD Court		
31.1. The power pursuant to Section 201(5) of the Act, where the Council's interests are affected by the subject matter of the application to make an application to the ERD Court for Orders under Section 201 of the Act.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
31.2. The duty pursuant to Section 201(7) of the Act where an application is made to the ERD Court to serve a copy of the application on the Minister within 3 days after filing the application with the ERD Court.	CEO	NIL
32. Management Agreements		
32.1. The power pursuant to Section 205(3) of the Act to receive notice from the Minister of a proposal to provide for the remission of any Council rate under Section 205(2)(j) of the Act by way of a management agreement.	CEO	NIL
33. Service of notices or other documents		
33.1. The duty pursuant to Section 208(1) of the Act, subject to Section 208(2) of the Act, where required or authorised by the Act to serve a notice or other document on a person, to effect service of the notice or other document by –	CEO	NIL
33.1.1. giving the notice or document to the person or an agent of the person; or	CEO	NIL
33.1.2. leaving the notice or other document for the person at his or her place of residence or business with someone apparently over the age of 16 years; or	CEO	NIL
33.1.3. if the notice or document is to be served on the owner of the land and the land is unoccupied, and the Delegate has taken reasonable steps to effect service under the other paragraphs of Section 208(1) of the Act, to serve the notice or document by fixing it to some conspicuous part of the land; or	CEO	NIL
33.1.4. if the notice or document is to be served on the occupier of the land, be sent by post to the occupier of the land; or	CEO	NIL
33.1.5. be served on the person by fixing it to, or leaving it on, a vessel or craft that the person is apparently in charge of, or expected to board at some stage, if the Delegate has reasonable grounds to believe that service in this manner will bring the notice or document to the attention of the person to be served; or	CEO	NIL
33.1.6. send the notice or document to the person by facsimile transmission; or	CEO	NIL
33.1.7. serve or give the notice or document to a person in a manner prescribed by the Regulations.	CEO	NIL
33.2. The power pursuant to Section 208(3) of the Act, subject to the Regulations, if a notice or document is required or authorised to be given to an owner of land, if it is to be served personally, to serve the	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
notice on the owner, one of any joint owners, or the agent of the owner.		
34. Vesting of Property		
34.1. The power pursuant to Clause 46(1)(d) of Schedule 4 of the Act to consent to the vesting in the Council by proclamation of the Governor any asset, right or liability of a statutory body or of a related body nominated by the proclamation.	CEO	NIL
35. Special Provisions relating to the repeal of the Water Resources Act 1997		
35.1. The duty pursuant to Clause 54(17) of Schedule 4 of the Act, subject to Clause 55 of the Act, to pay any amount payable by the Council under Part 8, Division 2 of the Water Resources Act 1997 under a scheme established by the Minister for the purposes of Clause 54 of Schedule 4 of the Act (and such a scheme may provide that an amount be paid to a regional NRM board rather than a catchment water management board).	CEO	NIL
35.2. Deliberately left blank	Deliberately left blank	Deliberately left blank
36. Special Provisions related to levies		
36.1. Deliberately left blank	Deliberately left blank	Deliberately left blank
36.2. Deliberately left blank	Deliberately left blank	Deliberately left blank
36.3. Deliberately left blank	Deliberately left blank	Deliberately left blank
DELEGATIONS UNDER THE NATURAL RESOURCES MANAGEMENT (GENERAL) REGULATIONS 2005		
37. The power pursuant to Regulation 35(2) of the Natural Resources Management (General) Regulations (“the Regulations”), when making an agreement under Section 43 of the Act, to include provisions terms or conditions other than those identified in Regulation 35(1) of the Regulations.	CEO	NIL
DELEGATIONS UNDER THE NATURAL RESOURCES MANAGEMENT (TRANSITIONAL PROVISIONS LEVIES) REGULATIONS 2004		
38. Contributions by Councils		
38.1. Deliberately left blank	Deliberately left blank	Deliberately left blank

Appendix 11

*Instrument of Delegation under the
Real Property Act 1886*

NB: CONDITIONS/LIMITATIONS APPLYING TO ALL DELEGATIONS UNDER THE REAL PROPERTY ACT 1886:- Not to be exercised where the common seal of the council is required to be affixed to any form required to be deposited under the Act.

	Direct Delegation from Council	Conditions/ Limitations
INSTRUMENT OF DELEGATION UNDER THE REAL PROPERTY ACT 1886		
1. Lands granted prior to the day on which this Act comes into operation may be brought into operation under this Act		
1.1 The power pursuant to Section 27 of the Real Property Act 1886 (the Act) and in accordance with Sections 27, 28 and 29 of the Act to, as to land heretofore alienated from the Crown in fee but not under the provisions of any of the Real Property Acts (whether such land shall constitute the entire or only part of the land included in any land grant), to apply to the Registrar-General in the form of Schedule 2 to the Act, or in a form to the like effect, to bring the said land under the provisions of the Act where:	CEO	NB
1.1.1 the Council claims to be the person in whom the fee simple is vested either at law or in equity;	CEO	NB
1.1.2 the Council has power to appoint or dispose of the fee simple, at law or in equity and the application is made for the purpose of carrying such power into effect.	CEO	NB
1.2 The power pursuant to Section 27(a) of the Act, where the Council claims or appears to be beneficially entitled to land heretofore alienated from the Crown in fee but not under the provisions of any of the Real Property Acts, whether such land shall constitute the entire or only part of the land included in any land grant, to consent to an application to bring the said land under the provisions of the Act.	CEO	NB
1.3 The power pursuant to Section 27(c) of the Act, where the Council claims or appears to be beneficially entitled in reversion or remainder to land heretofore alienated from the Crown in fee but not under the provisions of any of the Real Property Acts, whether such land shall constitute the entire or only part of the land included in any land grant, to consent to an application to bring the said land under the provisions of the Act.	CEO	NB
2. Undivided shares and mortgaged land may not be brought under Act except upon conditions		
2.1 The power pursuant to Section 28 of the Act to join in the application with a view to bringing the entirety under the provisions of the Act, where,	CEO	NB
2.1.1 the Council appears to be entitled to an undivided share of the land; or	CEO	NB
2.1.2 the Council is the mortgagee of the land.	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
3. Caveat against bringing land under Act		
The power pursuant to and in accordance with Section 39 of the Act, where the Council has or claims an estate or interest in any land sought to be brought under the provisions of the Act, to, within the time by the Registrar-General or under any order of the Court for that purpose limited, lodge a caveat in the Lands Titles Registration Office, in the form of Schedule 3 to the Act, forbidding the bringing of such land under the provisions of the Act.	CEO	NB
4. Applicant may withdraw his application		
4.1 The power pursuant to Section 41 of the Act, to:	CEO	NB
4.1.1 withdraw the Council's application at any time prior to the issuing of the certificate;	CEO	NB
4.1.2 request in writing signed by the Delegate the return to the Council or the person notified in the application as having a lien thereon of all documents of title deposited in support of the application.	CEO	NB
5. Proceedings under Caveat		
The power pursuant to Section 44 of the Act, whenever a caveat shall have been lodged in the Lands Titles Registration Office forbidding land to be brought under the provisions of the Act, to bring like proceedings as provided for in the Act for the removal of caveats, in the case of land already under the provisions of the Act, for removal of the caveat, and for the recovery of costs and damages from the caveator, in case the caveat shall have been lodged by the caveator wrongfully and without reasonable cause.	CEO	NB
6. Deliberately left blank	Deliberately Left Blank	Deliberately Left Blank
6A. Priority of instruments		
6A.1 The power pursuant to Section 56(5) of the Act and in accordance with Section 56(6) of the Act to apply to the Registrar-General, in the appropriate form, to vary the order of priority between 2 or more registered mortgages or encumbrances.	NIL	NIL
6A.2 The power pursuant to Section 56(6)(a) of the Act to consent to an application under Section 56(5) of the Act where the Council is the holder of a mortgage or encumbrance that is to have its order of priority varied.	NIL	NIL

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	Direct Delegation from Council	Conditions/ Limitations
6A.3 The power pursuant to Section 56(6)(b) of the Act, if a registered mortgage or encumbrance is, by virtue of the proposed variation of order of priority, to be postponed to a mortgage or encumbrance over which it has had priority, to consent where the Council is the holder of the mortgage or encumbrance that is to be postponed.	NIL	NIL
7. Certificates in lieu of surrendered certificates		
The power pursuant to Section 78 of the Act where the Council is a registered proprietor holding land under 1 or more certificates, to apply to the Registrar-General for the issue of one certificate for the whole of such land, or several certificates each comprising portion of such land.	CEO	NB
8. Deliberately left blank	Deliberately Left Blank	Deliberately Left Blank
9. Application for Certificate based on possession		
The power pursuant to Section 80A of the Act and in accordance with Section 80B of the Act, where the Council would have obtained a title by possession to any land which is subject to the Act if that land had not been subject to the Act, to apply to the Registrar-General for the issue to the Council of a certificate of title to that land.	CEO	NB
10. Caveats		
The power pursuant to and in accordance with Section 80F of the Act, where the Council claims an estate or interest in land to which an application under Part 7A relates, to lodge a caveat with the Registrar-General forbidding the granting of the application.	CEO	NB
11. Variation and Extinguishment of Easements		
11.1 The power pursuant to Section 90B(1) of the Act, and subject to Section 90B of the Act, where the Council is the proprietor of the dominant or servient land, to make application (in a form approved by the Registrar-General) to:	CEO	NB
11.1.1 vary the position of, or extend or reduce the extent of, an easement over servient land; or	CEO	NB
11.1.2 vary an easement by extending the appurtenance of the easement to other land owned by the proprietor of the dominant land; or	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
11.1.3 extinguish an easement.	CEO	NB
11.2 The power pursuant to Section 90B(2) of the Act, where the Council is the proprietor of the dominant land or servient land, or has, or claims to have, an estate or interest in the dominant or servient land, to give written consent to the Registrar-General acting under Section 90B(1) of the Act.	CEO	NB
12. Easement subject to existing mortgage etc		
The power pursuant to Section 90F of the Act, where an easement is created over servient land and the dominant land or any part of it is subject to a mortgage or encumbrance held by the Council, to consent to the easement also being subject to the mortgage or encumbrance and endorse the Council's consent on the instrument granting the easement.	CEO	NB
13. Person now holding under lease or agreement may surrender		
13.1 The power pursuant to Section 92 of the Act, where the Council holds Crown lands under a lease or agreement for sale granted or made by or on behalf of the Crown, to, subject to the approval of the Minister of Lands, surrender the lease or agreement for a Crown lease of the land remaining subject to such lease or agreement, upon all the same terms as shall have been applicable to such land prior to the surrender but so that every person having any estate or interest in the surrendered land shall concur in the surrender.	CEO	NB
13.2 The power pursuant to Section 92 of the Act where a person holding any Crown lands under a lease or agreement for sale granted or made by or on behalf of the Crown and the lease or agreement for a Crown lease of the land remaining subject to such lease or agreement is to be surrendered, to as a person having an estate or interest in the surrendered land, concur in the surrender.	CEO	NB
14. Execution and registration of Crown Lease		
14.1 The power pursuant to Section 93(1) of the Act, where the Council is party to a Crown lease, to execute two copies of the lease, one of which must be lodged in the Lands Titles Registration Office for inclusion or recording in the Register of Crown Leases and the other of which must be delivered to the lessee.	CEO	NB
14.2 The power pursuant to Section 93(3a) of the Act to transfer, mortgage and deal with a Crown lease registered under Section 93(3) of the Act as if it were a lease registered in the Register Book (provided that an entry in respect of a lease that would ordinarily be made in the Register Book must instead be	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
made in the Register of Crown Leases).		
15. Transfers		
15.1 The power pursuant to and in accordance with Section 96 of the Act, where the Council is the transferor or transferee of land intended to be transferred or a right of way or other easement intended to be created or transferred, to execute a transfer in the appropriate form to be lodged for registration in the Lands Titles Registration Office.	CEO	NB
15.2 Deliberately left blank	CEO	NB
16. Creation of easements by reservation		
The power pursuant to Section 96AA of the Act, to create an easement on the transfer under the Act of an estate of freehold or the granting of an estate of leasehold under the Act by reservation of the easement to the transferor or lessor in the instrument of transfer or the lease.	CEO	NB
17. Deliberately left blank	Deliberately left blank	Deliberately left blank
18. Deliberately left blank	Deliberately left blank	Deliberately left blank
19. Sale under Writ of fieri facias or Decree, Warrant or Order of Court		
The power pursuant to Section 105 of the Act in relation to a writ or warrant of execution against land, or of a decree or order (other than an order for sale for non-payment of rates) affecting land issued out of or made by the Court, or any Court of insolvency or other Court of competent jurisdiction, to sign a statement to accompany such a writ, warrant, decree or order where the Council is a party interested, specifying the land sought to be affected.	CEO	NB
20. Issue of certificate where land is vested by operation of law		
20.1 The power pursuant to Section 115A of the Act, in relation to an estate or interest in land that has become vested in the Council, to make an application to the Registrar-General, to:	CEO	NB
20.1.1 in the case of land under the provisions of the Act – register the Council as the proprietor of that estate or interest in the land; or	CEO	NB
20.1.2 in the case of land not under the provisions of the Act – bring the land under the provisions of	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
the Act and register the Council as the proprietor of that estate or interest in the land.		
21. Lands, now leased		
The power pursuant to Section 116 of the Act, when any land is intended to be leased for a life or lives, or for any term of years exceeding one year, to execute a lease in the appropriate form, in accordance with Section 117 of the Act.	CEO	NB
22. Leases not to bind non-consenting mortgagees or encumbrancees		
The power pursuant to Section 118 of the Act, to consent in writing to a lease of mortgaged or encumbered land prior to the lease being registered where the Council is the mortgagee or encumbrancee of the land.	CEO	NB
23. Standard terms and conditions of lease		
The power pursuant to Section 119A(1) of the Act to deposit with the Registrar-General for filing in the Lands Titles Registration Office a document containing terms and conditions for incorporation as standard terms and conditions in leases under Section 119A of the Act.	CEO	NB
24. Lease may be surrendered by separate instrument		
The power pursuant to Section 120 of the Act to surrender a registered lease by instrument in the appropriate form, executed by the lessee and lessor.	CEO	NB
25. Registrar-General may enter surrender		
The power pursuant to Section 121 of the Act, where the lessee has given written notice to the Council as lessor or the Council's agent of his or her intention to give up possession of land comprised in a registered lease, to make application to the Registrar-General in the appropriate form and producing such evidence as the Registrar-General may require that the lessee has abandoned occupation of the land comprised in the lease, to make a record in the Register Book.	CEO	NB
26. Surrender where lease subject to mortgage or under lease		
The power pursuant to Section 123 of the Act, where the Council holds a mortgage or encumbrance over a lease or over land, to provide written consent to the surrender of the lease.	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
27. Registrar-General to note particulars of re-entry in Register Book		
The power pursuant to Section 126 of the Act, where the Council is the lessor of land, to provide proof to the Registrar-General of the Council's re-entry of the land.	CEO	NB
28. Lands, now mortgaged or encumbered		
28.1 The power pursuant to Section 128(1) of the Act if land is to be charged or made security in favour of a person to execute a mortgage.	CEO	The delegation of the power contained in section 128 of the act is subject to section 44(3)(c) of the local government act 1999, that is, the delegate is not delegated the power to borrow money or obtain other forms of financial accommodation.
28.1.1 Deliberately left blank	CEO	The delegation of the power contained in section 128 of the act is subject to section 44(3)(c) of the local government act 1999, that is, the delegate is not delegated the power to borrow money or obtain other forms of financial accommodation.
28.1.2 Deliberately left blank	CEO	The delegation of the power contained in section 128 of the act is

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	Direct Delegation from Council	Conditions/ Limitations
		subject to section 44(3)(c) of the local government act 1999, that is, the delegate is not delegated the power to borrow money or obtain other forms of financial accommodation.
28.2 The power pursuant to Section 128(2) of the Act to lodge a mortgage for registration in the Lands Titles Registration Office in the appropriate form.	CEO	The delegation of the power contained in section 128 of the act is subject to section 44(3)(c) of the local government act 1999, that is, the delegate is not delegated the power to borrow money or obtain other forms of financial accommodation.
28.3 The power pursuant to Section 128(4) of the Act where the Council is a mortgagee in relation to a mortgage lodged for registration in the Lands Titles Registration Office to provide certification under Section 273(1) of the Act.	CEO	The delegation of the power contained in section 128 of the act is subject to section 44(3)(c) of the local government act 1999, that is, the delegate is not delegated the power to borrow money or obtain other forms of financial accommodation.

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	Direct Delegation from Council	Conditions/ Limitations
28A Encumbrance of land		
The power pursuant to Section 128B(1) of the Act if land is to be charged with or made security for the payment of an annuity, rent charge or sum of money in favour of a person, to execute an encumbrance in the appropriate form.	CEO	NB
29. Standard terms and conditions of Mortgage or Encumbrance		
The power pursuant to Section 129A(1) of the Act to deposit with the Lands Titles Registration Office a document containing terms and conditions for incorporation as standard terms and conditions in mortgages or encumbrances under Section 129A of the Act.	CEO	NB
30. Nature of Mortgage and Encumbrance and procedure in case of default		
The power pursuant to Section 132 of the Act, where the Council holds a mortgage or encumbrance and default is made in the payment of the principal sum, interest, annuity, or rent charge, or any part thereof thereby secured, or in the observance of any covenant therein expressed or implied and such default be continued for the space of one month, or for such other period of time as may therein for that purpose be expressly limited, to give to the mortgagor or encumbrancer notice in writing to pay the money then due or owing on such mortgage or encumbrance, or to observe the covenants therein expressed or implied, as the case may be and that sale will be effected if such default be continued, and to leave such notice on the mortgaged or encumbered land, or at the usual or last known place of abode in South Australia of the mortgagor or encumbrancer.	CEO	NB
31. Power of sale		
The power pursuant to and in accordance with Section 133 of the Act, if such default continues for the further space of one month from the date of such notice or for such period as may in such instrument be for that purpose limited, to sell the land so mortgaged or encumbered, or any part thereof and all the estate and interest therein of the mortgagor or encumbrancer and either altogether or in lots, by public auction or by private contract or by both such modes of sale, and subject to such conditions as the Delegate may think fit, and to buy in and resell the same and to make and execute all such instruments as shall be necessary for carrying the sale thereof into effect.	CEO	NB
32. Power of Mortgagee to enter, take possession, distrain, let or bring action for recovery of land		
32.1 The power pursuant to Section 137 of the Act, where the Council is a mortgagee or encumbrancee and	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
there is a default in payment of the principal sum, interest, annuity, or rent charge secured by that mortgage or encumbrance, to:		
32.1.1 enter into possession of the mortgaged or encumbered land and receive the rents and profits thereof; or	CEO	NB
32.1.2 distrain upon the occupier or tenant of the land; or	CEO	NB
32.1.3 from time to time let the said land for any term not exceeding one year; or	CEO	NB
32.1.4 bring an action for recovery of the land either before or after entering into the receipt of the rent and profits or making any distress.	CEO	NB
33. Power of Mortgagee to distrain on tenant or occupier for arrears not exceeding the amount of rent due		
The power pursuant to and in accordance with Section 138 of the Act, where the Council is a mortgagee or encumbrancee and the principal sum, interest, annuity, or rent charge has been in arrears for 21 days and a further 7 days have elapsed from the date of application for the payment thereof to the occupier or tenant, to enter upon the mortgaged or encumbered land and distrain upon the goods and chattels of the occupier or tenant for such arrears to an amount not exceeding the rent then due from such occupier or tenant to the Council, and to dispose of the goods and chattels so distrained upon in like manner as landlords may do in ordinary distresses for rent, and out of the proceeds to retain the moneys distrained for, and all costs and expenses occasioned by such distress and sale.	CEO	NB
34. Application to Mortgagee to Registrar-General for foreclosure		
The power pursuant to Section 140(1) of the Act, and in accordance with Section 140(2) of the Act, when default has been made for six months in the payment of the principal or interest secured by any mortgage held by the Council, to make application, in writing, to the Registrar-General for an order for foreclosure.	CEO	NB
35. Provision for case where Mortgagee or Encumbrancee refuses to join in proceedings on default		
35.1 The power pursuant to Section 142A(1) of the Act, where the Council and one or more other persons are registered as mortgagees or encumbrances under the same mortgage or encumbrance, and default has been made in payment of any money due under the mortgage or encumbrance or in the performance of any covenant in the said mortgage or encumbrance expressed or implied as entitles the mortgagees or encumbrances to exercise any of their rights or remedies under the Act or under the mortgage or	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
encumbrance, and any such mortgagee or encumbrance fails or refuses to join in giving any notice, making any application or doing any other act or thing for the purpose of enforcing any of the said rights or remedies, to apply to the Court by originating summons to:		
35.1.1 appoint the Council or any other person to exercise on behalf of the mortgagees or encumbrances such of the said rights or remedies as the Court thinks proper;	CEO	NB
35.1.2 give any directions as to the mode of exercising the said rights or remedies and as to any other matters incidental thereto.	CEO	NB
36. Discharge of Mortgages and Encumbrances		
The power pursuant to and in accordance with Section 143(1) of the Act to wholly or partially discharge, by instrument in the appropriate form and executed by the Delegate, a mortgage or encumbrance held by the Council.	CEO	NB
37. Partial discharge of Mortgage or Encumbrance on Grant of Easement		
The power pursuant to Section 144 of the Act, where an easement is granted over land that is subject to a mortgage or an encumbrance and the Council is the mortgagee or encumbrancee, to endorse the Council's consent to the easement on the instrument granting the easement.	CEO	NB
38. Deliberately left blank	Deliberately left blank	Deliberately left blank
39. Transfer of Mortgage Lease and Encumbrance		
The power pursuant to Section 150 of the Act to transfer a registered mortgage, lease or encumbrance by execution of a transfer in the appropriate form.	CEO	NB
40. Renewal or extension of Mortgage etc		
The power pursuant to Section 153(1) of the Act and in accordance with Sections 153(1) and (2) of the Act to renew or extend a mortgage, encumbrance or lease by registration of an instrument in the appropriate form.	CEO	NB
40AA Requirements for renewal or extension of mortgage		
The power pursuant to Section 153A(1) of the Act, in relation to an instrument lodged for registration in the Lands Titles Registration Office renewing or extending a mortgage, to provide certification required under	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
Section 273(1) of the Act.		
40A Person who intends to lodge instrument may lodge priority notice		
40A.1 The power pursuant to Section 154A(1) of the Act to, where the Council intends to lodge an instrument, on payment of the prescribed fee, lodge in the Lands Titles Registration Office a notice (a priority notice), in accordance with Sections 154A(2), (3), (4) and (9) of the Act, for the purpose of giving priority to 1 or more instruments relevant to the same conveyancing transaction.	CEO	NB
40A.2 The power pursuant to Section 154A(6) of the Act to, if a priority notice is lodged in the Lands Titles Registration Office in relation to land, lodge a further priority notice in relation to the same land.	CEO	NB
40B Effect of priority notice		
40B.1 The power pursuant to Section 154B(2)(b) of the Act to, where a priority notice lodged by the Council is in force in relation to land, provide written consent to the Registrar-General to register, record or give effect to an instrument in relation to the land.	CEO	NB
40B.2 The power pursuant to Section 154B(2)(v) of the Act, where a priority notice is in force in relation to land, to make an application under the Act where the Council is a person to whom land has been transmitted for registration as proprietor of the land.	CEO	NB
40B.3 The power pursuant to Section 154B(2)(va) of the Act, where a priority notice is in force in relation to land, to make an application under the Act where the Council is a surviving joint proprietor to have the death of a joint proprietor recorded in the Register Book.	CEO	NB
40C Withdrawal of priority notice		
40C.1 The power pursuant to Section 154E of the Act to withdraw a priority notice lodged by the Council by lodging in the Lands Titles Registration Office a notice of withdrawal in the appropriate form.	CEO	NB
40D Cancellation of priority notice by Registrar-General		
40D.1 The power pursuant to Section 154F(1) of the Act where the Council is a person with an interest in land to which a priority notice is in force, to make application to the Registrar-General to cancel the notice on the basis that the priority notice purports to protect the priority of an instrument that is unlikely to be registered or recorded within 90 days of the day on which the notice was lodged.	CEO	NB

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40D.2 The power pursuant to Section 154F(2) of the Act, where the Registrar-General gives written notice to the Council as the person who lodged a priority notice, of an application under Section 154F(1) to cancel the priority notice, to provide written submissions in response to the application within a specified period.	CEO	NB
40E Cessation of priority notice		
40E.1 The power pursuant to Section 154G(6) of the Act, where the Council has lodged a priority notice, to make application to the Registrar-General to extend the duration of the notice for 30 days.	CEO	NB
41. Disclaimers		
41.1 The power pursuant to Section 169(1) of the Act, where the Council is registered as proprietor of an estate or interest in land, to advise the Registrar-General in writing that the registration occurred without the Council's consent.	CEO	NB
41.2 The power pursuant to Section 169(2a) of the Act to lodge with the Registrar-General a notice of objection to the registration of the instrument of disclaimer.	CEO	NB
41.3 The power pursuant to Section 169(6) of the Act, where the Council is a disclaimant who has received a notice under Section 169(4)(b) of the Act, to apply to the Court for an order that the Registrar-General take such action as is necessary to give effect to the disclaimer.	CEO	NB
42. Bankruptcy or assignment of lessee		
42.1 The power pursuant to Section 173(a) of the Act where the proprietor of a lease has heretofore, or shall hereafter, become bankrupt, or has heretofore made or shall hereafter make, a statutory assignment, and if the lease is not mortgaged or encumbered under the Act, to apply to the Registrar-General in writing as the lessor being a lessor in possession of a statement signed by the Official Receiver or by the trustee under bankruptcy or the assignment, certifying his or her refusal to accept the lease, to make a record in the Register Book of the refusal.	CEO	NB
42.2 The power pursuant to Section 173(b) of the Act and in accordance with Section 173(c) of the Act, where the Council is the mortgagee or encumbrancee of a lease and the registered proprietor of the lease has heretofore or shall hereafter become bankrupt or has heretofore made or shall hereafter make, a statutory assignment to:	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
42.2.1 apply to the Registrar-General in writing, accompanied by a statement in writing, signed by the Official Receiver or the trustee under such bankruptcy or assignment certifying his refusal to accept such lease to enter in the Register Book a note of such refusal.	CEO	NB
42.2.2 apply to the Registrar-General with proof that the Official Receiver has neglected or refused to certify such refusal or to become registered as proprietor of such lease within one month after being thereunto required by notice in writing given to him by the Council to enter in the Register Book a note of such refusal or neglect.	CEO	NB
42.3 The power pursuant to Section 173(c) of the Act, where the Council is the mortgagee or encumbrance of a lease and the registered proprietor of the lease has heretofore made or shall hereafter make, a statutory assignment to give fourteen days' notice in writing of the Council's intended application to every subsequent mortgagee or encumbrancee of the lease, or obtain their written consent.	CEO	NB
42.4 The power pursuant to Section 173(c) of the Act where the Council is a subsequent mortgagee or encumbrancee of a lease and the registered proprietor of the lease has heretofore or shall hereafter become bankrupt or has heretofore made or shall hereafter make a statutory assignment, to consent in writing to an application to the Registrar-General by a mortgagee or encumbrance to enter in the Register Book a note of the refusal or neglect of the Official Receiver or trustee under bankruptcy or assignment to accept such lease.	CEO	NB
42.5 The power pursuant to Section 173(d) of the Act where the Council is a lessor and the registered proprietor of the lease has heretofore, or shall hereafter, become bankrupt, or has heretofore made or shall hereafter make, a statutory assignment to:	CEO	NB
42.5.1 require the Official Receiver or the trustee under the bankruptcy or assignment by notice in writing to become registered as the proprietor of the lease;	CEO	NB
42.5.2 require the mortgagees or encumbrancees (if any) of the lease by notice in writing to have an entry operating as a foreclosure made in the Register Book under the provision in that behalf hereiNBfore contained.	CEO	NB
42.6 The power pursuant to Section 173(d) of the Act where the Council is a lessor and the registered proprietor of the lease has heretofore, or shall hereafter, become bankrupt, or has heretofore made or shall hereafter make a statutory assignment, and the Official Receiver or the trustee under the	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
bankruptcy or assignment certifies his refusal to accept the lease, or shall neglect or refuse to become registered as proprietor of the lease, within, one month after having been thereunto required by notice in writing given to him by the Council, and the mortgagees or encumbrancees (if any) of the lease shall neglect or refuse to have an entry operating as a foreclosure made in the Register Book under the provision in that behalf hereinbefore contained within the period of two months after having been thereunto required by notice in writing given to them by the Council, to apply to the Registrar-General in writing to enter in the Register Book a note of such neglect or refusal.		
43. Application to be made in such case		
The power pursuant to Section 176 of the Act where the Council is an executor before dealing with such estate or interest, make application in writing to the Registrar-General to be registered as the proprietor.	CEO	NB
44. Proceedings when executor etc refuse to transfer		
The power pursuant to Section 181 of the Act, whenever an executor, or administrator, or the Public Trustee, is registered as proprietor of any land, and refuses, or, after tender of a transfer, unnecessarily delays to transfer such land to the Council where the Council claims to be entitled to the land, to, apply to the Court for an order that the executor, administrator, or Public Trustee shall transfer the said land to the Council.	CEO	NB
45. Registration of survivor of joint proprietors, and of remainder-man entitled to estate in possession		
The power pursuant to Section 188 of the Act, upon the death of any person registered together with any other person as joint proprietor of any estate or interest in land, or when the life estate in respect of which any certificate has been issued has determined, and the Council has become vested in possession, or the Council has become entitled to the land for an estate in fee-simple in possession, to apply to the Registrar-General to make an entry thereof in the Register Book, that the Council is the registered proprietor of the estate or interest to which the Council is entitled.	CEO	NB
46. Caveats		
46.1 The power pursuant to and in accordance with Section 191 of the Act, where the Council is the settlor of land, beneficiary claiming under a will or settlement, or claiming to be interested at law or in equity whether under an agreement, or under an unregistered instrument or otherwise howsoever in any land to, lodge a caveat in the Lands Titles Registration Office	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
46.2 The power pursuant to Section 191(d) of the Act, where the Council is the registered proprietor or other person claiming estate or interest in the land, to, by summons, call on any caveator, including the Registrar-General, to attend before the Court to show cause why the caveat should not be removed.	CEO	NB
46.3 The power pursuant to and in accordance with Section 191(e) of the Act except when the caveat is lodged by a settlor, or by a beneficiary under a will or settlement, to make application in writing to the Registrar-General to remove the caveat.	CEO	NB
46.4 The power pursuant to Section 191(fa) of the Act, where the Council is a caveator, to bring an action in the Court to establish the validity of the claim on which the caveat is based.	CEO	NB
46.5 The power pursuant to Section 191(g) of the Act to apply to the court to extend the period of 21 days until an action under Section 191(fa) is determined or for any other period.	CEO	NB
46.6 The power pursuant to Section 191(h) of the Act, to, by notice in writing to the Registrar-General, withdraw the Council's caveat at any time.	CEO	NB
46.7 The power pursuant to Section 191(k) of the Act to seek the permission of the Court to lodge a further caveat relating to the same matter.	CEO	NB
47. Ejectment		
47.1 The power pursuant to Section 192 of the Act, and in accordance with Section 193 of the Act, where the Council is:	CEO	NB
47.1.1 the registered proprietor of a freehold estate in possession;	CEO	NB
47.1.2 the registered mortgagee or encumbrancee where the person in possession of land is a mortgagor or encumbrancer in default or a person claiming under such mortgagor or encumbrancer;	CEO	NB
47.1.3 the lessor with power to re-enter where rent is in arrears for three months; or	CEO	NB
47.1.4 the lessor where a legal notice to quit has been given or the lease has become forfeited or the term of the lease has expired,	CEO	NB
to cause any person in possession of that land to be summoned to appear before the Court to show	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
cause why the person summoned should not give up possession to the Council.		
48. Persons claiming may, before taking proceedings, apply to the Registrar-General for compensation		
The power pursuant to and in accordance with Section 210 of the Act, where the Council is sustaining loss or damage in any case in which the Council shall be entitled to institute proceedings to recover compensation against the Registrar-General as nominal defendant, to, before commencing such proceedings, make application in writing to the Registrar-General, for compensation, supported by affidavit or declaration.	CEO	NB
48A Reviews		
48A.1 The power pursuant to Section 221(1) of the Act, if the Delegate, is dissatisfied with a decision of the Registrar-General in relation to an application by the Council:	CEO	NB
48A.1.1 to have an instrument registered or recorded; or	CEO	NB
48A.1.2 to have a foreclosure order issued; or	CEO	NB
48A.1.3 to have the Registrar-General do or perform an act or duty under the Act, to seek a review of the decision by the Tribunal.	CEO	NB
48A.1A The power pursuant to Section 221(1a) of the Act, if the Delegate is dissatisfied with a decision of the Registrar-General to cancel the registration of a mortgage under Section 147 of the Act, to seek a review of the decision by the Tribunal.	CEO	NB
48A.2 The power pursuant to Section 221(2) of the Act, if the Registrar-General decides under Section 154A(12) of the Act that the Council is a vexatious lodger of priority notices, to seek a review of the decision by the Tribunal.	CEO	NB
48A.3 The power pursuant to Section 221(3) of the Act, if the Registrar-General rejects a priority notice lodged by the Council where the Council is a person in relation to whom a determination has been made under Section 154A(12) of the Act, to seek a review by the Tribunal of the decision to reject the notice.	CEO	NB
48A.4 The power pursuant to Section 221(4) of the Act, if the Registrar-General refuses an application by the Council under Section 154F of the Act for the cancellation of a priority notice, to seek a review by the Tribunal of the decision to refuse to cancel the notice.	CEO	NB

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		Direct Delegation from Council	Conditions/ Limitations
48A.5	The power pursuant to Section 221(5) of the Act, if the Registrar-General cancels a priority notice under Section 154F of the Act and the Council is affected by the cancellation to seek a review by the Tribunal of the decision to cancel the notice.	CEO	NB
48A.6	The power pursuant to Section 221(9) of the Act, if the reasons of the Registrar-General are not given in writing at the time the Council receives notice of the decision, to within 21 days of receiving notice of the decision, require the Registrar-General to state the reasons in writing.	CEO	NB
48A.7	The power pursuant to Section 221(10) of the Act, to make an application to the Tribunal for any 1 or more of the following orders:	CEO	NB
48A.7.1	an order prohibiting a person from lodging a priority notice in the Lands Titles Registration Office;	CEO	NB
48A.7.2	an interim order extending the duration of a priority notice until the determination of the application or until a date specified by the Tribunal or until further order;	CEO	NB
48A.7.3	an interim order preventing the Registrar-General from registering or recording a specified instrument until the determination of the application.	CEO	NB
49. Applications for amendment			
49.1	The power pursuant to and in accordance with Section 223A(1) of the Act, and subject to Section 223A(3) of the Act, where the Council is the registered proprietor of land, to apply to have the certificate amended if:	CEO	NB
49.1.1	the boundaries, area, or position of the land described in the certificate differ from the boundaries, area or position of the land actually and bona fide occupied by it as being the land included in the certificate; or	CEO	NB
49.1.2	the description of the land in the certificate is erroneous or imperfect on the face of it.	CEO	NB
49.2	The power pursuant to Section 223A(2) of the Act, and subject to Section 223A(3) of the Act, where the Council is the registered proprietor of land, to apply to have the certificate of any other registered proprietor amended if any of the land described in the Council's certificate, and actually and bona fide occupied by the Council as being the land included in the certificate, is, by reason of any error in survey	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
or in any misdescription, included in the certificate of the other registered proprietor.		
50. Caveats		
The power pursuant to Section 223D(1) of the Act and in accordance with Section 223D(2) of the Act, where the Council claims any estate or interest in any land in respect of which an application under Part 19A of the Act is made, to at any time before the application is granted lodge a caveat with the Lands Titles Registration Office forbidding the granting of the application.	CEO	NB
51. Rectification by consent		
The power pursuant to Section 223J of the Act to consent to the Registrar-General making any correction or amendment to any certificate of title for the purpose of reconciling the boundaries shown in the certificate with the boundaries of the land occupied.	CEO	NB
52. Application for Division of Land		
52.1 The power pursuant to Section 223LD of the Act and in accordance with Section 223LD(2), (3) and (11) of the Act, where the Council is the registered proprietor of land, to make application for the division of land to the Registrar-General.	CEO	NB
52.2 The power pursuant to Section 223LD(8) of the Act and subject to Section 223LD(9) of the Act to consent to the withdrawal or amendment of a plan of division or the application to which it relates.	CEO	NB
52.3 The power pursuant to and subject to Section 223LD(9) of the Act to amend the application or the plan to which it relates in order to comply with the Act or with a requirement of the Registrar-General under the Act.	CEO	NB
53. Application may deal with statutory encumbrances		
53.1 The power pursuant to Section 223LDA of the Act to:	CEO	NB
53.1.1 specify in an application under Part 19AB of the Act or the plan of division that variation or termination of a statutory encumbrance is to be registered or noted; and	CEO	NB
53.1.2 sign a certificate on behalf of the Council as the holder of the statutory encumbrance certifying that the requirements of the Act under which the encumbrance was entered into, or is in force, as to the variation or termination of the statutory encumbrance (if any) have been complied	CEO	NB

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	Direct Delegation from Council	Conditions/ Limitations
with.		
54. Consent to plans of division		
54.1 The power pursuant to Section 223LH(1) of the Act:	CEO	NB
54.1.1 where the deposit of a plan of division in the Lands Titles Registration Office will affect the estate or interest of the Council, in the land - to consent to the deposit of the plan and sign a certificate certifying that the Council has consented to the deposit of the plan;	CEO	NB
54.1.2 where the Council has or claims an estate or interest in the land to be divided - to consent to the deposit of the plan and sign a certificate certifying that the Council has consented to the deposit of the plan;	CEO	NB
54.1.3 where the land to be divided is subject to a statutory encumbrance held by the Council – to consent to the deposit of the plan and sign a certificate certifying that the Council has consented to the deposit of the plan.	CEO	NB
54.2 The power pursuant to Section 223LH(2) of the Act, where the deposit of a plan of division will operate to vest an estate or interest in land in the Council, to consent to the deposit of the plan and sign a certificate certifying that the Council has consented to the deposit of the plan.	CEO	NB
55. Amalgamation		
55.1 The power pursuant to Section 223LJ(1) of the Act and in accordance with Section 223LJ(2) and (3) of the Act, where the Council is the registered proprietor of two or more contiguous allotments, to apply to the Registrar-General for amalgamation of those allotments into a single allotment.	CEO	NB
55.2 The power pursuant to Section 223LJ(3) of the Act to consent to an amalgamation of allotments under Division 2 Part 19AB of the Act, where it appears from the Register Book that the Council has an interest as mortgagee or encumbrance of the land or any part of the land to be amalgamated or where such consent is required either in the opinion of the Registrar-General or by regulation.	CEO	NB

Appendix 12

*Instrument of Delegation under the
Road Traffic Act 1961 and Authorisations*

	Direct Delegation from Council	Conditions/ Limitations
INSTRUMENT OF DELEGATION UNDER THE ROAD TRAFFIC ACT 1961, THE ROAD TRAFFIC (MISCELLANEOUS) REGULATIONS 1999 AND THE ROAD TRAFFIC (ROAD RULES – ANCILLARY AND MISCELLANEOUS PROVISIONS) REGULATIONS 1999		
1. Installation etc of traffic control devices – general provision		
1.1. The power pursuant to Section 17(1) of the Road Traffic Act 1961 ('the Act'), to, with the approval of the Minister (or in accordance with a roadworks permit issued under Section 20 of the Act), install, maintain, alter or operate, or cause to be installed, maintained, altered or operated, a traffic control device on, above or near a road.	CEO	NIL
1.2. The power pursuant to Section 17(2) of the Act, to, with the approval of the Minister (or in accordance with a roadworks permit issued under Section 20 of the Act), remove a traffic control device or cause a traffic control device to be removed.	CEO	NIL
1.3. The power pursuant to Section 17(3) of the Act, to, with the approval of the Minister (or in accordance with a roadworks permit issued under Section 20 of the Act), install, display, alter, operate or remove traffic control devices:	CEO	NIL
1.3.1. in relation to an area where persons are engaged in work or an area affected by works in progress; or	CEO	NIL
1.3.2. in relation to a part of a road temporarily closed to traffic under the Act or any other Act; or	CEO	NIL
1.3.3. for any temporary purposes.	CEO	NIL
1.4. The power pursuant to Section 17(5) of the Act to make an application for an approval of the Minister in a manner determined by the Minister (which may differ between applications according to factors determined by the Minister) and to accompany the application with the fee fixed by, or calculated in accordance with, the regulations.	CEO	NIL
2. Direction as to installation etc of traffic control devices		
2.1. The duty pursuant to Section 18(5) of the Act to carry out a direction which the Minister directs the Council (as a road authority) to carry out pursuant to Section 18(6) of the Act in circumstances where another road authority has failed to comply with the direction.	CEO	NIL
2.2. The power pursuant to Section 18(7) of the Act where the Minister has directed the Council to carry	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
out a direction pursuant to Section 18(6) of the Act, to recover as a debt due from the defaulting road authority any expenses incurred in carrying out the direction under Section 18(6) of the Act, subject to Section 18(8) of the Act.			
3. Work areas and work sites			
3.1.	The power pursuant to Section 20(3) of the Act to, with a relevant authorisation and in accordance with Part 2 of the Act and any regulations made for the purposes of Part 2 of the Act, place signs on a road for the purpose of indicating a maximum speed to be observed by drivers while driving on, by or towards a work area or work site where workers are engaged, or works are in progress, at the direction of the Council or the Council's delegate.	CEO	NIL
3.2.	The power pursuant to Section 20(4) of the Act to place speed limit signs on a road:	CEO	NIL
3.2.1.	if the Council holds a permit issued by the Minister under Section 20 of the Act (a 'roadworks permit') and the signs are placed on the road in accordance with the permit; or	CEO	NIL
3.2.2.	if:	CEO	NIL
3.2.2.1.	the work is required to be undertaken by the Council as a matter of urgency; and	CEO	NIL
3.2.2.2.	the signs are placed on the road in accordance with an approval of the Minister under Part 2 of the Act; and	CEO	NIL
3.2.2.3.	the Minister is notified of the placement of the signs as soon as is practicable (and, in any case, within two hours after the signs are placed on the road); and	CEO	NIL
3.2.2.4.	the signs are placed on the road for a period not exceeding 24 hours or such longer period as may be determined by the Minister on an application under Section 20(9) of the Act; or	CEO	NIL
3.2.3.	if:	CEO	NIL
3.2.3.1.	the signs will not relate to any prescribed roads; and	CEO	NIL
3.2.3.2.	the signs are placed on the road in accordance with an approval of the Minister under Part 2 of the Act.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
3.3. The power pursuant to Section 20(6) of the Act to make an application for a roadworks permit in a manner determined by the Minister (which may differ between applications according to factors determined by the Minister) and to accompany the application with the fee fixed by, or calculated in accordance with, the regulations.	CEO	NIL
3.4. The power pursuant to Section 20(9) of the Act to make an application to the Minister for an extension of the 24 hour period referred to in Section 20(4)(b)(v) of the Act:	CEO	NIL
3.4.1. by telephone or any other manner prescribed by the regulations; and	CEO	NIL
3.4.2. at least three hours before the end of that 24 hour period (unless the Minister is satisfied that there were good reasons for a delay in making the application).	CEO	NIL
4. Appeal to District Court		
4.1. The power pursuant to Section 20A(1) of the Act, if the Council having applied for an approval of the Minister under Section 17 of the Act or for a roadworks permit under Section 20 of the Act, is dissatisfied with a decision of the Minister in relation to the application, or in relation to an approval or permit granted as a result of the application, to appeal to the District Court against the decision.	CEO	NIL
5. Action to deal with false devices or hazards to traffic	CEO	NIL
5.1. The power pursuant to Section 31(2) of the Act to remove from any road the care, control or management of which is vested in the Council and dispose of any false traffic control device or any device, structure or thing that the Delegate is satisfied might constitute a hazard to traffic.	CEO	NIL
6. Road Closing and Exemptions for Certain Events		
6.1. The power pursuant to Section 33(2) of the Act, to consent to an order under Section 33(1) of the Act to close a road in the Council's area.	CEO	NIL
7. Notice of Removal of Vehicle and Disposal of Vehicle if Unclaimed		
7.1. The duty pursuant to Section 40P(3) of the Act and subject to Section 40P(4) to offer a vehicle, which	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	was removed by an officer of the Council under Section 40N of the Act and for which there had been notice given according to Section 40P(2) of the Act and the owner of the vehicle failed to take possession of the vehicle and pay all expenses in connection with the removal, custody and maintenance of the vehicle and of serving, posting or publishing the notice, within one month after service or publication of the notice in accordance with Section 40P(2) of the Act, for sale by public auction.		
7.2.	The power pursuant to Section 40P(4) of the Act, where a vehicle is offered for sale by public auction but is not sold at the auction or the relevant authority reasonably believes that the proceeds of the sale of the vehicle would be unlikely to exceed the costs incurred in selling the vehicle, to dispose of the vehicle in such manner as the Delegate thinks fit.	CEO	NIL
7.3.	The duty pursuant to Section 40P(5) of the Act to apply the proceeds of the sale of a vehicle as follows:	CEO	NIL
7.3.1.	firstly, in payment of the costs of and incidental to the sale;	CEO	NIL
7.3.2.	secondly, in payment of the costs of and incidental to the removal, custody and maintenance of the vehicle and of the notice served, posted or published under this section; and	CEO	NIL
7.3.3.	thirdly, in payment of the balance to the owner of the vehicle.	CEO	NIL
7.4.	The power pursuant to Section 40P(6) of the Act, if after reasonable inquiry following sale of the vehicle the owner of the vehicle cannot be found, to pay the balance of the proceeds of the sale to the Council.	CEO	NIL
8.	Council May Determine That Ticket for Parking be Obtained Without Fee		
8.1.	The power pursuant to Section 86 of the Act, if the Council has installed, or determined that it will install, permissive parking signs to apply to a length of road or area, to (in addition to any other action the Council may be empowered to take by or under the Act):	CEO	NIL
8.1.1.	determine that a ticket must be obtained for parking in the length of road or the area through the operation of parking ticket-vending machines installed or to be installed in or near the length of road or area without payment of a fee; or	CEO	NIL
8.1.2.	vary or revoke a determination made under Section 86 of the Act.	CEO	NIL
9.	Compensation Orders for Damage to Road Infrastructure		

	Direct Delegation from Council	Conditions/ Limitations
The power, pursuant to Section 163ZC(2) of the Act and in accordance with Section 163ZC(5) of the Act to make an application for a compensation order.	CEO	NIL
10. Assessment of Compensation		
10.1. The power pursuant to Section 163ZD(2) of the Act and in accordance with Section 163ZE of the Act to use in proceedings for the court to take into account in assessing the amount of any compensation:	CEO	NIL
10.1.1. any evidence not adduced in connection with the prosecution of the offence but adduced in connection with the making of the proposed order; and	CEO	NIL
10.1.2. any certificate of the Council, as the road authority stating that the Council maintains the road concerned; and	CEO	NIL
10.1.3. any other certificate of the Council as the road authority, such as a certificate:	CEO	NIL
10.1.3.1. estimating the monetary value of all or any part of the road infrastructure or of the damage to it; or	CEO	NIL
10.1.3.2. estimating the cost of remedying the damage; or	CEO	NIL
10.1.3.3. estimating the extent of the offender's contribution to the damage.	CEO	NIL
11. Service of Certificates		
11.1. The duty, pursuant to Section 163ZE(1) of the Act, if the Council, as the road authority, proposes to use a certificate referred to in Section 163ZD in proceedings, to serve a copy of the certificate on the defendant at least 28 working days before the day on which the matter is set down for hearing.	CEO	NIL
12. Exemptions		
12.1. The power pursuant to Section 174C(1) of the Act to exempt any person, or any persons of specified class, or any specified vehicle, or any vehicles of a specified class, from compliance with a prescribed provision of the Act, subject to the payment of such fee and to such other conditions (if any) as the Delegate thinks fit and specifies in the exemption.	CEO	NIL
DELEGATIONS UNDER THE ROAD TRAFFIC (MISCELLANEOUS) REGULATIONS 2014		
13. Event Management Plan		

		Direct Delegation from Council	Conditions/ Limitations
13.1.	The power pursuant to Regulation 6(2) of the Road Traffic (Miscellaneous) Regulations 2014 to consult with an applicant in the preparation of an event management plan for the purpose of Section 33(1) of the Act.	CEO	NIL
13.2.	The power pursuant to Regulation 6(2) of the Road Traffic (Miscellaneous) Regulations 2014 to consult with the Commissioner of Police or the Commissioner of Highways in the preparation of an event management plan for the purpose of Section 33(1) of the Act.	CEO	NIL
DELEGATIONS UNDER THE ROAD TRAFFIC (ROAD RULES – ANCILLARY AND MISCELLANEOUS PROVISIONS) REGULATIONS 2014			
14. Permit Zones			
14.1.	The power pursuant to Regulation 17(2) of the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014 to determine:	CEO	NIL
14.1.1.	the class of permits required for vehicles to stop in a permit zone established by the Council;	CEO	NIL
14.1.2.	the persons entitled to such permits;	CEO	NIL
14.1.3.	any fees to be paid for such permits;	CEO	NIL
14.1.4.	the conditions to which the permits will be subject (which may include conditions as to the period for which such permits remain in force and conditions as to the display of permits in vehicles).	CEO	NIL
	and to vary any such determination.	CEO	NIL
14.2.	The power pursuant to Regulation 17(3) of the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014 to issue permits in respect of permit zones to persons entitled to them, on payment of a fee (if any) and subject to the conditions, determined by the Delegate.	CEO	NIL
15. Parking and Parking Ticket-Vending Machines or Parking Meters			
15.1.	The power pursuant to Regulation 22(2) of the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014 if the Council has installed or determined that it will install permissive parking signs to apply to a length of road or an area, to determine fees that will be payable for parking in the length of road or the area by the operation of parking ticket-vending machines or parking meters, installed or to be installed in or near the length of road or area, and the power to vary such	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
fees.		

**SUBDELEGATION TO THE CHIEF EXECUTIVE OFFICER UNDER THE ROAD TRAFFIC ACT 1961 MADE IN ACCORDANCE WITH THE INSTRUMENT OF GENERAL APPROVAL AND
DELEGATION TO COUNCIL DATED 22 AUGUST 2013 FROM THE MINISTER FOR TRANSPORT AND INFRASTRUCTURE**

1. On 22 August 2013 the Minister for Transport and Infrastructure issued an Instrument of General Approval and Delegation Council (the '**Instrument**') containing:

1.1 General Approvals by the Minister to the Council in accordance with Section 12 of the Road Traffic Act 1961 (the '**Act**') for the purposes of the Act; and

1.2 delegations pursuant to Section 11 of the Act, by the Minister to the Council for the purposes of the Act.

This document contains subdelegations made by the Council to the Chief Executive Officer of the Council, pursuant to the terms of the Instrument. The Instrument contains certain conditions, exceptions and requirements, and this document must be read in conjunction with the Instrument

POWER TO CLOSE ROADS AND GRANT EXEMPTION FOR EVENTS

2. The power pursuant to Section 33(1) of the Act to declare an event to be an event to which Section 33 of the Act applies and to make orders directing:

2.1 that specified roads (being roads on which the event is to be held or roads that, in the opinion of the Delegate, should be closed for the purposes of the event) be closed to traffic for a specified period; and

2.2 that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the Australian Road Rules specified in Clause G.4 of the Instrument, subject to the conditions in Clause G.5 of the Instrument.

SCHEDULE OF CONDITIONS

CONDITIONS OR LIMITATIONS
 APPLICABLE TO DELEGATIONS
 CONTAINED IN THIS INSTRUMENT

Paragraph(s) in instrument to which conditions/limitations apply	Conditions / Limitations
NIL	NIL

**AUTHORISATIONS UNDER THE ROAD TRAFFIC ACT 1961
APPROVED BY THE CHIEF EXECUTIVE OFFICER OF THE COUNCIL IN ACCORDANCE WITH THE
INSTRUMENT OF GENERAL APPROVAL AND DELEGATION
TO COUNCIL DATED 22 AUGUST 2013
FROM THE MINISTER FOR TRANSPORT AND INFRASTRUCTURE**

BACKGROUND

1. On 22 August 2013 the Minister for Transport and Infrastructure issued an Instrument of General Approval and Delegation to Council (the '**Instrument**') containing:
 - (i) General Approvals by the Minister to the Council in accordance with Section 12 of the Road Traffic Act 1961 (the '**Act**') for the purposes of the Act; and
 - (ii) Delegations pursuant to Section 11 of the Act, by the Minister to the Council for the purposes of the Act.

This document contains Authorisations made by the Council to Officers of the Council and approved by the Chief Executive Officer on behalf of the Council, pursuant to the terms of the Instrument. The Instrument contains certain conditions, exceptions and requirements, and this document must be read in conjunction with the Instrument.

AUTHORISATIONS

2. TRAFFIC CONTROL DEVICES

- 2.1 Pursuant to Clause A of the Instrument the Minister granted the Council approval, for the purposes of Sections 17(1) and (2) of the Act, to install, maintain, alter, operate, or remove, or cause to be installed, maintained, altered, operated or removed, any traffic control device, on, above or near a road which is under the Council's care, control and management subject to the conditions specified in the Instrument, other than those specified in Clause A.8 of the Instrument, or those dealt with in other Clauses of the Instrument.
- 2.2 Pursuant to Clause A.1 of the Instrument, the Council may authorise any Officer to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause A of the Instrument, provided that such authorisation is made by instrument in writing and approved by the Chief Executive Officer of the Council.
- 2.3 In accordance with Clause A.1 of the Instrument, I, as Chief Executive Officer of the Council approve on behalf of the Council, the following Officers to be **AUTHORISED** to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause A of the Instrument, subject to the conditions specified in the Instrument in relation to Clause A of the Instrument: to the persons occupying the positions of Director Infrastructure and Operations - Peter Bice, Manager Civil Services - Ashley Curtis.

3. SPEED LIMITS AT WORKS ON ROADS

- 3.1 Pursuant to Clause B of the Instrument, the Minister granted the Council approval, for the purposes of Section 20(2) of the Act, to place signs for the purpose of indicating the maximum speed to be observed by drivers while driving by or towards a work area or a worksite where workers are engaged or works are in progress at the direction of the Council subject to the conditions specified in the Instrument.
- 3.2 Pursuant to Clause B.1 of the Instrument, the Council may authorise any Officer to exercise, for and on behalf of the Council, the powers conferred on the Council

**AUTHORISATIONS UNDER THE ROAD TRAFFIC ACT 1961
APPROVED BY THE CHIEF EXECUTIVE OFFICER OF THE COUNCIL IN ACCORDANCE WITH THE
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TO COUNCIL DATED 22 AUGUST 2013
FROM THE MINISTER FOR TRANSPORT AND INFRASTRUCTURE**

pursuant to Clause B of the Instrument, provided that such authorisation is made by instrument in writing and is approved by the Chief Executive Officer of the Council.

- 3.3** In accordance with Clause B.1 of the Instrument, I, as Chief Executive Officer of the Council approve on behalf of the Council the following Officer(s) to be **AUTHORISED** to exercise for and on behalf of the Council the powers conferred on the Council pursuant to Clause B of the Instrument, subject to the conditions specified in the Instrument in relation to Clause B of the Instrument: to the persons occupying the positions of Director Infrastructure and Operations - Peter Bice, Manager Civil Services - Ashley Curtis.

4. TRAFFIC CONTROL DEVICES SIGNS AT WORKS ON ROADS

- 4.1** Pursuant to Clause C of the Instrument, the Minister granted the Council approval for the purposes of Section 17(3) of the Act, to install, display, alter, operate or remove any traffic control device in relation to an area where persons are engaged in work or an area affected by works in progress, or in relation to part of a road temporarily closed to traffic under the Act or any other Act, subject to the conditions specified in the Instrument.
- 4.2** Pursuant to Clause C.1 of the Instrument, the Council may authorise any Officer to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause C of the Instrument, provided that such authorisation is made by instrument in writing and is approved by the Chief Executive Officer of the Council.
- 4.3** In accordance with Clause C.1 of the Instrument, I, as Chief Executive Officer of the Council approve on behalf of the Council the following Officer(s) to be **AUTHORISED** to exercise for and on behalf of the Council the powers conferred on the Council pursuant to Clause C of the Instrument, subject to the conditions specified in the Instrument in relation to Clause C of the Instrument: to the persons occupying the positions of Director Infrastructure and Operations - Peter Bice, Manager Civil Services - Ashley Curtis.

5. TEMPORARY PARKING CONTROLS

- 5.1** Pursuant to Clause D of the Instrument the Minister granted the Council approval for the purposes of Section 17(3) of the Act, to install, display, alter, operate or remove a traffic control device for the purposes of imposing, varying or abolishing a parking control on a temporary basis on a road or road which is under the Council's care, control or management subject to the conditions specified in the Instrument.
- 5.2** Pursuant to Clause D.1 of the Instrument, the Council may authorise any Officer to exercise, for and on behalf of the Council, the powers conferred on the Council in Clause D of the Instrument, provided that such authorisation is made by instrument in writing and is approved by the Chief Executive Officer of the Council.
In accordance with Clause D.1 of the Instrument, I, as Chief Executive Officer of the Council approve, on behalf of the Council the following Officers to be **AUTHORISED** to exercise for and on behalf of the Council the powers conferred on the Council pursuant to Clause D of the Instrument, subject to the conditions specified in the Instrument in relation to Clause D of the Instrument: to the persons occupying the

**AUTHORISATIONS UNDER THE ROAD TRAFFIC ACT 1961
APPROVED BY THE CHIEF EXECUTIVE OFFICER OF THE COUNCIL IN ACCORDANCE WITH THE
INSTRUMENT OF GENERAL APPROVAL AND DELEGATION
TO COUNCIL DATED 22 AUGUST 2013
FROM THE MINISTER FOR TRANSPORT AND INFRASTRUCTURE**

positions of Director Infrastructure and Operations - Peter Bice, Manager Civil Services
- Ashley Curtis.

6. GRANT APPROVAL TO ANOTHER ROAD AUTHORITY

- 6.1** Pursuant to Clause F of the Instrument the Minister delegated to the Council the power conferred on the Minister pursuant to Section 17 of the Act to specifically approve the installation, maintenance, alteration, operation, or removal of a traffic control device in the municipality or district of the Council by a road authority, on, above, or near a road under the care control or management of the Council, subject to the conditions specified in the Instrument.
- 6.2** Pursuant to Clause F.1 of the Instrument, the Council may authorise any Officer(s) to exercise, for and behalf of the Council, the powers conferred on the Council in Clause F of the Instrument, provided that such authorisation is made by instrument in writing and is approved by the Chief Executive Officer of the Council.
- 6.3** In accordance with Clause F.1 of the Instrument, I, as Chief Executive Officer of the Council, approve on behalf of the Council, the following Officer(s) to be **AUTHORISED** to exercise, for and on behalf of the Council, the powers conferred on the Council pursuant to Clause F of the Instrument, subject to the conditions specified in the Instrument in relation to Clause F of the Instrument: to the persons occupying the positions of Director Infrastructure and Operations - Peter Bice, Manager Civil Services - Ashley Curtis.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
TUESDAY 25 JUNE 2019
AGENDA BUSINESS ITEM**

Item: 12.10

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: GRFMA Charter

SUMMARY

Adelaide Hills Council is one of six member councils which make up the Gawler River Floodplain Management Authority (GRFMA) regional subsidiary, along with Barossa, Gawler, Light, Adelaide Plains and Playford Councils.

The GRFMA operates under a Charter which was last amended in 2015. The GRFMA has been undertaking a review of the Charter and associated governance arrangements.

On 18 April 2019 the GRFMA ordinary meeting resolved:

That the GRFMA

- 1. Request a copy of the final draft GRFMA Charter Review document, as amended, be provided to constituent councils for comment and support; and*
- 2. Reinforces to all constituent councils that it will, amongst other aspects and as a priority, commit to a further review of the charter during the 2019/20 financial year that examines percentage rate contributions for each council.*

Council is asked to consider the final draft GRFMA Charter Review document and provide comment and indication of support by 15 July 2019. For clarity, Council's consideration and indication of support is not to be taken as the formal vote to adopt the new Charter rather this stage is to ensure constituent councils are supportive in order to prepare the Charter for the formal vote sometime in the future.

In relation to the proposed review of the proposed rate contributions, Council will be consulted separately.

RECOMMENDATION

That Council resolves:

- 1. That the report be received and noted.**
 - 2. To authorise the Chief Executive Officer to advise the Gawler River Floodplain Management Authority Board that the Adelaide Hills Council is supportive of the proposed 2019 Charter.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal	Organisational Sustainability
Strategy	Governance
	Collaboration on public policy setting
	Risk and responsibility

Council's s43 Regional Subsidiary provide an important governance and service delivery function on behalf of Council.

➤ Legal Implications

The GRFMA is established pursuant to Section 43 and Schedule 2 of the *Local Government Act 1999*. In accordance with legislative requirements and the Authority's existing Charter, any amendments to the Charter require unanimous support from all 6 constituent Councils.

➤ Risk Management Implications

The GRFMA exists to manage the floodplain of the Gawler River within its area of responsibility in order to reduce the associated flooding risks to private and public property located within the floodplain.

The proposed revisions to achieve a sound and prudent charter for the GRFMA are an important control in managing the risk of:

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

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

Note: there are many other controls that also assist in managing this risk.

➤ Financial and Resource Implications

Not applicable.

The percentage rate contributions for the Adelaide Hills Council are as follows:

Capital Works Percentage Share	Maintenance of Assets Percentage Share	Operating Costs Percentage Share
1.73%	1.73%	16.66%

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

There are no direct customer service implications with the proposed change to the GRFMA Charter.

➤ **Environmental Implications**

There are no direct environmental implications with the proposed change to the GRFMA Charter.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Director Development & Regulatory Services

Community: Not Applicable

2. BACKGROUND

The Gawler River Floodplain Management Authority (GRFMA) was formed in 2002 and is a Regional Subsidiary established pursuant to Section 43 and Schedule 2 of the *Local Government Act 1999*.

The Constituent Councils are the Adelaide Hills Council, The Barossa Council, Town of Gawler, Light Regional Council, Adelaide Plains Council and the City of Playford. The Charter sets down the powers, functions, safeguards and accountabilities and a framework for the financial commitments of the GRFMA and each Constituent Council.

The Authority operates pursuant to a Charter which sets down the powers, functions, accountabilities and operating framework. The Charter was last amended in 2015.

In May 2018 the GRFMA Board endorsed the creation of a Working Group to undertake a GRFMA Charter and Governance Review to include the review of the Charter and then once completed, to scope and consider other governance arrangements of the Authority.

Following the Working Group's completion of the Charter review, legal advice was obtained and the revised Charter considered at the GRFMA Board's April 2019 meeting. The Board resolved as follows:

That the GRFMA

1. *Request a copy of the final draft GRFMA Charter Review document, as amended, be provided to constituent councils for comment and support; and*
2. *Reinforces to all constituent councils that it will, amongst other aspects and as a priority, commit to a further review of the charter during the 2019/20 financial year that examines percentage rate contributions for each council.*

3. ANALYSIS

The following are the key changes to the Charter:

Clause	Proposed change
1.2	Provision of Definitions.
3.1.4	New wording to facilitate sustainable outcomes to ensure a proper balance between economic, social, environmental and cultural considerations.
3.3	New provision to provide that where a council requests the Authority to undertake an additional function separate to those undertaken by the Authority for all constituent councils a written agreement is required which includes and identifies percentage of capital costs to be met by the requesting council and identification of ownership and maintenance costs.
3.5	Provision regarding advice being sought from the Authority in relation to relevant development applications.
4.3.1.1	New provisions to identify Board and Deputy Board Members and provision for deputy members for both the CEO/CEO nominee Board Member and Council Member Board Member.
4.5.1	New process for appointment of Chairperson for a three-year term (by constituent councils) and to provide that the Authority may reappoint a Chairperson following that person's first term as Chairperson.
6.	Reworded and reorganised to reflect Role and Functions and provision for a new Code of Practice for Meeting Procedures (to be established)
7.2	Clarifies obligations of the Authority in regards to Register of Interest and Related Party Disclosures.
8.4. & 8.5	Provides authority to borrow money subject to approved budget and constituent council approval. If the Authority seeks to establish an overdraft facility, it will seek the approval of the Constituent Councils through the submission of a relevant policy to the Constituent Councils for approval.
9.4.1 and 9.4.2	Establishment of Committees - Provides opportunity for more than one independent Audit Committee member and term of appointment.
11.1	Requires separate funding agreement with constituent councils where capital or maintenance cost exceed \$1 Million in any one year.
12	Provision for Annual Business Plan and Annual Budget - clarification that Council approve the Budget as a whole.
13	New Management Framework requiring a Long-Term Financial Plan, a Strategic Plan and an Asset Management Plan as well as annual budget.
21	Clarifies dispute resolution process between Authority and one or more constituent councils.
23.3	No change to financial contributions by constituent councils NOTE Depreciation falls within the scope of the Authorities operational costs.
24	New identification of non-derogation and Direction by constituent councils.

Council's Administration is supportive of the revised Charter as it incorporates contemporary governance practices relating to regional subsidiaries.

Council is asked to consider the final draft GRFMA Charter Review document and provide comment and indication of support by 15 July 2019. For clarity, Council's consideration and indication of support is not to be taken as the formal vote to adopt the new Charter rather this stage is to ensure constituent councils are supportive in order to prepare the Charter for the formal vote sometime in the future.

The resolution of the GRFMA's 18 April 2019 meeting also refers to the review of the percentage rate contributions of each Constituent Councils. This is a matter that will be dealt with by the Administration and brought to the Chamber in a separate report.

4. OPTIONS

Council has the following options:

1. To advise the GRFMA Board that Council is supportive of the proposed changes to the GRFMA Charter.
2. To resolve to suggest amendments to the proposed changes to the GRFMA Charter.

Option 1 is recommended as the proposed change as it provides greater clarity and consistency in the governance arrangements.

5. APPENDICES

1. Current charter (2015) showing alterations
2. Letter from GRFMA dated 11 June 2019

Appendix 1

Current Charter (2015) showing alterations

CURRENT	PROPOSED
	<p>Red Text – New/Additional/Amended wording</p> <p>Blue Text – Moved wording</p> <p>Green Text – Merged wording</p> <p>Purple Text – Additional Changes</p>
	<p>1. INTRODUCTION</p> <p>1.1 Name The name of the subsidiary is the Gawler River Floodplain Management Authority (referred to as ‘the Authority’ in this Charter).</p> <p>1.2 Definitions</p> <p>‘AASB124’ means Australian Accounting Standards Board’s Accounting Standard AASB124 Related Party Disclosure;</p> <p>‘Act’ means the Local Government Act 1999 and includes all regulations made thereunder;</p> <p>‘Annual Business Plan’ means the business plan adopted by the Authority pursuant to Clause 13.4;</p> <p>‘Annual General Meeting’ means the annual general meeting of the Authority;</p> <p>‘Asset Management Plan’ means the asset management plan adopted by the Authority and approved by the Constituent Councils in accordance with Clause 13.3;</p> <p>‘Board’ means the Board of the Authority set out at Clause 4;</p> <p>‘Board Member’ means a member of the Board appointed pursuant to Clause 3.3.1;</p> <p>‘Budget’ means the annual budget adopted by the Authority</p>

CURRENT	PROPOSED
	<p data-bbox="1373 140 1939 169">Red Text – New/Additional/Amended wording</p> <p data-bbox="1373 177 1704 205">Blue Text – Moved wording</p> <p data-bbox="1373 213 1733 242">Green Text – Merged wording</p> <p data-bbox="1373 250 1771 279">Purple Text – Additional Changes</p> <p data-bbox="1373 320 1637 349">pursuant to Clause 12;</p> <p data-bbox="1373 391 2056 458">'Chairperson' means the member of the Board appointed pursuant to Clause 4.3.2;</p> <p data-bbox="1373 499 2136 566">'Constituent Councils' means those councils identified at Clause 2.2.</p> <p data-bbox="1373 608 1993 636">'Council' means a council constituted under the Act;</p> <p data-bbox="1373 678 1955 707">'Council Member' means a member of a Council;</p> <p data-bbox="1373 748 2128 815">'Deputy Board Member' means a deputy member of the Board appointed pursuant to Clause 4.3.1.2;</p> <p data-bbox="1373 857 2136 1035">'Dispute' means a difference between one or more Constituent Councils and the Authority concerning the operations or affairs of the Authority and includes where a Constituent Council fails or refuses to approve the draft asset management plan, budget, or long term financial plan as advised by the Authority;</p> <p data-bbox="1373 1077 2074 1106">'Financial Statements' has the same meaning as in the Act;</p> <p data-bbox="1373 1147 2040 1214">'Financial Year' means 1 July each year to 30 June in the subsequent year;</p> <p data-bbox="1373 1256 2107 1355">'Long Term Financial Plan' means the long term financial plan adopted by the Authority and approved by the Constituent Councils pursuant to Clause 13.2;</p> <p data-bbox="1373 1396 2089 1463">'Executive Officer' means the person appointed pursuant to Clause 10.1 as the Executive Officer of the Authority;</p>

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	<p>‘Region’ means the collective geographical areas of the Constituent Councils;</p> <p>‘Strategic Plan’ means the strategic plan adopted by the Authority pursuant to Clause 13.1.</p> <p>1.2.1 In the calculation of ‘days’:</p> <p>1.2.1.1 the day on which the notice, document, report, etc is given will not be taken into account; and</p> <p>1.2.1.2 Saturdays, Sundays and public holidays will be taken into account.</p> <p>1.3 Interpretation</p> <p>In this Charter, unless the context otherwise requires:</p> <p>1.3.1 the singular includes the plural and vice versa;</p> <p>1.3.2 words importing a gender include other genders;</p> <p>1.3.3 words importing natural persons include corporates;</p> <p>1.3.4 reference to a section is to a section of the Act and includes any section that substantially replaces that section and deals with the same matter;</p> <p>1.3.5 headings are for ease of reference only and do not affect the construction of this clause;</p>

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	<p>Red Text – New/Additional/Amended wording Blue Text – Moved wording Green Text – Merged wording Purple Text – Additional Changes</p> <p>1.3.6 an unenforceable provision or part of a provision of this Charter may be severed and the remainder of this Charter continues in force, unless this would materially change the intended effect of this Charter.</p> <p>1.4 Local Government Act</p> <p>1.4.1 This Charter must be read in conjunction with Parts 2 and 3 of Schedule 2 to the Act.</p> <p>1.4.2 The Authority shall conduct its affairs in accordance with and comply with Schedule 2 to the Act except as modified by this Charter in a manner permitted by Schedule 2.</p>
<p>1. ESTABLISHMENT</p> <p>1.1 The Gawler River Floodplain Management Authority ('the Authority') is established by the Constituent Councils as a regional subsidiary pursuant to section 43 and Schedule 2 ('the Schedule') of the <i>Local Government Act 1999</i> ('the Act').</p> <p>2. CONSTITUENT COUNCILS</p> <p>2.1 The Authority is established by the City of Playford, District Council of Mallala, Town of Gawler, The Barossa Council, Light Regional Council and the Adelaide Hills Council ('the Constituent Councils').</p> <p>2.2 The Authority is subject to the joint direction of the Constituent Councils.</p>	<p>2. ESTABLISHMENT</p> <p>2.1 The Gawler River Floodplain Management Authority is established by the Constituent Councils as a regional subsidiary pursuant to Section 43 and Schedule 2 of the <i>Local Government Act 1999</i>.</p> <p>2.2 The Authority is established by the Adelaide Hills Council, Adelaide Plains Council, The Barossa Council, Town of Gawler and the Light Regional Council.</p> <p>2.3 The Authority is subject to the joint direction of the Constituent Councils.</p>

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3. PURPOSE		3. PURPOSE AND FUNCTIONS	
3.1	The Authority has been established for the following purposes:	3.1	The Authority has been established for the purpose of coordinating the planning, construction, operation and maintenance of flood mitigation infrastructure for the Gawler River, and for the following functions:
3.1.1	to co-ordinate the construction, operation and maintenance of flood mitigation infrastructure for the Gawler River. This purpose is the core business of the Authority;	3.1.1	to raise finance for the purpose of developing, managing and operating and maintaining works approved by the Board;
3.1.2	to raise finance for the purpose of developing, managing and operating and maintaining works approved by the Board;	3.1.2	to provide a forum for the discussion and consideration of topics relating to the Constituent Council's obligations and responsibilities in relation to management of flooding of the Gawler River;
3.1.3	to provide a forum for the discussion and consideration of topics relating to the Constituent Council's obligations and responsibilities in relation to management of flood mitigation for the Gawler River;	3.1.3	to advocate on behalf of the Constituent Councils and their communities where required to State and Federal Governments for legislative and policy changes on matters related to flood mitigation and management and associated land use planning within the Gawler River Floodplain;
		3.1.4	to facilitate sustainable outcomes to ensure a proper balance between economic, social, environmental and cultural consideration;
		3.1.5	to provide advice as appropriate to the Constituent Councils in relation to development applications relevant to the Authority's roles and functions.
		3.2	One or more of the Constituent Councils may request the

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<p>3.1.4 upon application of one or more Constituent Councils pursuant to clause 12.4:</p> <p>3.1.4.1 to coordinate the construction, maintenance and promotion and enhancement of the Gawler River and areas adjacent to the Gawler River as recreational open space for the adjacent communities; and</p> <p>3.1.4.2 to enter into agreements with one or more of the Constituent Councils for the purpose of managing and developing the Gawler River.</p> <p>3.2 The Authority is not involved in a significant business activity as defined in the Clause 7 Statement prepared under the Competition Principles Agreement of the National Competition Policy.</p>	<p>Authority to undertake a function set out in Clause 3.4 of this Charter for the Constituent Council(s), which function will be additional and separate to those undertaken by the Authority for all of the Constituent Councils.</p> <p>3.3 Where one or more Constituent Councils makes a request provided for under Clause 3.2, the Constituent Council(s) and the Authority must enter into a written agreement which amongst other things provides for the Constituent Council(s) to pay to the Authority annual subscription amounts and/or equal percentages of classes of subscription to meet the costs of the Authority in undertaking the additional function(s) and which also provides, with the ownership and maintenance of any resultant infrastructure.</p> <p>3.4 The Authority is not involved in a significant business activity as defined in the Clause 7 Statement prepared under the Competition Principles Agreement of the National Competition Policy.</p>

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<p>4. THE BOARD - ROLE AND MEMBERSHIP</p> <p>4.1 The Authority will be governed by a Board.</p> <p>4.2 The Board is responsible for the administration of the affairs of the Authority. 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 Authority as well as any material developments which may affect the operating capacity and financial affairs of the Authority:</p> <p>4.3 The Board will comprise:</p> <p>4.3.1 One independent person who is not an officer, employee or elected member of a Constituent Council appointed by absolute majority of the Constituent Councils as the Chairperson for a term of two years and who has expertise in one or more of the following areas:</p> <ul style="list-style-type: none"> (a) environmental management (b) corporate financial management (c) general management (d) public sector governance 	<p>4. THE BOARD OF MANAGEMENT</p> <p>4.1 The Board</p> <p>4.1.1 The Authority will be governed by a Board and all decisions of the Board constitute decisions of the Authority.</p> <p>4.1.2 The Board is responsible for the administration of the affairs of the Authority. The Board must ensure insofar as it is practicable, that the Authority complies with all legislative obligations including this Charter, that information provided to the Constituent Councils is accurate and that the Constituent Councils are kept informed of the solvency of the Authority as well as any material developments which may affect the operating capacity and financial affairs of the Authority.</p> <p>4.2 Board Members</p> <p>4.2.1 The Board will consist of 13 Board Members comprising:</p> <p>4.2.1.1 the Chief Executive Officers of each of the Constituent Councils (including any persons acting in those offices from time to time) or his or her nominee who shall be an employee of the same Constituent Council as the Chief Executive Officer nominating the employee; and</p> <p>4.2.1.2 one member of each Constituent Council appointed by each Constituent Council.</p> <p>4.2.2 A Board Member is at the expiry of his or her term of office eligible for reappointment.</p>

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<p>4.3.2 The Chairperson is, at the expiry of his or her term of office, eligible for reappointment.</p>	<p>4.2.3 Board Members (with the exception of the Chairperson) shall not be entitled to receive a sitting fee or other fee or remuneration for undertaking their role as a Board Member.</p>
	<p>4.2.4 Written confirmation from the Chief Executive Officer of a Constituent Council will be sufficient evidence of that Constituent Council’s appointment or revocation of the appointment of a Board Member.</p>
	<p>4.2.5 In the event the office of a Board Member becomes vacant, the Constituent Council who appointed that Board Member will appoint another elected member to fill that vacancy:</p>
	<p>4.2.5.1 if the Board Member whose office has become vacant was an elected member of a Constituent Council;</p>
	<p>4.2.5.2 if the Board Member whose office has become vacant was a person nominated by the Chief Executive Officer of a Constituent Council , the Chief Executive Officer of that Constituent Council will act as a Board Member or nominate a person to be a Board Member.</p>
	<p>4.3 Deputy Board Member</p>
	<p>4.3.1 Each Constituent Council must appoint:</p> <p>4.3.1.1 an employee of that Constituent Council as a deputy Board Member who may act in the place of the Board Member being the Chief Executive Officer (or his or her nominee) of that Constituent Council as provided for in clause 4.2.1.1 if that Board Member is unable for whatever reason to attend a meeting of the Board</p>

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<p>4.3.3 Each of the Constituent Councils will appoint two persons to the Board. The Constituent Councils' appointees shall be the Chief Executive Officer of the Constituent Council or his or her nominee plus one elected member of the Constituent Council.</p> <p>4.3.4 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.</p> <p>4.3.5 The Board may appoint observers to the Board. Such</p>	<p>or otherwise able to act as a Board Member whilst the Board Member is unable to attend a meeting of the Board or to act as a Board Member; and</p> <p>4.3.1.2 a member of that Constituent Council as a deputy Board Member who may act in the place of the Board Member appointed by that Constituent Council pursuant to clause 4.2.1.2 if that Board Member is unable for whatever reason to attend a meeting of the Board or otherwise unable to act as a Board Member whilst the Board Member is unable to attend a meeting of the Board or act as a Board Member.</p> <p>4.4 Chairperson</p> <p>4.4.1 A person who is neither an officer, employee or member of a Constituent Council will be appointed by the Constituent Councils as a Board Member and the Chairperson for a term of up to three years and on such other terms and conditions as determined by the Constituent Councils and who the Constituent Councils consider has expertise in one or more of the following areas:</p> <ul style="list-style-type: none"> (a) environmental management (b) corporate financial management (c) general management (d) public sector governance <p>4.4.2 In the event the Chairperson is absent or unable for whatever</p>

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<p>appointees will not be entitled to vote at meetings.</p> <p>4.3.6 Board members (with the exception of the Chairperson), shall not be entitled to receive a sitting fee.</p> <p>4.3.7 The Board may pay a sitting fee to the Chairperson in such amount as determined by the Board.</p> <p>4.4 A certificate signed by the Chief Executive Officer of the appointing Constituent Council will be sufficient evidence of appointment.</p> <p>4.5 In the absence of the Chairperson, the Board will elect a temporary acting Chairperson from amongst their members.</p>	<p>reason to act as Chairperson, the Board will elect a Board Member as the Acting Chairperson for the period the Chairperson is absent or unable to act as Chairperson.</p> <p>4.4.3 The Chairperson is, at the expiry of his or her term of office, eligible for reappointment.</p> <p>4.4.4 The Authority may at the expiry of the Chairperson's term of office as Chairperson appoint the Chairperson for a further term of up to three years and otherwise on the same terms and conditions as the Chairperson's original appointment.</p> <p>4.4.5 The Authority may pay a sitting fee to the Chairperson in such amount as determined by the Authority.</p> <p>4.4.6 The Chairperson will preside at all meetings of the Board and in the event the Chairperson is absent from a meeting, the Board must select a Board Member present to preside at that meeting only.</p> <p>4.4.7 In the event there is a vacancy in the office of Chairperson, the Board will elect a Board Member to act as Chairperson for the balance of the original term or the appointment of a Chairperson, whichever occurs first.</p>
<p>5. TERM OF OFFICE - THE BOARD</p> <p>5.1 Subject only to the following subclauses, the term of office of each member of the Board, (with the exception of the Chairperson), will be as determined by the Constituent Council responsible for the appointment of the member and the</p>	<p>5. TERM OF OFFICE</p> <p>5.1 Subject to Clause 5.2, the term and other conditions of office of a Board Member, will be as determined by the Constituent Council appointing that Board Member.</p>

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	Constituent Councils express a preference that members of the Board are appointed following each election of the Constituent Council for the term of the Council.	5.2	The Constituent Councils will as far as practicable appoint Board Members, other than those Board Members who are the Chief Executive Officers of the Constituent Councils, following each periodic election of the Constituent Council until the next periodic election of the Constituent Council.
5.2	The Board may by a two-thirds majority vote of the members present (excluding the member subject to this clause) make a recommendation to the Constituent Council responsible for the appointment of the relevant member, that the Constituent Council terminate the appointment of the member in the event of:	5.3	The Board may by a two-thirds majority vote of the Board Members present (excluding the member subject to this clause) make a recommendation to the Constituent Council that appointed the relevant Board Member, that the Constituent Council terminate the appointment of that Board Member in the event of:
5.2.1	any behaviour of the member which in the opinion of the Board amounts to impropriety;	5.3.1	any behaviour of the Board Member which in the opinion of the Authority amounts to impropriety;
5.2.2	serious neglect of duty in attending to the responsibilities of a member and/or Chairperson of the Board;	5.3.2	serious neglect of duty in attending to the responsibilities of a Board Member and/or Chairperson of the Board;
5.2.3	breach of fiduciary duty to the Board;	5.3.3	breach of fiduciary duty to the Authority;
5.2.4	breach of the duty of confidentiality to the Board or the Constituent Councils;	5.3.4	breach of the duty of confidentiality to the Authority or the Constituent Councils;
5.2.5	breach of the conflict of interest rules of the Board; or	5.3.5	breach of the conflict of interest requirements applying to the Board Member; or
5.2.6	any other behaviour which may discredit the Board.	5.3.6	any other behaviour which may discredit the Authority or a Constituent Council.
5.3	The Board may by a two-thirds majority vote of the members present (excluding the Chairperson) make a recommendation to	5.4	The Authority may by a two-thirds majority vote of the Board Members present at a Board meeting (excluding the

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	the Constituent Councils that the appointment of the Chairperson be terminated in the event of:		Chairperson) make a recommendation to the Constituent Councils that the appointment of the Chairperson be terminated in the event of:
5.3.1	any behaviour of the Chairperson which in the opinion of the Board amounts to impropriety;	5.4.1	any behaviour of the Chairperson which in the opinion of the Authority amounts to impropriety;
5.3.2	serious neglect of duty in attending to the responsibilities of a member and/or Chairperson of the Board;	5.4.2	serious neglect of duty in attending to the responsibilities of a Board Member and/or Chairperson of the Board;
5.3.3	breach of fiduciary duty to the Board;	5.4.3	breach of fiduciary duty to the Authority;
5.3.4	breach of the duty of confidentiality to the Board or the Constituent Councils;	5.4.4	breach of the duty of confidentiality to the Authority or the Constituent Councils;
5.3.5	breach of the conflict of interest rules of the Board; or	5.4.5	breach of the conflict of interest requirements applying to a Board Member; or
5.3.6	any other behaviour which may discredit the Board.	5.4.6	any other behaviour which may discredit the Authority or a Constituent Council.
5.4	The Constituent Council which appointed the member whose term of office has become vacant will be responsible to appoint the replacement member.	5.5	The Constituent Council which appointed the member whose term of office has become vacant will be responsible to appoint a Board Member to fill the vacancy.
		5.6	A Board Member will cease to hold office and his or her office will become vacant:
		5.6.1	if any of the grounds or circumstances in the Act as to when a Board Member's office becomes vacant arises;
		5.6.2	if he or she is convicted of an indictable offence punishable by

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	<p> Red Text – New/Additional/Amended wording Blue Text – Moved wording Green Text – Merged wording Purple Text – Additional Changes </p> <p>imprisonment;</p> <p>5.6.3 if the Constituent Council which appointed the Board Member ceases to be a Constituent Council;</p> <p>5.6.4 in relation to a Board Member who is the Chief Executive Officer (or his or her nominee) of a Constituent Council, if the Board Member ceases to be an employee of the Constituent Council that he or she was an employee of at the time he or she was appointed or the Constituent Council by which the Chief Executive Officer or his or her nominee is employed ceases to be a Constituent Council;</p> <p>5.6.5 upon the happening of any other event through which the Board Member would be ineligible to remain as a Board Member;</p> <p>5.6.6 if a Constituent Council revokes the appointment of a Board Member appointed by that Constituent Council.</p>
<p>6. PROCEEDINGS OF THE BOARD</p> <p>6.1 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 Part 2 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</p>	<p>6. ROLE, FUNCTIONS AND PROCEEDINGS OF THE BOARD</p> <p>6.1 Role of the Board</p> <p>The Board is the Authority’s governing body and has the responsibility for the administration of the affairs of the Authority ensuring that the Authority acts in accordance with this Charter and all relevant legislation including the Act.</p>

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<p>references to the Authority.</p> <p>To the extent that this Charter and the Act and its associated Regulations are silent, the Board may determine its own meeting procedures.</p> <p>6.2 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.</p>	<p>6.2 Functions of the Board</p> <p>In addition to the functions of the Board set out in the Act, the functions of the Board include:</p> <p>6.2.1 the formulation of Strategic and Business Plans in accordance with Clause 13;</p> <p>6.2.2 providing professional input and policy direction to the Authority;</p> <p>6.2.3 ensuring strong accountability and stewardship of the Authority;</p> <p>6.2.4 monitoring, overseeing and measuring the performance of the Executive Officer of the Authority;</p> <p>6.2.5 ensuring that ethical behaviour and integrity is established and maintained by the Authority, the Board and Board Members in all activities undertaken by the Authority;</p> <p>6.2.6 developing and adopting such policies and procedures as give effect to good governance and administrative practices;</p> <p>6.2.7 exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other</p>

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<p>6.3 For the purpose of this clause, the contemporaneous linking together by an audio-visual or other interactive means, but excluding telephones ('telecommunication meeting') of a number of members of the Board provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board members taking part in the telecommunications meeting, must be able to hear and be heard by each of the other Board members present. At the commencement of the 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.</p>	<p>persons; and</p> <p>6.2.8 avoiding investments that are speculative or hazardous by nature.</p> <p>6.3 Proceedings of the Board</p> <p>6.3.1 All meetings of the Authority shall be meetings of the Board.</p> <p>6.3.2 Ordinary meetings of the Board will be held at such times and places as determined by the Board except that there must be at least one ordinary meeting of the Board every two months.</p> <p>6.3.3 An ordinary meeting of the Board will constitute an ordinary meeting of the Authority. The Board shall administer the business of the Authority at the ordinary meeting.</p> <p>6.3.4 For the purpose of this Clause 6.3, the contemporary linking together by telephone, audio-visual or other instantaneous means (telecommunications meeting) of the Board Members provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board Members taking part in the telecommunications meeting must at all times during the telecommunications meeting be able to hear and be heard by each of the other Board Members present. At the commencement of the 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 telecommunications meeting by disconnecting his/her telephone, audio-visual or other communication equipment,</p>

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	<p>unless that Board Member has previously notified the Chairperson of the meeting.</p> <p>6.3.5 A proposed resolution in writing and given to all Board Members in accordance with procedures determined by the Board will be a valid decision of the Board and will constitute a valid decision of the Authority where a majority of Board Members vote in favour of the resolution by signing and returning the resolution to the Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Executive Officer. The resolution will be deemed a resolution of the Board and will be as valid and effective as if it had been passed at a meeting of the Board duly convened and held.</p> <p>6.3.6 Subject to Clause 6.3.7, meetings of the Board will be open to the public and Chapter 6 Part 3 extends to the Authority as if it were a Council and the Board Members were members of the Council.</p> <p>6.3.7 Any Constituent Council, the Chairperson or three Board Members may by delivering a written request to the Executive Officer require a special meeting of the Board to be held and any such special meeting shall constitute a special meeting of the Authority. The written request must be accompanied by the agenda for the special meeting and if an agenda is not provided the request has no effect.</p> <p>6.3.8 On receipt of a written request pursuant to Clause 6.3.12, the Executive Officer must give notice to all Board Members at least four hours prior to the commencement of the special meeting.</p>

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<p>6.4 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</p>	<p>6.3.9 A meeting of the Board must not commence until a quorum of Board Members is present and a meeting must not continue if there is not a quorum of Board Members present. A quorum of Board Members will comprise one half of the Board Members in office, ignoring any fraction, plus one.</p> <p>6.3.10 The Board must adopt a Code of Practice for Meeting Procedures to apply to the proceedings at and conduct of meetings of the Board. The Code of Practice for Meeting Procedures must not be inconsistent with the Act or this Charter.</p> <p>6.3.11 The Code of Practice for Meeting Procedures may be reviewed by the Board at any time and must be reviewed at least once every three years.</p> <p>6.3.12 In the event of any inconsistency between this Charter and the Code of Practice for Meeting Procedures, this Charter shall prevail.</p>

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<p>the Constituent Councils.</p>	
<p>6.5 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.</p>	
<p>6.6 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 time later be reconsidered.</p>	
<p>6.7 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.</p>	
<p>6.8 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 six members of the Board representing all of the Constituent Councils.</p>	
<p>6.9 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.</p>	
<p>6.10 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.</p>	
<p>6.11 All members must keep confidential all documents and any</p>	

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<p>information provided to them in confidence for their consideration prior to a meeting of the Board</p> <p>6.12 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.</p>	
<p>7. PROPRIETY OF MEMBERS OF THE BOARD</p> <p>7.1 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.</p> <p>7.2 The members of the Board will not be required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.</p> <p>7.3 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.</p>	<p>7. PROPRIETY OF MEMBERS OF THE BOARD</p> <p>7.1 Subject to Clauses 20(6) and 20(7) of Schedule 2 to the Act, the provisions regarding conflict of interest prescribed in the Act apply to all Board Members as if they were elected members of a Council and the Authority was a Council.</p> <p>7.2 Board Members must comply with Division 2, Chapter 5 (Register of Interests) of the Act and to use all reasonable efforts to assist the Authority to comply with any obligations including regarding related party disclosures as set out in AASB124.</p> <p>7.3 Board Members must act in accordance with their duties of confidence and other legal and fiduciary duties including honesty and the exercise of reasonable care and diligence to the Authority as required by Part 4, Division 1, Chapter 5 of the Act and Clause 23 of Schedule 2, Part 2 of the Act.</p> <p>7.4 Subject to the express provisions of Schedule 2 to the Act and this Charter, all provisions governing the propriety and duties of members of a Council and public officers under the Act and other South Australian legislation apply to Board Members.</p>

CURRENT		PROPOSED	
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8. POWERS		8. POWERS	
8.1	The Authority is constituted as a body corporate under the Act and in all things acts through the Board.	8.1	The Authority is constituted as a body corporate under the Act and in all things acts through the Board.
8.2	The Authority has:	8.2	The Authority has subject, where relevant to Clauses 8.3, 8.4 and 8.5:
8.2.1	the power to acquire, deal with and dispose of real and personal property and rights in relation to real and personal property;	8.2.1	the power to acquire, deal with and dispose of real and personal property and rights in relation to real and personal property;
8.2.2	the power to compulsorily acquire land in accordance with the Land Acquisition Act 1969, provided that such acquisition is for the purposes of flood mitigation.	8.2.2	the power to compulsorily acquire land in accordance with the Land Acquisition Act 1969, provided that such acquisition is for the purposes of flood mitigation.
8.2.3	the power to sue and be sued in its corporate name;	8.2.3	the power to sue and be sued in its corporate name;
8.2.4	the power to enter into any kind of contract or arrangement;	8.2.4	the power to enter into any kind of contract or arrangement;
8.2.5	the power to return surplus revenue to Constituent Councils in such proportions as the Board considers appropriate at the end of any financial year either by way of cash payment or reduction of annual contribution;	8.2.5	the power to return surplus revenue to Constituent Councils in such proportions as the Board considers appropriate at the end of any financial year either by way of cash payment or reduction of annual contribution;
8.2.6	the power to set aside surplus revenue for future capital expenditure;	8.2.6	the power to set aside surplus revenue for future capital expenditure;
8.2.7	the power to invest funds and in doing so to take into account Part 4 of Chapter 9 of the Act;	8.2.7	the power to invest funds and in doing so to take into account Part 4 of Chapter 9 of the Act;
8.2.8	the power to establish committees;	8.2.8	the power to establish committees, in accordance with Clause

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<p>8.2.9 the power to delegate any function or duty except for the power to compulsorily acquire land as set out in Rule 8.2.2 and 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); and</p> <p>8.2.10 the power to do anything else necessary or convenient for, or incidental to, the exercise, performance or discharge of its powers, functions or duties.</p> <p>8.3 The Authority shall not act outside of the areas of the Constituent Councils without their prior approval that approval shall only be granted upon the basis that the Councils consider it necessary or expedient for the performance of their or the Authority's functions.</p>	<p>9;</p> <p>8.2.9 the power to delegate any function or duty except for the power to compulsorily acquire land as set out in Rule 8.2.2 and any of the powers set out in section 44 of the Act, (where such powers are applicable to the Authority); and</p> <p>8.2.10 the power to do anything else necessary or convenient for, or incidental to, the exercise, performance or discharge of its powers, functions or duties.</p> <p>8.3 The Authority has the power to incur expenditure as follows:</p> <p>8.3.1 in accordance with a budget adopted by the Authority under Clause 12; or</p> <p>8.3.2 with the prior approval of the Constituent Councils; or</p> <p>8.3.3 in accordance with the Act, in respect of expenditure not contained in a budget adopted by the Authority for a purpose of genuine emergency or hardship.</p> <p>8.4 Subject to Clause 8.5, the Authority has the power to borrow money as follows:</p> <p>8.4.1 in accordance with a budget adopted by the Authority under Clause 12; or</p> <p>8.4.2 with the prior approval of the Constituent Councils.</p> <p>8.5 Unless otherwise approved by the Constituent Councils, any and all borrowings (except overdraft facilities) taken out by the</p>

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<p>8.4 The Authority will have a common seal which may be affixed to documents requiring execution under common seal and must be witnessed by the Chairman of the Board and one other Board member.</p> <p>8.5 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.</p> <p>8.6 The Board may by instrument under the seal authorise a person to execute documents on behalf of the Authority. 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.</p>	<p>Authority:</p> <p>8.5.1 must be from the Local Government Financial Authority or a registered bank or financial institution within Australia; and</p> <p>8.6 The Authority shall not act outside of the areas of the Constituent Councils without their prior approval and that approval shall only be granted upon the basis that the Constituent Councils consider it necessary or expedient for the performance of their or the Authority's functions.</p> <p>8.7 The Authority will have a common seal which may be affixed to documents requiring execution under common seal and must be witnessed by the Chairperson and one other Board Member.</p> <p>8.8 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.</p> <p>8.9 The Board may by instrument under the seal authorise a person to execute documents on behalf of the Authority. 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.</p>

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	<p>9. ESTABLISHMENT OF COMMITTEES</p> <p>9.1 The Authority may establish committees.</p> <p>9.2 A member of a committee holds office at the pleasure of the Board.</p> <p>9.3 Without limiting the Board’s power to establish additional committees, the following committees are established:</p> <p style="padding-left: 40px;">(i) Audit Committee.</p> <p>9.4 Audit Committee</p> <p style="padding-left: 40px;">9.4.1 The Audit Committee shall be composed of no more than three members of whom at least one shall be a person who is not a member of the Board (“Independent Member”).</p> <p style="padding-left: 40px;">9.4.2 Members of the Audit Committee will be appointed by the Board biennially and at the expiry of a term of appointment are eligible for reappointment.</p> <p style="padding-left: 40px;">9.4.3 The Independent Member (or one of the Independent Members if there is more than one) shall be appointed by the Authority as the Chair of the Audit Committee. The Chair of the Audit Committee shall be paid such honorarium as the Authority determines.</p> <p style="padding-left: 40px;">9.4.4 Members of the Audit Committee must as far as practicable have recent and relevant financial, risk management or internal audit experience relevant to the functions of the Audit Committee as determined by the Authority.</p>

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		9.4.5 The functions of the Audit Committee include:	
		9.4.5.1 reviewing annual Financial Statements of the Authority to ensure they provide a timely and fair view of the state of affairs of the Board; and	
		9.4.5.2 liaising with the external auditors of the Authority; and	
		9.4.5.3 reviewing the adequacy of the accounting, internal auditing, reporting, internal control and other financial management systems and practices of the Authority on a regular basis;	
		9.4.5.4 Considering and advising the Authority on risk management.	
9. ADMINISTRATIVE MATTERS		10. ADMINISTRATIVE MATTERS	
9.1	There will be an Executive Officer of the Authority appointed by the Board on terms and conditions to be determined by the Board.	10.1	There will be an Executive Officer of the Authority appointed by the Authority on terms and conditions to be determined by the Authority.
9.2	The Executive Officer will be responsible to the Board:	10.2	The Executive Officer will be responsible to the Board:
9.2.1	to ensure that the policies and lawful decisions of the Authority are implemented in a timely manner;	10.2.1	to ensure that the policies and lawful decisions of the Authority are implemented in a timely manner;
9.2.2	for the efficient and effective management of the operations and affairs of the Board;	10.2.2	for the efficient and effective management of the operations and affairs of the Authority;
9.2.3	to provide advice and reports to the Board on the exercise and performance of the Authority's powers and functions; and	10.2.3	to provide advice and reports to the Board on the exercise and performance of the Authority's powers and functions; and

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9.2.4	to give effect to the principles of human resource management generally applicable within the local government industry.			10.2.4	to give effect to the principles of human resource management generally applicable within the local government industry.		
9.3	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 Authority.			10.3	The Executive Officer has such powers, functions and duties prescribed by this clause and as determined necessary by the Authority from time to time to ensure the efficient and effective management of the operations and affairs of the Authority.		
9.4	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.			10.4	The Authority 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.		
9.5	The Board may engage professional consultants and it may authorise the Executive Officer to engage professional consultants to provide services to the Authority to ensure the proper execution of its decisions, the efficient and effective management of the operations and affairs of the Authority and for giving effect to the general management objectives and principles of personal management prescribed by this Charter.			10.5	The Authority may engage professional consultants and it may authorise the Executive Officer to engage professional consultants to provide services to the Authority to ensure the proper execution of its decisions, the efficient and effective management of the operations and affairs of the Authority and for giving effect to the general management objectives and principles of personal management prescribed by this Charter.		
10. FINANCIAL CONTRIBUTIONS TO THE AUTHORITY				11. FINANCIAL CONTRIBUTIONS TO THE AUTHORITY			
10.1	The contributions of the Constituent Councils shall be based on the following percentage shares for capital works, maintenance of assets of the Authority and operational costs of the Authority.			11.1	The contributions of the Constituent Councils shall be based on the percentage shares for capital works, maintenance of assets of the Authority and operational costs of the Authority in accordance with Schedule 1.		
Constituent Council	Capital Works Percentage Share %	Maintenance of Assets Percentage	Operational Costs Percentage	Where the capital and/or maintenance cost exceeds \$1 Million in any given year, then Clause 11.7 shall apply.			

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		Share %	Share %		
Adelaide Hills Council	1.73	1.73	16.66		
Adelaide Plains Council	28.91	28.91	16.66		
The Barossa Council	8.67	8.67	16.66		
Town of Gawler	17.34	17.34	16.66		
Light Regional Council	8.67	8.67	16.66		
City of Playford	34.68	34.68	16.66		
Total	100%	100%	100%		
10.2	The Board will be responsible to provide the Constituent Councils with sufficient information for each of them to ascertain the level of and understand the reasons behind the funding required in the following financial year. This will be achieved via the business plan and the annual budget.			11.2	The Authority will be responsible to provide the Constituent Councils with sufficient information for each of them to ascertain the level of and understand the reasons behind the funding required each financial year. This will be achieved via the business plan and the annual budget.
10.3	The Board will determine annually the funds required by the Authority to enable it to function. The Constituent Councils shall contribute the funds requested by the Board, in the annual budget and approved by the Council, and any additional funds that are required for the continuing function of the Authority and approved by the Council, in accordance with Clause 11. The Board must provide full details regarding the need for additional funds to the Constituent Councils.			11.3	The Authority will determine annually the funds required by the Authority to enable it to function. The Constituent Councils shall contribute the funds requested by the Authority, in the annual budget and approved by the Constituent Councils, and any additional funds that are required for the continuing function of the Authority and approved by the Constituent Council. The Authority must provide full details regarding the need for additional funds to the Constituent Councils.
10.4	The annual contribution will be paid by each Constituent Council in advance by six monthly instalments.			11.4	The annual contribution will be paid by each Constituent Council in advance by six monthly instalments.

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10.5	Additional contributions (of any) will be paid by each Constituent Council in the manner and at the time determined by the Board.	11.5	Additional contributions (of any) will be paid by each Constituent Council in the manner and at the time determined by the Authority.
10.6	The Board is accountable to each Constituent Council to ensure that the Authority functions in accordance with its business plan and approved budgets.	11.6	The Authority is accountable to each Constituent Council to ensure that the Authority functions in accordance with its business plan and approved budgets.
10.7	The Board on behalf of the Authority may enter into separate funding arrangements with Constituent Councils and with any State or Federal Government or their agencies in respect of any project undertaken or to be undertaken by or on behalf of the Authority.	11.7	The Authority may enter into separate funding arrangements with Constituent Councils and with any State or Federal Government or their agencies in respect of any project undertaken or to be undertaken by or on behalf of the Authority.
10.8	Where a Council or Councils enter into an agreement with the Authority under Clause 12.4 of this Charter the subscriptions payable under that agreement shall be additional to the subscriptions payable under this Clause.	11.8	Where a Constituent Council or Constituent Councils enter into an agreement with the Authority under Clause 3.2 of this Charter the subscriptions payable under that agreement shall be additional to the subscriptions payable under this Clause.
11. BUDGET		12. BUDGET AND ANNUAL BUSINESS PLAN	
11.1	The Authority must prepare a budget for the forthcoming financial year.	12.1	Budget
11.2	The budget must:	12.1.1	The Authority must prepare a budget for each financial year.
11.2.1	deal with each principal activity of the Authority on a separate basis;	12.1.2	The Budget must:
11.2.2	be consistent with and account for activities and circumstances	12.1.2.1	deal with each principal activity of the Authority on a separate basis;
		12.1.2.2	be consistent with and account for activities and circumstances

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	referred to in the Authority's business plan;		referred to in the Authority's Annual Business Plan;
11.2.3	be submitted in draft form to each Constituent Council before 31 March for approval of its contribution for the year;	12.1.2.3	be submitted in draft form to each Constituent Council before 31 March for approval;
11.2.4	not be adopted by the Authority until after 31 May but before 30 September;	12.1.2.4	not be adopted by the Authority until after 31 May but before 30 September;
11.2.5	the adoption of the budget requires a two-thirds majority of the Board members present; and	12.1.2.5	identify the amount of and the reasons for the financial contributions to be made by each Constituent Council to the Authority.
11.2.6	identify the amount of and the reasons for the financial contributions to be made by each Constituent Council to the Authority.	12.1.3	The Budget may only be adopted where two thirds of the Board Members present vote in favour of the Budget.
		12.1.4	The Authority must provide a copy of the adopted Budget to each Constituent Council within five clear days after adoption.
11.3	The Authority must provide a copy of its budget to each Constituent Council within five business days after adoption.	12.1.5	The Authority must reconsider its Budget in accordance with Regulation 9 of the Local Government (Financial Management) Regulations 2011.
11.4	The Authority must reconsider its budget in accordance with Regulation 9 of the Local Government (Financial Management) Regulations 2011.	12.1.6	The Authority must submit to each Constituent Council for approval, any proposed amendment to the Budget.
11.5	The Authority must submit to each Constituent Council for approval, any proposed amendment to the budget that provides for an additional contribution by the Constituent Councils.	12.1.7	Where a Constituent Council has failed to approve a draft budget, or an amended budget, and has not served a notice on the Authority in accordance with Clause 21.2 within two months of the receipt of the draft budget, or amended budget by the Constituent Council, then the approval of the Constituent Council to the draft budget, or amended budget, will be deemed to have been given.

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<p>11.6 Where a Constituent Council has failed to approve a draft budget, or an amended budget, and has not served a notice on the Authority in accordance with Clause 20.2 within two months of the receipt of the draft budget, or amended budget by the Constituent Council, then the approval of the Constituent Council to the draft budget, or amended budget, will be deemed to have been given.</p>	<p>12.2 Annual Business Plan</p> <p>12.2.1 The Authority shall have an Annual Business Plan in respect of the ensuing 12 months.</p> <p>12.2.2 The Annual Business Plan must:</p> <p>12.2.2.1 state the services to be provided by the Authority;</p> <p>12.2.2.2 identify how the Authority intends to manage service delivery;</p> <p>12.2.2.3 identify the performance targets which the Authority is to pursue;</p> <p>12.2.2.4 provide a statement of financial and other resources and internal processes that will be required to achieve the performance targets and objectives of the Authority; and</p> <p>12.2.2.5 specify the performance measures that are to be used to monitor and assess performance against targets.</p>

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	<p>13. MANAGEMENT FRAMEWORK</p> <p>13.1 Long Term Financial Plan</p> <p>13.1.1 The Authority must develop and adopt in consultation with the Constituent Councils a Long Term Financial Plan covering a period of at least ten (10) years in a form and including such matters which, as relevant, is consistent with Section 122 of the Act and the Local Government (Financial Management) Regulations 2011 as if the Authority were a council.</p> <p>13.1.2 The Authority must review its Long Term Financial Plan in consultation with the Constituent Councils.</p> <p>13.1.3 The Authority may at any time review the Long Term Financial Plan but must undertake a review of the Long Term Financial Plan as soon as practicable after the annual review of its Business Plan and concurrently with any review of its Strategic Plan.</p> <p>13.1.4 In any event, the Authority must undertake a comprehensive review of its Long Term Financial Plan every four years.</p> <p>13.2 Strategic Plan</p> <p>13.2.1 The Authority must prepare and adopt in consultation with the Constituent Councils a Strategic Plan for the conduct of its business which will identify the Authority's objectives over the period of the Strategic Plan and the principal activities that the Authority intends to undertake to achieve its objectives.</p> <p>13.2.2 The Authority must review its Strategic Plan in consultation with the Constituent Councils.</p>

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		13.2.3	The Authority must undertake a comprehensive review of its Strategic Plan every four years.
		13.3	Asset Management Plan
		13.3.1	The Authority must prepare and adopt in consultation with the Constituent Councils an Asset Management Plan in a form and including such matters which, as relevant, is consistent with Section 122 of the Act as if the Authority were a council.
		13.3.2	The Authority must review its Asset Management Plan in consultation with the Constituent Councils.
		13.3.3	The Authority may at any time review its Asset Management Plan but must undertake a review of the Asset Management Plan as soon as practicable after the annual review of its Business Plan and concurrently with any review of its Strategic Plan.
		13.3.4	In any event, the Authority must undertake a comprehensive review of its Asset Management Plan every four years.
	12. BUSINESS PLAN		
12.1	The Authority shall have a rolling Business Plan in respect of the ensuing three years		
12.2	The Business Plan must:		
12.2.1	state the services to be provided by the Authority;		

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12.2.2	identify how the Authority intends to manage service delivery;
12.2.3	identify the performance targets which the Authority is to pursue;
12.2.4	provide a statement of financial and other resources and internal processes that will be required to achieve the performance targets and objectives of the Authority; and
12.2.5	specify the performance measures that are to be used to monitor and assess performance against targets.
12.3	Prior to setting the draft budget each year the Authority must review the Business Plan in conjunction with the Constituent Councils. The Business Plan must be updated to ensure it presents a plan for the ensuing three years.
12.4	One or more of the Constituent Councils may request the Authority to undertake a function provided for in Clause 3.1.4 of this Charter, which function is additional to those undertaken by the Authority for all of the Constituent Councils. Where one or more Constituent Councils make a request under this Clause, the Constituent Council or Councils must enter into a written agreement with the Authority which commits the Council or Councils to annual subscription amounts and/or an equal percentages of classes of subscription to meet the costs of the Authority in undertaking the additional function and which deals, amongst other things, with the ownership and maintenance of any resultant infrastructure.

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<p>13. ACCOUNTING</p> <p>The Authority must ensure that its accounting records, accounts and financial statements are prepared and maintained in accordance with all relevant Australian Accounting Standards. See Regulations 11 and 12, Local Government (Financial Management) Regulations 2011, in relation to particular accounting practices.</p>	<p>14. ACCOUNTING</p> <p>14.1 The Authority must ensure that its accounting records, accounts and financial statements are prepared and maintained in accordance with all relevant Australian Accounting Standards and legislation including the Local Government (Financial Management) Regulations 2011.</p>
<p>14. AUDIT</p> <p>14.1 The Authority must appoint an auditor.</p> <p>14.2 The Authority must provide its audited financial statements to the Chief Executive Officer of each Constituent Council by 30 September. See Part 6, Local Government (Financial Management) Regulations 2011, in relation to the Authority's audit responsibilities.</p>	<p>15. AUDIT</p> <p>15.1 The Authority must appoint an auditor.</p> <p>15.2 The Audit Committee must approve the audit strategy submitted by the external auditor before submission to the Board.</p> <p>15.3 The Authority must provide its audited financial statements to the Chief Executive Officer of each Constituent Council by 30 September.</p>
<p>15 FINANCE</p> <p>15.1 The board must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.</p> <p>15.2 All cheques to be authorised must be signed by two members of the Board or one member of the Board and the Executive Officer.</p>	<p>16. FINANCE</p> <p>16.1 The Authority may establish and maintain a bank account with such banking facilities and at a bank to be determined by the Authority.</p> <p>16.2 All cheques to be authorised must be signed by two Board Members or one Board Member and the Executive Officer.</p>

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15.3	The Executive Officer must act prudently in the handling of all financial transactions for the Board and must provide quarterly financial and corporate reports to the Board and if requested, the Constituent Councils.	16.3	Any payments made by Electronic Funds Transfer must be made in accordance with procedures which have received the prior approval of the auditor and been adopted by the Authority.
15.4	The Board will, at the end of each financial year prepare a schedule of assets and liabilities. In addition, the Board must Maintain a record to be known as the 'Schedule of Constituent Councils' Interests in Net Assets'.	16.4	The Executive Officer must act prudently in the handling of all financial transactions for the Authority and must provide quarterly financial and corporate reports to the Authority and if requested, the Constituent Councils.
15.5	The 'Schedule of Constituent Councils' Interests in Net Assets' will reflect the proportionate contribution each Constituent Council has made to capital, operations and maintenance to the Authority having regard to the proportionate contribution to subscriptions for each function undertaken by the Authority. The Schedule when updated by the Board at the end of each financial year will reflect the proportionate contribution of each Constituent Council since the commencement of the Authority and once accepted by each Constituent Council will be evidence of the agreed proportion of a Constituent Council's interests in the net assets as at 30 June in that year.	16.5	The Authority will, at the end of each financial year prepare a schedule of assets and liabilities. In addition, the Authority must maintain a record to be known as the 'Schedule of Constituent Councils' Interests in Net Assets'.
15.6	Where there is any dispute as to the Schedule, Clause 20 shall apply.	16.6	The Schedule of Constituent Councils Interests in Net Assets will reflect the proportionate contribution each Constituent Council has made to capital, operations and maintenance costs incurred by the Authority having regard to the proportionate contribution by way of subscriptions for each function undertaken by the Authority. The Schedule when updated by the Authority at the end of each financial year will reflect the proportionate contribution of each Constituent Council since the establishment of the Authority and once accepted by each Constituent Council will be evidence of the agreed proportion of a Constituent Council's interests in the net assets as at 30 June in that year.
		16.7	Where there is any dispute as to the Schedule, Clause 21 shall apply.

CURRENT	PROPOSED
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<p>16. REPORTS AND INFORMATION</p> <p>16.1 The Authority must submit its annual report on its work and operations including its audited financial statements, to each Constituent Council before 30 September.</p> <p>16.2 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.</p> <p>16.3 The Board shall report at any other time at the written request of a Constituent Council on matters being undertaken by the Authority. Any such report shall be provided to all Constituent Councils.</p>	<p>17. REPORTS AND INFORMATION</p> <p>17.1 The Authority must submit an annual report on its work and operations including its audited financial statements, to each Constituent Council before 30 September.</p> <p>17.2 The Authority shall report at any other time at the written request of a Constituent Council on matters being undertaken by the Authority. Any such report shall be provided to all Constituent Councils.</p>
<p>17. ALTERATION TO THE CHARTER</p> <p>17.1 This charter may be amended by unanimous resolution of the Constituent Councils.</p> <p>17.2 The Executive Officer of the Authority must ensure that the amended Charter is published in the <i>Gazette</i>.</p> <p>17.3 Before the Constituent Councils vote on a proposal to alter this Charter they must take into account any recommendations of the Board.</p>	<p>18. ALTERATION TO THE CHARTER</p> <p>18.1 This charter may be amended by unanimous resolution of the Constituent Councils.</p> <p>18.2 Before the Constituent Councils vote on a proposal to alter this Charter they must take into account any recommendations of the Authority.</p>
<p>18. WITHDRAWAL OF A CONSTITUENT COUNCIL</p>	<p>19. WITHDRAWAL OF A CONSTITUENT COUNCIL</p>

CURRENT		PROPOSED	
		Red Text – New/Additional/Amended wording Blue Text – Moved wording Green Text – Merged wording Purple Text – Additional Changes	
18.1	Subject to the approval of the Minister, a Constituent Council may withdraw from the Authority by giving not less than six months notice of its intention to do so to all other Constituent Councils and the Executive Officer.	19.1	Subject to the approval of the Minister, a Constituent Council may withdraw from the Authority by giving not less than six months notice of its intention to do so to all other Constituent Councils and the Executive Officer.
18.2	In any event a withdrawal cannot become effective until 30 June following the expiry of the six months in the preceding sub-clause. 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.	19.2	In any event a withdrawal will not become effective until 30 June following the expiry of the six months notice as required by Clause 19.1 in the preceding sub-clause. Until a withdrawal becomes effective, the Constituent Council proposing withdrawal from the Authority will remain liable for all financial contributions whilst still a Constituent Council and will continue to be responsible for ensuring the proper conduct of the affairs of the Authority.
18.3	A withdrawing Constituent Council is not entitled to any refunds of any contributions made.	19.3	A withdrawing Constituent Council is not entitled to any refunds of any contributions made.
19. ADDITION OF NEW MEMBER		20. ADDITION OF NEW MEMBER	
19.1	The Board may consider the addition of a new member to the Authority.	20.1	The Authority may consider the addition of a Council as a Constituent Council.
19.2	The Constituent Councils must resolve unanimously to approve the addition of a new member to the Authority and must obtain Ministerial approval.	20.2	The Constituent Councils must resolve unanimously to approve the addition of a Council as a Constituent Council.
19.3	The Charter shall be amended in accordance with the provisions of this Charter to address any new addition.	20.3	The Charter shall be amended in accordance with the provisions of this Charter to provide for a Council becoming a Constituent Council.

CURRENT		PROPOSED	
		Red Text – New/Additional/Amended wording Blue Text – Moved wording Green Text – Merged wording Purple Text – Additional Changes	
20. DISPUTES		21. DISPUTES	
20.1	In the event of any dispute or difference between the Constituent Councils and the Authority concerning the operations or affairs of the Authority, the dispute process shall be initiated by a Constituent Council serving a notice of dispute on all other Constituent Councils with a contemporaneous copy being served on the Authority. The Constituent Councils:	21.1	In the event of any dispute or difference between the Constituent Councils or between one or more Constituent Councils and the Authority concerning this Charter or the Authority (the Dispute), a party may initiate, the dispute process set out in this clause by serving a notice of dispute on all other Constituent Councils with a contemporaneous copy being served on the Authority. The parties:
20.1.1	will attempt to settle the dispute or difference by negotiating in good faith;	21.1.1	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 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;	21.1.2	if good faith negotiations do not settle the dispute within one month of the Dispute arising or such longer time as the parties to the Dispute may agree, 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'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 Authority; and	21.1.3	if the Dispute is unable to be resolved by the expert within six months then any Constituent Council may request the Minister wind up the Authority; and
20.1.4	notwithstanding the existence of a dispute or difference, the Constituent Councils will continue to meet their obligations to the Authority.	21.1.4	notwithstanding the existence of a Dispute, the Constituent Councils will continue to meet their obligations to the Authority.

CURRENT		PROPOSED	
		Red Text – New/Additional/Amended wording Blue Text – Moved wording Green Text – Merged wording Purple Text – Additional Changes	
20.2	In the event of any dispute or difference between one or more Constituent Councils and the Authority concerning the operations or affairs of the Authority, the dispute process shall be initiated by a Constituent Council, or the Authority, serving a notice of dispute on the Constituent Council or the Authority, as the case may be, with a contemporaneous copy being served on all other Constituent Councils:		For the purposes of Clause 21.2 'dispute' includes where a Constituent Council has failed or refuses to approve the draft budget advised by the Authority under Clauses 12.2.3 or 12.5 or charter amendment by the Authority under Clause 18.
20.2.1	will attempt to settle the dispute or difference by negotiating in good faith;		
20.2.2	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 examine the issues 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 Council and the Authority. The costs of the expert will be apportioned and payable in accordance with the expert's determination; and		
20.2.3	notwithstanding the existence of a dispute or difference, the Constituent Councils and the Authority will continue to meet their obligations to each other. For the purposes of Clause 20.2 'dispute' includes where a Constituent Council has failed or refuses to approve the draft budget advised by the Authority under Clauses 11.2.3 or 11.5.		
20A LIMIT OF LIABILITY		22. LIMIT OF LIABILITY	
20A.1	Except insofar as Clause 12.4 applies the liability of a	22.1	Except insofar as Clause 3.2 applies the liability of a Constituent

CURRENT		PROPOSED	
		Red Text – New/Additional/Amended wording Blue Text – Moved wording Green Text – Merged wording Purple Text – Additional Changes	
	<p>Constituent Council to the Authority is limited to those functions undertaken by the Authority and to which the Constituent Council has made a financial contribution. The liability of a Constituent Council is proportional to the interest of that Council in the net assets of the Authority as determined under Clause 15 of this Charter.</p>		<p>Council to the Authority is limited to those functions undertaken by the Authority and to which the Constituent Council has made a financial contribution. The liability of a Constituent Council is proportional to the interest of that Council in the net assets of the Authority as determined under Clause 16 of this Charter.</p>
20A.2	<p>The liability of a Constituent Council to the Authority for any function undertaken by the Authority under clause 12.4 is limited to the requesting Constituent Council or Constituent Councils and as reflected in the agreement entered into with the Authority for those purposes.</p>	22.2	<p>The liability of a Constituent Council to the Authority for any function undertaken by the Authority under Clause 3.2 is limited to the requesting Constituent Council or Constituent Councils and as reflected in the agreement entered into with the Authority for those purposes.</p>
21. DISSOLUTION OF THE AUTHORITY		23. DISSOLUTION OF THE AUTHORITY	
21.1	<p>The Authority may be dissolved by the Minister in the circumstances envisaged by Clause 33, Part 2 of Schedule 2.</p>	23.1	<p>The Authority may be dissolved by the Minister in the circumstances envisaged by Clause 33, Part 2 of Schedule 2 of the Act.</p>
21.2	<p>In the event of there being net assets upon the dissolution and after realisation of all assets and meeting all liabilities, the net assets will be distributed to the then Constituent Councils on the basis of their current interest in the net assets of the Authority as determined by Clause 15.</p>	23.2	<p>In the event of there being net assets upon the dissolution and after realisation of all assets and meeting all liabilities, the net assets will be distributed to the then Constituent Councils on the basis of their current interest in the net assets of the Authority as determined by Clause 16.</p>
21.3	<p>In the event of there being an insolvency of the Authority at the time of dissolution, the then Constituent Councils will be responsible jointly and severally to pay the liabilities of the Authority and between themselves in the proportion of their interest in the net assets last determined under Clause 15.</p>	23.3	<p>In the event of there being an insolvency of the Authority at the time of dissolution, the then Constituent Councils will be responsible jointly and severally to pay the liabilities of the Authority and between themselves in the proportion of their interest in the net assets last determined under Clause 16.</p>

CURRENT	PROPOSED																																
	<div>Red Text – New/Additional/Amended wording</div> <div>Blue Text – Moved wording</div> <div>Green Text – Merged wording</div> <div>Purple Text – Additional Changes</div>																																
	<div>SCHEDULE 1 - Financial Contributions</div> <table><tr><th>Constituent Council</th><th>Capital Works Percentage Share %</th><th>Maintenance of Assets Percentage Share %</th><th>Operational Costs Percentage Share %</th></tr><tr><td>Adelaide Hills Council</td><td>1.73</td><td>1.73</td><td>16.66</td></tr><tr><td>Adelaide Plains Council</td><td>28.91</td><td>28.91</td><td>16.66</td></tr><tr><td>The Barossa Council</td><td>8.67</td><td>8.67</td><td>16.66</td></tr><tr><td>Town of Gawler</td><td>17.34</td><td>17.34</td><td>16.66</td></tr><tr><td>Light Regional Council</td><td>8.67</td><td>8.67</td><td>16.66</td></tr><tr><td>City of Playford</td><td>34.68</td><td>34.68</td><td>16.66</td></tr><tr><td>Total</td><td>100%</td><td>100%</td><td>100%</td></tr></table> <div>Capital Works are defined as building and engineering works that create an asset and the renewal of existing assets that has reached the end of its useful life.</div> <div>Maintenance is defined as recurrent expenditure to ensure that existing assets function as designed and are kept in good condition.</div> <div>Operational Costs are defined as recurrent expenditure incurred to ensure that the Authority can conduct day to day functions. Depreciation falls within the scope of the Authority’s operational costs.</div> <div>Consider following additional clause:</div>	Constituent Council	Capital Works Percentage Share %	Maintenance of Assets Percentage Share %	Operational Costs Percentage Share %	Adelaide Hills Council	1.73	1.73	16.66	Adelaide Plains Council	28.91	28.91	16.66	The Barossa Council	8.67	8.67	16.66	Town of Gawler	17.34	17.34	16.66	Light Regional Council	8.67	8.67	16.66	City of Playford	34.68	34.68	16.66	Total	100%	100%	100%
Constituent Council	Capital Works Percentage Share %	Maintenance of Assets Percentage Share %	Operational Costs Percentage Share %																														
Adelaide Hills Council	1.73	1.73	16.66																														
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CURRENT	PROPOSED
	<p>Red Text – New/Additional/Amended wording</p> <p>Blue Text – Moved wording</p> <p>Green Text – Merged wording</p> <p>Purple Text – Additional Changes</p>
	<p>24. Non-derogation and Direction by Constituent Councils</p> <p>24.1 The establishment of the Authority does not derogate from the power of any of the Constituent Councils to act independently in relation to a matter within the jurisdiction of the Authority.</p> <p>24.2 Provided that the Constituent Councils have all first agreed as to the action to be taken, the Constituent Councils may jointly direct and control the Authority.</p> <p>24.3 Where the Authority is required pursuant to the Act or this Charter to obtain the approval of one or more of the Constituent Councils, that approval must only be granted and must be evidenced by a resolution passed by either or each of the Constituent Councils granting such approval.</p> <p>24.4 Unless otherwise stated in this Charter, where the Authority is required to obtain the consent or approval of the Constituent Councils this means the consent or approval of both the Constituent Councils expressed in the same or similar terms.</p> <p>24.5 For the purpose of this Clause 24, any direction given by the Constituent Councils must be communicated by notice in writing provided to the Executive Officer of the Authority together with a copy of the relevant resolutions of the Constituent Councils.</p>

Appendix

Letter from GRFMA dated 11 June 2019

Gawler River Floodplain Management Authority
266 Seacombe Road, Seacliff Park, SA 5049
Telephone: 0407717368 Email: davidehitchcock@bigpond.com
Website: www.gawler.sa.gov.au/grfma

Andrew Aitken
Chief Executive Officer
Adelaide Hills Council
28 Onkaparinga Valley Road
Woodside SA 5244
By email mail@ahc.sa.gov.au
11/6/19

Dear Andrew

GRFMA Charter

I am writing regarding review of the Gawler River Floodplain Management Authority (GRFMA) Charter and to seek Council feedback on the draft charter document and proposed amendments.

The Gawler River Floodplain Management Authority is established as a regional subsidiary pursuant to section 43 and Schedule 2 of the Local Government Act 1999 to co-ordinate the construction, operation and maintenance of flood mitigation infrastructure for the Gawler River. Constituent councils are City of Playford, Adelaide Plains Council, Town of Gawler, the Barossa Council, Light Regional Council, Adelaide Hills Council.

The Authority operates pursuant to its Charter which sets down the powers, functions, safeguards, accountabilities and an operational framework. The Charter was last amended by resolution of constituent councils in 2015.

On the 17/5/18 the GRFMA Board resolved to establish a working group, consisting of one representative from each constituent council, to consider and develop a methodology and process to facilitate delivery of a Charter and Governance review.

Subsequently on 16/8/18 the GRFMA Board endorsed the working group recommendation that the GRFMA Charter and Governance Review be undertaken in two phases consisting of:

- A charter review to be undertaken as a shorter-term action; and
- Following completion of the charter review a further process to scope and consider other contemporary governance arrangements be undertaken.

On completion of due process of working group meeting discussions and legal review (Norman Waterhouse Lawyers) recommendations relating to proposed changes to the Charter were considered by the 18/4/19 GRFMA ordinary meeting.

The meeting resolved:

That the GRFMA

1. *Request a copy of the final draft GRFMA Charter Review document, as amended, be provided to constituent councils for comment and support; and*
2. *Reinforces to all constituent councils that it will, amongst other aspects and as a priority, commit to a further review of the charter during the 2019/20 financial year that examines percentage rate contributions for each council.*

Key policy and operational changes as a result of the newly drafted Charter proposals are summarized in Table 1 below

Table 1. GRFMA Charter review proposals.

Clause	Proposed change
1.2	Provision of Definitions.
3.1.4	New wording to facilitate sustainable outcomes to ensure a proper balance between economic, social, environmental and cultural considerations.
3.3	New provision to provide that where a council requests the Authority to undertake an additional function separate to those undertaken by the Authority for all constituent councils a written agreement is required which includes and identifies percentage of capital costs to be met by the requesting council and identification of ownership and maintenance costs.
3.5	Provision regarding advice being sought from the Authority in relation to relevant development applications.
4.3.1.1	New provisions to identify Board and Deputy Board Members and provision for deputy members for both the CEO/CEO nominee Board Member and Council Member Board Member.
4.5.1	New process for appointment of Chairperson for a three-year term (by constituent councils) and to provide that the Authority may reappoint a Chairperson following that person's first term as Chairperson.
6.	Reworded and reorganised to reflect Role and Functions and provision for a new Code of Practice for Meeting Procedures (to be established)
7.2	Clarifies obligations of the Authority in regards to Register of Interest and Related Party Disclosures.
8.4. & 8.5	Provides authority to borrow money subject to approved budget and constituent council approval. If the Authority seeks to establish an overdraft facility, it will seek the approval of the Constituent Councils through the submission of a relevant policy to the Constituent Councils for approval.
9.4.1 and 9.4.2	Establishment of Committees - Provides opportunity for more than one independent Audit Committee member and term of appointment.
11.1	Requires separate funding agreement with constituent councils where capital or maintenance cost exceed \$1 Million in any one year.
12	Provision for Annual Business Plan and Annual Budget - clarification that Council approve the Budget as a whole.
13	New Management Framework requiring a Long-Term Financial Plan, a Strategic Plan and an Asset Management Plan as well as annual budget.
21	Clarifies dispute resolution process between Authority and one or more constituent councils.
23.3	No change to financial contributions by constituent councils NOTE Depreciation falls within the scope of the Authorities operational costs.
24	New identification of non-derogation and Direction by constituent councils.

See attached for documents containing the:

- Current charter (2015) and an adjacent copy of the proposed charter with all accepted alterations (clean version): and
- Current charter (2015) and an adjacent copy of the proposed charter which displays the various clause alterations and rearrangements (tracked version) against the existing charter.

I would be pleased if Council would now consider the final draft GRFMA Charter Review document and then provide relevant comment and indication of support to davidehitchcock@bigpond.com by Monday 15 July 2019.

For clarity, council consideration and indication of support is not expected to be a formal vote on the proposal to accept and adopt the proposed new GRFMA charter, as per clause 18.2.

Rather, once all six constituent councils have provided feedback and indication of support and subject to minimal alteration requirements, the final Charter proposal will then be forwarded to constituent councils for formal resolution of amendment and adoption.

Should any matter require clarification please contact me on 0407717368.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'David Hitchcock', with a stylized flourish at the end.

David Hitchcock
Executive Officer

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 12.11

Originating Officer: Lachlan Miller, Executive Manager Governance and Performance

Responsible Director: Andrew Aitken, Chief Executive Officer

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

For: Decision

SUMMARY

The Action List is updated each month by the responsible officer and outlines actions taken on resolutions passed at Council meetings. In some cases actions can take months or years to be completed due to the complexity and/or the level of influence Council has in the matter.

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

Council resolves:

- 1. That the report be received and noted**
- 2. The following completed items be removed from the Action List:**

Date	Meeting	No	Heading
19/1/2016	Ordinary Council	6a/16	Amy Gillett Bikeway Extension
22/03/2016	Ordinary Council	59/16	Sturt Valley Road reconstruction
27/11/2018	Ordinary Council	297/18	Magarey Road Emergency Services Access
26/02/2019	Ordinary Council	33/19	Electricity Procurement
26/03/2019	Ordinary Council	71/19	Proposed Pome Fest Event
23/04/2019	Ordinary Council	63/19	MON Ban of enclosed yabby nets in South Australia
23/4/2019	Ordinary Council	76/19	Delegations Review Report
23/04/2019	Ordinary Council	79/19	Adelaide Hills Council Roundabouts
23/04/2019	Ordinary Council	91/19	Appointment of Advisory Group Independent Members - Confidential
7/5/2019	Special Council	99/19	Fees & Charges
7/5/2019	Special Council	101/19	Murray Darling Association Support
28/5/2019	Ordinary Council	108/19	Regional Development Australia funding
28/5/2019	Ordinary Council	114/19	Appointment of Building Fire Safety Committee
28/05/2019	Ordinary Council	117/19	Budget Review 3
28/05/2019	Ordinary Council	118/19	Discretionary Rates Rebate
28/05/2019	Ordinary Council	119/19	Risk Management Policy
28/05/2019	Ordinary Council	120/19	Nomination for Libraries Board SA
28/05/2019	Ordinary Council	130/19	Electricity Procurement - Confidential
4/6/2019	Special Council	133/19	AHRWMA Draft ABP & Budget
4/6/2019	Special Council	138/19	Confidential Items Review

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.

In total there are zero (0) uncompleted resolutions for which an update is required for Council.

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	Status (for Council reporting)
27/05/2014	Ordinary Council	95/14	William St Birdwood Street Furniture, plaque	That Council, as a consequence of the SPDPC resolution No 29 dated 13 May 2014, approves: 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. 2. The erection of a plaque acknowledging the residents who donated funds to plant the initial avenue. 3. Place a memorial with names in the Birdwood Institute in consultation with the Friends of the Birdwood Institute. 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. 5. The CEO investigate a source of funds for the projects. 1 and 2 to be undertaken in consultation with the community.	Peter Bice	In Progress	30/06/2019	As timber is unsuitable we are currently looking at an alternative solution. We are working with members of the Birdwood Institute regarding the wording for the plaque. Small pieces of timber were made available to the Birdwood Institute but the timber was not suitable for turning. Update 5/6/19 A local artist has been commissioned to undertake to build a suitable seat, plans are currently being drawn up. Information for a sign has been received and will be included in the project.
24/03/2015	Ordinary Council	57/15	Confidential Item - Morella Grove	As per confidential minute	Peter Bice	In Progress	31/08/2019	Report to Council by mid 2019.
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	Completed	30/06/2020	Council is working collaboratively with neighbouring Councils as part of a broader Adelaide Wine Capital Cycling Trail project. The Mayor and CEO attended a briefing in early May with other participating Councils, with an update for Council Members to be distributed shortly,
22/03/2016	Ordinary Council	59/16	Sturt Valley Road reconstruction	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. 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	Peter Bice	Completed	30/06/2019	Council discussions with key landowners regarding construction of a walking loop along Sturt Valley Rd which required access through their property to connect through to Upper Sturt Rd have been unsuccessful. It was proposed to cancel this project as part of BR3, which was ultimately accepted by Council.
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	31/12/2019	Final plans and valuation are being considered by the Anglican Church State Diocese and upon confirmation from them a report will be presented to Council for consideration. Council staff met with the State Diocese to discuss the matter and work through some of their queries. It is now in the hands of the State Diocese
26/04/2016	Ordinary Council	83/16	Croft & Harris Road Precinct, Lenswood	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. 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.	Peter Bice	In Progress	30/06/2020	Consideration to any future project investment is being discussed with the funding application partners. Forestry SA have expressed their continued support for potential sealing. This project has also been included as a potential priority project with Election Candidates.
24/05/2016	Ordinary Council	105/16	Land at Houghton Request to Purchase	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. 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. 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. 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.	Terry Crackett	In Progress	30/09/2019	The acquisition from RJ & BE Day has been completed and registered at the Lands Titles Office. Title for the land held by City of Tea Tree Gully has been issued in the name of Adelaide Hills Council. The request to DPTI for the transfer of land has been made and DPTI have confirmed their agreement to transfer the land at no consideration subject to Council agreeing to declare the land as public road. The Section 210 process has been completed except for the final resolution to declare the land as public road which a report is being presented to Council at the 25 June meeting.
12/07/2016	SPDPC	29/16	MON - Woodforde Road and Reserve Naming	1. Staff pursue, with the developer, the inclusion of indigenous names within Hamilton Park and in relation to future stages 2. A progress report be made to Council or the Strategic Planning & Development Policy Committee within 3 months	Peter Bice	In Progress	30/06/2019	A site meeting was undertaken with Ivan Copley, AHC Staff and the Landscapers (engaged by the Developer). A great deal of opportunity exists to link indigenous stories with the Stage 4 (Reserve) part of the development, and a range of options are being considered. The Landscapers are weaving the themes into the concept plans currently, with key options and recommendation to be brought to Council in the next few months.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
24/01/2017	Ordinary Council	7/17	Cromer Cemetery Revocation of Community Land	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.	Terry Crackett	In Progress	31/12/2019	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 assessment of the native vegetation on the land, this is likely to take some months. DEW advised on 4/12/18 that there are some impediments to the progression of the proposed boundary realignment due to the mining operations on the adjacent land, which are being negotiated with the Dept for Mining. Advice is that these negotiations could take considerable time (2yrs). In the interim, consideration will be given to the granting of a right of way to ensure that the cemetery has legal access.
25/07/2017	Ordinary Council	155/17	Reserve Gifting Proposal - Dunnfield Estate, Mt Torrens	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: 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: The Council specified construction standards are metThe cost of all works are to be met by the DeveloperThe Developer enters into a legally binding Landscape Maintenance Agreement to agreed maintenance standards for a period of ten (10) yearsThe landscaping works are completed within two (2) years from the date of final approval. 2. That, in the event that there is a dispute between the Council and the Developer, the dispute is referred to an Independent Arbitrator for resolution, with costs being shared equally by the parties.	Peter Bice	In Progress	4/02/2020	The land division variation application 473/D38/2011 has been approved by the Development Assessment Commission. Council staff have drafted a maintenance agreement which we will work through with the Developer. Council staff and the developer have been working through the management of significant and regulated trees on the site, and recent works progressed very well. We are now looking to formally progress the draft maintenance agreement. Final Approvals were obtained by the Developer on 5 February 2018, and Landscape works remain ongoing, with vesting of the reserve land occurring once these are completed, and Section 51 clearance is provided for the relevant stage.
26/09/2017	Ordinary Council	207c/17	Heritage Agreement Reports - Wooraabinda 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	29/11/2019	With the Memorandum of Agreement having been signed by Council and returned to the Department of Environment and Water, the CLMP review can now be undertaken. Memorandum of Agreement has been received and no further administrative action is required.
24/10/2017	Ordinary Council	246/17	Road Closure and Disposal – Schapel 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 372create an easement for transmission of electricity in favour of Distribution Lessor Corporationcreate a free and unrestricted right of way in favour of Allotment 13 being the land in CT Volume 5502 Folio 373accept 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	31/08/2019	Surveyor has prepared final plan and road process order. LMA has been executed by both parties. Boral have indicated that completion will likely be in July 2019.
24/10/2017	Ordinary Council	250/17	DEW Fuel Reduction on Private Lands Program	That DEW's Strategic Fuel Reduction program is approved for the Adelaide Hills Council region	Peter Bice	In Progress	3/04/2020	2018 spring burns completed on Lobethal Bushland Park, Yanagin Reserve, Belair (Upper Sturt) site and Mylor Oval (recently included in the DEW Burning on Private Lands Program). Heathfield Waste Facility site has been completed as part of the 2019 autumn burn schedule. Council will collaborate with DEW on post weed management activities. Weed management activities by DEW and AHC were undertaken at Heathfield Stone Reserve on June 28th 2018 and on Thursday 16 May 2019 and the coming 5 year period. An information report was provided to Council at its 25 September Ordinary Council Meeting. Draft Weed Management

Meeting Date	Meeting	Res. No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
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	26/07/2019	<p>Council is has commenced discussions with SAPN regarding options for the transition to LED public lighting.</p> <p>SAPN has lodged their submission to the Australian Energy Regulatory (AER) for the July 2020 to 2025 regulatory period that includes public lighting as an Alternate Control Source for the first time.</p> <p>The LGA SA is submitting a response to the AER regarding the proposed tariff and services proposed. The AER will make a draft determination in September 2019.</p> <p>Public Lighting will move from a Negotiated Service (agreement between Council and SAPN) to an Alternate Control Service.</p> <p>This means that the maximum tariff price will be set by the Australian Energy Regulator (AER). This will not occur until 1 July 2020.</p> <p>The working group being established will look to understand the service levels (to get agreement with/ across LGA) and establish cost base on those service levels and a joint understanding between LGA and SAPN</p> <p>SAPN will put their initial pricing to the AER in January 2019 and consultation etc and reviewed submission in March 2020 for final determination of AER in probably Aril 2020 for commencement of new regulatory framework pricing in 1 July 2020.</p>
23/01/2018	Ordinary Council	4/18	Road Exchange - Mt Torrens Walking Loop	To issue 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 17/0041 (<i>Appendix 1</i>) with Allotment comprising pieces 81 & 82 in Filed Plan No. 218134 comprised in Certificate of Title Volume 6025 Folio 732 owned by Brian Bruce WillisonOpen 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 The closed road be excluded as Community Land pursuant to the Local Government Act 1999 To undertake the road exchange for nil consideration with the Council to pay all necessary costs to effect this resolution To authorise the Chief executive Officer (or delegate) to finalise and sign all necessary documentation to effect the road exchange and this resolution	Terry Crackett	In Progress	31/12/2019	Documents have been executed by Council and returned to the Conveyancer for lodgement with the Surveyor-General.
27/02/2018	Ordinary Council	31/18	Arts & Heritage Hub	That the report be received and noted.That the Business Development Framework for the establishment of an Arts and Heritage Hub in the Old Woollen Mill at Lobethal, contained in Appendix 1, be noted.That the Administration proceeds with the establishment of an Arts and Heritage Hub using the Business Development Framework as a guide.That the development of a Hub Evaluation Framework, as envisaged in the Business Development Framework, occur as early as possible and include key performance and results targets, and mechanisms for review of the implementation by Council to ensure alignment with budget allocations and strategic objectives.That \$50,000 be allocated to the 2017-18 Operating Budget from the Chief Executive Officer's contingency provision to enable the initial actions to be taken.The CEO provides a progress report on the implementation of the Business Development Framework within 6 months from the date of appointment of the Director.	David Waters	In Progress	31/07/2019	<p>The Hub Director commenced on 23 July 2018.</p> <p>The progress report was received by Council on 22 January 2019.</p> <p>The Evaluation Framework is in draft form and is being finalised for presentation to ELT.</p>
27/02/2018	Ordinary Council	57/18	Confidential Item - AH Swimming Centre Shade Sail	As per confidential minute	Terry Crackett	In Progress	30/09/2019	Matter being progressed per resolution

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27/02/2018	Ordinary Council	58/18	AH Swimming Centre Shade Sail - Period of Confidentiality	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 and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the matter is determined but not longer than 12 months. Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Terry Crackett	In Progress	31/07/2019	Progressing per confidential minutes
24/04/2018	Ordinary Council	102/18	Sale of Land for Non Payment of Rates	Refer to Confidential Minute	Terry Crackett	In Progress	28/06/2019	Actions continuing in accordance with resolution. One remaining property that is working towards resolution.
17/07/2018	Special Council	156/18	LED Street Lighting Program	That the report be received and notedThat further investigation is undertaken to understand the best approach and tariff structure for transitioning to LED street lighting as soon as practicable.	Peter Bice	In Progress	26/07/2019	As per LED review resolution 281/17
24/07/2018	Ordinary Council	162/18	MON Use of Recycled Material in Capital Works	I move that Council measures, and reports on, the amount and origin of recycled material it uses in Council's Capital works programs, at least annually.	Peter Bice	In Progress	30/08/2019	Council Staff are in the process of identifying, measuring and recording recycled material usage as part of Capital Works projects. Additionally, staff have been requesting Recycled Material Usage be used by State Government where opportunities arise (e.g. Deep Lift intersection works along Freight Route Upgrade or Bridge Renewal Program), and we will report on volumes once these are known. A
14/08/2018	Special SPDPC	SP18/1	Local Heritage Stage 1 (Public Places) Development Plan Amendment	That the report be received and notedTo approve the attached Summary of Consultations and Proposed Amendments report and the draft Local Heritage – Stage 1 (Public Places) Development Plan Amendment (DPA) for submission to the Minister for Planning for approval, with the exception of those sections of the Kersbrook Hall which do not form part of the original structure. If the aforementioned condition is not possible, then the exception lapses.To recommend to Council that it consider the establishment of a heritage incentive fund in its 2019/20 budgetary processThat the Chief Executive Officer be authorised to make any necessary minor amendments to the DPA as directed by relevant officers of the Department of Planning, Transport and Infrastructure or by the Minister for Planning.	Marc Salver	Completed	16/05/2019	The Minister for Planning responded to Council on 9 April 2019 and suggested two amendments to the proposed listings which was considered by SPDPC at a special meeting held on 14 May. A response was sent to the Minister on 16 May and we are awaiting his decision regarding the DPA.
28/08/2018	Ordinary Council	197/18	Household Hazardous Waste Disposal	That the report be received and noted.That the Council supports, in principle, acceptance of funding from Green Industries SA to establish and operate a Household Chemical and Paint Drop-off Facility at the Heathfield Resource Recovery Centre.That delegation is given to the CEO to negotiate and if to their satisfaction, enter into a funding agreement between Green Industries SA and the Adelaide Hills Region Waste Management Authority and Adelaide Hills Council for a Household Chemical and Paint Drop-off Facility at the Heathfield Resource Recovery Centre.A future report to be provided to Council on the outcome of the negotiation with Green Industries SA, the Adelaide Hills Region Waste Management Authority and Adelaide Hills Council.	Peter Bice	In Progress	30/06/2019	Development approval obtained. Final review of agreement by all parties completed. Execution of agreement completed. On ground construction works commenced May 2019. Council members will be advised via email of the opening date for the Household Hazardous Waste Disposal facility when further details are known.
28/08/2018	Ordinary Council	200/18	Proposal to enter 11 AHC Reserves into Heritage Agreements 2018	1. That the report be received and noted. 2. That the Biodiversity Officer be authorised to enter:Doris Coulls Reserve, 152 Old Mt Barker Road, AldgateHeathfield Waste Facility, 32 Scott Creed Road, HeathfieldKiley Reserve, 15 Kiley Road, AldgateShanks Reserve, 1 Shanks Road, AldgateStock Reserve, Stock Road, MylorLeslie Creek Reserve, Leslie Creek Road, MylorMi Mi Reserve, 125 Aldgate Valley Road, MylorAldgate Valley 2 Reserve, 114 Aldgate Valley Road, MylorKyle Road Nature Reserve, Kyle Road, MylorCarey Gully Water Reserve, Deviation Road, Carey GullyHeathfield Stone Reserve, 215 Longwood Road, Heathfield all being of significant biodiversity value, into Heritage Agreements. 3. That the Heritage Agreements retain the existing dog access arrangements in place for each of those reserves.	Peter Bice	In Progress	30/06/2021	Heritage Agreement applications lodged for: Following CTs (13/11/18) TRIM reference OC 18/16631 •Doris Coulls Reserve, 152 Old Mt Barker Road, Aldgate •Heathfield Waste Facility, 32 Scott Creed Road, Heathfield •Kiley Reserve, 15 Kiley Road, Aldgate •Shanks Reserve, 1 Shanks Road, Aldgate •Kyle Road Nature Reserve, Kyle Road, Mylor Following CRs (27/11/18) TRIM reference OC18/17474 •Leslie Creek Reserve, Leslie Creek Road, Mylor •Aldgate Valley 2 Reserve, 114 Aldgate Valley Road, Mylor •Mylor Parklands, Stock Road, Mylor

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
28/08/2018	Ordinary Council	203/18	Community Wastewater Management Systems Review - Update and Consultation Outcomes	The report be received and notedThe CEO undertakes a request for tender process for the divestment of Council's CWMS assets to inform Council's decision to sell or retain these assets.The resolution to undertake a request for tender process is subject to there being no matters of material impact identified through further due diligence and request for tender preparation activities, as determined by the CEO.Subject to Council resolving to proceed to a request for tender for the divestment of Council's CWMS assets, the CEO be delegated to prepare and approve an evaluation plan for the purposes of assessing responses received including but not limited to the following criteria: CWMS customer pricing and feesSale price for CWMS assetsRespondents financial capacityRespondents operational capacity and capabilityNetwork investment and expansion That ongoing analysis be undertaken on continued Council ownership of CWMS assets for request for tender comparison purposes to inform future decision making.The Prudential Review Report and the Probity Report be received and noted.The Council acknowledges that whilst S48 of the Local Government Act 1999 does not require a prudential review to be undertaken, the report in relation to this project is consistent with the provisions of S48.The Administration is to continue to work collaboratively with the City of Onkaparinga and Rural City of Murray Bridge for the potential divestment of Council's CWMS.That probity advisory services continue to be maintained throughout the CWMS review process.That a further report be provided to Council detailing the outcomes of the second stage request for tender and evaluation process with recommended next steps.	Peter Bice	In Progress	31/10/2019	In collaboration with project partners currently progressing with preparation of request for tender process and documentation.
28/08/2018	Ordinary Council	213/18	MWN Review of Community Grants Policy	That the community grants policy be reviewed before the next round of community grants.	David Waters	In Progress	31/07/2019	The review is scheduled to be workshopped in July and go before the July Council Meeting for a decision.
11/09/2018	Special Council	223/18	Pomona Road Bike Track Trial	A report is prepared to Council by 26 November 2019 on completion of the trial.	Peter Bice	In Progress	26/11/2019	A report will be prepared for the 26 November 2019 Council Meeting. This will incorporate outcomes from the Community Consultation to get
11/09/2018	Special Council	229/18	Road Exchange McBeath Drive, Skye Horsnell Gully	In accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, as regards the land within the Adelaide Hills Council area, enter into an Agreement for Exchange with Boral Resources (SA) Ltd and issue a Road Process Order to open as road portions of Section 906 Hundred of Adelaide numbered "1", "2" and "3" on Preliminary Plan No. 17/0066 (Appendix 1) and in exchange to close portions of McBeath Drive marked "A", "B", "C" and "D" on Preliminary Plan No. 17/0066, subject to the following:Boral Resources (SA) Ltd agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs; Boral Resources (SA) Ltd agreeing to pay all costs associated with a Council boundary adjustment between Adelaide Hills Council and the City of Burnside to rectify the resulting Council boundary anomaly from the road exchange process The closed road is excluded as Community Land pursuant to the Local Government Act 1999. Council approves the sale of the differential between the total area of closed road and the total area of opened road of approximately 1,242m2 to Boral Resources (SA) Ltd for the amount of \$6,210 as determined by an independent valuation. Subject to the successful completion of the road exchange process, Council undertakes a process in conjunction with the City of Burnside to realign the local government boundary along the new location of McBeath Drive to the south side of pieces 42, 52 and 62 of the proposed residential allotments in accordance with the provisions of the Local Government (Boundary Adjustment) Amendment Act 2017 (to commence on 1 January 2019) and/or Part 2 of Chapter 3 of the Local Government Act 1999. The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.	Terry Crackett	In Progress	30/09/2019	Road exchange documentation has been executed and provided to Boral for lodgement with the Surveyor-General. Submission has been prepared and lodged with the Boundaries Commission jointly on behalf of the City of Burnside and Adelaide Hills Council, no feedback received as yet.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
11/09/2018	Special Council	232/18	Revocation of Community Land – Bridgewater Retirement Village	<p>To commence a process to revoke the Community Land classification of the land located on the corner of Mt Barker Road and Second Avenue Bridgewater known as 511 Mt Barker Road. Bridgewater contained in Certificate of Title Volume 5488 Folio 788 (Land) on which a portion of the Bridgewater Retirement Village is located by: Preparing a report as required under section 194(2)(a) of the Local Government Act 1999 and making it publicly available. Undertaking consultation in accordance with its Public Consultation Policy as required under section 194(2)(b) of the Local Government Act 1999.</p> <p>To commence a process to vary the charitable trust affecting the Land by investigating land parcels owned by the Adelaide Hills Council, including Carripook Park, Candlebark Reserve and Vincent Playground Reserve, that may be suitable for the development of a landscaped garden for the benefit of the community and for the construction of a memorial to the Ash Wednesday Bushfires of 1983 as contemplated by the charitable trust over the Land and invite community suggestions and feedback in relation to any appropriate land parcels.</p> <p>To approve a budget allocation in the amount of \$10,000 for legal expenses for the preparation of an Application to the Supreme Court to vary the charitable trust.</p> <p>That a further report be presented to Council for consideration after community consultation and further investigations have been completed</p>	Terry Crackett	In Progress	31/12/2019	Initial consultation to identify possible locations for the establishment of a garden and memorial concluded on 28 January 2019 with only one submission received being a suggestion from the Retirement Village residents to investigate Carripook Park as their preferred option. Consultation will now be undertaken in relation to the revocation of community land with a report to be presented to Council following conclusion of the consultation.
11/09/2018	Special Council	238/18	Ashton Landfill – Confidential Item	<p>Until 10 September 2019.</p> <p>Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i>, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.</p> <p>Refer to confidential minute</p>	Peter Bice	In Progress	10/09/2019	Council continues to progress the matter.
27/11/2018	Ordinary Council	297/18	Magarey Road Emergency Services Access	<ol style="list-style-type: none"> The report be received and noted The administration undertake the process to rename Magarey Road Mount Torrens in accordance with Council's <i>Public Place and Road Naming Policy</i>. Subject to the <i>Public Place and Road Naming Policy</i> requirements being met and there being no objections following public consultation, that the two sections of Magarey Road Mount Torrens (as shown in <i>Appendix 1</i>) be renamed Magarey Road North and Magarey Road South. 	Peter Bice	Completed	30/06/2019	Following an objection received to the proposed road renaming a further report was presented to Council for consideration at the Mat 2019 meeting recommending the southern portion of Magarey Rd be renamed Barrett Road. Refer resolution 137/19.
22/01/2019	Ordinary Council	10/19	Jungfer Road Charleston Speed Limit	<p>That the report be received and noted That Council undertake the installation of the extended 60km/h speed zone on Jungfer Road, Charleston, by 800m to immediately West of Juers Road, if approved by the Department for Planning, Transport and Infrastructure (DPTI).</p>	Peter Bice	In Progress	26/07/2019	<p>Awaiting final approval paperwork from DPTI for speed limit and then installation will occur.</p> <p>DPTI has completed its assessment and approved an extension of 350m to cover the slow points - this extension is about 450m less than that requested by Council.</p> <p>Submission with supporting documentation provided to DPTI requesting extension of 60km/h.</p> <p>Contact made with DPTI to initiate review process on the speed limit.</p>
26/02/2019	Ordinary Council	29/19	Road Closure adjacent Charleston Conservation Park	<p>the report be received and notes that following receipt of a valuation for the land parcel that consultation will be undertaken in relation to the closure of the unmade road.</p> <p>the CEO takes all possible steps to prevent further degradation of the road reserve by unauthorised activities while this land remains in its custody.</p>	Terry Crackett	In Progress	31/08/2019	<p>A Valuation has been received from DEW.</p> <p>The Preliminary Plan has been signed for submission to the Surveyor-General.</p> <p>Community consultation will now proceed, both by the Surveyor-General and Council, with a report to be presented to Council following the consultation period.</p>
26/02/2019	Ordinary Council	31/19	Community Forums 2019	<p>That the report be received and noted. That Community Forums be held in 2019 according to the following indicative schedule: Tuesday 30 April 2019 at Houghton Tuesday 30 July 2019 at Gumeracha Tuesday 29 October 2019 at Norton Summit That the Chief Executive Officer be and is hereby authorised to make changes to the Community Forum schedule to accommodate venue availability or other matters arising which necessitate change.</p>	David Waters	In Progress	31/10/2019	<p>The first forum of the year was held on 30 April at Houghton as per the resolution. The next forums will be held at Gumeracha on 30 July 2019 and Norton Summit on 29 October 2019. Venues have been booked.</p>
26/02/2019	Ordinary Council	33/19	Electricity Procurement	<p>That the report be received and noted That a further report be provided to Council following the completion of the evaluation of contract offers by Local Government Association Procurement (LGAP).</p>	Terry Crackett	Completed	29/05/2019	Further report was provided to Council at the May meeting.
26/02/2019	Ordinary Council	39/19	Proposal to Undertake CEO Performance Review Internally	<p>That the report be received and noted To undertake the 2019 CEO Performance Review using an internal process incorporating all of the Elected Members and utilise a consultant to undertake the Total Employment Cost package review.</p>	Andrew Aitken	In Progress	30/08/2019	Preparing next CEO PR Panel meeting with schedule of work to complete the review. Preparation of review documentation is continuing.
26/02/2019	Ordinary Council	47/19	Boundary Reform Proposal - Woodforde & Rostrevor	<p>Council resolves that the report be received and noted. That if a Stage 2 submission is invited by the Boundaries Commission, a community meeting is arranged for residents of the Woodforde & Rostrevor communities to attend.</p>	Andrew Aitken	In Progress	21/06/2019	<p>The Boundaries Commission has advised that a Stage 2 submission is able to be lodged by the Campbelltown City Council.</p> <p>Planning is in progress for the community meeting.</p>

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
26/03/2019	Ordinary Council	61/19	Climate Emergency	Notes the October 2018 report of the Intergovernmental Panel on Climate Change;Notes the Federal government's latest greenhouse gas emissions data shows Australia's total greenhouse gas emissions have increased compared to 2012, not decreased;Recognises we are in a state of climate emergency that requires urgent action by all levels of government, including by local councils;Reaffirms its commitment to both mitigating against and adapting to the adverse impacts of climate change within the Adelaide Hills Council;Commits to finalising the Carbon Management Plan by December 2019 and that it includes a target of 100% renewable energy (electricity) for the Adelaide Hills Council (as an Organisation) by a defined date as well as a series of staged targets over the intervening period;Requests the CEO write to State and Federal Members of Parliament, which represent the Adelaide Hills Council region, advising them of Council's resolution and request they also act with urgency to address climate change.	Peter Bice	In Progress		Carbon Management Plan development is underway.
26/03/2019	Ordinary Council	62/19	Policy Position - Telecommunications Installation (Low-Impact Facilities)	That the Chief Executive Officer formulate a policy position in relation to the future installation of low impact telecommunications facilities, specifically, antennae attached to stobie poles, by telecommunications providers, for Councils consideration by no later than 30 June 2019. That the policy position address (yet not be limited to) such issues as:Siting (Preference - Non-Public Land)DesignHeightColours and FinishesCharacter and AmenityLocal EnvironmentObjection ProcessThe need to balance the above with the requirement to address mobile black spots and provide adequate mobile coverage to Adelaide Hills residents, businesses and visitors for public safety, commerce and accessibility.	Marc Salver	In Progress	26/07/2019	Staff have commenced the development of such a policy position which will be reported to Council for adoption at its meeting in July 2019, following a subsequent resolution of Council in June.
26/03/2019	Ordinary Council	71/19	Proposed Pome Fest Event	That in-principle support is provided to the establishment of Pome Fest 2019. That the Council contributes up to \$7,500 and in kind support in 2018/19 to facilitate and support the proposed event.	David Waters	Completed		Pome Fest 2019 was held on 31 May and 1 June 2019. Around 70 people visited the orchards and packhouses as part of the Industry Open Day on Friday 31 May and around 800 people visited the Pome Market held on Saturday. A very pleasing result for the inaugural event.
26/03/2019	Ordinary Council	76/19	Kenton Valley War Memorial Park	To commence a Community Land Revocation process in regards to the land comprised in Certificate of Title Register Book Volume 5718 Folio 775 being Allotment 64 in Filed Plan No. 155479 ("Land") with a view to the land being sold As a first step in the revocation process, a letter be sent to the residents of Kenton Valley informing them of Council's decision and inviting them to attend an information session to explain the project. As part of the consultation for the revocation of community land, seek feedback from the community about the expenditure of funds from a sale (if progressed). Following community consultation, that a report be presented to Council detailing the outcomes of the consultation and suggestions for the expenditure of sale proceeds. Action from discussion: Staff to identify and advise Council Members if any biodiversity studies have been undertaken on the parcel of land	Terry Crackett	In Progress	31/08/2019	Community meeting was held Monday 20 May at the Kenton Valley Golf Club. A group of residents was formed at that meeting to look at options to renew the memorial aspects of the reserve inline with its intended purpose. The Council's biodiversity officers undertaken a vegetation assessment of the land. Full community consultation will commence in late June. A further report will be presented to Council following consultation.
26/03/2019	Ordinary Council	77/19	Randell's Cottages, Beavis Court, Gumeracha	That, acknowledging that a land division in Watershed (Primary Production) is non-complying, an initial approach be made to the State Commission Assessment Panel to determine the possibility of a land division to create a separate allotment for the potentially local heritage listed building located at 1 Beavis Court, Gumeracha known as Randell's Cottages being supported. That subject to the response from the State Commission Assessment Panel, a Development Application be lodged for a non-complying land division. That, if a land division is not supported, an expression of interest (EOI) process be undertaken in respect of the local heritage listed building located at 1 Beavis Court, Gumeracha known as Randell's Cottages to determine any interest in restoring the building for tourism or other purpose (other than long term residential) under a long term lease arrangement. That the CEO be delegated to prepare the necessary documentation to undertake the EOI. That a report be presented to Council following the EOI detailing the results of that process and providing further options.	Terry Crackett	In Progress	30/09/2019	Council staff are meeting with DPTI staff in late June to discuss.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
26/03/2019	Ordinary Council	78/19	Scott Creek Cemetery Reserve Fund	That the reserve funds held in relation to the Scott Creek Cemetery be expended to achieve the following outcomes: Marking of unmarked graves with a small and simple identification piece detailing the name and date of death of the deceased; Installation of a single plaque with the names of the deceased who are buried in unmarked graves where the exact location of the graves is unknown; Renewal of existing gravel driveways; and Creation/extension of driveways to facilitate expansion of the cemetery	Terry Crackett	In Progress	31/12/2019	Investigations as to options for marking of graves has commenced and once collated, Council staff will meet with the Scott Creek Progress Association Committee to progress.
26/03/2019	Ordinary Council	80/19	Road Widening – Lower Hermitage Road, Lower Hermitage	To purchase the area of land being 481.718 sqm identified in red on the Land Acquisition Plan attached as Appendix 2 ("land") from Dean Roger Cottle the land owner at 579A Lower Hermitage Road, Lower Hermitage, and to negotiate a purchase price of up to \$7,000 (excl GST) plus all reasonable costs to vest the Land as public road. To purchase the area of land being 817.138sqm, identified in red on the Land Acquisition Plan attached as Appendix 2 ("land"), from Carissa Ann Courtney & David Ian Courtney, the land owners of the land at 579B Lower Hermitage Road, Lower Hermitage, and to negotiate a purchase price of up to \$12,000 (excl GST) plus all reasonable costs to vest the Land as public road. To purchase the area of land being 888.686sqm, identified in red on the Land Acquisition Plan attached as Appendix 2 ("land"), from Peter Ronald Browning and Alison Rosemary Browning, the land owners at 579C Lower Hermitage Road, Lower Hermitage, and to negotiate a purchase price of up to \$13,000 (excl GST) plus all reasonable costs to vest the Land as public road. To purchase the area of land being 725.619sqm, identified in red on the Land Acquisition Plan attached as Appendix 2 ("land"), from Anthony James Holland and Janice Irene Holland, the land owners at 579D Lower Hermitage Road, Lower Hermitage, and to negotiate a purchase price of up to \$10,500 (excl GST) plus all reasonable costs to vest the Land as public road. That the Mayor and CEO be authorised to sign all necessary documentation, including affixing the common seal, to give effect this resolution	Peter Bice	In Progress	28/06/2019	Negotiations are currently underway with relevant landowners.
26/03/2019	Ordinary Council	86/19	Sale of land at the former Onkaparinga Woollen Mills site at Lobethal	As per confidential resolution	Terry Crackett	In Progress	30/06/2019	Progressing in accordance with the resolution
23/04/2019	Ordinary Council	63/19	MON Ban of enclosed yabby nets in South Australia	I move that the Chief Executive Officer writes to Hon David Speirs, Minister for Environment and Water, to highlight the issue of Rakali drownings and other aquatic wildlife, eg platypus and fresh water turtles, associated with enclosed yabby nets and encourage the Minister to ban the use of enclosed yabby nets and their retail sale in South Australia.	Peter Bice	Completed		Letter has been sent, and positive media coverage has resulted from Council's Resolution. Response received from Minister and circulated to Council Members.
23/04/2019	Ordinary Council	76/19	Delegations Review Report	Refer to Agenda, noting changes under LG Act: <i>The removal of the proposed delegation to the CEO for paragraphs: 39.141.146.190.193.193.2162.1</i> The addition of a condition on paragraph 52.1 for reporting to the Audit Committee Instrument of Delegation under the Electricity Act 1996 (New Instrument) with the removal of the proposed delegation to the CEO for paragraph 7.1	Andrew Aitken	Completed		Delegations have been updated to reflect Council's decision with further delegations going to Council's 25 June 2019 Ordinary Council Meeting.
23/04/2019	Ordinary Council	79/19	Adelaide Hills Council Roundabouts	That a status report on the Adelaide Hills Roundabouts beautification program be presented to Council at the 28 May 2019 meeting	Peter Bice	Completed	28/05/2019	Report was tabled at 28 May Council Meeting.
23/04/2019	Ordinary Council	91/19	Appointment of Advisory Group Independent Members - Confidential	Refer to Confidential Minute	Andrew Aitken	Completed	10/05/2019	Candidates have been advised of the Council's resolution.
7/05/2019	Special Council	96/19	Road Closure Tay Crescent, Woodforde	That the report be received and noted. To make a Road Process Order pursuant to the <i>Roads (Opening & Closing) Act 1991</i> to close and merge the piece of land identified as "A" in the Preliminary Plan No. 18/0057 and being portion of the land in Certificate of Title Volume 2546 Folio 56 with Allotment 11 in Deposited Plan No. 6530 comprised in Certificate of Title Volume 5637 Folio 217. Subject to the closure of the road identified in the Preliminary Plan attached, that: The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i> ; and The piece marked "A" be sold to Mr Robert Walter & Mrs Sharyn Walter, the owners of the property with which it is merging for the amount of \$65,000 incl GST (if applicable) and all fees and charges associated with the road closure process. 4. Authorise the Chief Executive 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	30/09/2019	Progressing in accordance with the resolution. 5/6/19 - Road Process Order, Agreement to Transfer and final plans have been signed and returned to the Conveyancer for lodgement with the Surveyor General. Funds have been requested to be held in trust by McDonald Conveyancing pending finalisation of the Road Process Order by the Surveyor-General.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
7/05/2019	Special Council	97/19	Road Closure Peake Road, Birdwood	<ol style="list-style-type: none"> That the report be received and noted. To make a Road Process Order pursuant to the Roads (Opening & Closing) Act 1991 to close and merge the pieces of land identified as "A" in the Preliminary Plan Number 19/0002 with Section 6286 being the land comprised in Certificate of Title Volume 5496 Folio 550. Subject to the closure of the road identified in the Preliminary Plan attached, that: The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i>; and The piece marked "A" be sold to Mr Paul & Mrs Michele Edwards, the owners of the property with which it is merging for the amount of \$19,000 plus GST and all fees and charges associated with the road closure process. Authorise the Chief Executive 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	30/09/2019	Progressing in accordance with the resolution 5/6/19 - Road Process Order, Agreement to Transfer and final plans have been signed and returned to the Conveyancer for lodgement with the Surveyor General. Funds have been requested to be held in trust by McDonald Conveyancing pending finalisation of the Road Process Order by the Surveyor-General.
7/05/2019	Special Council	98/19	Road Closure Sandy Waterhole Road Woodside	<ol style="list-style-type: none"> That the report be received and noted To make a Road Process Order pursuant to the <i>Roads (Opening & Closing) Act 1991</i> to close and merge the pieces of land identified as "A" in the Preliminary Plan No. 19/0001 attached to this report with Section 3961 being the land comprised in Certificate of Title Volume 5471 Folio 906. Subject to the closure of the road identified in the Preliminary Plan attached, that: The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i>; and The piece marked "A" be sold to Deepwater Pty Ltd, the owners of the property with which it is merging for the amount of \$20,000 plus GST (if applicable) and all fees and charges associated with the road closure process. Authorise the Chief Executive 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	30/09/2019	Progressing in accordance with the resolution 5/6/19 - Road Process Order, Agreement to Transfer and final plans have been signed and returned to the Conveyancer for lodgement with the Surveyor General. Funds have been requested to be held in trust by McDonald Conveyancing pending finalisation of the Road Process Order by the Surveyor-General.
7/05/2019	Special Council	99/19	Fees & Charges	That the report be received and noted. To adopt the 2019/20 Fees and Charges Schedule included at Appendix 1 to apply on and from 1 July 2019, with the fee for the second green organics bin to be set at \$50.00 per annum. Council notes that the statutory fees will be included on the schedule of fees and charges available for public inspection subsequent to being gazetted.	Terry Crackett	Completed	12/07/2019	Fees and Charges determined by Council have been updated for the Council Decision and will be published in late June 2019. The statutory fees once gazetted will be consolidated with the Council fees and charges once received. These are likely to be received by Council by the first or second week in July 2019.
7/05/2019	Special Council	94/19	7.1 Stonehenge Reserve Masterplan Update and Findings from Consultation	That the report be received and noted. To not proceed with any of the masterplanning options at Stonehenge Reserve at this point in time. To proceed with resurfacing works at both the Stonehenge Reserve and Heathfield sites. To delegate to the CEO to seek variations and finalise arrangements to the grant funding agreements with the Office for Recreation, Sport & Racing, and Tennis SA that allow new court construction at alternative sites. The CEO to report back to Council on those finalised arrangements. To notify those who have registered through the Stonehenge Reserve Project's engagement site of the outcome of the consultation and this report.	Peter Bice	In Progress	30/12/2019	Administration have begun discussions with the Office for Recreation, Sport & Racing and Tennis SA regarding a variation to the grant funding agreement that allows new court construction at an alternative site.
7/05/2019	Special Council	101/19	Murray Darling Association Support	<p>That the report be received and noted. That Council supports the Murray Darling Association (MDA) in its objective to ensure local government has a role in informing the decisions that impact our local communities under the Murray Darling Basin Plan, and in their bid to secure recurrent funding for the provision of effective consultation and engagement with councils within the Murray-Darling Basin communities through their local representatives. That Council authorises the Chief Executive Officer (or his delegate) to:</p> <ol style="list-style-type: none"> Write a letter of support to the Murray Darling Association for the State and Federal Governments to contribute to the ongoing funding of the MDA. Write to our local state and federal MPs encouraging them to support State and Federal Governments contributing to the ongoing funding of the MDA. Write to the LGA and all councils in our MDA region, encouraging them to join the MDA and support the activation and development of advocacy priorities of this region. 	Peter Bice	Completed		Letters to MDA Region 7 Council's, the LGA, and local State and Federal MPs have been sent.
7/05/2019	Special Council	104/19	Unsolicited Approach to Purchase Community Land – 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 matter is further presented to Council for a decision, but not longer than 12 months.	Terry Crackett	In Progress	6/05/2020	
28/05/2019	Ordinary Council	108/19	Regional Development Australia 3 year funding	That the report be received and noted. That the Council enter into a three year funding agreement with Regional Development Australia – Adelaide Hills, Fleurieu and Kangaroo Island Inc. as per the agreement contained in Appendix 1, with an annual funding contribution of \$64,613, adjusted annually according to changes in the Australian Consumer Price Index. That the Mayor and Chief Executive Officer be authorised to negotiate and approve minor amendments not affecting its intent or financial elements, and sign and seal the Agreement on behalf of Council.	David Waters	Completed	14/06/2019	

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
28/05/2019	Ordinary Council	109/19	Road Closure for Adelaide Rally	That the report be received and noted That, in relation to the 2019 Adelaide Hills Rally, Council's support of the event and related road closures is contingent on UME, to the satisfaction of the CEO: Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event; Agreeing to undertake road dilapidation reports of the route prior to and subsequent to the event at their cost; Providing evidence of satisfactory insurance to cover any damage to 3rd party property caused by the event; Providing written confirmation from affected business owners that they are aware of the road closures; Providing written confirmation to confirm that the concerns raised by affected residents have been addressed and that arrangements for egress and regress from those properties can be managed within the event; Written confirmation from Australian Securities and Investments Commission that UME is registered beyond 3 August 2019; and Written confirmation from UME that they will erect advance notices of road closures on the affected roads, in locations advised by Council, at least 2 weeks prior to the event. See Minutes for full resolution	David Waters	In Progress	30/09/2019	
28/05/2019	Ordinary Council	110/19	MON Federal Election 2019	1. Council congratulates the Hon Scott Morrison MHR on being able to form a majority Coalition Government, and 2. Seeks assurances from the Prime Minister that the new government will honour statements made during the election campaign by the Liberal Candidate for the seat of Mayo, Ms Georgina Downer. These statements for Projects in the Adelaide Hills Council include: a. Reducing congestion at the intersection of Tiers, Nairne and Onkaparinga Valley Roads, Woodside, b. Upgrading of bike trails by completing the Amy Gillett Recreation Bikeway to Mount Pleasant, and c. Completing the Hahndorf/Verdun Interchange on the south eastern freeway d. Providing netting subsidies for fruit growers 3. The Chief Executive Officer writes to the Minister for Transport enclosing a copy of the correspondence and requesting the Minister to support projects in the Adelaide Hills Council Area. 4. The Council congratulates Ms Rebekha Sharkie on her re-election as the Member for Mayo and requests her to lobby the Federal Government for funds to implement the election statements made by the Liberal Party in Mayo, particularly those in the Adelaide Hills Council. 5. The Chief Executive Officer provides copies of the letters in parts 2 and 3 of the motion and the minutes of the 28 May 2019 Council meeting to the Members for Bragg, Heyesen, Kavel, Morialta, Newland, Schubert and Waite.	Andrew Aitken	In Progress	28/06/2019	Letters are currently being drafted
28/05/2019	Ordinary Council	111/19	MON Draft Policy Low Impact Telecommunications Facilities	That the Council's 26 March 2019 resolution (62/19) for the provision of a report to Council on a policy position in relation to the future installation of low impact telecommunications facilities, specifically, antennae attached to stobie poles, by telecommunications providers be deferred from 30 June 2019 until the 23 July 2019 Council meeting.	Marc Salver	In Progress	26/07/2019	Staff have commenced the development of such a policy position which will be reported to Council for adoption at its meeting in July 2019 in accordance with the Motion on Notice
28/05/2019	Ordinary Council	112/19	Festivals & Events Policy	That the report be received and noted. To endorse the Draft <i>Festivals and Events Policy</i> , as contained in <i>Appendix 1</i> , for consultation purposes. That the CEO be authorised to: Make any formatting, nomenclature or other minor changes to the Policy prior to being released for public consultation and; Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of Council's <i>Public Consultation Policy</i> .	David Waters	In Progress		Consultation opened on 5 June Closes on 28 June Advertising in local papers Wednesday 5 in Public notices and Wednesday 12 June (latter with emphasis that consultation includes motor sport and sporting events) Social media posts Wednesday 5 Report back to Council due August 2019
28/05/2019	Ordinary Council	113/19	20 Anniversary Gumeracha Civic Precinct Development	That the report be received and noted. That an initiative be included in the 2019-20 Annual Business Plan, with a budget of \$3,000, to hold an appropriate event, involving community groups and community members, to celebrate the 20th anniversary of the development of the civic precinct at Gumeracha and showcase the activities and opportunities available at the site.	David Waters	Not Started		

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
28/05/2019	Ordinary Council	114/19	Appointment of Building Fire Safety Committee	That the report be received and notedThat Council appoints the following members to the Adelaide Hills Building Fire Safety Committee as the appropriate Authority for the purposes of Section 71 of the <i>Development Act 1993</i> for a three year period commencing on 29 May 2019 and expiring on 31 May 2022 or, until such time that Section 157(17) of the <i>Planning, Development and Infrastructure Act 2016</i> is operational, whichever occurs first: Peter Harmer (Contract Building Surveyor Engineer) as a person with expertise and qualifications in building surveying, engineering and building fire safetyColin Paton, as a person nominated by the Country Fire Service with Julian Aggiss, Joel Taggart, Kevin Churchward and Phil McDonough nominated as deputy membersJeff Grinnell as Team Leader Building Services as an authorised Council Officer with expertise and qualifications in building surveying and building fire safety with Tom Warneke as deputy member, andDeryn Atkinson as Manager Development Services as an authorised Council Officer (with Marc Salver appointed as deputy member).	Marc Salver	Completed	7/06/2019	Members of the Committee have been notified of their appointment
28/05/2019	Ordinary Council	116/19	Options for Crown Reserves	The report be received and notedA formal approach be made to the Department for Environment and Water to seek its support for a. the revocation of dedications for the following Crown Records Refer to Minutes b. a change in custodian of Crown records CR 5753/718, Section 1544 Reserve Terrace Aldgate, and CR 5753/753, Section 495 off Kersbrook Road Kersbrook, subject to no objections being received from the proposed custodians of Meals on Wheels (SA) Inc and the delegate to the Minister for Forests respectively. the revocation of dedication for Crown Record CR 5926/487, Lot 20 Bell Springs Road Charleston, to be incorporated into the protected areas system. In principle support for division of Crown condition agreements CT 5168/474, 140 Upper Sturt Road Upper Sturt, and CT 5880/219, Section 83 Cromer Road, Birdwood, with part to revert to The Crown for incorporation into the protected area system, subject to further determination by Council as to the appropriate areas (if any). 3. Following a formal response from the Department for Environment and Water, community consultation be undertaken with the public being offered a minimum of 21 days in which to comment on the recommendations. A further report be presented to Council following conclusion of the consultation period.	Terry Crackett	In Progress	30/06/2020	A formal approach is being prepared for submission
28/05/2019	Ordinary Council	117/19	Budget Review 3	Receive and note the report.Adopt the Operating Budget variations presented in Budget Review 3 resulting in no change to the Operating Surplus for the 2018-19 financial year of \$398k.Adopt the proposed Capital Works variations provided for in Budget Review 3 representing:An increase in Capital Income of \$50k;An increase in Capital Expenditure of \$87k; resulting in a proposed capital expenditure budget of \$17.713mAdopt the change in Council's current Net Lending Result from \$5.993m to \$5.956m as a result of the capital program amendments.	Terry Crackett	Completed		BR3 implemented as per resolution.
28/05/2019	Ordinary Council	117/19	Budget Review 3	Receive and note the report.Adopt the Operating Budget variations presented in Budget Review 3 resulting in no change to the Operating Surplus for the 2018-19 financial year of \$398k.Adopt the proposed Capital Works variations provided for in Budget Review 3 representing:An increase in Capital Income of \$50k;An increase in Capital Expenditure of \$87k; resulting in a proposed capital expenditure budget of \$17.713mAdopt the change in Council's current Net Lending Result from \$5.993m to \$5.956m as a result of the capital program amendments.	Terry Crackett	Completed		BR3 Implemented as per Council resolution

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
28/05/2019	Ordinary Council	118/19	Discretionary Rates Rebate	<p>1. The report be received.</p> <p>2. That the following applications for a discretionary rate rebate under Section 166 (1) (d) of the Local Government Act 1999 be granted a 75% rate rebate for the rating years from 2019-20 until end of the current Council term:Scout Association of Australia (SA Branch) 9 Pye Road Balhannah – Assessment No. 6589Scout Association of Australia (SA Branch) 99 Milan Terrace Stirling – Assessment No. 12628</p> <p>3. That a discretionary rate rebate requested by the following applicants under Section 166 of the Local Government Act 1999 be declined on the basis that they do not meet the criteria set out in Council's Rating Policy:Stirling Hospital Inc – 20 Milan Terrace Stirling – Assessment No. 11270Lobethal and District Aged Homes – 8 Woodside Road Lobethal – Assessment No. 4670KeyInvest – 18A Tolmer Road Woodside – Community Centre – Assessment No. 20383Baptist Care (SA) Inc – 32 Wingrove Road Mylor – Assessment No. 10008Scout Association of Australia (SA Branch) 37 Spring Gully Road Piccadilly – Assessment No. 106919 Spring Gully Road Piccadilly – Assessment No. 2813 – vacant landCarinya Road & 21-37 Spring Gully Road Piccadilly – Assessment No. 2001</p> <p>4. The applicants be formally advised of Council's decision.</p>	Terry Crackett	Completed	21/06/2019	<p>Council's Rating System has been updated for Council Decision and letters have been prepared for applicants to be formally advised of Council's decision. Applicants have already been informally advised.</p> <p>Noted this action has now been superceded by Decision 132/19 which is currently in progress</p>
28/05/2019	Ordinary Council	119/19	Risk Management Policy	<p>That the report be received and noted</p> <p>With an effective date of 11 June 2019, to revoke the 13 June 2017 Risk Management Policy and to adopt the revised draft Risk Management Policy in Appendix 1.</p> <p>That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the above policies during the period of their currency.</p>	Andrew Aitken	Completed	7/06/2019	Policy updated and placed on Website.
28/05/2019	Ordinary Council	120/19	Nomination for Libraries Board SA	Mayor Wisdom to supply completed CV and Form A & B before due date of 6 June 2019	Andrew Aitken	Completed	7/06/2019	Nomination lodged 6 June.
28/05/2019	Ordinary Council	130/19	Electricity Procurement - Confidential	As per confidential minute CEO as delegated officer has responded back to LGAP with acceptance in line with resolution	Terry Crackett	Completed	31/07/2019	CEO as delegated officer has advised LGAP of Council confidential resolution on 29 May 2019.
4/06/2019	Special Council	132/19	MON Rescission and replacement of discretionary rates rebates for 2019/20	<p>1. The report be received.</p> <p>2. That the following applications for a discretionary rate rebate under Section 166 (1) (d) of the Local Government Act 1999 be granted a 75% rate rebate for the rating years from 2019-20 until the end of the current Council term:Scout Association of Australia (SA Branch) 9 Pye Road Balhannah – Assessment No. 6589Scout Association of Australia (SA Branch) 99 Milan Terrace Stirling – Assessment No. 12628Lobethal and District Aged Homes 8 Woodside Road Lobethal – Assessment No. 4670</p> <p>3. That a discretionary rate rebate requested by the following applicants under Section 166 of the Local Government Act 1999 be declined on the basis that they do not meet the criteria set out in Council's Rating Policy:Stirling Hospital Inc – 20 Milan Terrace Stirling – Assessment No. 11270KeyInvest – 18A Tolmer Road Woodside – Community Centre – Assessment No. 20383Baptist Care (SA) Inc – 32 Wingrove Road Mylor – Assessment No. 10008Scout Association of Australia (SA Branch) 37 Spring Gully Road Piccadilly – Assessment No. 106919 Spring Gully Road Piccadilly – Assessment No. 2813 – vacant landCarinya Road & 21-37 Spring Gully Road Piccadilly – Assessment No. 2001</p> <p>4. The applicants be formally advised of Council's decision.</p>	Terry Crackett	In Progress	21/06/2019	<p>Supercedes 118/19</p> <p>Council's rating system has been updated to reflect Council decisions and applicants have all been informally advised.</p> <p>Letters to be formalised once Council Workshop held on 18 June 2019</p>
4/06/2019	Special Council	133/19	AHRWMA Draft 2019/20 ABP & Budget	That the report be received and noted.That Council approves the Draft Adelaide Hills Region Waste Management Authority 2019/20 Annual Business Plan (including Long Term Financial Plan) and Budget.	Andrew Aitken	Completed		Letter sent 6/6/19 OC19/7200
4/06/2019	Special Council	134/19	Road Closures Adelaide Rally Event	<p>That the report be received and noted.That, in relation to the Shannons Adelaide Rally 2019 and the Adelaide Rallysprint 2019, Council's support of the event is contingent on the organisers, to the satisfaction of the Chief Executive Officer:Providing evidence of satisfactory insurance to cover any damage to 3rd party property caused by the event;Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event;Providing confirmation that affected business owners are aware of the road closures;Providing written confirmation to confirm that the concerns raised by affected residents have been adequately addressed and that arrangements for egress and regress from those properties can be managed within the event;Written confirmation from the organisers that they will erect advance notices of road closures on the affected roads, at least 3 weeks prior to the event.That subject to the requirements of 2. being undertaken, Council provides consent for road closure orders in relation to the two events, to be held on Sunday 6 October and between Wednesday 4 December and Saturday 1 December 2019 as follows:</p> <p>Refer to Minutes</p>	David Waters	Not Started		

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
4/06/2019	Special Council	136/19	Strategic Plan Review - Key Themes Adoption	That the report be received and noted. That the Summary of Key Challenges, Opportunities and Implications (<i>Appendix 1</i>) identified as part of the environmental scan research be noted. That the draft strategic goal areas (Community, Economic, Environment and Organisational Capacity), related outcomes and key result areas included in <i>Appendix 2</i> of this report be endorsed for community consultation in Phase 2. To delegate to the Chief Executive Officer, or delegate, the authority to make any formatting or content changes to the draft strategic goal areas, related outcomes and key result areas to reflect matters raised in the Council's debate on the matter prior to its release for community consultation.	Terry Crackett	In Progress	31/01/2020	The draft Strategic Goal Area and related outcomes for Environment has been updated to include climate change
4/06/2019	Special Council	137/19	Magarey Road Renaming	The report be received and noted. That the southern section of Magarey Road Mount Torrens (as shown in <i>Appendix 1</i>) be renamed <i>Barrett Road</i> .	Peter Bice	In Progress	31/08/2019	Mandatory publication of name change in progress.
4/06/2019	Special Council	138/19	Confidential Items Review	That the report be received and noted 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: Refer to Minutes	Terry Crackett	Completed	7/06/2019	Confidential Items Register has been updated following Councils Resolution.
4/06/2019	Special Council	140/19	Confidential Item - Event Opportunity	As per Confidential Minute	David Waters	In Progress	30/06/2019	
4/06/2019	Special Council	141/19	Confidential Item - Event Opportunity	Minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the event agreements are signed and the race routes are announced by the relevant Minister, but not longer than 31 December 2019.	David Waters	Not Started	31/08/2019	Announcements expected in August/September 2019.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 13.1

Originating Officer: David Collins, Manager Sustainable Assets

Responsible Director: Peter Bice, Director Infrastructure and Operations

Subject: Stormwater Service Levels

For: Information

SUMMARY

Council has undertaken a review of its current practices and service levels relating to the management of its stormwater assets (ie. pits and pipe networks). Council has around 67km of pipe network and about 2,500 pits as part of its network.

The review included mapping current work practices and requests from customers. The review identified associated functions that may influence service levels of stormwater asset across the Council area.

It is considered that street sweeping, which is inherently tied to minimising litter from entering the side entry pits, has been reviewed. Service levels for street sweeping and a formalised program has been undertaken.

Council is continuing to undertake an audit of its stormwater network to help prioritise and formulate future service levels within this asset class.

The process of a detailed review of our asset class components, the documentation and understanding of our current operational practices and capabilities, along with a review of the customer requests and interactions has provided a starting point for all asset class maintenance plan updates.

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.

Council has a significant asset base of in excess of \$500m. Stormwater assets by value are in the order of \$37m and includes around 67 km of pipe and 2,500 pits of various types.

➤ Legal Implications

Not applicable.

➤ Risk Management Implications

Management of stormwater is a key function of Council. Council has a stormwater network that conveys stormwater via its pits, pipes open channels such that stormwater can make its way to the natural creek, rivers and waterways.

The stormwater service levels will assist in mitigating the risk of:

Stormwater asset capacity restrictions leading to hazardous flooding.

Inherent Risk	Residual Risk	Target Risk
High (2B)	Medium (2C)	Medium (2C)

➤ Financial and Resource Implications

There are no financial implications in preparing this report.

➤ Customer Service and Community/Cultural Implications

Council has the current customer service level KPI's adopted.

- Stormwater Repairs – Hazardous
We will respond and make safe hazardous stormwater and flooding issues within 24 hours.
- Stormwater Repairs – Other
We will resolve other stormwater issues in accordance with our general maintenance program.

Hazardous issues include pit lids missing and property/business flooding. However, often nuisance flooding gets elevated to this hazardous status.

➤ **Environmental Implications**

Not Applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Director Infrastructure & Operations
Manager, Civil Services
Senior Planning Engineer
Coordinator Civil Operations, Civil Services
Field Inspection Officer, Civil Services

Community: Not Applicable

2. BACKGROUND

Council requested that the Chief Executive Officer review the service level of the stormwater assets so that they inform and drive asset maintenance planning. This review formed one of the CEO's performance targets for 2018-2019:

'Stormwater Assets

Use the stormwater asset class as a model for refining service levels to ensure they inform and drive asset maintenance plans and report to Council.'

3. ANALYSIS

Council currently uses both customer reports and operational knowledge of the stormwater network performance to undertake cleaning of pipes and pits across the network.

Pit and pipe cleaning is scheduled from customer reports. There are specific parts of the stormwater system that are difficult to access and have known regular operational problems. These are scheduled and proactively cleaned annually via a contractor.

These include; West Terrace, Balhannah; Wembley Avenue, Bridgewater; Allendale Grove, Woodside.

The civil drainage team also undertake pit and headwall repairs to maintain a functional network. This includes the replacement of failed or broken pit covers and lids. There are a significant number of pits across the networks that were built in-house using bricks (1,050 in number). Given the age of these pits and their structure, a reasonably high level of maintenance works are required to maintain their integrity.

Council has capacity in-house to undertake minor pit and pit cleaning with its Vac-Truck but at times the extent of works may require equipment with greater capacity and pressure. In these instances, we utilise contractors with the appropriate equipment.

The Vac-truck is used for both cleaning works for both the stormwater network and the Community Waste Water system.

In the past 2 years Council has had in the order of 150 per annum customer requests to clean blockages or address flooding concerns. We anticipate this number to decline with our refined service levels.

Council has not had any recorded recent incidents of stormwater that has entered and flooded private buildings.

Most of the blockage and associated flooding result in nuisance flooding, that is flow through yards or gardens and does not pose a significant risk to the infrastructure and safety of the community.

Council often gets requests to clean pipes that are under private driveways. These pipes are part of the residents' responsibility, as they are required to provide and maintain access to their own land. Often these pipes are in the road reserve and often residents assume that Council should undertake the cleaning. Whilst we advise those residents that contact us directly, there is an opportunity to develop a fact sheet that we could distribute directly to relevant private property owners and via our communication channels.

Council has undertaken a review of its current service levels for street sweeping, equipped with the customer information, operational knowledge and the Stormwater Asset Class Information. As such, we expect further benefits in ensuring targeted street sweeping, in particular in the autumn and high leaf drop areas, to manage much of the pit blockage material at the source.

4. OPTIONS

Council has the following options:

- I. Receive the report (Recommended)

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.1

Originating Officer: Renee O'Connor, Sport & Recreation Planner

Responsible Director: Peter Bice, Director Infrastructure & Operations

Subject: 2018/2019 Play Space Upgrades

For: Decision

1. 2018/2019 Play Space Upgrades – 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 Infrastructure & Operations, Peter Bice
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Sport & Recreation Planner, Renee O'Connor
- Manager Open Space, Chris Janssan
- Manager Property, Natalie Westover
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1: (2018/2019 Play Space Upgrades) 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) (d) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which –

- (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
- (ii) would, on balance, be contrary to the public interest;

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. 2018/2019 Play Space Upgrades – 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)(d) 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 either the negotiations for sale are completed and a settlement reached or until legal proceedings have concluded, but no longer than 6 months.

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

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.2

Originating Officer: Ashley Curtis, Manager Civil Services

Responsible Director: Peter Bice, Director Infrastructure & Operations

Subject: Lower Hermitage Road Widening Contract

For: Decision

1. Lower Hermitage Road Widening Contract – 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 Infrastructure & Operations, Peter Bice
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Civil Services, Ashley Curtis
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.2: (Lower Hermitage Road Widening Contract) 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) (d) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is 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/agency/business who supplied the information by disclosing specific quotes and modelling by the tenderer.

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. Lower Hermitage Road Widening Contract – 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 19.2 in confidence under sections 90(2) and 90(3)(d) 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 value of the successful tenderer submission be retained in confidence until the contract is entered into.

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.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.3

Originating Officer: Ashley Curtis, Manager Civil Services

Responsible Director: Peter Bice, Director Infrastructure & Operations

Subject: Land Acquisition - Lower Hermitage Road

For: Decision

1. Land Acquisition – Lower Hermitage Road – 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 Infrastructure & Operations, Peter Bice
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Civil Services, Ashley Curtis
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.3: (*Land Acquisition – Lower Hermitage Road*) 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) (d) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is 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/agency/business who supplied the information by disclosing specific quotes and modelling by the tenderer.

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. Land Acquisition – Lower Hermitage Road – 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 19.3 in confidence under sections 90(2) and 90(3) (d) 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 completion of the contract, but no longer than 12 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.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.4

Originating Officer: Mike Carey - Manager Financial Services

Responsible Director: Terry Crackett – Director Corporate Services

Subject: Sale of Land for Non-Payment of Rates

For: Decision

1. Sale of Land for Non-Payment of Rates – 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 Infrastructure & Operations, Peter Bice
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Financial Services, Mike Carey
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1: (Sale of Land for Non-Payment of Rates) in confidence.

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

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

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

3. Sale of Land for Non Payment of Rates – 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 19.4 in confidence under sections 90(2) and 90(3)(i) 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 either the negotiations for sale are completed and a settlement reached or until legal proceedings have concluded, but no longer than 12 months.

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