

Certification of Auditor's Independence

I confirm that, for the audit of the financial statements of the Adelaide Hills Region Waste Management Authority for the year ended 30 June 2020, I have maintained my independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Section 290, published by the Accounting Professional and Ethical Standards Board, in accordance with the *Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011* made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) *Local Government (Financial Management) Regulations 2011*.



Jim Keogh

Partner

DEAN NEWBERY & PARTNERS

CHARTERED ACCOUNTANTS

Dated the 8th day of July 2020

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.4

Responsible Officer: Renee O'Connor
Sport and Recreation Planner
Infrastructure and Operations

Subject: 2020-2021 Community and Recreation Facility Grant Recommendations

For: Decision

SUMMARY

The Adelaide Hills Council Community and Recreation Facility Grants provide funding support for improvements or upgrades to facilities that will contribute to the development of community and recreation within the region; are beneficial to the community; improve sustainability and that support the Adelaide Hills Council Strategic Plan and Sport and Recreation Strategy. Funding is also available for facility planning documents such as master plan or feasibility study projects. Community and Recreation Facility Grants are open for applications annually in September of each year.

A staff assessment panel was again implemented in this round. The panel assessed each of the applications against the endorsed guidelines and made recommendations in preparation for presentation to Council.

If the recommendations are adopted, the Adelaide Hills Council will have supported thirteen groups and their associated facilities through the Community and Recreation Facility Grants program this year and provided \$99,943 for community projects. Coupled with the club contributions of \$154,031 towards these projects, Council has assisted in generating community projects to the value of \$253,974 this year.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
2. *That Council approves the awarding of Community Development Grants for 2020-21 totalling \$99,943.00 as follows.*

Cudlee Creek Tennis Club	Court Resurfacing Project	\$11,400
Adelaide Hills Petanque Club	Solar Panel Installation	\$5,500

The Cudlee Creek Soldiers Memorial Ground	Cudlee Creek Soldiers' Memorial Hall Roof Replacement	\$10,000
Gumeracha Football Club	Gumeracha Oval Lighting	\$20,000
Mount Torrens Bombers Tennis Club	Court Resurfacing Project	\$11,400
Uraidla Institute	Minor works to the Uraidla Institute building, and long term planning for the facility	\$1,280
Basket Range Cricket Club	Facility Work, Health & Safety Requirements	\$4,040
Mount Torrens Centenary Park	Public Toilet plumbing upgrade	\$5,500
Forest Range Recreation Ground	Forest Range Hall Air Conditioning	\$9,800
Uraidla & Summertown Horticultural and Floricultural Society	Investing in long-term sustainable building infrastructure	\$3,350
Woodside Cricket Club	Solar Panel Installation	\$7,500
Uraidla Tennis Club	Sight screen mesh on tennis court fencing	\$1,673
Bridgewater Cricket Club	Bridgewater Oval cricket net upgrade	\$8,500
TOTAL		\$99,943

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 1	A functional built environment
Objective B1	Our district is easily accessible for community, our businesses and visitors
Objective B4	Sustainable management of our built assets ensures a safe, functional and well serviced community
Priority B4.1	Ensure the long term management of the built form and public spaces occurs in consideration of the relevant financial, social and environmental management matters
Goal 2	Community Wellbeing
Objective C1	A community for everyone-that is inclusive, welcoming and accessible
Priority C1.1	Provide welcoming spaces and places for the community through our libraries, community centres, and Council and community facilities
Objective C4	An active, healthy, thriving and resilient community

Priority C4.2 Support the provision of formal and informal sport, recreation and play spaces for the community to enjoy

Priority C4.4 Support clubs and groups to continue to provide sport and recreation activities to the community

➤ **Legal Implications**

Not applicable.

➤ **Risk Management Implications**

Grant funding assessment and distribution is an area of Council business that attracts a high level of scrutiny. There is an expectation that the awarding of these funds will deliver good outcomes and value for money. There is also an expectation that the grant giving process will be fair, transparent and accountable.

Successful grants are required to be acquitted in accordance with conditions of the grant. The guidelines and process for our Community and Recreation Facility Grants have enabled a transparent, robust and sustainable program that reduces any associated risks.

Projects that involve Council owned property have been assessed to ensure that they comply with leasing and maintenance arrangements.

The use of robust eligibility criteria and selection processes will assist in mitigating the risk of:

Unclear grant provision processes which do not reflect Council's strategic directions, resulting in failure to achieve equity in funding or meet community expectation.

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

➤ **Financial and Resource Implications**

\$80,000 is allocated towards the Community and Recreation Facility Grants annually. \$20,000 of Council's Sustainability funding was also made available for those applications that addressed sustainability initiatives in their applications.

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

Grant giving provides Council with an opportunity to support and encourage community led initiatives that build capacity and collaboration, and facilitate a wide range of beneficial community outcomes.

Council Grant Giving attracts considerable interest and scrutiny and a high priority is placed on ensuring equitable and transparent processes in this area. It is also a process that some

in the community find difficult to navigate. Council has a number of measures in place to support community groups through this process including:

- Grant Giving Policy
- Grant Guidelines
- Public information sessions
- Direct support from Council staff
- Smarty Grants for online applications and reporting

➤ **Sustainability Implications**

\$20,000 of Council's Sustainability funding was also made available for those applications that addressed sustainability initiatives in their applications.

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

Consultation on the development of this report was as follows:

Council Committees: Not applicable.

Council Workshops: Not applicable.

Advisory Groups: Not applicable.

Administration: Council's Community and Recreation Facility Grants, and Community Grants are run concurrently, and the two responsible officers, Sport & Recreation Planner and Community & Cultural Development Officer work collaboratively throughout the grants process and round to ensure a common approach that supports applicants of both grant programs.

The Community and Recreation Facility Grants were assessed by a panel comprising:

- Sport & Recreation Planner
- Manager Property Services
- Sustainability Officer
- Sport & Recreation Officer

This assessment process was undertaken with reference to Council's Grant Giving Policy, and the Community and Recreation Facility Grant Guidelines, Assessment and Eligibility Criteria.

External Agencies: Not applicable.

Community: The Community and Recreation Facility Grants were advertised in the Courier and Weekender Herald newspapers. The grants were also promoted on Council's social media channels and via our email communication channels with clubs. The Adelaide Hills Council website provided full details of the grants including online access to the guidelines and application form.

Two optional information sessions were held on Monday 17 August 2020 at Woodside and Wednesday 26 August 2020 at Stirling to provide support and information to groups interested in applying for grants. Numbers at these sessions were limited in accordance with COVID Safe planning with additional options for one on one support and telephone support provided.

Council also offered a free workshop on tips for grant writing on Monday 14 September.

2. BACKGROUND

Council has a well-established grant giving program. The purpose of this program is to assist local not-for-profit community groups and organisations to establish and undertake innovative projects or activities that are beneficial to the community.

The Community and Recreation Facility Grants are available to not-for-profit community organisations located within the Adelaide Hills Council area that provide community, or recreation services to our community.

Grants are available for improvements or upgrades to facilities that will contribute to the development of sport and recreation within the region; are beneficial to the community; improve sustainability and that support the Adelaide Hills Council Strategic Plan and Sport and Recreation Strategy. Funding is also available for facility planning documents such as master plan or feasibility study projects.

In addition to Community and Recreation Facility Grants, Council also provides:

- Community Development Grants
- Youth Incentive Grants
- Minor Community Grants
- Local Heritage Places Grants

Community Development Grants and Community and Recreation Facilities Grants are offered annually in September. Staff associated with both of these grant streams work in close collaboration in delivering consistent information and support to potential applicants and throughout the assessment process.

3. ANALYSIS

Council is committed to open, collaborative and transparent decision making and administrative processes, and this year's assessment process supported this.

The grant funding guidelines, endorsed by Council outlined that projects would be assessed against criteria, with priority given to those that:

- Demonstrate significant community or recreational benefit to the region (including the number of people who will benefit) and attempt to meet an unmet community need.
- Are delivered by an organisation that can demonstrate financial viability.
- Have funding contribution from the applying organisation and / or other funding sources.
- Comply with all relevant legal and statutory requirements.
- Provide broader community access to facilities.
- Align with current and emerging community, recreation and sporting trends.
- Have a positive environmental impact and sustainability outcomes.
- Are joint or collaborative projects between organisations.
- Are identified in an organisation's business or strategic plan, or identified through a feasibility study, master planning process or similar.
- Contributes to the delivery of the Adelaide Hills Council Strategic Plan, Sport and Recreation Strategy, Water Management Strategy or Trails Strategy.
- Actively address risk management issues or contribute to the organisation's ongoing sustainability.
- Provide opportunities for special needs populations.
- Facilitate improvements to meet Legislation and / or Australian Standards.
- Consider the *Child Protection Act*, *Natural Resources Management Act 2004* and other relevant legislation.

Applications will be accepted from organisations that have received grant funding in previous financial years, but applicants should be aware that if the total number of eligible applications received exceeds the amount of funds available, priority will be given to organisations that have not received funding within the previous three years.

Organisations were invited to apply for funding in the following categories:

- Minor Facility Development: Up to \$9,999. No matched funding required.
- Major Facility Development: \$10,000 - \$40,000. Funding must be matched.
The applicant's contribution towards the project can include voluntary labour and/or donated materials.
- Facility Planning: Up to \$20,000. No matched funding required.

During the application and assessment process, applying clubs were asked if their project could proceed if partial funding from Council was received. This principle has been applied throughout the Panel's assessment process and has allowed the panel to spread the funding further, funding more clubs and projects. It is also worthy of noting that the amount of funding that groups are contributing themselves towards projects this year is considerable.

The Adelaide Hills Council is fortunate that clubs in the Adelaide Hills region work hard for the benefit of the community and the quality of projects applied for reflects this. The Community and Recreation Facility Grants process is also a great opportunity for the community to tell Council what's important to them and what their current priorities are.

Table One below identifies the thirteen organisations that have been recommended to receive a Community and Recreation Facility Grant. Details of the grants in Table One, together with the unsuccessful applicants are provided in Appendix 1.

Table One – Recommended Applicants

Organisation Name	Project Title	Organisation Contribution	Amount Recommended
Cudlee Creek Tennis Club	Court Resurfacing Project	\$29,000	\$11,400
Adelaide Hills Petanque Club	Solar Panel Installation	\$0	\$5,500
The Cudlee Creek Soldiers Memorial Ground	Cudlee Creek Soldiers' Memorial Hall Roof Replacement	\$29,870	\$10,000
Gumeracha Football Club	Gumeracha Oval Lighting	\$60,000	\$20,000
Mount Torrens Bombers Tennis Club	Court Resurfacing Project	\$19,679	\$11,400
Uraidla Institute	Minor works to the Uraidla Institute building, and long term planning for the facility	\$0	\$1,280
Basket Range Cricket Club	Facility Work, Health & Safety Requirements	\$4,650	\$4,040
Mount Torrens Centenary Park	Public Toilet plumbing upgrade	\$0	\$5,500
Organisation Name	Project Title	Organisation Contribution	Amount Recommended
Forest Range Recreation Ground	Forest Range Hall Air Conditioning	\$0	\$9,800
Uraidla & Summertown Horticultural and Floricultural Society	Investing in long-term sustainable building infrastructure	\$832	\$3,350
Woodside Cricket Club	Solar Panel Installation	\$0	\$7,500
Uraidla Tennis Club	Sight screen mesh on tennis court fencing	\$200	\$1,673
Bridgewater Cricket Club	Bridgewater Oval cricket net upgrade	\$9,800	\$8,500
TOTAL		\$154,031	\$99,943

If the recommendations are adopted, the Adelaide Hills Council will have supported thirteen groups and their associated facilities through the Community and Recreation Facility Grants program this year and provided \$99,943 for community projects. Coupled with the club contributions of \$154,031 towards these projects, Council would have assisted in generating community projects to the value of \$253,974 this year.

It is important to note that there were some projects that had merit; however the applications didn't provide sufficient detail, or were not considered eligible for this particular grant funding program. There were also several applications that had received funding from this grant program in previous years, however applicants are aware that priority is given to organisations that have not received funding within the previous three years. Over the coming months, Council staff will begin to work with these clubs and groups to find alternative funding sources, or provide assistance and invite them to reapply next year.

4. OPTIONS

Council has the following options:

- I. That the 2020-2021 Community and Recreation Facility Grant Successful Applicants, as detailed in *Appendix 1* be endorsed. (Recommended)
- II. That 2020-2021 Community and Recreation Facility Grant Successful Applicants are not endorsed and the Staff Panel reconsiders their decisions. (Not Recommended)

5. APPENDIX

- (1) 2020-2021 Community and Recreation Facility Grant Recommendations.

Appendix 1

2020-2021 Community and Recreation Facility Grant Recommendations

Community and Recreation Facility Grants - 2020 Applications and Recommendations Summary

App. No.	Organisation	Project Description	Recommendation	Comments	Organisation Contribution	Amount Requested	Amount Recommended
SR0000220-21	Cudlee Creek Tennis Club	Court Resurfacing Project	PART RECOMMENDED	<p>Courts are in poor condition, and are open for public access. The club hope that resurfacing will assist them to retain existing and attract new members. They have also sourced grant funding from other bodies.</p> <p>The grant program is oversubscribed, and the group has indicated they can proceed with partial funding.</p>	\$29,000	\$20,000	\$11,400
SR0000320-21	Adelaide Hills Petanque Club	Solar Panel Installation	RECOMMENDED	<p>This project will assist the club in meeting its objective of carbon reduction. In addition, it will reduce club expenditure.</p> <p>This funding has been sourced from Council's sustainability budget contribution towards the grants program.</p>	\$0	\$5,500	\$5,500
SR0000520-21	Cudlee Creek Soldiers Memorial Ground	Cudlee Creek Soldiers' Memorial Hall – Roof Replacement	PART RECOMMENDED	<p>The hall is 64 years old, and there is significant wear to the roof. The hall is considered an important place for the local community.</p> <p>The grant program is oversubscribed, and the group has indicated they can proceed with partial funding.</p>	\$29,870	\$20,000	\$10,000

Community and Recreation Facility Grants - 2020 Applications and Recommendations Summary

SR0000920-21	Gumeracha Football Club	Gumeracha Oval Lighting	PART RECOMMENDED	<p>This project will replace two of the four ageing light towers at Gumeracha Oval.</p> <p>The grant program is oversubscribed, and the group has indicated they can proceed with partial funding.</p> <p>\$7,000 of this funding has been sourced from Council's sustainability budget contribution towards the grants program.</p>	\$60,000	\$40,000	\$20,000
SR0001420-21	Northern Hills Pony Club	Levelling of an area for parking and riding lessons	NOT RECOMMENDED	The application has merit; however the grant program is oversubscribed and the club received funding in the 2019/2020 grant round.	\$1,000	\$9,999	\$0
SR0001520-21	Adelaide Hills Show Jumping Club	Show Jumping Fences	NOT RECOMMENDED	The project has merit, however it didn't meet this grant program's eligibility criteria to levels that other applications did.	\$1,000	\$9,975	\$0
SR0001720-21	Johnston Memorial Park Committee	New BBQ Shelter at the Playground	NOT RECOMMENDED	<p>The grant program is oversubscribed, and the organisation has indicated they cannot proceed with partial funding.</p> <p>In addition, these works are considered a Council responsibility, and can be considered when the play space and surrounds are due for an upgrade.</p>	\$2,480	\$7,500	\$0

Community and Recreation Facility Grants - 2020 Applications and Recommendations Summary

SR0001820-21	Mount Torrens Bombers Tennis Club	Court Resurfacing Project	PART RECOMMENDED	<p>Courts are in poor condition, and are open for public access.</p> <p>The grant program is oversubscribed, and the group has indicated they can proceed with partial funding.</p>	\$19,679	\$19,679	\$11,400
SR0001920-21	Uraidla Institute	Minor works to the Uraidla Institute building, and long term planning for the facility.	PART RECOMMENDED	<p>The group is seeking funding for minor electrical works & long term planning for the facility.</p> <p>While the project has merit, some aspects didn't meet this grant program's eligibility criteria to levels that other applications did.</p> <p>The grant program is oversubscribed, and the organisation has indicated they can proceed with partial funding.</p> <p>Council has granted funds towards the minor electrical works component of this project.</p>	\$0	\$8,120	\$1,280
SR0002120-21	Basket Range Cricket Club	Facility Work, Health & Safety Requirements	RECOMMENDED	The group proposes to remove asbestos from the toilet block and repair the deteriorating mudbrick clubroom walls.	\$4,650	\$4,040	\$4,040
SR0002220-21	Mount Torrens Centenary Park	Public Toilet plumbing upgrade	RECOMMENDED	There are issues with drains and plumbing associated with the public toilets at the oval site. Facilities are open to the general public, but have	\$0	\$5,500	\$5,500

Community and Recreation Facility Grants - 2020 Applications and Recommendations Summary

				to be closed regularly as a result of these issues.			
SR0002320-21	Mount Torrens & Districts Community Association	Archive Shed Air Conditioning	NOT RECOMMENDED	The project has merit, however it didn't meet this grant program's eligibility criteria to levels that other applications did.	\$0	\$2,514	\$0
SR0002520-21	Uraidla Bowling Club	Upgrading Shade Structures at bowling green	NOT RECOMMENDED	The application has merit; however grant program is oversubscribed and the club received funding in the 2017/2018 grant round.	\$4,160	\$4,378	\$0
SR0002820-21	Board of the Botanic Gardens & State Herbarium	Redevelopment and revitalisation of the Nature Trail at the Mount Lofty Botanic Garden	NOT RECOMMENDED	The project has merit, however it didn't meet this grant program's eligibility criteria to levels that other applications did.	\$8,000	\$35,000	\$0
SR0003220-21	Gravity Enduro SA	Planning for a mountain bike trail network within Bennetts Forest Reserve	NOT RECOMMENDED	The application has merit; however the grant program is oversubscribed, and the organisation has indicated they cannot proceed with partial funding.	\$0	\$10,560	\$0
SR0003320-21	Forest Range Recreation Ground	Forest Range Hall Air Conditioning	RECOMMENDED	The aim of the project is to improve the comfort of patrons while maintaining the rustic charm of the venue. The organisation has indicated they can proceed with partial funding.	\$0	\$9,800	\$9,800
SR0003420-21	Imagine Uraidla	Uraidla Show Hall Ember Proofing	NOT RECOMMENDED	The application has merit; however the grant program is oversubscribed,	\$1,340	\$9,297	\$0

Community and Recreation Facility Grants - 2020 Applications and Recommendations Summary

				and the organisation has indicated they cannot proceed with partial funding.			
SR0003620-21	Uraidla & Summertown Horticultural & Floricultural Society	Investing in long-term sustainable building infrastructure	PART RECOMMENDED	<p>Funds will go towards improving the storage facility and outdoor area with gravel and concrete where flooding occurs.</p> <p>The organisation has indicated they can proceed with partial funding.</p>	\$832	\$6,698	\$3,350
SR0003820-21	Birdwood Park & Sporting Clubs Association	Purchase & installation of shipping container to store equipment	NOT RECOMMENDED	The application has merit; however grant program is oversubscribed and the club received funding in the 2018/2019 grant round.	\$500	\$3,862	\$0
SR0003920-21	The Kersbrook Shed	Secure Storage shed	NOT RECOMMENDED	The application has merit; however grant program is oversubscribed and the club received funding in the 2018/2019 grant round.	\$1,000	\$8,459	\$0
SR0004120-21	Woodside Cricket Club	Solar Panel Installation	PART RECOMMENDED	<p>The installation of solar panels will reduce the clubs electricity costs.</p> <p>The organisation has indicated they can proceed with partial funding.</p> <p>This funding has been sourced from Council's sustainability budget contribution towards the grants program.</p>	\$0	\$8,780	\$7,500

Community and Recreation Facility Grants - 2020 Applications and Recommendations Summary

SR0004220-21	Uraidla Tennis Club	Sight screen mesh on tennis court fencing	RECOMMENDED	Screens will reduce sun glare and wind gusts.	\$200	\$1,673	\$1,673
SR0004420-21	Bridgewater Cricket Club	Bridgewater Oval cricket net upgrade	RECOMMENDED	The project will provide improved safety for all who utilise the nets and oval.	\$9,800	\$8,500	\$8,500
SR0004520-21	Mount Torrens Soldiers Memorial Hall Committee	Facility improvement	NOT RECOMMENDED	Project involves painting, floor sanding and installation of blinds. The application has merit; however grant program is oversubscribed and the club received funding in the 2018/2019 grant round.	\$250	\$7,226	\$0
SR0004620-21	Stirling Community Theatre	Theatre Seating Upgrade	NOT RECOMMENDED	Project involves upgrading the theatre seats. The application has merit; however the grant program is oversubscribed, and the organisation has indicated they cannot proceed with partial funding. In addition, this upgrade is considered as a Council responsibility, and can be considered in the future annual business plan.	\$56,250	\$40,000	\$0
			Total		\$230,011	Requested \$307,060	Recommended \$99,943

Community and Recreation Facility Grants - 2020 Applications and Recommendations Summary

Summary of Recommendations

Number of Applications Received	25
Number of Grants Recommended	13
Value of all Grant Application Requests	\$564,435
Value of Grant Applications Recommended	\$99,943 <i>This is attributed to \$80,000 from the Community & Recreation Facility Grants budget, & \$20,000 from the Sustainability Budget.</i>
Club / Community Contribution Towards Recommended Projects	\$154,031 <i>This figure has been compiled from grant application project budgets.</i>
Total Value of Recommended Projects	\$310,389
Value of Grants Not Recommended	\$248,111

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.5

Responsible Officer: Lynne Griffiths
Community and Cultural Development Officer
Community Capacity

Subject: Community Development Grants

For: Decision

SUMMARY

Council provides Community Development Grants to assist community groups, organisations and individuals to establish and undertake innovative projects or activities that are beneficial to the community and align with Council's Strategic Plan. Community Development Grant applications are open for applications annually in September of each year.

A staff assessment panel was again implemented in this round. The panel assessed each of the applications against the grant guidelines and made recommendations in preparation for presentation to Council.

In summary Council received 32 Community Development Grant applications totalling \$69,086.30 and it is recommended that 25 of these applications be awarded Community Development Grants, to a total amount of \$49,800.78

The purpose of this report is to seek Council approval of the recommendations on the awarding of Community Development Grants for 2020/2021 as contained in **Appendix 1 Community Development Grant Recommendations 2020/2021**.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
2. That Council approves the awarding of Community Development Grants totalling \$49,800.78 as follows:

Stirling Districts Football Club Inc	security camera and lighting	\$1,000.00
Adelaide Hills Masters Cycling Club	defibrillator	\$1,850.00
Piccadilly Valley Community Recreation Centre	tables and chairs	\$1,500.00
Lobethal Recreation Ground Sports Club Inc	trestle tables and chairs	\$1,500.00

Friends of Lower Sixth Creek	interpretive signage	\$1,078.00
Uraidla Netball Club	8 fold up bench seats	\$559.92
Piccadilly Country Fire Service	chairs and tables	\$1,500.00
Top of the Torrens Gallery Incorporated	exterior gallery sign	\$2,500.00
Rotary Club of Onkaparinga Incorporated	defibrillator, PPE and Mental Health First Aid training	\$2,500.00
Oakbank Kindergarten Incorporated	materials to install a native garden	\$2,500.00
Adelaide Hills Show Jumping Club	BBQ, credit card reader	\$2,264.00
Friends of Scott Creek Conservation Park	equipment for restoration of native habitat	\$2,500.00
Cherryville Residents Association	printer and storage cabinet	\$1,000.00
Aldgate Brigade of the SA CFS	structural thermal imaging camera	\$2,500.00
Hills Environment Centre	cultural awareness workshop	\$2,500.00
Summertown Netball Club	defibrillator and storage cabinet	\$2,500.00
Gumeracha Cricket Club	kitchen cabinetry	\$2,500.00
Oakbank Soldiers Memorial Hall Association	timber and hardware to restore the veranda	\$2,329.86
Aldgate Men's Shed	woodwork benches and vices	\$1,972.00
Imagine Uraidla	portable generator for show hall	\$2,417.00
Adelaide Hills War Memorial Swimming Centre	art mural	\$2,500.00
Bridgewater Cricket Club Incorporated	artificial roll up turf cricket pitch	\$2,500.00
Uraidla Institute	resurfacing of floor	\$2,160.00
Aldgate Memorial Hall	replacement of gas heaters	\$2,500.00
Uraidla District Soldiers Memorial Park	information signage	\$1,170.00

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal Community Wellbeing

Objective C3 A Community that grows together

Priority C3.3 Empower our community groups and leaders to shape and determine change in their community through the provision of training opportunities, grants that meet strategic priorities, building relationships and supporting communities to be cohesive in progressing local projects.

Community Development Grants have a significant impact in building community capacity through supporting community led initiatives that respond to local community needs and interests.

➤ Legal Implications

Not Applicable

➤ **Risk Management Implications**

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

In an environment where applicants are competing for a limited amount of available funds there is a risk to Council's reputation that the community may perceive that Council is not delivering a due level of fairness and equity in awarding grants.

The use of robust eligibility criteria and selection processes will assist in mitigating the risk of:

Grant giving that is inappropriate or does not reflect Council's strategic directions or community expectations.

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

➤ **Financial and Resource Implications**

The amount allocated to Community Development Grants is determined through normal annual budget processes. This year the total amount dedicated to Community Development Grant funding is \$46,000.

Given the additional level of community impact caused by both the Cudlee Creek bushfire and COVID19 pandemic it was considered appropriate to cover the additional \$3,800.78 cost from funds set aside for other grant giving categories.

The total budget for Community Grants is \$56,200, of which \$46,000 is allocated to Community Development Grants, \$3,000 to Youth Sponsorship Grants and \$7,200 for Matched Funding Grants and Minor Grants.

Staff resources were used to assess grant applications, however, the impact was minimal and their involvement contributed to the transparency of the assessment process.

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

Community Development Grants give Council the opportunity to support and encourage community led initiatives that build capacity and collaboration and facilitate a wide range of beneficial outcomes.

Council Grant Giving attracts considerable interest and scrutiny and a high priority is placed on ensuring equitable and transparent processes in this area. It is also a process that some in the community find difficult to navigate. Council has a number of measures in place to support community groups through this process including:

- Grant Giving Policy
- Grant Guidelines
- Public information sessions
- Direct support from Council staff
- Smarty Grants for online applications and reporting.

Community groups can apply for grants to deliver local initiatives that make a positive contribution to the building of community capacity through:

- Arts/cultural development
- Community wellbeing
- Lifelong learning
- Sport/recreation and active lifestyles
- Environment
- Aboriginal culture and heritage.

This year groups were also encouraged to consider projects that supported:

- Cudlee Creek bushfire recovery
- COVID-19 pandemic recovery.

➤ **Sustainability Implications**

Grant applications that have positive outcomes in sustainability and environment are encouraged. Grant applications in this area are considered in consultation with Council's Biodiversity Officers.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Community Development Grants and Community and Recreation Facilities Grants run concurrently. As such the Community and Cultural Development Officer and the Sport and Recreation Planner work in close collaboration in supporting applicants to both Grant streams.

Grant applications that included an environmental or biodiversity focus were considered in consultation with Council's Biodiversity Officers.

Community Recovery Officer was also consulted in relation to Cudlee Creek Bushfire Recovery elements.

Community Development Grant Applications were assessed by a panel comprising:

Manager Community Development
Community and Cultural Development Officer
Building Management Coordinator

The assessment process was undertaken based on reference to Council's Grant Giving Policy, Community Development Grant Guidelines and Assessment and Eligibility Criteria.

The Manager Financial Services was consulted in relation to additional spending within allocated budget.

External Agencies: Not Applicable

Community: Community Development Grants were promoted on Council's website and Facebook page and advertised in both the Courier and Weekender Herald newspapers. The Council website provided access to information and Guidelines to support people in their applications, a link to an online application form via Smarty Grants and the contact details of staff available to provide personal support.

Two optional information sessions were held on Monday 17 August 2020 at Woodside and Wednesday 26 August 2020 at Stirling to provide support and information to groups interested in applying for grants. Numbers at these sessions were limited in accordance with COVID Safe planning with additional options for one on one support and telephone support provided.

Council also offered a free workshop on tips for grant writing on Monday 14 September 2020.

2. BACKGROUND

Council has a well-established grant giving program. The purpose of this program is to assist local not-for-profit community groups and organisations to establish and undertake innovative projects or activities that are beneficial to the community.

The purpose of Community Development Grants is to assist local non-profit community groups to undertake projects or activities that are beneficial to the community and align with Adelaide Hills Council's Strategic Plan.

It is the intention of this program to assist groups that:

- Provide activities and programs that align with the goals and objectives outlined in Council's Strategic Plan
- Promote community collaboration and partnerships
- Promote community participation and social connection
- Support wellbeing through active healthy lifestyles

- Promote participation, self-sufficiency and community resilience, community leadership, community ownership, innovation
- Are based within the Adelaide Hills Council district
- Are based outside the Council area but provide a service or programs to a significant number of residents within the Adelaide Hills.

In addition to Community and Recreation Facility Grants, Council also provides:

- Community Development Grants
- Youth Incentive Grants
- Minor Community Grants
- Local Heritage Places Grants.

Community Development Grants and Community and Recreation Facilities Grants are offered annually in September. Staff associated with both of these grant streams work in close collaboration in delivering consistent information and support to potential applicants and throughout the assessment process.

3. ANALYSIS

Community Development Grant applications were assessed by a panel of Council staff with reference to the Grant Giving Policy Eligibility and Assessment Criteria:

The following eligibility criteria apply:

- Applications will only be considered by groups and organisations which are located in the Adelaide Hills Council district or provide a significant benefit to the Adelaide Hills Council community
- Applicants must be, or apply under the auspice of, an incorporated, not for profit community group or voluntary association
- Applicants may not receive funding in successive financial years.

Grant funding will not be provided for:

- Commercial activities
- Political activities
- The employment of staff
- The production of business plans or feasibility studies
- Services that are a primary funding responsibility of either the state or federal government
- The reimbursement of funds already spent prior to receiving approval
- Proposals that will lead to a dependence on council funds
- Fundraising or general sponsorship
- Equipment with a short life
- Institutions of religion, unless there is a clear community benefit from the project
- Applicants who have an outstanding debt owing to council, excluding community loans where terms and conditions are being met
- Applicants that have an outstanding grant acquittal from a previous funding round
- Applicants who have received funding in the previous year's funding round.

Preference will be given to:

- Applications that demonstrate community collaboration and partnership
- Applications that will benefit a wide range of people in the community
- Applications that widen the range of activities available in the community and encourage the inclusion of all groups within the community
- Applications that can demonstrate that the activity or project will be ongoing in nature
- Organisations or groups who have been unable to obtain other grant funds
- Applications for capital funding resulting in physical improvements including improvements to physical access and mobility and/or maintenance
- Organisations which can demonstrate financial viability and ongoing group support
- Groups or organisations who are actively engaged in helping themselves and can demonstrate the capacity to contribute to the project with either in-kind or financial support.

Consideration was also given to the applications that supported Bushfire Recovery or COVID19 Recovery.

Council received 32 Community Development Grant applications totalling \$ 69,086.30 and it is recommended that 18 applications be funded in full and 7 applications be part funded to a total amount of \$49,800.78. A further 7 applications are not recommended to receive Community Development Grants as they did not meet the eligibility criteria nor did they reflect the desired outcomes of the grants program. These applications and recommendations are summarised in **Appendix 1 Community Development Grant Recommendations 2020**.

4. OPTIONS

Council has the following options:

- I. That the Community Development Grant Recommendations as detailed in **Appendix 1 Community Development Grant Recommendations 2020** be endorsed. (Recommended)
- II. That the Community Development Grant Recommendations as detailed in **Appendix 1 Community Development Grant Recommendations 2020**, are not endorsed, and the Assessment Panel reconsiders their recommendations. (Not Recommended)
- III. That Council amends the recommendations. (Not Recommended)

5. APPENDIX

- (1) Community Development Grant Recommendations 2020

Appendix 1

*Community Development Grant Recommendations
2020*

Community Grant Applications and Recommendations 2020

	Organisation	Summary	Comments	Recommendation	Requested	Amount Recommended
1	Stirling Districts Football Club Incorporated	purchase security camera, lighting and installation	Aims to reduce vandalism that impacts on use and safety of the futsal pitch that is used by the club and broader community	RECOMMENDED	1,000.00	1,000.00
2	Adelaide Hills Masters Cycling Club	purchase of a new defibrillator and updating/restocking general first aid supplies	Supports wellbeing and active lifestyle and connection through cycling. Proviso that they follow SA Ambulance recommendations regarding testing and maintenance First aid supplies ineligible as consumable products	PART FUNDING RECOMMENDED	2,150.00	\$1850.00
3	Piccadilly Valley Community Recreation Centre	purchase tables and chairs for new hall	High level of community use including netball and tennis clubs and other groups	PART FUNDING RECOMMENDED	2500	1500
4	Lobethal Recreation Ground Sports Club Inc	replacement of trestle tables and chairs	High level of community use including sporting clubs and other groups	PART FUNDING RECOMMENDED	2500	1500
5	Friends of Lower Sixth Creek	Replacement of damaged interpretive signage with vandalism resistant sign	New signs will also include the addition of an Acknowledgment of Country Biodiversity team consulted and support this application	RECOMMENDED	1078	1078
6	Uraidla Netball Club	purchase of bar/milk fridge to support coffee machine & 8 fold up bench seats	Bar fridge for sole purpose of milk for the coffee machine has limited community outcome, bench seats deliver greater community benefit	PART FUNDING RECOMMENDED	1028.92	559.92
7	Lobethal Living Nativity	Purchase of vacuum cleaner	Limited community benefit	NOT RECOMMENDED	1768	

Community Grant Applications and Recommendations 2020

8	Piccadilly Country Fire Service	purchase of 30 chairs and 2 tables	To support community meetings and support information sharing around bushfire safety and response	PART FUNDING RECOMMENDED	2470	1500
9	Top of the Torrens Gallery Incorporated	Refurbish exterior gallery sign (heritage appropriate)	Signage to the site will add value to the main street and compliment the Birdwood Weighbridge existing signage	RECOMMENDED	2500	2500
10	Rotary Club of Onkaparinga Incorporated	purchase of external defibrillator, PPE and specialist training in Mental Health First Aid training	Supports volunteers undertaking post bushfire property clean up and fencing Proviso that they follow SA Ambulance recommendations regarding testing and maintenance of defibrillator	RECOMMENDED	2500	2500
11	Oakbank Kindergarten Incorporated	purchase soil, native shrubs, bush tucker plants and mulch to install a native garden in area adjacent to the playground	Will provide an garden for the enjoyment of the kindergarten families and accessible to the broader community. On understanding that Council is not responsible for ongoing care and maintenance or any consequences of planting selection	RECOMMENDED	2500	2500
12	Adelaide Hills Show Jumping Club Inc	purchase BBQ, credit card reader and first aid kit	Located in Lobethal provides access to a new sporting opportunity. first aid supplies ineligible as consumable product	PART FUNDING RECOMMENDED	2428.52	2264
13	Friends of Scott Creek Conservation Park	Brushcutter and mesh shield, earmuffs & two cordless drills for continued restoration of native habitat	Supports volunteer safety Biodiversity team consulted and support this application	RECOMMENDED	2500	2500
14	Cherryville Residents Association	Purchase a printer and storage cabinet for Cherryville Community Connections Project	Supports the operation of the community hall as a community hub	PART FUNDING RECOMMENDED	2000	1000

Community Grant Applications and Recommendations 2020

15	Aldgate Brigade of the SA CFS	to contribute to the cost of purchase of structural thermal imaging camera	Supports the safety of volunteers	RECOMMENDED	2500	2500
16	Hills Environment Centre Inc	cultural awareness workshop for community on Indigenous history	Promotes community awareness of Indigenous history and Cultural Competence	RECOMMENDED	2500	2500
17	Onkaparinga Swimming Club	Purchase hand weights, medicine balls, stretch cords and skipping ropes that can be borrowed by members to use at home for zoom sessions	Small number of people would have access to this equipment and limited broader community benefit	NOT RECOMMENDED	2500	
18	Norton Summit / Ashton CFS	Purchase of plants for rejuvenation of the Norton Summit War Memorial	Not eligible as the plants have already been purchased	NOT RECOMMENDED	120	
19	Summertown Netball Club Inc	Purchase of Defibrillator and storage cabinet to be installed at the Tregarthen Reserve clubrooms	Site is used by sporting groups and the defibrillator would also be accessible for the broader community. Proviso that they follow SA Ambulance recommendations regarding testing and maintenance	RECOMMENDED	2500	2500
20	Gumeracha Cricket Club	contribute to the purchase of kitchen cabinetry for kitchen facilities for both the cricket and football clubs use	Clubrooms used by cricket club, football club and other community members	RECOMMENDED	2500	2500
21	Oakbank Soldiers Memorial Hall Association	Purchase of timber and hardware to restore the veranda	Will improve the look and safety of this community building. Proviso that work must be undertaken by a licensed tradesperson or under the supervision of a registered builder	RECOMMENDED	2329.86	2329.86
22	Aldgate Men's Shed Inc	Materials to build x3 woodwork benches and purchase of vices	Will increase the capacity of the shed by x6 work stations and improve safety	RECOMMENDED	1972	1972

Community Grant Applications and Recommendations 2020

23	The Hut community centre	Providing an 8 - 10 week personal development program for 65+	The Hut receives substantial Council funding and content largely met by existing Council programs	NOT RECOMMENDED	2500	
24	Imagine Uraidla	Purchase a portable 6 KVA petrol generator for show hall which has been identified as a community shelter within the Uraidla Safer Place precinct.	Improves comfort and safety for community and supports bushfire shelterRequest that the group explore a diesel option for generator	RECOMMENDED	2417	2417
25	Oakbank Golf Club Inc	Purchase of under counter dishwasher	For use by club fee paying members and visitors. Limited community benefit	NOT RECOMMENDED	2500	
26	Torrens Valley Darts Association	the purchase of 10 dart boards, scoring boards and cases for installation in local pubs	For installation in private businesses not deemed to have broad community benefit	NOT RECOMMENDED	2500	
27	Adelaide Hills War Memorial Swimming Centre Inc	In collaboration with Oakbank Area School paint mural on outside wall of swimming pool	Adds value to a well utilised community space. Masterplan may impact long term future of the building recommend on the proviso that mural is created on removable panels	RECOMMENDED	2500	2500
28	Mt Lofty Districts Historical Society Inc	Celebrating local history, archives of the hills: a commemorative volume of local treasures, printing of 270 commemorative volumes	Whilst a valuable resource on local history this project was felt to have limited community reach and benefit	NOT RECOMMENDED	2500	
29	Bridgewater Cricket Club Incorporated	Purchase of artificial roll up turf cricket pitch	Extends the clubs capacity to accommodate players particularly younger players	RECOMMENDED	2500	2500

Community Grant Applications and Recommendations 2020

30	Uraidla Institute	Resurfacing of floor	The space is well utilised for a range of community activities.	RECOMMENDED	2160	2160
31	Aldgate Memorial Hall	Replacement of gas heaters	Current gas heater are not operational and are the sole source of heating for the hall which is used by a broad range of community groups	RECOMMENDED	2500	2500
32	Uraidla District Soldiers Memorial Park Inc	Purchase new information signage, x3 signs at main entrances	Will provide information on all sports clubs and associations connected with the site and provides a link to the website	RECOMMENDED	1170	1170
				total	requested \$ 69086.30	recommended \$ 49,800.78

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.6

Responsible Officer: Mike Carey
Manager Financial Services
Corporate Services

Subject: 2019-20 End of Year Financial Report

For: Decision

SUMMARY

Council is required, pursuant to Regulation 10 of the *Local Government (Financial Management) Regulations 2011* to consider a report showing the audited financial results of the Council for the Statement of Comprehensive Income, Statement of Financial Position and Financial Indicators compared with the estimated financial results set out in the budget presented in a manner consistent with the Model Financial Statements.

This report meets those legislative requirements in relation to Council's financial performance to budget for the 2019-20 financial year and was presented to the Audit Committee on 16 November 2020.

In addition, in accordance with Council's *Treasury Policy* and Section 140 of the *Local Government Act 1999*, a council must review the performance of its investments at least annually and it is considered appropriate to also include this analysis in this report.

RECOMMENDATION

Council resolves that:

1. The report be received and noted.
 2. The 2019-20 End of Year Financial Results in comparison to budget have been appropriately considered by Council.
-

1. GOVERNANCE

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

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective O3 Our organisation is financially sustainable for both current and future generations

Priority O3.1	Ensure the delivery of agreed strategic plan requirements whilst meeting endorsed long term targets for a sustainable operating surplus and level of debt
Objective O5	We are accountable, informed, and make decisions in the best interests of the whole community
Priority O5.1	Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations
Priority O5.3	Demonstrate accountability through robust corporate planning and reporting that enhances performance, is relevant and easily accessible by the community

The Council is committed to open, participative and transparent decision making and administrative processes. We diligently adhere to legislative requirements to ensure public accountability and exceed those requirements where possible.

Legislation requires Council to review and monitor Council's Annual Budget with reference to actual results and its overall financial position to ensure Council continues to be financially sustainable.

➤ **Legal Implications**

Sections 124-130 of the *Local Government Act 1999* covering Accounts, financial statements and audit.

Section 140 of the *Local Government Act 1999* - Review of Investments requires Council to at least once in each year, review the performance of its investments.

Regulation 10 of the *Local Government (Financial Management) Regulations 2011* (the *Regulations*) requires Council to report on the financial results of Council by no later than 31 December in each year.

➤ **Risk Management Implications**

Monitoring and reporting on Council's financial results will assist in mitigating the risk of:

Inaccurate budgets and unforecasted deficits leading to inadequate resourcing for current and future activities.

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

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

➤ **Financial and Resource Implications**

In terms of the financial result, once the one off expenditure including the Cudlee Creek bushfire, additional provisioning of remediation and post closure costs and the undergrounding of power lines expenditure is taken into account the numbers reflect an underlying financially sustainable surplus into the future and strong alignment to the current LTFP. Council will continue to review and monitor future financial results and its financial position in conjunction with its *Long Term Financial Plan* (LTFP).

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

There is a high expectation that Council has appropriate financial governance processes in place including the review of actual results to budget for a corresponding period.

It is also important to the Community to be aware and understand Council's financial results for the year in the context of its longer term financial sustainability. Council's audited Financial Statements are provided to the community within its Annual Report.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	The review of End of Year Results was considered by the Audit Committee on 16 November 2020.
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Not Applicable
<i>Administration:</i>	Chief Executive Officer Director Corporate Services Executive Manager Governance & Performance Management Accountant Finance Officer – Accounts Receivable & Treasury
<i>External Agencies:</i>	Not Applicable
<i>Community:</i>	Not Applicable

2. BACKGROUND

This report provides details of Council's financial performance to budget for the 2019-20 financial year.

The Statement of Comprehensive Income, Statement of Financial Position and Financial Indicators and associated commentary for 2019-20, are shown as **Appendix 1** to this Report. As the Statement of Comprehensive Income largely focuses on Council's Operating Income and Expenditure, discussion on these items is included in **Appendices 2 & 3** of this report.

In addition, in accordance with Council's *Treasury Policy* and Section 140 of the *Local Government Act 1999*, a council must review the performance of its investments at least annually. Given the timing of this report covering financial performance, it is considered that it is appropriate to also consider annual investment performance at this time.

A 2019-20 Preliminary End of Year Financial Results and Carry Forwards report was presented to Council on 25 August 2020.

In addition, the 2019-20 Financial Results were presented to the Audit Committee at its meeting on 16 November 2020 where the following recommendation was adopted.

6.2. End of Year Financial Report

Moved Peter Brass
S/- David Moffatt

57/AC20

The Audit Committee resolves:

1. That the report be received and noted
2. To recommend to Council that the Audited 2019-20 Financial Results compared to Budget contained within this report have been appropriately considered

Carried Unanimously

3. ANALYSIS

Summary of Financial Performance

\$000's	2019-20 Actuals	2019-20 Budget	YTD Variance Fav/(Unfav)
Operating income	46,624	48,000	(1,376)
Operating expenditure	49,166	48,013	(1,153)
Operating Surplus/(Deficit) before Capital	(2,542)	(13)	(2,529)
Capital Income	2,917	3,199	(282)
Capital Expenditure	12,941	16,526	3,585
Net expenditure - Capital projects	(10,024)	(13,327)	3,303
Depreciation	9,207	8,945	262
Net Lending / (Borrowing) for Financial Year	(3,359)	(4,395)	1,036

In terms of Council's operating result, Council's Operating Deficit before Capital is \$2.542m which is \$2.529m unfavourable to budget. As previously advised, from a budget comparison perspective, the variance largely consists of the following:

- Transfer of \$1.550m in funding through the Local Government Disaster Recovery Assistance Arrangements to the 2020-21 financial year as mentioned above
- An adjustment of \$487k for PLEC relating to the undergrounding of power lines for the Gumeracha main street, which was budgeted under capital.
- The additional provisioning of remediation and post closure costs of \$400k relating to closed landfills within the Council area.
- An increase in leave provisions of over \$500k, largely as a result of a reduction of leave taken in the period March to June 2020 due to the impact of Covid-19, work from home arrangements and closure of borders as well as the increase in the length of service profile of staff for long service leave.
- As a result of the focus on the Cudlee Creek bushfire recovery, some contractor expenditure was reduced in Council's normal operations and redirected towards the recovery effort resulting in a reduction in that expenditure line from the previous year.

Further discussion on these items is included in **Appendices 1-3** of the report.

Overall Capital Result

\$000's	2019-20 Actuals \$'000s	2019-20 Budget \$'000s	Variance Fav/(Unfav) \$'000s	Carry Forwards \$'000s	Variance Adjusted for Carry Forwards \$'000s
Capital Income	2,917	3,199	(282)	367	85
Capital Expenditure	12,941	16,026 *	3,085	2,729	356
Net expenditure - Capital projects	(10,024)	(12,827)	2,803	(2,362)	441

* adjustment to account for PLEC accounting treatment

Council's final results show a capital spend of \$12.941m against an adjusted budget of \$16.026m after taken into account the PLEC reallocation of \$500k to Operating as discussed above and carry forwards. This results in an overall favourable result to budget.

Statement of Financial Position

\$000s	2019-20 Actuals	2019-20 Budget	Movement
Assets	427,533	440,250	(12,717)
Liabilities - Borrowings	(12,000)	(13,000)	1,000
Other Liabilities	(11,101)	(9,692)	(1,409)
Net Assets (Liabilities)	404,432	417,558	(13,126)

The Statement of Financial Position shows the total assets and total liabilities held by Council. As at 30 June 2020, the overall net assets (total assets less total liabilities) held by Council was \$404.4m compared with \$417.6m budgeted, representing a difference of \$13.1m. The decrease in equity for 2019-20 is represented by a reduction in asset valuation of \$4.5m together with the Net Deficit of \$2.8m compared to a budgeted revaluation increase of \$5.0m and a Net Surplus of \$946k.

Excluding lease liabilities, borrowings at 30 June 2020 were \$12m, represented by two fixed term interest only loans of \$5m each and a short term drawdown facility drawn down to \$2m at year end. This compares with Council's budgeted borrowings at 30 June 2020 of \$13.0m which was based on borrowings at the end of the previous year of \$10.0m and the budgeted borrowings for the 2019-20 financial year of \$3m.

Cash Flow Position

\$000s	2019-20 Actuals	2019-20 Budget	Movement
Net Flows from Operating	6,790	8,632	(1,842)
Net Flows from Investing Activities	(10,024)	(13,327)	3,303
New Flows from Financing Activities	(273)	2,938	(3,211)
Net Change in Cash Position	(3,507)	(1,757)	(1,750)
Cash & Investments	518	268	250
CAD Drawdown	(2,000)	-	(2,000)
Net Cash Position	(1,482)	268	(1,750)
Fixed Term Borrowings	(10,000)	(13,000)	3,000
Net Borrowings	(11,482)	(12,732)	1,250

Council generated \$6.8m from its Operating Activities during the financial year compared to a budget of \$8.6m with the variance relating largely to the \$1.55m of the Disaster Recovery funding from the State Government now to be received in 2020-21 and the one off treatment of the SAPN contribution of \$487k to SAPN for the undergrounding of power lines for the Gumeracha main street under operating.

Annual Investment Performance

In accordance with Council's *Treasury Policy* and Section 140 of the *Local Government Act 1999*, a council must review the performance of its investments at least annually.

Given that Council is utilising its short term drawdown facility throughout the period, Council's investments are kept at a minimum during the year. As such the focus of Treasury Management has been on minimising interest expense and maintaining appropriate working capital rather than investment return.

As a result, interest earnings largely relate to:

- cash balances being transferred to an overnight investment account from Council's general bank account with NAB, and
- where grants and other funds are placed directly with the Local Government Finance Authority (LGFA).

Both the NAB and LGFA investments are in accordance with Council's *Treasury Policy*.

Year	RBA cash rate for June	LGFA Weighted Average Return	NAB Weighted Average Return	Overall Weighted Average Return	Actuals Investment Earnings	Annual Budget
2015-16	1.75%	1.88%	2.38%	2.00%	\$58k	\$56k
2016-17	1.50%	1.52%	2.02%	1.77%	\$36k	\$81k
2017-18	1.50%	1.50%	2.00%	1.75%	\$30k	\$34k
2018-19	1.25%	1.48%	1.98%	1.73%	\$41k	\$38k
2019-20	0.25%	0.67%	1.17%	0.92%	\$42k	\$42k

As shown in the above table, revenue from investments was in line with the budget for the 2019-20 financial year.

The fixed and variable interest rate borrowings as at 30 June 2020 totalled \$10m and \$2m respectively resulting in the fixed and variable rate portions of total borrowings at 83% and 17% respectively. The fixed rate borrowings consist of two \$5m loans borrowed for ten years which has reduced Council's capacity to maintain a balance of fixed and variable loans. One of the \$5m fixed term loans matures in June 2021 and as such will provide increased flexibility to consider the appropriate balance between variable and fixed term borrowings in the future.

4. OPTIONS

Council has the following options:

- I. To resolve that the report be received and confirm that the 2019-20 End of Year Financial Results in comparison to budget have been appropriately considered by Council (**Recommended**); or
- II. To defer this report in order for further information to be provided. This would need to be provided to the December Council meeting in order to meet Regulations (**Not recommended**).

5. APPENDICES

- (1) Audited 2019-20 Financial Results Compared to Budget
- (2) Operating Income
- (3) Operating Expenditure

Appendix 1

Audited 2019-20 Financial Results Compared to Budget

Adelaide Hills Council

Statement of Comprehensive Income

for the year ended 30 June 2020

\$ '000	2019-20 Actuals	2019-20 Budget	Variance	Note
Income				
Rates Revenues	38,547	38,675	(128)	
Statutory Charges	1,180	1,143	37	
User Charges	704	621	83	
Grants, Subsidies and Contributions	5,245	6,695	(1,450)	
Investment Income	42	42	1	
Reimbursements	228	212	16	
Other Income	605	512	93	
Net Gain - Equity Accounted Council Businesses	73	100	(27)	
Total Income	46,624	48,000	(1,376)	A
Expenses				
Employee Costs	17,433	17,342	(91)	
Materials, Contracts & Other Expenses	21,927	21,122	(805)	
Depreciation, Amortisation & Impairment	9,207	8,945	(262)	
Finance Costs	589	604	15	
Net loss - Equity Accounted Council Businesses	10	-	(10)	
Total Expenses	49,166	48,013	(1,153)	B
Operating Surplus / (Deficit)	(2,542)	(13)	(2,529)	
Asset Disposal & Fair Value Adjustments	(1,757)	-	(1,757)	C
Amounts Received Specifically for New or Upgraded Assets	556	959	(403)	D
Physical Resources Received Free of Charge	970	-	970	E
Net Surplus / (Deficit) ¹	(2,773)	945	(3,719)	
Other Comprehensive Income				
<i>Amounts which will not be reclassified subsequently to operating result</i>				
Changes in Revaluation Surplus - I,PP&E	(4,485)	5,000	(9,485)	F
Other Equity Adjustments - Equity Accounted Council Businesses	78	-	78	G
Total Other Comprehensive Income	(4,407)	5,000	(9,407)	
Total Comprehensive Income	(7,180)	5,945	(13,126)	

Note	Comments - Statement of Comprehensive Income
A	Refer to Attachment 2 - Operating Income
B	Refer to Attachment 3 - Operating Expenditure
C	Council does not budget for the impairment of assets or write-down of asset values relating to the capitalisation of assets and subsequent disposal of the renewed asset.
D	Variance largely relates to the carry forward of \$719k of 2019-20 budgeted Capital Grants to 2020-21 in line with Accounting Standards
E	Council received contributed assets in relation to infrastructure assets from the Inverbrackie Development. These contributions are not budgeted for.
F	There was a reduction in cost indices for some infrastructure assets classes revalued in 2019-20 as well as a decrease of \$3.7m in Road assets as a result of reassessment of useful lives. A nominal amount of \$5m was budgeted for revaluations.
G	These relate to end of year adjustments. Council does not budget for these amounts

Adelaide Hills Council
Statement of Financial Position
as at 30 June 2020

	2019-20 Actuals	2019-20 Budget	Variance	Note
\$ '000				
ASSETS				
Current Assets				
Cash and Cash Equivalents	518	268	250	A
Trade & Other Receivables	2,761	2,541	220	
Inventories	18	19	(1)	
Total Current Assets	3,297	2,828	469	
Non-Current Assets				
Equity Accounted Investments in Council Businesses	1,491	1,450	41	
Infrastructure, Property, Plant & Equipment	422,745	435,972	(13,227)	B
Total Non-Current Assets	424,236	437,422	(13,186)	
TOTAL ASSETS	427,533	440,250	(12,717)	
LIABILITIES				
Current Liabilities				
Trade & Other Payables	5,254	5,446	192	
Borrowings	7,285	3,000	(4,285)	A
Provisions	3,588	2,848	(740)	C
Total Current Liabilities	16,127	11,294	(4,833)	
Non-Current Liabilities				
Borrowings	5,446	10,000	4,554	A
Provisions	1,528	1,398	(130)	C
Total Non-Current Liabilities	6,974	11,398	4,424	
TOTAL LIABILITIES	23,101	22,692	(409)	
Net Assets	404,432	417,558	(13,126)	
EQUITY				
Accumulated Surplus	138,645	142,540	(3,895)	
Asset Revaluation Reserves	265,206	274,691	(9,485)	B
Other Reserves	581	327	254	
Total Council Equity	404,432	417,558	(13,126)	

Note	Comment - Statement of Financial Position
A	Overall, Council's net borrowing result was favourable to budget for the year resulting in an overall improvement in Net Borrowings (represented by Total Borrowings offset by Cash and Cash Equivalents) compared to budget.
B	The overall balance is less than budgeted as a result of annual revaluation of Infrastructure Assets decreasing by \$9m more than budgeted as well as number of projects not being completed by year end and requiring carry forward to the 2020-21 financial year.
C	Provisions have increased by \$870k overall. Of this Employee Entitlements increased by over \$500k and there was an increase of \$400k in provisioning of remediation and post closure costs relating to closed landfills within the Council area. Movement in provisions are not budgeted for.

Adelaide Hills Council

Financial Indicators

as at 30 June 2020

\$ '000	2019-20 Amounts	2019-20 Actuals	2019-20 Budget	Variance	Note
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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	(2,542)	(5.5%)	0.0%	(5.5%)	A
Total Operating Revenue	46,624				

This ratio expresses the operating surplus as a percentage of total operating revenue.

1a. Adjusted Operating Surplus Ratio

In recent years the Federal Government has made advance payments prior to 30th June from future year allocations of financial assistance grants, as explained in Note 1. The Adjusted Operating Surplus Ratio adjusts for the resulting distortion in the disclosed operating result for each year.

(2,273)	(4.8%)	0.0%	(4.8%)	A
46,893				

2. Net Financial Liabilities Ratio

Net Financial Liabilities	19,822	42.5%	41.4%	(1.1%)	B
Total Operating Revenue	46,624				

Net Financial Liabilities are defined as total liabilities less financial assets (excluding equity accounted investments in Council businesses). These are expressed as a percentage of total operating revenue.

3. Asset Renewal Funding Ratio

Net Asset Renewals	9,718	105.6%	115.3%	(9.7%)	C
Infrastructure & Asset Management Plan required expenditure	9,207				

Asset renewals 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.

Note	Comment - Financial Indicators
A	There are a number of one off items including the Cudlee Creek bushfire, additional provisioning of remediation and post closure costs and the undergrounding of power lines expenditure that have had a financial impact on the ratio for 2019-20. This has resulted in the ratio showing as negative for the 2019-20 financial year and hence outside Council's target range of 0% - 10%
B	Although Council's net financial liabilities were less than budget, the reduction in the denominator Total Operating Revenue as a result of the Disaster Recovery funding being transferred to 2020-21 has had impact on the year end ratio when comparing it to budget.
C	The carry forward of renewal expenditure to the 2020-21 financial year had an impact on the Asset Renewal Funding Ratio compared to Budget

Appendix 2

Operating Income

Operating Income compared to Budget - Unfavourable to Budget

\$ '000	2019-20 Actuals	2019-20 Budget	Variance Fav/(Unfav)
Income			
Rates Revenues	38,547	38,675	(128)
Statutory Charges	1,180	1,143	37
User Charges	704	621	83
Grants, Subsidies and Contributions	5,245	6,695	(1,450)
Investment Income	42	42	-
Reimbursements	228	212	16
Other Income	605	512	93
Net Gain - Equity Accounted Council Businesses	73	100	(27)
Total Income	46,624	48,000	(1,376)

Income is unfavourable by \$1.376m (2.9%) compared to budget.

Rate Income was less than budgeted, largely as a result of providing for amounts outstanding in the order of \$120k in relation to properties where rate notices had been unable to be delivered for many years. A number of these have been determined to be roads or property proposed to be vested to Council with the remainder likely to be transferred to Council under Section 185 of the Local Government Act.

For Statutory Income, favourable variances related to Development Act fees of \$56k and Animal Management Fees of \$26k offset unfavourable variances in Parking Fines/Expiations of \$32k and Search Fees of \$10k.

The favourable variance for User Charges largely relates to favourable Cemeteries Income to budget in the order of \$124k for the year offsetting an unfavourable variance in Community Centre User Charges of \$20k as a result of Programs being impacted by COVID-19 restrictions.

For Grants & Contributions the unfavourable variance of \$1.450m largely relates to the transfer of \$1.550m in funding through the Local Government Disaster Recovery Assistance Arrangements to the 2020-21 financial year, offsetting some additional Federal Assistance Grant funding relating to 2020-21 received in June 2020.

The favourable variance in Reimbursement Income largely relates to unbudgeted Property Management reimbursements relating to the AHBTC properties.

Other income was favourable to budget in relation to an unbudgeted insurance recoveries as well as the receipt of risk incentive program funding in June 2020.

The Equity Accounted Council Businesses were largely in line with budget.

Appendix 3

Operating Expenditure

Operating Expenditure compared to Budget - Unfavourable to Budget

	2019-20 Actuals	2019-20 Budget	Variance Fav/(Unfav)
Expenses			
Employee Costs	17,433	17,342	(91)
Materials, Contracts & Other Expenses	21,927	21,122	(805)
Depreciation, Amortisation & Impairment	9,207	8,945	(262)
Finance Costs	589	604	15
Net loss - Equity Accounted Council Businesses	10	-	(10)
Total Expenses	49,166	48,013	(1,153)

An unfavourable expenditure variance of \$1.153m (2.4%) has occurred for the year.

For employee costs, the unfavourable variance as a result of the increase in leave provisions of over \$500k was offset by a number of favourable variances realised as a result of a vacancies across the organisation.

The unfavourable variance from budget within Materials, Contracts & Other Expenses was largely as a result of:

- additional provisioning of remediation and post closure costs of \$400k relating to closed landfills within the Council area
- the adjustment of \$487k for PLEC relating to the undergrounding of power lines for the Gumeracha main street, which was budgeted under capital

In relation to depreciation, actual expenditure included unbudgeted depreciation of right of use assets of \$213k and higher than anticipated depreciation in relation to plant and equipment.

The interest rate on Council's cash advance debenture was less than anticipated resulting in a small favourable variance to budget for the financial year.

The loss of \$10k from Council's Equity Accounted Council Businesses resulted from Gawler River Floodplain Management Authority, as depreciation is not cash funded. Adelaide Hill's share of this subsidiary's operating result is 4.2% for the year ended 30 June 2020.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.7

Responsible Officer: Mike Carey
Manager Financial Services
Corporate Services

Subject: 2020-21 Budget Review 1

For: Decision

SUMMARY

The *Local Government (Financial Management) Regulations 2011* (the Regulations) requires Council to formally consider its budget three times per year. This statutory requirement recognises the likelihood that events will occur that require, or offer opportunities for changes to the budget during the year.

This report presents the first Budget Review (BR1) of the 2020-21 financial year and was considered by the Audit Committee on 16 November 2020.

Largely as a result of accounting for additional Cudlee Creek bushfire funding in 2020-21, the proposed budget changes increase Council's Operating Surplus by \$1.535m from \$808k to \$2.343m. BR1 also proposes increases of \$50k to Capital Income and \$219k to Capital expenditure.

As a result of the proposed operating and capital adjustments, Council's Net Borrowing Result for the year is reduced from \$6.350m to \$4.984m.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. To adopt the proposed budget adjustments presented in the 2020-21 Budget Review 1 which result in:
 - a. An increase in the Operating Surplus from \$808k to \$2.343m for the 2020-21 financial year.
 - b. Changes to Capital Works, increasing capital income by \$50k and capital expenditure by \$219k for the 2020-21 financial year resulting in a revised capital expenditure budget for 2020-21 of \$21.487m.
 - c. A decrease in Council's current Net Borrowing Result from \$6.350m to \$4.984m for the 2020-21 financial year as a result of the proposed operating and capital adjustments.
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective O3 Our organisation is financially sustainable for both current and future generations

Priority O3.1 Ensure the delivery of agreed strategic plan requirements whilst meeting endorsed long term targets for a sustainable operating surplus and level of debt

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

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

Priority O5.3 Demonstrate accountability through robust corporate planning and reporting that enhances performance, is relevant and easily accessible by the community

A key aspect of Council's formal budget reviews is to review and monitor Council's Annual Budget with reference to its overall financial position and its Long Term Financial Plan (LTFP) to ensure Council continues to be financially sustainable.

➤ Legal Implications

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

➤ Risk Management Implications

Conducting the budget review process as required by Regulations will assist in mitigating the risk of:

Failure to conduct the budget review process as required by Regulations results in inaccurate budgets and unforecasted deficits leading to inadequate resourcing for current and future activities.

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

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

➤ Financial and Resource Implications

Largely as a result of accounting for additional Cudlee Creek bushfire funding in 2020-21, the proposed BR1 budget changes increase Council's Operating Surplus by \$1.535m from \$808k to \$2.343m.

In terms of capital, it is proposed to increase Capital Income by \$50k and \$219k to Capital expenditure.

As a result of the proposed operating and capital adjustments, Council's Net Borrowing Result for the year is reduced from \$6.350m to \$4.984m.

It should be noted that the figures in this report and supporting appendices have been rounded and consequently individual sub-totals, whilst being correct, may differ slightly from the sum of the rounded amounts.

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

There is a high expectation that Council has appropriate financial governance processes in place including the review of the budget periodically.

➤ **Sustainability Implications**

Not applicable.

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

Council Committees: Budget Review 1 was considered by the Audit Committee at its meeting on 16 November 2020

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: The budget review was prepared in consultation with Directors and Managers to obtain detailed information for each budget area

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

At the Council meeting held on the 30 June 2020, Council adopted the original *2020-21 Annual Business Plan and Budget*, reflecting a Budgeted Operating Deficit before Capital Revenue of \$109k and an estimated Net Borrowing for the financial year of \$4.095m.

Subsequent to that meeting, Council, in consideration of agenda reports during meetings, has approved a number of the 2020-21 Budget changes as detailed in the budget reconciliation included as part of this report as **Appendix 3**.

As a result of these changes endorsed by Council prior to the first formal budget review, Council's budgeted Operating Result was adjusted to an Operating Surplus of \$808k and the Net Borrowing Result has increased to \$6.350m.

The Regulations require Council to formally consider its budget three times per year. This statutory requirement recognises the likelihood that events will occur that require, or offer opportunities for changes to, the budget during the year. This report presents the first Budget Review (BR1) of the 2020-21 financial year.

Where possible Council's customary practice is to include Budget Reviews as an agenda item at Audit Committee meetings prior to consideration of Council. This Budget Review was considered by the Audit Committee on 16 November 2020 where it was resolved as follows:

6.4. Budget Review 1

Moved Cr Leith Mudge
S/- Paula Davies

59/AC20

The Audit Committee resolves:

- 1. That the report be received and noted.**
- 2. To recommend to Council the proposed budget adjustments presented in the 2020-21 Budget Review 1 be approved which result in:**
 - a. An increase in the Operating Surplus from \$808k to \$2.343m for the 2020-21 financial year.**
 - b. Changes to Capital Works, increasing capital income by \$50k and capital expenditure by \$219k for the 2020-21 financial year resulting in a revised capital expenditure budget for 2020-21 of \$21.487m.**
 - c. A decrease in Council's current Net Borrowing Result from \$6.350m to \$4.984m for the 2020-21 financial year as a result of the proposed operating and capital adjustments.**

Carried Unanimously

Budget Review Presentation

As a result of changes to the Regulations, the Budget Review Presentation has been simplified for the First and Third Budget Review for the year whereby it is now required to produce under Section 9(1)(a):

"a report showing a revised forecast of its operating and capital investment activities for the relevant financial year compared with the estimates for those activities set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances"

In accordance with the Regulations the Uniform Presentation of Finances showing the movements in the current and proposed budgets is provided as **Appendix 2** to this report.

3. ANALYSIS

Given the timing of BR1, the focus of this first budget review for the year was largely on obtaining expenditure approval for any significant items and projects related to grant funded opportunities.

Budget Review 1 Proposed Adjustments

\$000s	2020-21 Current Budget	Proposed BR1 Adjustments	Proposed Operating Initiative Adjustments	Revised Budget after BR1
Operating Income	48,474	426	1,550	50,450
Operating Expenditure	47,666	426	15	48,107
Operating Surplus	808	-	1,535	2,343
Depreciation	9,237	-		9,237
Capital income	4,873	50		4,923
Capital Expenditure	(21,268)	(219)		(21,487)
Net Borrowing Position	(6,350)	(169)	1,535	(4,984)

Operating:

Operating Income - \$426k increase

- Rates revenue has exceeded forecasts by \$50k as a result of growth from new developments across the council area
- \$233k unbudgeted Grants received in 2020-21 for Aged Friendly, Active Neighbourhood, Community Recovery and Home Assistance Programs requiring associated expenditure commitments
- \$70k unbudgeted Bushfire Recovery Grants received in 2020-21 for Flocking Together and Bushland Park also requiring associated expenditure commitments
- \$2k reduction in User Charges as Council is no longer administering a church carpark
- \$59k increase in CWMS connection fee contributions for Birdwood/Mt Torrens system above budget
- Increase of \$16k in Property Services' Other Income to reflect unbudgeted telecommunication tower lease income

Operating Expenditure - \$426k increase

- Increase in expenditure of \$233k relating to the increase in grants for community programs as discussed above
- Increase in expenditure of \$70k relating to bushfire recovery grants as discussed above
- Increase of \$97k in expenditure relating to legislative pump out requirements carried over from the previous year, partly as a result of COVID-19 restrictions offset by savings of \$17k in waste water monitoring costs
- Increase of \$93k in employee costs relating to a reduction in unallocated vacancy management savings included in Council's original budget
- Reduction of \$50k in interest expense as a result of falling interest rates and use of the new discounted Convertible Cash Advance Facility
- offsetting waste, kerbside audit and recycling budget adjustments.

There is no CEO contingency currently available.

Operating Initiatives - increase to Operating Surplus of \$1.535m

For Operating Initiatives, an appropriate dollar amount has been determined to achieve specified outcomes. As these Operating Initiatives have been developed in consultation with Council, it is considered appropriate that Council approval will be required where a change in timing or individual project expenditure is required.

The proposed changes in operating initiatives projects result in an increase in Council's Operating Surplus by \$1.535m as summarised below:

- Increase of \$1.550m in grant funding relating to the Cudlee Creek Bushfire Disaster Recovery Assistance Arrangements transferred from the 2019-20 financial year after discussion with Council's auditors at year end
- An amount of \$15k expenditure, being for a 0.2 FTE has been included for a cadet engineer within Civil Services to assist the team by undertaking site inspections, engineering investigations and other technical activities. This role will also support the close out of a large number on ongoing customer requests that require technical engineering support and be an investment in the development of municipal engineering practices within the local government sector. It is proposed that this role will be renewed on a regular basis and as a result factored into Council's future budgets as ongoing. As such it has been highlighted as an operating initiative separate from business as usual expenditure

In terms of reporting, operating initiatives expenditure forms part of operating expenditure for statutory reporting purposes, and as such have been included under that category in the financial tables within this report and the Uniform Presentation of Finances.

Capital Items:

\$000s	2020-21 Current Budget	Proposed BR1 Adjustments	Proposed BR1 Budget
Capital income	4,873	50	5,973
Capital - Renewal Expenditure	(10,737)	60	(10,677)
Capital - New Capital Expenditure	(10,532)	(279)	(10,811)
Total Capital Expenditure	(21,268)	(219)	(21,487)
Net Capital Position	(16,395)	(169)	(16,564)

For BR1 there are a number of variations in the capital budget spread across asset categories. Proposed changes in the capital works program increase capital income by \$50k and capital expenditure by \$219k with specific details including the budgetary impact by project provided as per **Appendix 1**.

In terms of specific projects, two of these projects requiring additional expenditure were well advanced. Rather than delay the completion of the projects until additional funding could be considered through the budget review process, the CEO (under delegation) approved the expenditure for the following:

- Lower Hermitage Stormwater Project - \$65k
- PLEC extension at Gumeracha - \$65k

Whilst the proposed changes to the capital expenditure budget show an increase of \$219k on a large capital spend for this financial year, it is anticipated that the total 2020-21 capital expenditure budget will be reduced by a reasonable amount by year-end due to savings, deferrals and carry forwards. However, at the time of this report relatively few projects had advanced significantly enough to readily identify the specific projects where budgets would be reduced for the year. As such, this will be revisited in Budget Review 2 and 3 once further progression of the overall capital expenditure has occurred.

Other points of note:

Stormwater Capital Projects

It was noted that the majority of items requiring an increase in capital budget were in the Stormwater Asset Category which is more susceptible to the identification of latent conditions, service clashes and design changes after preliminary designs have been scoped and costed. With an overall budget close to \$900k, this category will be monitored closely to ensure that budgets are realistic and allow the appropriate amount for contingencies that arise in project delivery.

Adelaide Wine Capital Cycle Trail

The Adelaide Wine Capital Cycle Trail Project aims to create a world-renowned cycle tourism pilgrimage through South Australia linking the food and wine tourism regions of Clare, Barossa and the Adelaide Hills to McLaren Vale.

Each Local Government Partner (6 in total) has previously equally contributed funding with a current balance that the Barossa Council is holding on behalf of the group of \$36k.

In addition, Council committed a further \$10k in 2019-20 which was not drawn upon.

The project group is now seeking \$5k per council for an overall total of \$66k to support direct funding of strategic document development to avoid the need for further grant applications and accelerate shovel readiness. This proposed \$5k replaces and is not in addition to the \$10k Council committed to in 2019-20.

It is proposed to source Council's funding of \$5k from existing allocations in the 2020-21 Budget and therefore there is no budget impact for this commitment.

Council Covid-19 Budgets

For the 2020-21 financial year, two separate amounts were budgeted to manage costs associated with COVID-19 with:

- \$50k budgeted for services changes to accommodate COVID-19 impacts and
- \$120k relating to financial support to assist business and the community recover from bushfires and COVID-19

At this time costs associated with addressing service changes including additional cleaning and equipment hire total \$120k and are currently well in excess of the annual budget. However, this is offset by limited use of the financial support for business and the community recovery budget at this time. It is therefore proposed that both budgets will be reviewed as part of future budget reviews when a clearer picture of total costs can be determined.

Movements in Budgeted Borrowings

As a result of proposed BR1 changes there will be a reduction of \$1.300m to borrowings resulting in a forecast of \$18m at 30 June 2021 with the borrowing movements for the year shown below.

Borrowings excluding Leases \$000s	Opening July 2020	New Borrowings	Repayments	Forecast June 2021
CAD (Short Term Drawdown)	2,000	-	-	2,000
Current Other Borrowings	-	11,000	-	11,000
Fixed Term Borrowings	10,000		(5,000)	5,000
Total Borrowings	\$12,000	\$11,000	(5,000)	\$18,000

This is reflected in the Financing transaction detail as shown at the bottom of Council's *Uniform Presentation of Finance Appendix 2*.

The financing result for the financial year also includes budgeted payments relating to the landfill remediation provision.

Summary

Largely as a result of accounting for Cudlee Creek bushfire funding in 2020-21, the proposed budget changes increase Council's Operating Surplus by \$1.535m from \$808k to \$2.343m. BR1 also proposes increases of \$50k to Capital Income and \$219k to Capital Expenditure.

As a result of the proposed operating and capital adjustments, Council's Net Borrowing Result for the year is reduced from \$6.350m to \$4.984m as shown below.

\$000s	\$
BR2 Adopted Budget Net Lending (Borrowings) Result	(6,350)
Impact of Operating Budget Adjustments for BR3	-
Impact of Operating Initiatives Adjustments for BR1	1,535
Impact of Capital income and Expenditure Adjustments for BR1	(169)
BR2 Revised Net Lending (Borrowing) Result	(\$4,984)

4. OPTIONS

Council has a range of options in relation to this report.

- I. It can adopt the budget review as prepared without making any further amendment to the adopted budget (Recommended).
- II. It can determine required changes to the review and adopt a revised Budget Review 1, recognising the likely impact upon future Budget Reviews and Council's LTFP.
- III. It can refuse to adopt the review, in which case it will risk breaching the requirements of the Local Government Financial Management Regulations (2011) unless an alternative review is adopted.

The recommended option will ensure Council meets the requirements of Section 7 and 9 of the *Local Government (Financial Management) Regulations 2011*.

5. APPENDICES

- (1) Capital Works Budget Review 1 Proposed Changes
- (2) 2020-21 Budgeted Uniform Presentation of Finances
- (3) 2020-21 Budget Adjustments subsequent to Original Budget Adoption

Appendix 1

Capital Works Budget Review 1 Proposed Changes

DRAFT 2020-21 CAPITAL BUDGET REVIEW 1								
Proj #	Project Name		Suburb	Type	Current Budget	Change FAV/ (UNFAV)	Revised Budget	Comment
CAPITAL EXPENDITURE								
Cemeteries								
3874	Expansion of Kersbrook Cemetery	Expansion of the Kersbrook Cemetery to provide additional lawn burial plots, in line with the site's master plan.	KERSBROOK	New	\$18,000	(59,000)	\$77,000	The Kersbrook Cemetery project was approved and funded in the 2019-20 financial year. Works were in progress as of 30 June 2020 with the balance of uncommitted funds (\$18,000) carried forward to the 2020/21 budget. Several significant invoices for works completed in June 2020 were not received until August 2020, and the required accrual (\$59,000) was missed.
CWMS								
3815	Woodside Gravity Main	Capacity replacement - Woodside Rec Ground to Nairne Road	WOODSIDE	Renewal	\$306,000	(24,000)	\$330,000	Additional expenditure associated with latent conditions during construction.
			Total		\$306,000	(24,000)	\$330,000	
Other								
3627	3627 : Green bins for town areas - Council wide	Replace bin surrounds for green coloured general waste bins within townships.	REGIONWIDE	Renewal	\$20,000	10,000	\$10,000	All replacement bin surrounds have been delivered, hence any uncommitted funds are not required.
3848	PLEC Contribution Gumeracha	Undergrounding of power lines along the main street of Gumeracha.	GUMERACHA	New	\$560,000	(65,000)	\$625,000	The original scope of this project saw the undergrounding of power lines stopping at Victoria St, however it has been determined that extending the scope to include the Gumeracha District Soldiers Memorial Hospital would greatly enhance the project outcomes. As the project was well progressed, rather than delay completion of the projects until additional funding could be considered through the budget review process the CEO, under delegation, approved the expenditure. The additional costs is offset in this budget review against other capital works projects that are progressing under budget.
			Total		\$580,000	(55,000)	\$635,000	
Roads - Pavements								
3851	Newman Road Pavement Renewal	Renewal and upgrade of Newman Rd Charleston, including new kerb, stormwater, parking, as well as renewed pavement and seal.	CHARLESTON	Renewal	\$970,000	130,000	\$840,000	Savings associated with favourable market response.
Stormwater								
3612	Junction Road Balhannah - stormwater upgrade	Renewal and upgrade of stormwater infrastructure at a key intersection along Junction Rd Balhannah.	BALHANNAH	Renewal	\$137,300	(56,000)	\$193,300	This project was approved as part of the 2019-20 ABP and Budget, and was works in progress as of 30 June 2020. Whilst balance of funds were carried forward, this project has been subject to a number of cost pressures such as; higher than expected market response, significant services clashes including with the SA Water trunk main, and the disposal of old asbestos pipes found during excavation.
3619	Stormwater Master Planning Aldgate	Develop a Stormwater Management Plan for the catchment of Aldgate, Bridgewater, Crafers and Stirling.	ALDGATE	New	\$23,000	(50,000)	\$73,000	Originally envisaged as a stormwater master plan for Aldgate, this project was found to overlap with priority areas for the Stormwater Management Authority, which considered the Aldgate, Bridgewater, Crafers and Stirling catchments a priority for preparation of a Stormwater Management Plan (SMP). The SMP focuses on both flood mitigation and stormwater quality improvements, and is a pre-requisite for attracting future state funding to stormwater projects within the study area. Council were successful in attracting a grant of \$100,000 over two years for development of the SMP, with more details to be provided at a future Council workshop.
3862	Lower Hermitage Road Stormwater	Increase stormwater capacity under Lower Hermitage Rd in the vicinity of #375.	LOWER HERMITAGE	New	\$130,000	(65,000)	\$195,000	This project aims to increase the capacity of an existing stormwater crossing under Lower Hermitage Rd for a significant tributary to the Little Para River. This lack of capacity has resulted in flooding previously, with the residence at #375 particularly affected. The original budget was based on a preliminary concept design, however detailed design and modelling has indicated an even larger culvert is required. As the project was well progressed, rather than delay completion of the projects until additional funding could be considered through the budget review process the CEO, under delegation, approved the expenditure. The additional costs is offset in this budget review against other capital works projects that are progressing under budget.
TBA	Town Stormwater - Lobethal	Formalisation of existing stormwater discharge into an easement at Lot 703 Lobethal Road Lobethal.	LOBETHAL	New	\$0	(40,000)	\$40,000	As part of the AHBTC divestment project, it has been discovered that an existing stormwater discharge is not contained within agreed easement boundaries, but rather is encroaching on private property. This new project will allow Council to formalise drainage within the easement.
					Total	\$290,300	(211,000)	\$501,300
					Total Expenditure Change		(219,000)	
CAPITAL INCOME								
149182164	FINANCIAL MANGT: Capital: Grant - Capital		REGIONWIDE	New	(584,390)	50,000	(634,390)	Grant revenue from the SMA for development of the Aldgate, Bridgewater, Crafers and Stirling SMP (year 1).
					Total Income Change	(584,390)	50,000	(634,390)

Capital Expenditure
Split as follows:

Renewal	60,000
New	(279,000)
	<u>(219,000)</u>

Appendix 2

2020-21 Budget Review 1 – Uniform Presentation of Finances

Adelaide Hills Council
BUDGETED UNIFORM PRESENTATION OF FINANCES
2020-21 Proposed Budget

	2020-21 Original Budget	Total Budget Movement since Adoption	BR1	2020-21 Revised Budget
	\$'000	\$'000		\$'000
INCOME				
Rates	40,181	-	50	40,231
Statutory charges	1,173	-	-	1,173
User charges	712	-	(2)	710
Grants, subsidies and contributions	4,768	1,031	1,912	7,711
Investment income	27	-	-	27
Reimbursements	232	-	-	232
Other income	249	-	16	265
Net gain - equity accounted Council businesses	100	-	-	100
Total Income	47,442	1,031	1,976	50,450
EXPENSES				
Employee costs	18,067	-	186	18,253
Materials, contracts & other expenses	19,512	115	305	19,932
Depreciation, amortisation & impairment	9,237	-	-	9,237
Finance costs	736	-	(50)	686
Net loss - equity accounted Council businesses	-	-	-	-
Total Expenses	47,551	115	441	48,107
NET BUDGETED SURPLUS / (DEFICIT) BEFORE CAPITAL AMOUNTS	(109)	916	1,535	2,343
Net Outlays on Existing Assets				
Capital Expenditure on Renewal and Replacement of Existing Assets	(9,212)	(1,525)	60	(10,677)
Proceeds from Sale of Replaced Assets	646	-	-	646
Depreciation	9,237	-	-	9,237
NET OUTLAYS ON EXISTING ASSETS	671	(1,525)	60	(794)
Net Outlays on new and Upgraded Assets				
Capital Expenditure on New and Upgraded Assets & Remediation costs	(4,953)	(5,579)	(279)	(10,811)
Capital Grants & Monetary Contributions - New & Upgraded Assets	232	2,509	50	2,791
Proceeds from Sale of Surplus Assets	64	1,422	-	1,486
NET OUTLAYS ON NEW AND UPGRADED ASSETS	(4,657)	(1,647)	(229)	(6,533)
Net Lending/ (Borrowing) Result for Financial Year	(4,095)	(2,255)	1,366	(4,984)
Net Financial Liabilities at Beginning of Year	(19,883)	61	-	(19,822)
Decrease / (increase) in Other	-	-	-	-
Non Cash Equity Movement	(100)	-	-	(100)
Net Financial Liabilities at End of Year	(24,078)	(2,194)	1,366	(24,906)

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	10,000	2,300	(1,300)	11,000
Increase/(Decrease) in Short Term Draw Down	70	(70)	-	-
(Increase)/Decrease in Cash & Investments	168	(38)	(66)	64
(Increase)/Decrease in Working Capital	-	-	-	-
Principal Repayments on Borrowings	(5,263)	263	-	(5,000)
Reinstatement/Restoration Provision Payment	(780)	580	-	(200)
Debenture Payment	-	(780)	-	(780)
Non Cash Equity Movement	(100)	-	-	(100)
	4,095	2,255	(1,366)	4,984

It should be noted that the figures in this appendix have been rounded and consequently individual sub-totals, whilst being correct, may differ slightly from the sum of the rounded amounts.

Appendix 3

*2020-21 Budget Adjustments subsequent to Original
Budget Adoption*

ADELAIDE HILLS COUNCIL
2020-21 BUDGET ADJUSTMENTS SUBSEQUENT TO BUDGET ADOPTION

Description	Operating Income	Operating Expenses	Net Operating Result	Capital Expenditure	Capital Income	Net Borrowing Result Impact
Original Budget Council Meeting 30 June 2020 CR124/20 Part 1.2	47,442	47,551	(109)	14,165	942	(4,095)
BR3 Carry Forwards Council Meeting 30 June 2020 CR124/20 Part 1.13				1,454	1,774	320
Community Strength and Resilience Initiatives Replacement and Upgrade of play space at Lobethal Bushland Park Council Meeting 30 June 2020 CR 124/20 Part 3				300	150	(150)
Local Roads and Community Infrastructure Program Projects Council Meeting 23 June 2020 CR 106/20 Part 3	781		781	781		0
Federal Black Spot Program Funding Deed Kersbrook, Mylor, Ironbank & Forreston Council Meeting 28 July 2020 CR 140/20 Part 4				369	551	182
Road Widening Netherhill Road Kenton Valley Council Meeting 28 July 2020 CR 149/20 Part 6				10		(10)
Gumeracha Court Resurfacing Project Council Meeting 25 August 2020 CR 168/20 Part 2	220		220	220		0
Gumeracha Court Resurfacing Project Council Meeting 25 August 2020 CR 168/20 Part 3				150		(150)
Gumeracha Court Resurfacing Project Council Meeting 25 August 2020 CR 168/20 Part 4				50		(50)
Heathfield Oval Change Room & Cricket Net Project Project Council Meeting 25 August 2020 CR 169/20 Part 2 (Sport Australia component) Part 2				524	524	0
Heathfield Oval Change Room & Cricket Net Project Project Council Meeting 25 August 2020 CR 169/20 Part 2 (Office of Recreation, Sport & Racing component)				565	565	0
2019-20 Carry Forwards from Council Meeting 25 August 2020 CR 170/20 Part 2		64	(64)			(64)
2019-20 Carry Forwards from Council Meeting 25 August 2020 CR 170/20 Part 3				2,679	367	(2,312)
2020-21 Additional Budget Request from Council Meeting 25 August 2020 CR 170/20 Part 4	30	30	0			0
2020-21 Additional Budget Request from Council Meeting 27 October 2020 CR 227/20		6	(6)			(6)
2020-21 Additional Budget Request from Council Meeting 27 October 2020 CR 229/20		15	(15)			(15)
Sub total Budget Adjustments approved prior to 24 November 2020 Council Meeting	1,031	115	917	7,103	3,931	(2,255)
AHC Current Budget prior to Council Meeting 24 Nov 2020	48,473	47,666	808	21,268	4,873	(6,350)
2020-21 Budget Review 1	1,976	441	1,535	219	50	1,366
AHC Proposed Budget for Council Meeting 24 Nov 2020	50,450	48,107	2,343	21,487	4,923	(4,984)

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.8

Originating Officer: Steven Watson
Governance & Risk Coordinator
Office of the Chief Executive

Subject: Audit Committee - Presiding Member Appointment

For: Decision

SUMMARY

The Audit Committee is created under Section 41 of the *Local Government Act 1999* (the Act) to satisfy the requirements of Section 128 of the Act.

Membership of the Audit Committee under the Committee's Terms of Reference consists of three (3) Independent Members and two (2) elected Council Members. All Members are eligible, should they so permit, to nominate for the position of Presiding Member, although the appointment must be resolved by Council.

The current Presiding Member's term is due to expire 26 November 2020, the purpose of this report is to seek the Council's determination regarding the process for the election of the Presiding Member and to determine the specified term of appointment.

RECOMMENDATION

Council resolves:

MOTION 1

1. That the report be received and noted
2. To determine that the method of selecting the Audit Committee Presiding Member to be by an indicative vote to determine the preferred person utilising the process set out in this Agenda report.
3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for the Audit Committee Presiding Member role and for the meeting to resume once the results of the indicative vote have been declared.

MOTION 2

4. To appoint _____ to the position of Audit Committee Presiding Member for a _____ (12 or 24) month term to commence 27 November 2020 and conclude on 26 November 2021 inclusive (or at the conclusion of the Council Term 2022 or if desired a longer specified period if an Independent Presiding Member is appointed).
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1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective O4 We actively represent our community

Priority O4.3 Attract and develop a diverse and capable elected body that represents, promotes and reflects the composition of the community

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

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

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

➤ Legal Implications

Establishment of Audit Committees

Section 128 - Audit Committee of the Act prescribes that a council must have an audit committee to fulfil the functions set out in that section. Regulation 17(1)(b) of the *Local Government (Financial Management) Regulations 2011* requires that the audit committee must include at least one person who is not a member of the council and who is determined by the council to have financial experience relevant to the functions of an audit committee (i.e. an independent member).

Regulation 17 of the *Local Government (Financial Management) Regulations 2011* provides that the audit committee of a council:

- a) must have between 3 and 5 members (inclusive); and
- b) must include 1 person who is not a member of the council and who is determined by the council to have financial experience relevant to the functions of an audit committee; and
- c) must not include, as a member, the council's auditor under Section 128 of the Act.

Section 41 of the *Local Government Act 1999* (the Act) sets out the processes for the establishment of council committees. These committees may be formed to assist council in the performance of its functions; to enquire into matters; to provide advice to council and to exercise delegated powers functions and duties. The Audit Committee is a s41 Committee.

The Local Government Reform Program Discussion Paper released in 2019 explored the concept of requiring audit committee presiding members to be an independent member. This proposal reflected the practice in some other councils. Notwithstanding this, the current iteration of the *Statutes Amendment (Local Government Reform) Bill 2020* (the Bill) does not prescribe any requirements regarding the presiding member.

Managing Conflicts of Interest

Sections 73 and 74 of the Act set out the provisions regarding Material Conflicts of Interest. As the Presiding Member of a Prescribed Committee earns an additional allowance, this likely constitutes a personal and/or pecuniary benefit under s73.

Therefore a Council Member seeking to be appointed to the Presiding Member role would have a Material Conflict of Interest and would need to consider declaring the interest and leave the Chamber prior to the discussion of the matter under s74(1). However the Council Member may stay in the chamber and participate during an adjournment and informal gathering.

Council's *Informal Council and Council Committee Gatherings and Discussions Policy* created under s90(8a) of the Act sets out the provisions for the conduct of a Designated Informal Gathering.

➤ **Risk Management Implications**

The Council's consideration of the requirements for an Audit Committee 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)	Low (3E)	Low (3E)

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

➤ **Financial and Resource Implications**

An Independent Remuneration Tribunal has jurisdiction under section 76 of the Act to determine the allowances payable to council members. The Tribunal determines the annual allowance for councillors, principal members, deputy mayor, prescribed and non-prescribed committee presiding members and travel time allowances with the applicable determination of this term of council being *Determination 6 of 2018 – Allowances for Members of Local Government Councils*.

A prescribed committee is 'a committee that endures, irrespective of whether the council has assigned any particular work for the committee to perform and assist council or provides advice to the council.'

The Determination sets the annual allowance for a councillor who is a presiding member of one or more prescribed committees is equal to one and a quarter (1.25) times the annual allowance for councillors of that council. There is no allowance payment for councillors who are members of Council Committees.

This amount will be adjusted in accordance with the consumer price index at the next anniversary of the 2018 Local Government election in accordance with statutory requirements.

As a Group 2 Council for the purposes of the Determination, the Prescribed Committees Presiding Member's allowance for a Council Member is as follows:

Council Member Annual Allowance (Nov 20 – Oct 21)	\$18,100
Presiding Member Annual Allowance	\$4,525
 Total Allowance for a Prescribed Committee's Presiding Member	 \$22,625

However, should the Mayor, Deputy Mayor or another Council Member who is in receipt of a Presiding Member's allowance be appointed as the Presiding Member, there is no additional allowance payable.

Further, while the allowances payable to Council Members are set by the Remuneration Tribunal, Council determines the sitting fees payable to Independent Members of Council Committees. At its 23 April 2019 meeting, Independent Member Sitting Fees for the Audit Committee were resolved as follows:

12.2 Review of Council Assessment Panel & S41 Committee Member Sitting Fees

Moved Cr Malcolm Herrmann
S/- Cr Chris Grant

67/19

Council resolves:

- 1. That the report be received and noted**
- 2. That in relation to the Audit Committee:**
 - a. To determine the sitting fees for Members, effective immediately, as follows:**
 - i. Independent Presiding Member - \$550 (excl GST) per attended meeting.**
 - ii. Independent Ordinary Member - \$400 (excl GST) per attended meeting.**
 - iii. Authorised Training -\$75 (excl GST) per hour of training attended excluding travel time but with a travel allowance being paid at the standard Council rate.**
 - b. That in the event that an Independent Ordinary Member is required to preside at a meeting in the absence of the Presiding Member, then that Member receives the \$550 (excl GST) sitting fee for that meeting.**

The Audit Committee has met five (5) times during the period November 2018 to October 2019 and five (5) times during the period November 2019 to October 2020. If the Presiding Member of the Audit Committee was an Independent Member, the additional cost to Council would have been \$750 (2018-19) and \$750 (2019-20) respectively.

Council's current budget has provision for the costs associated with the CEOPRP Presiding Member role.

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

There is a high expectation that Council has appropriate governance and accountability mechanisms in place in relation to its meeting structures and that Council Committee members are competent and understand the role and functions of the committee and their individual obligations with regard to conduct.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Members: Not Applicable

Advisory Groups: Not Applicable

Workshops: Not Applicable

Administration: Chief Executive Officer
Executive Manager Governance & Performance
Executive Assistant Mayor and CEO

External Agencies: Not Applicable

Community: There is no requirement for community consultation in relation to the appointment of Council Members and the Presiding Member to the Audit Committee.

2. BACKGROUND

Audit Committee Membership

The membership of the Audit Committee from 1 December 2020 and the relevant expiry terms (inclusive) are as follows:

- Cr Malcolm Herrmann (term expires at end of council term)
- Cr Leith Mudge (term expires at end of council term)
- Peter Brass (term expires 30 November 2021)
- David Moffatt (term expires 30 November 2021)
- Natalie Johnston (term expires 30 April 2022)

Audit Committee Presiding Member

Prior to the July 2017 Terms of Reference (TOR) review, the Committee had the delegation to appoint a Presiding Member. While not codified in the then TOR, the practice over a number of years had been for the Presiding Member role to be rotated amongst the Independent Members.

Clause 7.1 the current (post July 2017) TOR (**Appendix 1**) provides that the Council will appoint the Presiding Member of the Committee. Council has the flexibility to appoint the Presiding Member for a term of its choice within the bounds of the 3 year term as per clause 5.6.

If the Presiding Member of the Committee is absent from a meeting the Deputy Presiding Member (if such position exists) will preside at that meeting.

Note that the TOR does not preclude either a Council Member or an Independent Member from eligibility for the Presiding Member role.

Council, at its 27 November 2018 meeting, in relation to the Audit Committee Presiding Member role resolved as follows:

12.7.3 Membership Audit Committee – Appointment of Presiding Member

9.52pm Cr Malcolm Herrmann declared a Material Conflict of Interest as he will receive a pecuniary benefit if appointed as Presiding Member and left the Chamber

Moved Cr Mark Osterstock
S/- Cr Linda Green

294/18

Council resolves to appoint Cr Malcolm Herrmann to the position of Audit Committee Presiding Member for a 12 month term to commence 1 December 2018 and conclude on 26 November 2019 (inclusive).

Carried Unanimously

As such, Councillor Herrmann's term as Presiding Member was due to expire on 26 November 2019 and Council, at its 22 October 2019 meeting, in relation to the Presiding Member on the Audit Committee resolved as follows:

12.11.1 Appointment of Audit Committee Presiding Member

Moved Cr Leith Mudge
S/- Cr Mark Osterstock

260/19

That Council resolves to appoint Cr Malcolm Herrmann to the position of Audit Committee Presiding Member for a 12 month term to commence 27 November 2019 and conclude on 26 November 2020 (inclusive).

Carried Unanimously

As such, Councillor Herrmann's term as Presiding Member is due to expire on the 26 November 2020. The Presiding Member's position requires appointment to commence from 27 November 2020.

3. ANALYSIS

Characteristics of a Presiding Member

The Audit Committee TOR does not set out any specific qualifications or experience for the Audit Committee Presiding Member position however Council may wish to consider suitability factors including (but not limited to):

- understanding or the ability to acquire the same of the role and functions of the Audit Committee;
- understanding or the ability to acquire the same in meeting procedure generally and the meeting procedure set out in the *Local Government (Procedures at Meetings) Regulations 2013* and Meeting Procedure provisions set out in the Audit Committee TOR (clause 9);
- expertise in chairing meetings of s41 Committees (if past experience exists), or other boards/committees in other organisations, public and private;
- ability to preside efficiently, firmly, impartially and fairly over Committee meetings;
- ability to manage conflict and differing opinions;
- integrity, good conduct and diligence;
- the opportunity to further strengthen presiding member skills;
- the opportunity to consider diversity in the role;
- current and future time commitments (i.e. there are a number of Council Committees, Regional Subsidiaries and Advisory Groups that will also require Council Member representation); and
- the financial implications of the appointment.

Indicative Voting Process for Determining Council Appointed Positions

Due to the potential implications of the Material Conflict of Interest provisions under s73 (see Legal Implications above) regarding the appointment the Presiding Member (other than any Council Member currently receiving a Presiding Member's allowance from a pecuniary interest perspective), it is proposed that the Council adjourn the meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote (Indicative Voting Process) to determine the preferred person for the role of Committee Presiding Member.

As the Indicative Voting Process involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council Committee, it is a Designated Informal Gathering for the purposes of s90 and the *Informal Council and Council Committee Gatherings and Discussions Policy* (the Policy). As a Designated Informal Gathering, the Chief Executive will conduct the meeting in accordance with the Policy.

The proposed Indicative Vote Process below is based on the Appointments to Positions Process contained in Clause 4.7 Council's *Code of Practice for Code of Practice for Council Meeting Procedures* with modifications to suit the legislative requirements of the conflict of interest and informal gatherings provisions.

The proposed Indicative Voting Process is:

- a) Chief Executive Officer calls for self-nominations for the position of Audit Committee Presiding Member, as appropriate.

Note that in relation to the Presiding Member role, the Independent Members of the Committee are also eligible to self-nominate.

- b) If the number of nominees is equal to or less than the number of positions (i.e. one), no election will be required. If the number of nominees is greater, an election will be necessary.
- c) The CEO (or another Council staff member) will be appointed as the Returning Officer and may enlist other Council staff to assist with the conduct of the vote and the count.
- d) The method of voting will be by secret ballot utilising the preferential counting system
- e) Each Council Member (including the Mayor) shall have one vote.

Note that while the Independent Members are eligible for the Presiding Member role, they will not have voting rights in this process.

- f) Ballot papers will be provided to each Council Member
- g) The nominee's names will be drawn to determine the order on the ballot paper.
- h) Each nominee will have two (2) minutes to speak to the Gathering in support of the candidacy. The speaking order will be as listed on the ballot paper.
- i) Completed ballot papers will be collected by the Returning Officer and the count will be undertaken in a separate room with an observer (another Council staff member) present.
- j) In the event of a tie, the result will be decided by the Returning Officer drawing lots, the candidate first drawn being the candidate excluded.
- k) After all votes have been counted, the Returning Officer shall formally declare the result of the election (i.e. the preferred person).
- l) The ballot papers will be shredded.

Proposed Chronology of Events

The mechanics are relatively complicated due to the legislative provisions regarding conflict of interest and informal gatherings.

The following chronology has been based on guidance from the LGA regarding the election of Council Members to Committee and Presiding Member positions:

- I. Council will consider the process that it will use to choose the preferred person for the Audit Committee Presiding Member role. Council would give effect to this by dealing with Recommendation 2 (or a variant) at this time.
- II. Having decided the method, Council will then have to adjourn the meeting to enable the process to be undertaken. Council would give effect to this by dealing with Recommendation 3 (or a variant) at this time.
- III. Once the Indicative Voting Process has been completed the Council meeting will resume in accordance with the previous resolution.

Upon resumption, the Council Members who nominated for the Presiding Member role would be advised to make declarations in accordance with *s74 – Dealing with material conflicts of interest* and leave the Chamber.

Council can then resolve for the preferred person to be appointed as the Audit Committee Presiding Member for an identified term. Council would give effect to this by dealing with Recommendation 4 (or a variant) at this time.

4. OPTIONS

The Council has the following options:

- I. To resolve to appoint the Presiding Member for a period and to undertake the processes as outlined in the report. This period may be more than one year (***Recommended***).
- II. To determine not to resolve the Presiding Member (***Not Recommended***). Doing so would create the need to determine an acting presiding member at each meeting.

5. APPENDIX

- (1) Audit Committee Terms of Reference

Appendix 1

Audit Committee Terms of Reference

ADELAIDE HILLS COUNCIL

Audit Committee



TERMS OF REFERENCE

1. ESTABLISHMENT

- 1.1 The Audit Committee (the Committee) of Council is established under Section 41 of the *Local Government Act 1999* (the Act), for the purposes of Section 126 of the Act and in compliance with regulation 17 of the *Local Government (Financial Management) Regulations 2011*.
- 1.2 The Audit Committee does not have executive powers or authority to implement actions in areas which management has responsibility and does not have any delegated financial responsibility. The Audit Committee does not have any management functions and is therefore independent from management.

2. ROLE

- 2.1 The overall role of the Audit Committee will be to assist Council to accomplish its objectives by monitoring and providing advice on the adequacy and effectiveness of the systems and processes regarding financial management and reporting, internal control and risk management, internal audit and governance functions through the following functions:

3. SPECIFIC FUNCTIONS

- 3.1 Financial Reporting and Prudential Requirements

The Committee shall:

- 3.1.1 Provide comment on the assumptions underpinning Council's Strategic Management Plans (Strategic Plan, Annual Business Plan and Budget and Long Term Financial Plan), the consistency between plans and the adequacy of Council's plans in the context of maintaining financial sustainability;
- 3.1.2 Review and provide advice to Council on the degree to which the annual financial statements present fairly the state of affairs of the Council;
- 3.1.3 Monitor the integrity of the financial statements of the Council, including its annual report, reviewing significant financial reporting issues and judgements which they contain.;
- 3.1.4 Review and challenge where necessary:
 - 3.1.4.1 The consistency of, and/or any changes to, accounting policies;
 - 3.1.4.2 The methods used to account for significant or unusual transactions where different approaches are possible;
 - 3.1.4.3 Whether the Council has followed appropriate accounting standards and made appropriate estimates and judgements, taking into account the views of the external auditor;

3.1.4.4 The clarity of disclosure in the Council's financial reports and the context in which statements are made; and

3.1.4.5 All material information presented with the financial statements, such as the operating and financial review and the corporate governance statement (insofar as it relates to the audit and risk management);

3.1.5 Review prudential reports prepared under Section 48(1) of the Act and provide advice to Council, upon request, on other prudential matters.

3.2 Internal Controls and Risk Management Systems

The Committee shall:

3.2.1 Ensure that appropriate policies, practices and procedures of internal control (and other financial and risk management systems) are implemented, reviewed and maintained in order to assist the Council to carry out its activities in an efficient and orderly manner to achieve its objectives;

3.2.2 Review Council's risk management framework and monitor the performance of Council's risk management program;

3.2.3 Monitor the corporate risk profile and significant risk exposures for the organisation to ensure that there are appropriate management plans to manage and mitigate this business risk; and

3.2.4 Ensure an appropriate legislative compliance framework exists to identify risks and controls over compliance with applicable legislation and regulations.

3.3 Public Interest Disclosures

The Committee shall:

3.3.1 Review annually the Council's Public Interest Disclosure arrangements and compliance with the requirements of the *Public Interest Disclosure Act 2018*.

3.3.2 Provide recommendations to Council regarding Public Interest Disclosure Policy and resourcing required to comply with legislative requirements

3.3.2.1 2013.

3.4 Internal Audit

The Committee shall:

3.4.1 Monitor and review the effectiveness of the Council's internal audit function in the context of the Council's overall risk management system;

3.4.2 Consider and make recommendation on the program of the internal audit function and the adequacy of its resources and access to information to enable it to perform its function effectively and in accordance with the relevant professional standards.

3.4.3 Review all reports on the Council's operations from the internal auditors;

- 3.4.4 Review and monitor management's responsiveness to the findings and recommendations of the internal auditor; and
- 3.4.5 Where appropriate, meet the "head" of internal audit (internal or outsourced) at least once a year, without management being present, to discuss any issues arising from the internal audits carried out. In addition, the head of internal audit shall be given the right of direct access to the Principal Member of the Council and to the Presiding Member of the committee.

3.5 External audit

The Committee shall:

- 3.5.1 Consider and make recommendations to the Council, in relation to the appointment, re-appointment and removal of the Council's external auditor. The Committee shall oversee the selection process for new auditors and if an auditor resigns the Committee shall investigate the issues leading to this and decide whether any action is required;
- 3.5.2 Oversee Council's relationship with the external auditor including, but not limited to:
 - 3.5.2.1 Recommending the approval of the external auditor's remuneration, whether fees for audit or non-audit services, and recommending whether the level of fees is appropriate to enable an adequate audit to be conducted;
 - 3.5.2.2 Recommending the approval of the external auditor's terms of engagement, including any engagement letter issued at the commencement of each audit and the scope of the audit;
 - 3.5.2.3 Assessing the external auditor's independence and objectivity taking into account relevant professional and regulatory requirements and the extent of Council's relationship with the auditor, including the provision of any non-audit services;
 - 3.5.2.4 Satisfying itself that there are no relationships (such as family, employment, investment, financial or business) between the external auditor and the Council (other than in the ordinary course of business);
 - 3.5.2.5 Monitoring the external auditor's compliance with legislative requirements on the rotation of audit partners; and
 - 3.5.2.6 Assessing the external auditor's qualifications, expertise and resources and the effectiveness of the audit process (which shall include a report from the external auditor on the audit committee's own internal quality procedures);
- 3.5.3 Meet as needed with the external auditor. The Committee shall meet the external auditor at least once a year, without management being present; to discuss the external auditor's report and any issues arising from the audit;
- 3.5.4 Review and make recommendations on the annual audit plan, and in particular its consistency with the scope of the external audit engagement;

3.5.5 Review the findings of the audit with the external auditor. This shall include, but not be limited to, the following;

3.5.5.1 a discussion of any major issues which arose during the external audit;

3.5.5.2 any accounting and audit judgements; and

3.5.5.3 Levels of errors identified during the external audit. The committee shall also review the effectiveness of the external audit.

3.5.6 Review any representation letter(s) requested by the external auditor before they are signed by management;

3.5.7 Review the management letter and management's response to the external auditor's findings and recommendations.

3.6 Economy and Efficiency Audits

The Committee shall:

3.6.1 Propose and review the exercise of powers under Section 130A of the Act; 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,

4. OTHER MATTERS

The Committee shall:

4.1 Have access to reasonable resources in order to carry out its duties, recognising the constraints within Council's Budget;

4.2 Be provided with appropriate and timely training, both in the form of an induction programme for new members and on an ongoing basis for all members;

4.3 Give due consideration to laws and regulations of the Act;

4.4 Make recommendations on co-ordination of the internal and external auditors;

4.5 Oversee any investigation of activities which are within its terms of reference;

4.6 Oversee action to follow up on matters raised by the external and internal auditors;

4.7 Invite Council's external auditors and internal auditors to attend meetings of the Committee, as considered appropriate; and

4.8 At least once in its term, review its own performance and terms of reference to ensure it is operating at maximum effectiveness and recommend changes it considers necessary to the Council for approval.

5. MEMBERSHIP

- 5.1 The Committee will comprise 5 members as follows:
 - 5.1.1 Three (3) Independent Members; and
 - 5.1.2 Two (2) Council Members
- 5.2 All members of the Committee will be appointed by the Council.
- 5.3 Independent Member(s) of the Committee shall have recent and relevant skills and experience in professions such as, but not limited to accounting, financial management, risk management, law, compliance, internal audit and governance.
- 5.4 It is desirable for the Council Members to be appointed to the Committee to have a sound understanding of financial management, risk management and governance.
- 5.5 In considering appointments to the Committee, Council should give consideration to the diversity of the membership.
- 5.6 Appointments to the Committee shall be for a period of up to three (3) years.
- 5.7 Members of the Committee are eligible for reappointment at the expiration of their term of office.
- 5.8 The terms of appointment of the Independent Members should be arranged to ensure the orderly rotation and continuity of membership despite changes to the composition of the Council.

6. SITTING FEES

- 6.1 The applicable Remuneration Tribunal (or its successor) Determination outlines the applicable allowance for Council Members on the Committee.
- 6.2 The Independent Members are to be paid a sitting fee as determined by Council for attendance at meetings and authorised training sessions. Council may determine a higher sitting fee for the presiding member.

7. PRESIDING MEMBER

- 7.1 The Council will appoint the Presiding Member of the Committee.
- 7.2 The Council authorises the Committee to determine if there will be a Deputy Presiding Member of the Committee and, if so, authorises the Committee to make the appointment to that position for a term determined by the Committee.
- 7.3 If the Presiding Member of the Committee is absent from a meeting the Deputy Presiding Member (if such position exists) will preside at that meeting. If there is no position of Deputy Presiding Member, or both the Presiding Member and the Deputy Presiding Member of the Committee are absent from a meeting of the Committee, then a member of the Committee chosen from those present will preside at the meeting until the Presiding Member (or Deputy Presiding Member, if relevant) is present.

7.4 The role of the Presiding Member includes:

- 7.4.1 overseeing and facilitating the conduct of meetings in accordance with Act and the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations); and
- 7.4.2 Ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner.

8. REPORTING RESPONSIBILITIES

8.1 For the purposes of Section 41(8) of the Act, the Committee's reporting and accountability requirements are:

- 8.1.1 The minutes of each Committee meeting will be included in the agenda papers of the next ordinary meeting of the Council;
- 8.1.2 The Presiding Member will attend a meeting of the Council at least once per annum to present a report on the activities of the Committee;
- 8.1.3 The Committee shall make whatever recommendations to the Council it deems appropriate on any area within its terms of reference where in its view action or improvement is needed; and
- 8.1.4 The Presiding Member may attend a Council meeting at any time that the Presiding Member sees fit to discuss any issue or concern relating to the Committee's functions. Depending on the nature of the matter, this may be held in confidence in accordance with Section 90 of the Act and staff may be requested to withdraw from the meeting.

9. MEETING PROCEDURE

- 9.1 Meeting procedure for the Committee is as set out in the Act, Parts 1, 3 and 4 of the Regulations. Insofar as the Act, the Regulations, or these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedure.
- 9.2 In accordance with Section 90(7a), one or more Committee members may participate in the meeting by telephone or other electronic means provided that members of the public can hear the discussion between all Committee members.
- 9.3 Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for decision.
- 9.4 Council Employees may attend any meeting as observers or be responsible for preparing papers for the committee.

10. SECRETARIAL RESOURCES

- 10.1 The Chief Executive Officer shall provide sufficient administrative resources to the Committee to enable it to adequately carry out its functions.

11. FREQUENCY OF MEETINGS

- 11.1 The Committee shall meet at least four times a year at appropriate times and places as determined by the Committee. A special meeting of the Committee may be called in accordance with the Act.
- 11.2 If after considering advice from the CEO or delegate, the Presiding Member of the Committee is authorised to cancel the respective Committee meeting, if it is clear that there is no business to transact for that designated meeting.

12. NOTICE OF MEETINGS

- 12.1 Notice of the meetings of the Committee will be given in accordance with Sections 87 and 88 of the Act. Accordingly, notice will be given:

- 12.1.1 To members of the Committee by email or as otherwise agreed by Committee members at least 3 clear days before the date of the meeting; and

- 12.1.2 To the public as soon as practicable after the time that notice of the meeting is given to members by causing a copy of the notice and agenda to be displayed at the Council's offices and on the Council's website.

12.2 PUBLIC ACCESS TO MEETINGS & DOCUMENTS

- 12.3 Members of the public are able to attend all meetings of the Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of Section 90 of the Act.
- 12.4 Members of the public have access to all documents relating to the Committee unless prohibited by resolution of the Committee under the confidentiality provisions of Section 91 of the Act.

13. MINUTES OF MEETINGS

- 13.1 The Chief Executive Officer shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present and in attendance are minuted and that the minutes otherwise comply with the requirements of the Regulations.
- 13.2 Minutes of Committee meetings shall be circulated within five days after a meeting to all members of the Committee and will (in accordance with legislative requirements) be available to the public.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.9

Originating Officer: Steven Watson
Governance & Risk Coordinator
Office of the Chief Executive

Subject: Chief Executive Officer Performance Review Panel - Presiding Member Appointment

For: Decision

SUMMARY

The Chief Executive Officer Performance Review Panel (the CEO PRP) is created under Section 41 of the *Local Government Act 1999* (the Act).

Membership of the CEO PRP currently consists of one (1) Independent Member, the Mayor, Deputy Mayor and two (2) elected Council Members. All Members are eligible, should they so permit, to nominate for the position of Presiding Member, although the appointment must be resolved by Council.

The Presiding Member term is due to expire 26 November 2020 the purpose of this report is to seek the Council's determination regarding the process for the election of the Presiding Member and to determine the specified term of appointment.

RECOMMENDATION

Council resolves:

MOTION1

1. That the report be received and noted.
2. To determine that the method of selecting the Chief Executive Officer Performance Review Panel Presiding Member to be by an indicative vote to determine the preferred person utilising the process set out in this Agenda report.
3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for the Chief Executive Officer Performance Review Panel Presiding Member role and for the meeting to resume once the results of the indicative vote have been declared.

MOTION 2

4. To appoint _____ to the position of Chief Executive Officer Performance Review Panel Presiding Member for a _____ (12 or 24) month term to commence 27 November 2020 and conclude on 26 November 2021 inclusive (or at the conclusion of the Council Term 2022 or if desired a longer specified period if an Independent Presiding Member is appointed).

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective O4 We actively represent our community

Priority O4.3 Attract and develop a diverse and capable elected body that represents, promotes and reflects the composition of the community

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

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

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

➤ Legal Implications

Requirements for CEO PRPs

Section 41 of the *Local Government Act 1999* (the Act) sets out the processes for the establishment of council committees. These committees may be formed to assist council in the performance of its functions; to enquire into matters; to provide advice to council and to exercise delegated powers functions and duties. The CEOPRP is a s41 Committee.

While Part 1 – Chief Executive Officer and Chapter 7 – Staff of the Act contains provisions for the requirement for a CEO, vacancies in the Office of CEO, appointment procedures and the role of the CEO, there are no provisions for the review of the CEO's performance. As such, the CEOPRP is an entirely discretionary committee.

Notwithstanding this, the current iteration of the *Statutes Amendment (Local Government Reform) Bill 2020* (the Bill) proposes a number of new provisions regarding CEO selection, termination, remuneration and performance review but does not prescribe the requirement to establish a CEO PRP or similar.

Managing Conflicts of Interest

Sections 73 and 74 of the Act set out the provisions regarding Material Conflicts of Interest. As the Presiding Member of a Prescribed Committee earns an additional allowance, this likely constitutes a personal and/or pecuniary benefit under s73.

Therefore a Council Member seeking to be appointed to the Presiding Member role would have a Material Conflict of Interest and would need to consider declaring the interest and leave the Chamber prior to the discussion of the matter under s74(1). However the Council Member may stay in the chamber and participate during an adjournment and informal gathering.

Council's *Informal Council and Council Committee Gatherings and Discussions Policy* created under s90(8a) of the Act sets out the provisions for the conduct of a Designated Informal Gathering.

➤ **Risk Management Implications**

The Council's consideration of the requirement for the CEO PRP 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)	Low (3E)	Low (3E)

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

➤ **Financial and Resource Implications**

An Independent Remuneration Tribunal has jurisdiction under section 76 of the Act to determine the allowances payable to council members. The Tribunal determines the annual allowance for councillors, principal members, deputy mayor, prescribed and non-prescribed committee presiding members and travel time allowances with the applicable determination of this term of council being *Determination 6 of 2018 – Allowances for Members of Local Government Councils*.

A prescribed committee is 'a committee that endures, irrespective of whether the council has assigned any particular work for the committee to perform and assist council or provides advice to the council.'

The Determination sets the annual allowance for a councillor who is a presiding member of one or more prescribed committees is equal to one and a quarter (1.25) times the annual allowance for councillors of that council. There is no allowance payment for councillors who are members of Council Committees.

This amount will be adjusted in accordance with the consumer price index at the next anniversary of the 2018 Local Government election in accordance with statutory requirements.

As a Group 2 Council for the purposes of the Determination, the Prescribed Committees Presiding Member's allowance for a Council Member is as follows:

Council Member Annual Allowance (Nov 20 – Oct 21)	\$18,100
Presiding Member Annual Allowance	\$4,525
 Total Allowance for a Prescribed Committees Presiding Member	 \$22,625

However, should the Mayor, Deputy Mayor or another Council Member who is in receipt of a Presiding Member's allowance be appointed as the Presiding Member, there is no additional allowance payable.

Further, while the allowances payable to Council Members are set by the Remuneration Tribunal, Council determines the sitting fees payable to Independent Members of Council Committees. At its 23 April 2019 meeting, Independent Member Sitting Fees for the CEOPRP were resolved as follows:

- 3. That in relation to the Chief Executive Officer Performance Review Panel:**
 - a. To determine the sitting fees for Members, effective immediately, as follows:**
 - i. Independent Presiding Member - \$550 (excl GST) per attended meeting.**
 - ii. Independent Ordinary Member - \$400 (excl GST) per attended meeting.**
 - iii. Authorised Training - \$75 (excl GST) per hour of training attended excluding travel time but with a travel allowance being paid at the standard Council rate.**
 - b. That in the event that an Independent Ordinary Member is required to preside at a meeting in the absence of the Presiding Member, then that Member receives the \$550 (excl GST) sitting fee for that meeting.**

The CEOPRP has met four (4) times during the period November 2018 to October 2019 and five (5) times during the period November 2019 to October 2020. If the Presiding Member of the CEOPRP was an Independent Member, the additional cost to Council would have been \$600 (2018-19) and \$750 (2019-20) respectively.

Council's current budget has provision for the costs associated with the CEOPRP Presiding Member role.

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

There is a high expectation that Council has appropriate governance and accountability mechanisms in place in relation to its meeting structures and that Council Committee members are competent and understand the role and functions of the committee and their individual obligations with regard to conduct.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Members: Not Applicable

Advisory Groups: Not Applicable

Workshops: Not Applicable

Administration: Chief Executive Officer
Executive Manager Governance & Performance
Executive Assistant Mayor and CEO

External Agencies: Not Applicable

Community: There is no requirement for community consultation in relation to the appointment of Council Members and the Presiding Member to the CEOPRP.

2. BACKGROUND

CEOPRP Membership

The current membership of the CEOPRP from 1 December 2020 and the relevant expiry terms (inclusive) are as follows:

- Mayor Wisdom (ex-officio – no expiry)
- Deputy Mayor Daniell (ex-officio – no expiry)
- Cr Mark Osterstock (term expires at end of council term)
- Cr Chris Grant (term expires at end of council term)
- Janet Miller (terms expires 30 November 2022)

CEOPRP Presiding Member

Clause 7.1 the Panel's Terms of Reference (**Appendix 1**) provides that the Council will appoint the Presiding Member of the Panel. Council has the flexibility to appoint the Presiding Member for a term of its choice within the bounds of the 3 year term as per clause 5.6.

If the Presiding Member of the Panel is absent from a meeting the Deputy Presiding Member (if such position exists) will preside at that meeting.

Note that the TOR does not preclude either a Council Member or an Independent Member from eligibility for the Presiding Member role.

Council, at its 27 November 2018 meeting, in relation to the CEOPRP Presiding Member role resolved as follows:

12.5.3 CEO Performance Review Panel – Appointment of Presiding Member

9.04pm Cr Mark Osterstock declared a Material Conflict of Interest as he will receive a pecuniary benefit if appointed as Presiding Member and left the Chamber

Moved Cr Malcolm Herrmann
S/- Cr Linda Green

286/18

Council resolves to appoint Cr Mark Osterstock to the position of Chief Executive Officer Performance Review Panel Presiding Member for a 12 month term to commence 27 November 2018 and conclude on 26 November 2019 (inclusive).

Carried Unanimously

As such, Councillor Osterstock's term as Presiding Member was due to expire on the 26 November 2019 and Council, at its 22 October 2019 meeting, in relation to the Presiding Member on the CEOPRP resolved as follows:

12.9.2 Appointment of CEO Performance Review Panel Presiding Member

Moved Cr Kirsty Parkin
S/- Cr Pauline Gill

256/19

That Council resolves to appoint Cr Mark Osterstock to the position of Chief Executive Officer Performance Review Panel Presiding Member for a 12 month term to commence 27 November 2019 and conclude on 26 November 2020 (inclusive).

Carried Unanimously

As such, Councillor Osterstock's term as Presiding Member is due to expire on the 26 November 2020. The CEOPRP requires Presiding Member appointment to commence from 27 November 2020.

3. ANALYSIS

CEOPRP Presiding Member

Characteristics of a Presiding Member

The CEOPRP TOR does not set out any specific qualifications or experience for the CEOPRP Presiding Member position however Council may wish to consider general suitability factors including (but not limited to):

- understanding or the ability to acquire the same in meeting procedure generally and the meeting procedure set out in the *Local Government (Procedures at Meetings) Regulations 2013* and Meeting Procedure provisions set out in the CEOPRP TOR (clause 9);

- expertise in chairing meetings of s41 Committees (if past experience exists), or other boards/committees in other organisations, public and private;
- ability to preside efficiently, firmly, impartially and fairly over Committee meetings;
- ability to manage conflict and differing opinions;
- integrity, good conduct and diligence;
- the opportunity to further strengthen presiding member skills;
- the opportunity to consider diversity in the role;
- current and future time commitments (i.e. there are a number of Council Committees, Regional Subsidiaries and Advisory Groups that will also require Council Member representation); and
- the financial implications of the appointment.

Indicative Voting Process for Determining Council Appointed Positions

Due to the potential implications of the Material Conflict of Interest provisions under s73 (see Legal Implications above) regarding the appointment of Panel Members and the Presiding Member (other than the Mayor, Deputy or any Council Member currently receiving a Presiding Member's allowance from a pecuniary interest perspective), it is proposed that the Council adjourn the meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote (Indicative Voting Process) to determine the preferred person for the positions of Panel Member and then again separately for the role of Panel Presiding Member.

As the Indicative Voting Process involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council Committee, it is a Designated Informal Gathering for the purposes of s90 and the *Informal Council and Council Committee Gatherings and Discussions Policy* (the Policy). As a Designated Informal Gathering, the Chief Executive will conduct the meeting in accordance with the Policy.

The proposed Indicative Vote Process below is based on the Appointments to Positions Process contained in Clause 4.7 Council's *Code of Practice for Code of Practice for Council Meeting Procedures* with modifications to suit the legislative requirements of the conflict of interest and informal gatherings provisions.

The proposed Indicative Voting Process is:

- a) Chief Executive Officer calls for self-nominations for the position of CEOPRP Members or the Presiding Member, as appropriate.

Note that in relation to the Presiding Member role, the Independent Member of the Committee is also eligible to self-nominate.

- b) If the number of nominees is equal to or less than the number of positions, no election will be required. If the number of nominees is greater, an election will be necessary.
- c) The CEO (or another Council staff member) will be appointed as the Returning Officer and may enlist other Council staff to assist with the conduct of the vote and the count.
- d) The method of voting will be by secret ballot utilising the preferential counting system
- e) Each Council Member (including the Mayor) shall have one vote.

Note that while the Independent Member is eligible for the Presiding Member role, they will not have voting rights in this process.

- f) Ballot papers will be provided to each Council Member
- g) The nominee's names will be drawn to determine the order on the ballot paper.
- h) Each nominee will have two (2) minutes to speak to the Gathering in support of the candidacy. The speaking order will be as listed on the ballot paper.
- i) Completed ballot papers will be collected by the Returning Officer and the count will be undertaken in a separate room with an observer (another Council staff member) present.
- j) In the event of a tie, the result will be decided by the Returning Officer drawing lots, the candidate first drawn being the candidate excluded.
- k) After all votes have been counted, the Returning Officer shall publicly announce the final votes cast for each candidate and formally declare the result of the election (i.e. the preferred person).
- l) The ballot papers will be shredded.

Proposed Chronology of Events

The mechanics are relatively complicated due to the legislative provisions regarding conflict of interest and informal gatherings.

The following chronology has been based on guidance from the LGA regarding the election of Council Members to Committee and Presiding Member positions:

- I. Council will then consider the process that it will use to choose the preferred person for the CEOPRP Presiding Member role. Council would give effect to this by dealing with Recommendation 2 (or a variant) at this time.
- II. Having decided the method, Council will then have to adjourn the meeting to enable the process to be undertaken. Council would give effect to this by dealing with Recommendation 3 (or a variant) at this time.
- III. Once the Indicative Voting Process has been completed the Council meeting will resume in accordance with the previous resolution.

Upon resumption, any Council Members who nominated for the Presiding Member role would be advised to make declarations in accordance with s74 – Dealing with material conflicts of interest.

Council can then resolve for the preferred person to be appointed as the CEOPRP Presiding Member for an identified term. Council would give effect to this by dealing with Recommendation 4 (or a variant) at this time.

Alternatively, should only one Member be interested in nominating for the position of Presiding Member, a Member may wish to move recommendation 4 without the need for an adjournment and designated informal gathering.

4. OPTIONS

The Council has the following options:

- I. To resolve to appoint the CEOPRP Presiding Member for a period and to undertake the processes as outlined in the report. This period may be more than one year (**Recommended**).
- II. To determine not to resolve the Presiding Member (**Not Recommended**). Doing so would create the need to determine an acting presiding member at each meeting.

5. APPENDIX

- (1) Chief Executive Officer Performance Review Panel Terms of Reference

Appendix 1

*Chief Executive Officer Performance Review Panel
Terms of Reference*

ADELAIDE HILLS COUNCIL

CEO Performance Review Panel



TERMS OF REFERENCE

1. ESTABLISHMENT

- 1.1 The CEO Performance Review Panel (the Panel) of Council is established under Section 41 of the *Local Government Act 1999* (the Act).
- 1.2 The Panel does not have executive powers or authority to implement actions in areas which management has responsibility and does not have any delegated financial responsibility. The Panel does not have any management functions and is therefore independent from management.

2. ROLE

- 2.1 The Council is responsible for the selection, remuneration and management of the Chief Executive Officer (CEO). The overall role of the Panel is to provide advice to Council on matters relating to the performance and development of the CEO.

3. SPECIFIC FUNCTIONS

- 3.1 The function of the Panel is to provide advice to Council on the CEO's performance and development, including the following matters:
 - 3.1.1 Determining the Performance Targets for the forthcoming 12 month performance period;
 - 3.1.2 Monitoring the progress on the CEO's agreed Performance Targets for the current 12 month performance period;
 - 3.1.3 Reviewing the CEO's performance over the preceding 12 month performance period, in particular the performance against the agreed Performance Targets and position description requirements;
 - 3.1.4 Identifying development opportunities for the CEO; and
 - 3.1.5 Reviewing the remuneration and conditions of employment of the CEO.

4. OTHER MATTERS

The Panel shall:

- 4.1 Have access to reasonable resources in order to carry out its duties, recognising the constraints within Council's Budget;
- 4.2 Be provided with appropriate and timely training, both in the form of an induction programme for new members and on an ongoing basis for all members;

- 4.3 Give due consideration to laws and regulations of the Act;
- 4.4 Where the Panel is required to act jointly with or to obtain the concurrence of the CEO in the performance of its functions, the Council expects that both parties will negotiate and consult in good faith to achieve the necessary objectives; and
- 4.5 At least once in its term, review its own performance and terms of reference to ensure it is operating at maximum effectiveness and recommend changes it considers necessary to the Council for approval.

5. MEMBERSHIP

- 5.1 The Panel will comprise five (5) members as follows:
 - 5.1.1 Mayor and Deputy Mayor;
 - 5.1.2 Two (2) Council Members ; and
 - 5.1.3 One (1) Independent Member.
- 5.2 All members of the Panel will be appointed by the Council.
- 5.3 The Independent Member of the Panel shall have recent and relevant skills and experience in fields related to the role and functions of the Panel.
- 5.4 It is desirable for the Council Members to be appointed to the Panel to have a sound understanding of the role and functions of the Panel.
- 5.5 In considering appointments to the Panel, Council should give consideration to the diversity of the membership.
- 5.6 Appointments to the Panel shall be for a period of up to three (3) years.
- 5.7 Members of the Committee are eligible for reappointment at the expiration of their term of office.

6. SITTING FEES

- 6.1 The applicable Remuneration Tribunal (or its successor) Determination outlines the applicable allowance for Council Members on the Panel.
- 6.2 The Independent Member is to be paid a sitting fee as determined by Council for attendance at meetings and authorised training sessions. Council may determine a higher sitting fee for the presiding member.

7. PRESIDING MEMBER

- 7.1 The Council will appoint the Presiding Member of the Panel.
- 7.2 The Council authorises the Panel to determine if there will be a Deputy Presiding Member of the Committee and, if so, authorises the Panel to make the appointment to that position for a term determined by the Panel.
- 7.3 If the Presiding Member of the Panel is absent from a meeting the Deputy Presiding Member (if such position exists) will preside at that meeting. If there is no position of Deputy

Presiding Member, or both the Presiding Member and the Deputy Presiding Member of the Panel are absent from a meeting of the Panel, then a member of the Panel chosen from those present will preside at the meeting until the Presiding Member (or Deputy Presiding Member, if relevant) is present.

7.4 The role of the Presiding Member includes:

7.4.1 overseeing and facilitating the conduct of meetings in accordance with Act and the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations); and

7.4.2 Ensuring all Panel members have an opportunity to participate in discussions in an open and encouraging manner.

8. REPORTING RESPONSIBILITIES

8.1 For the purposes of Section 41(8) of the Act, the Panel's reporting and accountability requirements are:

8.1.1 The minutes of each Panel meeting will be included in the agenda papers of the next ordinary meeting of the Council;

8.1.2 The Presiding Member will attend a meeting of the Council at least once per annum to present a report on the activities of the Panel;

8.1.3 The panel shall make whatever recommendations to the Council it deems appropriate on any area within its terms of reference where in its view action or improvement is needed; and

8.1.4 The Presiding Member may attend a Council meeting at any time that the Presiding Member sees fit to discuss any issue or concern relating to the Panel's functions. Depending on the nature of the matter, this may be held in confidence in accordance with Section 90 of the Act and staff may be requested to withdraw from the meeting.

9. MEETING PROCEDURE

9.1 Meeting procedure for the Panel is as set out in the Act, Parts 1, 3 and 4 of the Regulations. Insofar as the Act, the Regulations, or these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Panel, the Panel may determine its own procedure.

9.2 In accordance with Section 90(7a), one or more panel members may participate in the meeting by telephone or other electronic means provided that members of the public can hear the discussion between all Panel members.

9.3 Only members of the Panel are entitled to vote in Panel meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Panel for decision.

9.4 Council Employees may attend any meeting as observers or be responsible for preparing papers for the Panel.

10. SECRETARIAL RESOURCES

- 10.1 The Chief Executive Officer shall provide sufficient administrative resources to the Panel to enable it to adequately carry out its functions.

11. FREQUENCY OF MEETINGS

- 11.1 The Panel shall meet at appropriate times and places as determined by the Panel. A special meeting of the Committee may be called in accordance with the Act.
- 11.2 If after considering advice from the CEO or delegate, the Presiding Member of the Panel is authorised to cancel the respective Panel meeting, if it is clear that there is no business to transact for that designated meeting.

12. NOTICE OF MEETINGS

- 12.1 Notice of the meetings of the Panel will be given in accordance with Sections 87 and 88 of the Act. Accordingly, notice will be given:

12.1.1 To members of the Panel by email or as otherwise agreed by Panel members at least 3 clear days before the date of the meeting; and

12.1.2 To the public as soon as practicable after the time that notice of the meeting is given to members by causing a copy of the notice and agenda to be displayed at the Council's offices and on the Council's website.

12.2 PUBLIC ACCESS TO MEETINGS & DOCUMENTS

- 12.3 Members of the public are able to attend all meetings of the Panel, unless prohibited by resolution of the Panel under the confidentiality provisions of Section 90 of the Act.
- 12.4 Members of the public have access to all documents relating to the Panel unless prohibited by resolution of the Panel under the confidentiality provisions of Section 91 of the Act.

13. MINUTES OF MEETINGS

- 13.1 The Chief Executive Officer shall ensure that the proceedings and resolutions of all meetings of the Panel, including recording the names of those present and in attendance are minuted and that the minutes otherwise comply with the requirements of the Regulations.
- 13.2 Minutes of Panel meetings shall be circulated within five days after a meeting to all members of the Panel and will (in accordance with legislative requirements) be available to the public.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.10

Responsible Officer: Natalie Westover
Manager Property Services
Corporate Services

Subject: Policy Review – Cemetery Operating Policy

For: Decision

SUMMARY

The purpose of this report is to allow Council to consider a review of the *Cemetery Operating Policy* (the Policy) as foreshadowed in the Policy Review Schedule.

The Policy guides management and staff in the day-to-day operation of the cemeteries under the ownership or care, control and management of the Adelaide Hills Council (the Authority). It is a reference point for members of the public seeking guidance on the decision-making process of the Authority.

The Policy has been reviewed (**Appendix 1**) and is recommended to be adopted with minor changes.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. With an effective date of 8 December 2020, to revoke the 9 May 2017 Cemetery Operating Policy and to adopt the revised Cemetery Operating Policy in Appendix 1.
-

1. GOVERNANCE

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

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

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

Priority O3.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

The Council is committed to open, participative and transparent decision making and administrative processes. We diligently adhere to legislative requirements to ensure public accountability and exceed these requirements where possible.

➤ **Legal Implications**

Burial and Cremations Act 2013 (“Act”), Section 30 (2)(b) states:

Before issuing an interment right to a person, the relevant authority must give the person a written statement in plain English that—

- (a) includes the matters required by subsection (1) to be included in the interment right; and
- (b) sets out the rights and responsibilities of the relevant authority and relatives of a deceased person whose remains may be interred pursuant to the interment right in relation to any memorial (including any unclaimed memorial) to the deceased person; and
- (c) specifies the cost of the interment right and any options for periodic payment.

Maximum penalty: \$2,500.

➤ **Risk Management Implications**

The adoption of the Cemetery Operating Policy will assist in mitigating the risk of:

Poor governance practices occurring which lead to 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)

➤ **Financial and Resource Implications**

The financial and resource implications of adopting the policy are minimal as they largely reflect existing practice and resource allocations.

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

The adoption of the Cemetery Operating Policy provides information and direction to both Council staff and the community in relation to the rules and regulations governing our cemeteries thus limiting the likelihood of confusion and incorrect information.

➤ **Sustainability Implications**

Not Applicable

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Cemetery Advisory Group

Administration: Natalie Westover, Manager Property Services
Gaye Tulloch, Community Liaison Officer (Retirement Villages & Cemeteries)
Peter Kirk, Leading Hand Horticulture
Kylie Caruso, Roads Officer
Terry Crackett, Director Corporate Services
David Water, Director Community Capacity
Marc Salver, Director Development & Regulatory Services
Peter Bice, Director Infrastructure & Operations
Lachlan Miller, Executive Manager Governance & Risk
Steven Watson, Governance & Risk Coordinator

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

The Council owns or has management of 16 cemeteries in its Council area.

The Act requires a cemetery authority, prior to issuing an interment right, to provide a person with a written statement in plain English that sets out the rights and responsibilities of the relevant authority and relatives of the deceased person whose remains may be interred pursuant to the interment right. This statement is commonly known as the Plain English Statement.

The Council, and the majority of funeral directors, use the template Plain English Statement issued by the Cemeteries Association of South Australia Inc. This template makes reference to the cemetery's Operating Policy and therefore, Council is required to have an Operating Policy for its cemeteries.

The Policy guides management and staff in the day-to-day operation of the cemeteries under the ownership or care, control and management of the Adelaide Hills Council (the Authority). It is a reference point for members of the public seeking guidance on the decision-making process of the Authority.

The current policy was drafted after concerns were raised by the Cemetery Advisory Group that Council was not complying with legislative requirements as it did not have a Cemetery Operating Policy in place.

Investigation was undertaken to review policies use by other cemetery authorities resulting in Council's policy being largely based on the template provided by Centennial Park and amended as required to meet the situation of Adelaide Hills Council.

A draft version of the policy was provided to the members of the Cemetery Advisory Group for comment and input, prior to be adopted by the Strategic Planning Development Policy Committee in May 2017.

12.3. Cemetery Operations Policy

Moved Cr Malcolm Herrmann
S/- Cr Ian Bailey

SP14/17

The Strategic Planning and Development Policy Committee resolves:

1. That the report be received and noted.
2. With an effective date of 23 May 2017, to adopt the Cemetery Operating Policy in Appendix 1 with the inclusion of a definition in Section 3 for 'Legitimate Business', as follows:
 - "Legitimate Business" means attendance in a cemetery to undertake an activity relating to the interment of Human Remains, installation of a memorial or plaque, or visiting a grave or memorial site in order to pay respects to a deceased person.
3. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

Carried Unanimously

3. ANALYSIS

The administration has reviewed the Policy and its application within the organisation and has identified a small number of changes as identified in **Appendix 1**.

The Cemetery Advisory Committee considered the policy at its 7 October 2020 meeting. No suggested amendments have been put forward by members of the Cemetery Advisory Group.

From time to time there are amendments to the Act which may impact the Cemetery Operating Policy and it will need to be reviewed and updated as changes to the Act require.

4. OPTIONS

Council has the following options:

- I. To adopt the Policy, with or without amendment (Recommended)
- II. To determine not to adopt the Policy at this time (Not Recommended)


5. APPENDIX

- (1) Draft Cemetery Operating Policy

Appendix 1

Draft Cemetery Operating Policy

COUNCIL POLICY

 Adelaide Hills COUNCIL	CEMETERY OPERATING
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Policy Number:	COM-06
Responsible Department(s):	Property Services
<u>Relevant Delegations:</u>	<u>As per the delegations schedule and as included in this Policy</u>
Other Relevant Policies:	Nil
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Burials and Cremations Act 2013 & Burials and Cremation Regulations 2014</i> <i>Births Death and Marriages Registration Regulations 2013</i> <i>Work Health and Safety Act 2012 & Work Health and Safety Regulations 2012</i> <i>Local Government Act 1999</i>
Policies and Procedures Superseded by this policy on its Adoption:	Nil <u>Cemetery Operating, 09/05/2017, 12.3, SP14/17</u>
Adoption Authority:	Strategic Planning and Development Policy Committee <u>Council</u>
Date of Adoption:	9 May 2017 <u>27 October 2020</u>
Effective From:	23 May 2017 <u>10 November 2020</u>
Minute Reference for Adoption:	Item 12.3, SP14/17
Next Review:	<u>May-October 2020-2023</u> or as required by earlier by legislation or changed circumstances

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CEMETERY OPERATING POLICY

1. INTRODUCTION

The Cemetery Operating Policy ~~is not one single policy but a combination of policies which guides~~ management and staff in the day-to-day operation of the cemeteries under the ownership or care, control and management of the Adelaide Hills Council (the Authority). It is a reference point for members of the public seeking guidance on the decision-making process of the Authority.

2. OBJECTIVES

Adelaide Hills Council aims to efficiently and effectively manage and maintain ~~them cemeteries~~ with dignity and respect to meet the needs of its community.

To ensure that the interment of bodily remains occurs in accordance with *The Burials and Cremation Regulations 2014*, *The Burials and Cremations Act 2013*, *The Births Death and Marriages Registration Regulations 2013*, *Work Health and Safety Act 2012*, *Work Health and Safety Regulations 2012*, and *Local Government Act 1999*.

3. DEFINITIONS

“Act” means the *Burial and Cremation Act 2013*.

“Authorised” means a written authority has been issued by the Council.

“Authority” means the Adelaide Hills Council.

“Bodily Remains” means the whole or any part of a human body (whatever its physical state may be) but does not include the whole or part of a body that has been cremated.

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“Cemetery” means any and all cemeteries owned or under the care and control of the Authority.

“Chief Executive Officer” means the Chief Executive Officer of the Adelaide Hills Council.

“Cremated Remains” means bodily remains that have been cremated.

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“Extended Term” means each extended duration of the Initial Term of an Interment-Burial Right.

“Grantee” means a person who is or persons who are the holder of a Right or any other person entitled to exercise the rights of the Grantee under a Right in accordance with the terms of a Right.

“Human Remains” means the body or part of the body of a deceased person (including a still born child) and includes Cremated Remains.

“Initial Term” means the initial duration of a Right.

“Interment” of Human Remains includes:

- burial in the earth, a vault or mausoleum

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- placement of cremated remains in a columbarium or other structure designed as a repository for human remains
 - burial in the earth of cremated remains (with or without a container)

but does not include the scattering of cremated remains.

“Interment Right” means a Right for the Interment of Human Remains.

“Legitimate Business” means attendance in a cemetery to undertake an activity relating to the interment of Human Remains, installation of a memorial or plaque, or visiting the grave or memorial site in order to pay respects to a deceased person.

“Memorial” means:

- An approved gravestone or other ~~M~~onument; or
- A plaque; or
- Any other approved structure or physical object used to memorialise a deceased person.

“Memorial Right” means a right for the memorialisation in a Cemetery without interment of Human Remains.

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“Monument” means a monument, tombstone, tablet, gravestone, kerbing, railing or other erection to be constructed in a Cemetery, used for the commemorative purposes for a burial sites.

“Regulations” means the *Burial and Cremations Regulations 2014*.

“Right” means a Burial Right or a Memorial Right.

“Term” includes the Initial Term and any Extended Terms.

4. GENERAL OPERATING POLICIES

4.1 Compliance with Operating Policies

4.1.1 A person, including Right holders must comply with the Act, the Regulations and these operating policies where they:

- 4.1.1.1 wish to inter Human Remains in a Cemetery
- 4.1.1.2 wish to re-open an interment site containing Human Remains
- 4.1.1.3 wish to remove Human Remains from a Cemetery, or
- 4.1.1.4 wish to install a Memorial at an interment site

~~Every interment site within a Cemetery must be excavated:~~

4.2 Opening Hours

4.2.1 Cemeteries are open to from 7:00am to sunset 7 days per week, or as the Authority may determine.

4.2.2 No person, except a person authorised by the Authority, may be in a Cemetery at any other time.

4.3 Office Hours of Authority

4.3.1 The office of the Authority is open weekdays except public holidays from 8:30am to 5:00pm.

4.4 Fees

- 4.4.1 The Authority will publish a scale of fees for granting Rights and all other services and may change the scale of fees as it may determine.
- 4.4.2 The scale of fees will be reviewed, at a minimum, on an annual basis. An up-to-date copy of the scale of fees will be made available to any person on request and be available for download from the Authority's website.

4.5 Records of Cemeteries

- 4.5.1 The Authority will maintain records of each Cemetery in the office of the Authority that shows:
 - 4.5.1.1 each site at which human remains are interred, and
 - 4.5.1.2 each site set aside for the interment of human remains, and
 - 4.5.1.3 the number allocated to, or a description of, each site.

4.6 Landscaping

- 4.6.1 No person, except a person authorised by the Authority, may landscape or change the landscaping of any portion of a Cemetery.
- 4.6.2 Any unauthorised landscaping may be removed by the Authority without notice.
- 4.6.3 The Authority is not responsible for any damage or loss caused by unauthorised activity in a Cemetery.
- 4.6.4 All plants and trees in a Cemetery remain the property of the Authority.
- 4.6.5 If the surface of any interment site in the cemetery sinks below the level of the natural surface of the ground, the Authority may cause the site to be filled up to the natural surface level.
- 4.6.6 The Authority may plant and maintain lawn on interment sites.
- 4.6.7 The Authority may alter or transfer any landscaping, memorial or memorial garden bed as it may determine in consultation with any affect Right holders.

4.7 Traffic Regulations

- 4.7.1 A person must, while in charge of a motor vehicle within a Cemetery, comply with any lawful directions of the Authority as to the driving and parking of the vehicle.
- 4.7.2 A speed limit of 5 km per hour applies in all Cemeteries. All other general road rules apply within a Cemetery.
- 4.7.3 A person must not drive a motor vehicle within a Cemetery in a dangerous or careless manner or without reasonable consideration for others.
- 4.7.4 A person may park a motor vehicle within a Cemetery with reasonable consideration for others and in accordance with general road rules unless it is clearly marked to the contrary.

4.8 Public Right of Way

- 4.8.1 A Cemetery is not a public right of way.
- 4.8.2 Entry to a Cemetery is restricted to employees or agents of the Authority and to people having legitimate business or as the Authority may determine.
- 4.8.3 The Authority will ensure that a Cemetery is securely fenced at all times.

4.9 Control of Animals

- 4.9.1 A person must not ride, drive or exercise animals in a Cemetery except with the prior approval of the Authority.
- 4.9.2 All dogs in a Cemetery must be kept under [effective](#) control and [be](#) on a leash. All dog faeces must be removed by the person in control of the dog.

4.10 General Conduct in a Cemetery

- 4.10.1 A person must not cause any nuisance or breach the peace [in a cemetery](#).
- 4.10.2 A person must at all times conduct themselves in a manner that respects the rights and safety of others [visiting a cemetery](#).
- 4.10.3 A person must not without the prior written approval of the Authority:
 - 4.10.3.1 sell or buy anything
 - 4.10.3.2 erect a temporary shelter or canopy
 - 4.10.3.3 carry on a business or advertise the same (with the exception of acknowledgement of the Mason on a Memorial)
 - 4.10.3.4 distribute or display any advertisement
 - 4.10.3.5 organise or take part in a meeting
 - 4.10.3.6 disturb a funeral service
 - 4.10.3.7 discharge a firearm (except at a military funeral)
 - 4.10.3.8 cut, break, deface or write or fix a bill on any fixture or landscaping in the cemetery, or
 - 4.10.3.9 take, injure or interfere with trees, shrubs, flowers, vases, labels, fish, birds, animals or other property.

4.11 Tributes

- 4.11.1 Tributes may be placed only in [plastic or other](#) unbreakable containers or as the Authority may determine. Glass, porcelain, terracotta and ceramic objects which are easily broken are not permitted as they may impact on the safety of visitors and staff.
- 4.11.2 The Authority may remove and dispose of any tribute when it is deemed unsightly, offensive, and breakable or that is [or may be](#) a risk to public safety.
- 4.11.3 Unauthorised planting of vegetation on a burial or memorial site is prohibited and will be removed upon detection.
- 4.11.4 All tributes must be kept within the confines of the burial or memorial location on which they are placed and must not be fixed to surrounding trees, plants or shrubs. Any tribute

that is not kept within the confines of the burial or memorial location may be removed at the absolute discretion of the Authority.

4.11.5 All naked flames, such as candles and incense, are strictly prohibited in Cemeteries due to the risk of fire.

4.11.6 Over time, tributes will wither, weather and deteriorate, affecting their presentation. Families and visitors are encouraged to remove these items before they become unsightly.

5. INTERMENT RIGHTS

5.1 Authority to Grant Interment Rights

5.1.1 The Authority may grant an Interment Right in relation to one or more sites in a Cemetery where:

5.1.1.1 A “Plain English Statement” form recording the burial and memorial sites interment rights and responsibilities is signed by the proposed Interment Right holder

5.1.1.2 An application, in the form contained at Annexure A or in a form —that the Authority may determine having regard to the Regulations is received and approved, and

5.1.1.3 the applicant pays the appropriate fee.

5.1.2 The Authority may at its complete discretion refuse an application for an Interment Right or renewal or limit the number of Interment Rights granted to any one person.

5.1.3 An Interment Right Holder has for the term of the Interment Right:

5.1.3.1 an exclusive right to bury or inter human remains in the site allocated to the maximum number permitted by the Authority

5.1.3.2 the sole right to request and advise the Council as to who may be interred at a site and regarding the placement of Memorials

5.1.3.3 an exclusive use of foundations provided by the Authority (if any) to erect an approved monument

5.1.3.4 the obligation to notify the Authority of any change of mailing address, and

5.1.3.5 use of the ground allocated for the purposes set out in this clause and not for any other purpose.

5.1.4 The minimum initial term of an Interment Right is determined by the Authority from time to time and is the period specified on the Interment Right as one of the following:

5.1.4.1 in perpetuity (for burial plots and rose gardens only), or

5.1.4.2 100 Years, or

5.1.4.3 50 Years, or

5.1.4.4 in accordance with a resolution of the Authority for an individually agreed period for a specific site.

5.1.5 The term of an Interment Right commences from the date of issue.

5.1.6 Unless otherwise specified on the Interment Right, the Initial Term of an Interment Right is in accordance with the below table: issued prior to 1 January 2000 are for an Initial Term of 99 years and Interment Rights issued on or after 1 January 2000 are for an Initial Term of 50 years.

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	<u>Prior to Relevant Date</u>	<u>Relevant Date</u>	<u>Subsequent to Relevant Date</u>
<u>HOUGHTON</u>	<u>99yr</u>	<u>1/1/1957</u>	<u>50yr</u>
<u>BIRDWOOD</u>	<u>99yr</u>	<u>1/6/1996</u>	<u>50yr</u>
<u>CHARLESTON</u>	<u>99yr</u>	<u>1/6/1996</u>	<u>50yr</u>
<u>CUDLEE CREEK</u>	<u>99yr</u>	<u>1/6/1996</u>	<u>50yr</u>
<u>GUMERACHA</u>	<u>99yr</u>	<u>1/6/1996</u>	<u>50yr</u>
<u>KERSBROOK</u>	<u>99yr</u>	<u>1/6/1996</u>	<u>50yr</u>
<u>MT TORRENS</u>	<u>99yr</u>	<u>1/6/1996</u>	<u>50yr</u>
<u>MONTACUTE</u>	<u>99yr</u>	<u>1/6/1996</u>	<u>50yr</u>
<u>MT LOFTY</u>	<u>99yr</u>	<u>1/6/1996</u>	<u>50yr</u>
<u>NORTON SUMMIT</u>	<u>99yr</u>	<u>1/6/1996</u>	<u>50yr</u>
<u>SUMMERTOWN</u>	<u>99yr</u>	<u>1/6/1996</u>	<u>50yr</u>
<u>STIRLING</u>	<u>100yr</u>	<u>1/1/1988</u>	<u>50yr</u>
<u>SCOTT CREEK</u>	<u>100yr</u>	<u>1/1/2000</u>	<u>50yr</u>

5.1.6

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5.1.7 Any notice sent to an Interment Right holder at the last address recorded on the Authority's register of Interment Rights will be considered sufficient and proper notification in relation to any matter pertaining to an Interment Right.

5.2 Interment Rights Issued in Perpetuity

5.2.1 Interment Rights issued for the purpose of the interment of Human Remains (not including created remains) that are issued and extended for a total of 250 years will be deemed to have been issued in perpetuity.

5.2.2 Interment Rights issued for the purpose of the interment of cremated remains or for the memorialisation without human remains that are issued and extended for a total of 150 years will be deemed to have been issued in perpetuity.

5.3 Authority to renew Interment Rights

5.3.1 It is the responsibility of the Interment Right holder, or in the event of their death or legal incapacity their executor or administrator or successor, to renew or extend an Interment Right.

5.3.2 The Authority must renew or extend an Interment Right for an additional period or periods in accordance with the Act and Regulations where:

- 5.3.2.1 an application is received to do so, and
- 5.3.2.2 the appropriate fee is paid.

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- 5.3.3 An extension of the term of an Interment Right shall be for a period no less than 5 years in any one transaction or such time as may be specified in the Regulations.
- 5.3.4 The Authority must, at least 12 months before an Interment Right is due to expire, take reasonable steps to give the Interment Right Holder written notice which informs the Interment Right holder:
- 5.3.4.1 of the Interment Right holder's entitlement to renew or extend the Interment Right and the cost of renewing or extending the Interment Right
 - 5.3.4.2 that if the Interment Right is not renewed or extended and there is a Memorial to the deceased, the Memorial may be reclaimed from the Authority
 - 5.3.4.3 That if the Interment Right is not renewed the Authority is entitled to re-use the Interment Site.
- 5.3.5 However the Authority may renew a lapsed Interment Right from the date of expiry of the relevant term for a further term(s) provided:
- 5.3.5.1 The application is received in writing by the Authority within two (2) years of the Interment Right lapsing, and
 - 5.3.5.2 The appropriate fee is paid by any interested person.

- 5.3.6 If no application is received within the time frame set out in the Act and Regulations to renew or extend the Interment Right, then the Interment Right will expire according to its terms.
- 5.3.7 Where an Interment Right has lapsed but is subsequently renewed in accordance with the Act, Regulations and this policy, the Interment Right will be deemed to have been extended under the same Interment Right with any previous terms of that Interment Right as at the date of lapse, as if the Interment Right has not lapsed.

5.4 Expired Interment Rights

- 5.4.1 Prior to any re-use of an Interment Site the Authority will:
- 5.4.1.1 give notice of its intention to re-use the Interment Site by public advertisement in a newspaper circulating throughout South Australia; and
 - 5.4.1.2 take reasonable steps to give written notice of its intention to re-use the Interment Site to the Interment Right holder or any personal representative of the deceased or one or more relatives of the deceased.
- 5.4.2 If the Interment Right is not renewed or the Interment Right holder, personal representative or a relative of the deceased has informed the Authority that there is no objection on the part of relatives to the re-use of the Interment Site then, in accordance with the Act, Regulations and this policy, the Interment Right is deemed to have expired and the Authority is entitled to re-use the site in accordance with the Act, Regulations and this policy.
- 5.4.3 The Authority will not make a site available for re-use until at least two (2) years have passed since the lapsing of an Interment Right, and the Interment Right has not been renewed during that period, pursuant to the —Act, Regulations and this policy.
- 5.4.4 Where an Interment Site is available for re-use the Authority may grant a new Interment Right for the site to any person upon such terms and conditions as the Authority may determine consistent with the Act and the Regulations and this policy and the former Interment Right Holder acknowledges that upon such event the Authority may do whatever is necessary to prepare the site for the new Interment Right Holder.

5.5 Disposition of Cremated Remains

- 5.5.1 If an Interment Right Holder advises the Authority that an extension or renewal of an Interment Right for a site designated for cremated remains only will not be sought, the Interment Right Holder may instruct the Authority on a preferred method of final disposition of the cremated remains by:
- 5.5.1.1 interment in an unmarked location, or
 - 5.5.1.2 collection for private dispersal.
- 5.5.2 Where no instructions are given by the Interment Right Holder upon termination of an interment right for a site containing cremated remains as to the final disposal of the cremated remains, then such remains will be dealt with in accordance with the Act, Regulations and the Authority's policies and procedures.

5.6 Surrender of Interment Right

- 5.6.1 An Interment Right holder, and only the Interment Right holder, has the right to surrender the Interment Right to the Authority in accordance with the Act and Regulations. On surrender the rights granted under the Interment Right are discharged.
- 5.6.2 Partial refunds are available in accordance with the Act and Regulations for unused sites.
- 5.6.3 Unused sites that are surrendered may be dealt with by the Authority in its absolute discretion.
- 5.6.4 Any Memorial may be reclaimed by the Interment Right holder upon surrender of the Interment Right, or if unclaimed will be disposed of by the Authority in accordance with the Act and the Regulations.

5.7 Transfer of Interment Rights

- 5.7.1 The Authority may permit a transfer of an Interment Right in the form contained in Annexure B or in a form that the Authority may determine having regard to the Act and Regulations.
- 5.7.2 An application to transfer an Interment Right must be executed by or on behalf of the Interment Right holder and the transferee and be accompanied by the relevant fee and evidence to the Authority that it may require to show that the Interment Right holder can effect the transfer.
- 5.7.3 The Authority may decline to register a transfer without giving reasons.
- 5.7.4 Where the Authority approves a transfer, the name of the transferee must be entered into the register of Interment Rights as the owner of the Interment Right.
- 5.7.5 The transfer will not take effect until it is recorded by the Authority in its register of Interment Rights. A transferor remains the holder of the Interment Right until the transfer is registered and the name of the transferee is entered in the Register of Interment Rights.

5.8 Register of Interment Rights

- 5.8.1 The Authority must keep a register of Interment Rights in accordance with the Act and Regulations that contains the following information:
 - 5.8.1.1 the number of the Interment Right
 - 5.8.1.2 the locality and number of the interment site over which the Interment Right is issued
 - 5.8.1.3 whether the Interment Right is for the interment of human remains (bodily or cremated remains) or memorialisation without human remains
 - 5.8.1.4 the full name, address and date of birth of the Interment Right holder
 - 5.8.1.5 the name of any person or persons identified on the Interment Right whose remains may be interred pursuant to the Interment Right
 - 5.8.1.6 the date that the Interment Right was granted or transferred to the Interment Right holder
 - 5.8.1.7 the date of each renewal and the expiry of each renewal term of the Interment Right

- 5.8.1.8 the name of each deceased interred at the site including the date of each interment and the depth at which the interment took place, and
- 5.8.1.9 the date of erection, subsequent inscriptions and description of any Memorial that has been erected at the interment site in accordance with the Act and the Regulations and these operating policies.

5.9 Instructions from Interment Right Holders

- 5.9.1 The Authority may choose not to comply with a request or direction by an Interment Right holder where an Interment Right issued for multiple interments is not presented for a second or subsequent interment.

5.10 Interment Rights issued in two (2) or more names

- 5.10.1 Where an Interment Right is currently registered in the names of two (2) or more persons, it will be delivered to the person first named in the register of Interment Rights.
- 5.10.2 All Interment Right holders have the responsibility to keep the Authority informed of their current contact details. Failure to do so will result in the Authority, after reasonable notice, accepting instructions from the other Interment Right holder (if any) without their input.
- 5.10.3 Notice will be deemed given if the Interment Right holder is sent a letter, facsimile or email to the person's last known contact details. Failure by the Interment Right holder to respond within 90 days will constitute abandonment of his or her right to give instructions and the Authority may act in accordance with the instructions of the other Interment Right Holders (if any) who are contactable.
- 5.10.4 With effective date of the signing of this Operating Policy all new Interment Rights will be issued to one person only.

5.11 Claimants to Interment Rights

- 5.11.1 As the devolution of Interment Rights is governed by legislation, the Authority will not recognise or register an expressed, implied or constructive notice of authority.
- 5.11.2 Where there is one or more joint Interment Right holders, and one of the Interment Right holders dies, the Authority will recognise the surviving Interment Right holder or holders as the only person or persons having title to an Interment Right.
- 5.11.3 The Authority will recognise the claim of an executor or administrator of a deceased Interment Right holder as having title to an Interment Right registered in the name of a deceased person.
- 5.11.4 Where a sole Interment Right holder remains in respect of an Interment Right, the rights granted to the Interment Right holder may be exercised upon the death or legal incapacity of the Interment Right holder by any one of the following people in descending order of entitlement:
 - 5.11.4.1 in the case of the legal incapacity of the Interment Right holder, by a person acting under the authority of an enduring power of attorney granted by the Interment Right holder or by a duly appointed manager or guardian of the Interment Right holder.

- 5.11.4.2 in the case of the death of the Interment Right holder by:
- 5.11.4.2.1 the executor of the estate of the deceased person, or
 - 5.11.4.2.2 if there is more than one executor, one of the executors acting with the permission of all the other executors, or
 - 5.11.4.2.3 the administrator of the estate of the deceased person, or
 - 5.11.4.2.4 by the spouse or domestic partner of the Interment Right holder, or
 - 5.11.4.2.5 if there is no living spouse or domestic partner — by the eldest living relative of the Interment Right holder in the following descending order of priority:
 - a child
 - a grandchild or great-grandchild
 - a brother or sister
 - a parent
 - a grandparent
 - an aunt or uncle
 - a nephew or niece
 - a cousin
 - any other blood relative.

- 5.11.5 For the purposes of this clause "domestic partner" has the same meaning ascribed to it under the Family Relationships Act 1975 (SA).
- 5.11.6 The substituted right envisaged in this clause may be devolved to one person in succession in the event of the subsequent death or legal incapacity of such person.
- 5.11.7 A person claiming ownership of an Interment Right must, if necessary, prove their ownership to the Authority.

6. BURIALS

6.1 Burial Hours

6.1.1 Burial hours are.

- 6.1.1.1 between 9:00 am and 5:00 pm Monday to Friday
- 6.1.1.2 by arrangement with the Authority on Saturdays, Sundays and Public Holidays except Good Friday and Christmas Day, or
- 6.1.1.3 as the Authority may determine.

6.2 Authorisation of Burials

6.2.1 No Burial will take place in a Cemetery unless:

- 6.2.1.1 a written application for the burial in the form contained at Annexure A, or in a form that the Authority may determine having regard to the Act and Regulations, is lodged at the offices of the Authority, and
- 6.2.1.2 an Interment Right or duplicate Interment Right is produced to the Authority upon request, and
- 6.2.1.3 the Authority receives reasonable notice of a request for the burial; and
- 6.2.1.4 all relevant fees are paid to the Authority, and

6.2.1.5 identifying information on all of the following has been checked and found to correspond:

- the partial certificate of cause of death or disposal authorisation, as the case may be
- the certificate of identification
- the name plate affixed to the coffin or placed on top of the bodily remains, as the case may be.

6.2.2 No Bodily Remains will be interred in an interment site if the remaining term of an Interment Right is less than ten years.

6.2.3 Unless otherwise stipulated on the Interment Right, a maximum of three (3) burials and ten (10) cremated remains may be interred on any one burial site.

6.3 Grave Digging

6.3.1 Every interment site within a Cemetery must be excavated:

6.3.1.1 by an employee of the Authority, or

6.3.1.2 a contractor engaged by the Authority to do so on its behalf, or

6.3.1.3 a contractor engaged by a funeral director and approved by the Authority

6.3.4 Depths of Coffins

6.3.4.1 Coffins must be interred at least:

6.3.4.1.1 at the minimum depth required by the Act and Regulations; or

6.3.4.1.2 a minimum depth greater than the Act and Regulations as the Authority may determine.

6.3.4.2 The Authority may determine the maximum depth of a grave in which Bodily Remains may be interred in a Cemetery.

6.4.5 Opening of interment sites, exhumation and re-interment

6.4.5.1 At all times the Authority will comply with Part 2, Division 3 of the Act and the Regulations when dealing with the opening of interment sites, exhumation, and re-interment of Human Remains.

6.4.5.2 All excavation to re-open, exhume or re-inter must be undertaken by the Authority or by their approved representative.

6.4.5.3 An Interment Right holder can arrange with the Authority for extra space to be made in an interment site though a lift and deepen procedure in accordance with the Act and Regulations where:

6.4.5.3.1 there have been previous interments in a grave, and

6.4.5.3.2 earlier interments were at an insufficient depth for further burials, and

6.4.5.3.3 at least six years have elapsed since the most recent burial.

6.4.5.4 The interment site must be covered as soon as practicable on the same day as the interment.

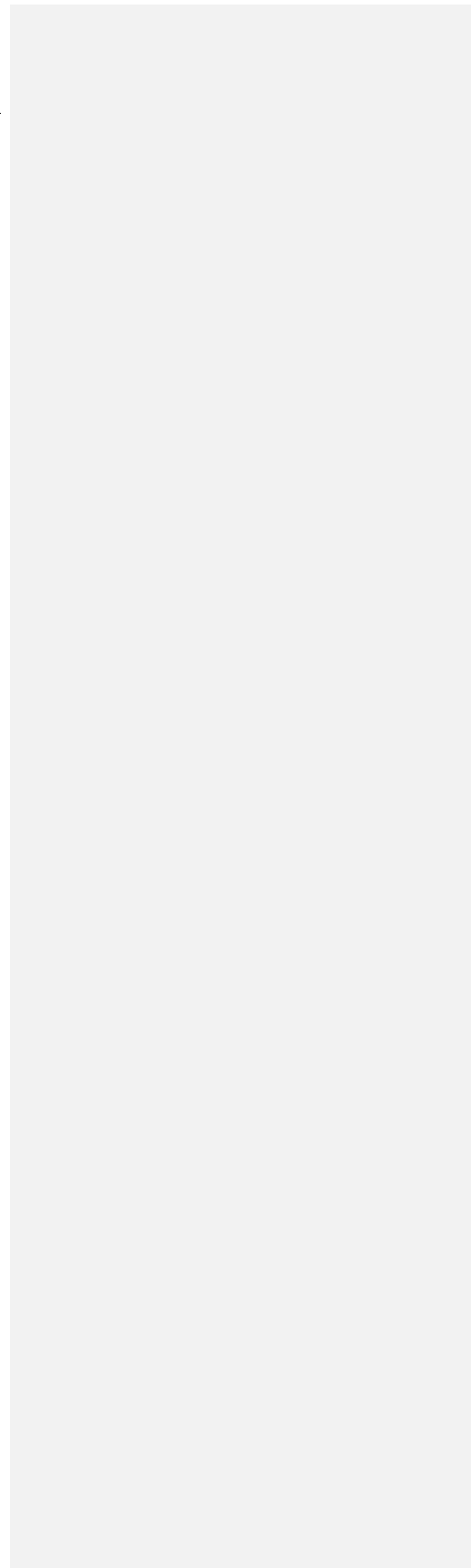
6.4.5.5 No human remains may be removed from a burial or memorial site except in accordance With the Act and Regulations and with the prior approval of the Authority.

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7. MEMORIALS

7.1 Application for a Memorial Right or Memorial

7.1.1 The Interment Right holder, or any person duly authorised in writing by the Interment Right holder, may request a Memorial Right or Memorial approval by submitting an application to the Authority.

~~7.1.1~~

7.1.2 A Memorial shall not be installed on any site unless the relevant Interment Right for the site has been paid in full.

7.2 Design of Memorial Requires Authority approval

7.2.1 The Authority must approve the design, workmanship and proposed inscription of all Memorials before any work is carried out.

7.2.2 All bronze plaques for interment sites for cremated remains shall be supplied by and installed by the Authority at the Interment Right holder's cost.

7.2.3 The plans and specifications for a Memorial for a burial interment site must be submitted to the Authority and comply with the specifications that the Authority may specify (if any).

7.2.4 The Authority may refuse any design for a Memorial as it may determine.

7.2.5 A permit must be obtained from the Authority for all Memorials for a burial interment site and inscriptions on a Memorial before any work is carried out by submitting an application to the Authority in the form and manner required by the Authority, and payment of a permit fee paid in the amount set by the Authority from time to time.

7.2.6 The Authority may permit ornamental fixtures and fittings provided they are of non-ferrous durable material. The Authority accepts no responsibility for any ornamental fixtures or fittings.

7.2.7 Unless otherwise approved by the Authority, the name affixed on the Memorial must accord with the name shown on valid proof of the deceased's identity produced to the satisfaction of the Authority.

7.3 Monumental Masons, Stonemason or Approved Person

7.3.1 All Memorials for a burial interment site must be constructed, altered and installed by a Monumental Mason, Stonemason or other person who is authorised by the Authority to undertake such work ("Mason").

7.3.2 All Memorials for a burial position must be constructed and installed by a Mason in accordance with applicable Australian Standards.

7.3.3 A Mason must provide proof annually that they have current public liability insurance.

7.3.4 Masons must repair all damage done within a Cemetery to the satisfaction of the Authority.

7.3.5 Masons working within a Cemetery must comply with all Workplace Health and Safety [Requirements of the Authority and any other legislative requirements.](#)

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7.4 Duty to Maintain Memorials

- 7.4.1 In accordance with Part 3, Division 4 of the Act a Memorial is the personal property of the person who holds the Interment Right in respect to the interment site where the memorial is situated and that person is responsible for the maintenance of the memorial at the site.
- 7.4.2 No monument, plaque or memorial shall be removed by any person without the consent in writing of the Authority.
- 7.4.3 Any restoration work on a memorial must be done by a Mason to the relevant Australian Standards.
- 7.4.4 Any Memorial deemed unsightly or unsafe, must be repaired or replaced by the Interment Right holder within 8 weeks of notification by the Authority.
- 7.4.4.1 All notified Memorials not claimed for repair or replacement by the Interment Right holder within 3 months of notification may be removed by the Authority.
- 7.4.4.2 A removed Memorial will be held for a period of six (6) months after notification prior to disposal.
- 7.4.5 The Authority does not accept any responsibility for damage to Memorials through acts of vandalism, ageing or deterioration. Repair of damaged Memorials is the responsibility of the Interment Right holder.

7.5 Temporary Burial Interment Site Markers

- 7.5.1 Temporary burial interment site markers, including wooden crosses, may only be used for a maximum period of six (6) months following which they must be removed and replaced with a Memorial in terms of these policies or the burial site left unmarked.
- 7.5.2 Temporary burial interment site markers, including wooden crosses, removed by the Authority after twelve months have elapsed will be destroyed.

7.6 Removal of Memorials

- 7.6.1 Subject to the Act and Regulations, if an Interment Right expires and is not renewed, the Authority may, subject to complying with the relevant timeframes set out in the Act, remove any Memorial to a deceased person erected on or at the site under which the interment right was issued and dispose of it as it sees fit.
- 7.6.2 In accordance with the Act, Regulations and this policy an Interment Right holder may reclaim a Memorial at any time before disposal. The removal of a Memorial installed by a Mason must be undertaken by a Mason with the relevant approval and at the expense of the Interment Right Holder.
- 7.6.3 The Authority must consent in writing to the removal of a Memorial before any work is done.
- 7.6.4 The Authority may remove or alter any Memorial or erase any inscription that breaches these operating policies and recover, as a debt, the expense of removal or alterations of a Memorial from the Interment Right holder.

7.6.5 Where an Interment Right holder fails to remove a Memorial within two years of an Interment Right lapsing and the procedure outlined in the Act and Regulations has been followed, the Memorial becomes the property of the Authority and may be removed and disposed of in accordance with the Act and Regulations.

7.6.6 An Interment Right holder may reclaim a Memorial at any time before disposal.

7.7 Memorial Register

7.7.1 The Authority will keep a register of each Memorial erected in a Cemetery that contains the following information:

- 7.7.1.1 the size of the Memorial.
- 7.7.1.2 the type of Memorial
- 7.7.1.3 the name or names inscribed on the Memorial
- 7.7.1.4 any epitaphs and other inscriptions on the Memorial, and
- 7.7.1.5 the location of the Memorial in a Cemetery.

8. Privacy

The Authority will abide by the freedom of information legislation and the spirit of privacy legislation in addition to the requirements of the Burial and Cremation Act and Regulations to protect the details of all living persons.

8.1 Registers

8.1.1 The registers kept by the Authority under the Act must be made available for inspection by members of the public during ordinary office hours and on payment of any fee fixed by the Authority, however the following information is specifically excluded by the Regulations from being made available in the registers:

- 7.7.1.6 the full name and address of the holder of an Interment Right; and
- 7.7.1.7 the address of the last place of residence of the deceased person before his or her death.

9. DELEGATION

9.1 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.

~~8.~~ DELEGATION

~~9,10.~~ AVAILABILITY OF THE POLICY

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

10.11. APPENDICES

- Appendix 1: Interment Application and Authority
- Appendix 2: Application for Transfer of Interment Right

Appendix 1

Interment Application and Authority

Interment Application and Authority



This form must be completed by the interment right holder or a person authorised to exercise the interment right in accordance with Section 35 of the Burial and Cremation Act 2013 (see overleaf). No preparatory activities will occur until all details required on this form have been received.

DECEASED DETAILS - please enter all details and indicate as applicable (tick)

Title: ☐ Dr ☐ Mr ☐ Ms ☐ Mrs ☐ Miss Gender: ☐ M ☐ F
First Name/s: _____ Last Name: _____
Date of Birth: _____ Date of Death: _____ Age: _____
Last Known Address: _____
Suburb: _____ State: _____ Postcode: _____

INTERMENT LOCATION - please select ONE ONLY

- ☐ **A Adelaide Hills Council to allocate new location (new interment right required) in Cemetery:**
(Plain English Statement completed and provided by Funeral Director) _____
- ☐ **B Family to select new location (new interment right required)**
Family to contact Adelaide Hills Council to arrange _____
- ☐ **C Existing location at _____ Cemetery**
(existing interment right – minimum 10 years required)
Name of right holder/s: _____ Right Number: _____
Location Details: _____ Expiry Date: _____
Current address: _____
Suburb: _____ State: _____ Postcode: _____ Date of Birth: _____
Existing interments at Site ☐ Yes ☐ No Transfer of right required ☐ Yes ☐ No
Extension of right required ☐ Yes ☐ No Number of years right to be extended _____

INSTRUCTION FOR INTERMENT - please enter ALL details and indicate as applicable (tick)

Interment Depth ☐ 1 ☐ 2 ☐ 3 Lift and Deepen Required ☐ Yes ☐ No
Coffin Size (in millimetres) Length _____ Width _____ Coffin Type ☐ Coffin ☐ Casket
Number of Previous Interments and Depths _____

Name of Funeral Company: _____
Arranger Name (please print) _____ Arranger Signature: _____

AUTHORISED PERSON DETAILS - please enter ALL details and indicate as applicable (tick)

Title: ☐ Dr ☐ Mr ☐ Ms ☐ Mrs ☐ Miss Gender: ☐ M ☐ F Date of Birth: _____
First Name/s: _____ Last Name: _____
Address: _____
Suburb: _____ State: _____ Postcode: _____
Tel (W): () _____ Tel (H): () _____ Mobile: _____
Relationship to Deceased: _____ Email: _____

I acknowledge that I have read and understand my rights and responsibilities and declare that I am the interment right holder or a person authorised to exercise the interment right in accordance with the conditions listed overleaf.

Authorised Person's Signature: _____ Date: _____

Your rights and responsibilities:

New interment right

- If a new interment right is being requested in order to facilitate this burial, the Authorised Person will become the interment right holder and must be supplied with a Plain English Statement by the Funeral Director.
- In signing this Burial Authority, the Authorised Person acknowledges receipt of a Plain English Statement by the Funeral Director if a new interment right is required.
- An interment rights will only be granted to one interment right holder (ie, no interment right will be issued to more than one person)

Authority to exercise the interment right

- Only the interment right holder may exercise an interment right, provided that if the interment right holder is deceased the interment right may be exercised by the personal representative of the deceased interment right holder (by definition the Executor or Administrator of the Deceased Estate) in accordance with section 35 of the Burial and Cremation Act 2013.
- If there is no personal representative the interment right may be exercised in accordance with regulation 32 of the Burial and Cremation Regulations 2014 as follows:
 - by the spouse of domestic partner of the deceased interment right holder; or
 - if there is no surviving spouse or domestic partner – by the eldest living relative of the deceased interment right holder in the following descending order of priority:
 - a child;
 - a grandchild or great-grandchild;
 - a brother or sister;
 - a parent;
 - a grandparent;
 - an aunt or uncle;
 - a nephew or niece;
 - a cousin;
 - any other blood relative.

Appendix 2

Application for Transfer of Interment Right

Transfer of Interment Right Declaration



Cemetery / Site Location _____

Type of Interment Site & No: _____

Current Interment Right Holder Name: _____

Please select and complete all details for either A (current interment right holder/s) or B (authorised Person) below and sign in front of a JP on page 2.

☐ A. I, the current registered interment right holder, do solemnly and sincerely declare that:

I, (full name) _____ (date of birth) _____

of (address) _____

(telephone) _____ (mobile) _____ (email) _____

(And) I, (full name) _____ (date of birth) _____

of (address) _____

(telephone) _____ (mobile) _____ (email) _____

do hereby authorise the transfer of my rights, title and interest in this interment right.

OR

☐ B. I, the authorised person, do solemnly and sincerely declare that:

I, (full name) _____ (date of birth) _____

of (address) _____

(telephone) _____ (mobile) _____ (email) _____

☐ Being a person having the right to exercise a Power of Attorney for the interment right holder.
(Please attach a copy of the Power of Attorney)

☐ Being a person entitled to exercise the rights granted to the interment right holder upon the interment right holder's death, and being the **highest ranking person** in the following **descending order** of entitlement (**select one only**) in relation to the deceased interment right holder:

☐ 1. *Executor/s or Administrator of estate*

☐ 7. *The eldest living grandparent*

☐ 2. *The spouse or domestic partner*

☐ 8. *The eldest living aunt or uncle*

☐ 3. *The eldest living child*

☐ 9. *The eldest living nephew or niece*

☐ 4. *The eldest living grandchild or great-grandchild*

☐ 10. *The eldest living cousin*

☐ 5. *The eldest living brother or sister*

☐ 11. *The eldest living blood relative*

☐ 6. *The eldest living parent*

and having providing proof of my identity (The Authority has the right to determine the criteria to determine the relationship and entitlement of any person claiming a substituted right as above)

do hereby request the interment right be transferred to the new interment right holder as detailed on Page 2.

I, the CURRENT INTERMENT RIGHT HOLDER/S or AUTHORISED PERSON, understand that the said interment right (Interment Right Number:) is unencumbered and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1936.

Signed: _____ (interment right holder or authorised person)

Signed: _____ (interment right holder 2)

This section must be signed in front of a Justice of the Peace or Commissioner of Affidavits.


Declared and subscribed at

this _____ day of _____ year _____

Before me _____ (Full Name)

A Justice of the Peace or Commissioner for Affidavits _____ (Signed JP/Commissioner)

NEW INTERMENT RIGHT HOLDER (1 ONLY – PLEASE INSERT FULL DETAILS)

 Title _____ Full Name _____
of _____

Postcode _____ Date of Birth _____
Phone _____ Mobile _____ Email _____

hereby accept the transfer of the above interment right to my name.

NEW INTERMENT RIGHT HOLDER to sign – not in front of JP

 I _____ (Full Name of new interment right holder)
Signed _____ Date _____

Please return the fully completed Original form (no copies) to:
Adelaide Hills Council, PO Box 44, Woodside SA 5244 Ph 8408 0400.
Plus copies of Birth Certificates showing relative relationships.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.11

Responsible Officer: Mike Carey
Manager Financial Services
Corporate Services

Subject: Policy Review – Debt Recovery Policy

For: Decision

SUMMARY

The purpose of this report is to allow Council to consider a review of the *Debt Recovery Policy* (the Policy) as foreshadowed in the Policy Review Schedule.

The objectives of this policy are:

- to provide guidance for Council to recover unpaid rates and sundry debtors.
- to ensure the fair, equitable and consistent collection of rates and sundry debtors in an effective and timely manner while recognising the need to identify and consider individual cases of genuine hardship

The Policy has been reviewed (**Appendix 1**) and there are no significant changes proposed to Council's current debt recovery and hardship position as articulated in Council's 2020-21 *Rating Policy*. However, the updated draft policy does reflect a number of changes from the 2017 *Debt Recovery Policy* given that Council's policy position has evolved over that period.

The policy was considered by the Audit Committee on 16 November 2020.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. With an effective date of 8 December 2020, to revoke the 28 November 2017 *Debt Recovery Policy* and to adopt the revised *Debt Recovery Policy* in Appendix 1.
 3. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the *Debt Recovery Policy* prior to the effective date.
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective O2 Our customers find it easier to interact and do business with Council and have an improved customer experience

Priority O2.4 Continuously strive to measure and improve performance and service delivery across all functions

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

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

➤ Legal Implications

Section 125 *Local Government Act 1999* (the Act) requires councils to ensure that appropriate policies, practices and procedures of internal controls 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 Council's assets, and to secure (as far as possible) the accuracy and reliability of Council records.

➤ Risk Management Implications

The adoption and implementation of the *Debt Recovery Policy* will assist in mitigating the risk of:

The absence of formal policies and procedures may lead to inconsistent or inappropriate practices resulting in errors. Formal and effective controls are particularly important where high volumes of transactions or where the total dollar value is significant.

Inherent Risk	Residual Risk	Target Risk
High (3B)	Medium (3C)	Medium (3D)

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

➤ Financial and Resource Implications

There are no financial or resource implications associated with the implementation of this Policy.

➤ Customer Service and Community/Cultural Implications

There is a high expectation that Council has appropriate corporate governance processes in place including an effective suite of policies.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: The Policy was considered by the Audit Committee on 16 November 2020

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Executive Leadership Team
Strategic Leadership Team
Manager Property Services
Manager Strategic Assets
CWMS Technical Officer
Finance Officer – Accounts Receivable & Treasury
Governance & Risk Coordinator
Senior Rates Officer
Team Leader Environmental Health

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

Council has developed a range of policies over a number of years that are periodically reviewed to ensure they remain compliant and contemporary.

This report seeks a review of the *Debtor Recovery Policy* that was last adopted by Council in November 2017.

3. ANALYSIS

In reviewing the Policy consideration has been given to Council's 2020-21 *Rating Policy*, the *LGA Guidelines - Rates Hardship Policy* released in May 2020 and other SA Council's Hardship and Debt Recovery Policies that have been adopted in recent years.

This review has identified that there are no significant changes proposed to Council's current debt recovery and hardship position as articulated in Council's 2020-21 *Rating Policy*. However, the updated draft policy does reflect a number of changes from the 2017 *Debt Recovery Policy* given that Council's policy position has evolved over that period.

The proposed changes that have been highlighted using track changes in **Appendix 1**.

Council's customary practice is to include financial related policy reviews as an agenda item at Audit Committee meetings. The Audit Committee considered the Policy at its meeting on 16 November 2020, and resolved as follows:

6.11. Policy Review – Debt Recovery Policy

Moved Cr Malcolm Herrmann
S/- Paula Davies

66/AC20

- 1. That the report be received and noted**
- 2. To recommend to Council with minor suggested edits the adoption of the Debt Recovery Policy as detailed at Appendix 1.**

Carried Unanimously

4. OPTIONS

Council has the following options:

- I. To adopt the Policy, with or without amendment (Recommended)
- II. To determine not to adopt the Policy at this time (Not Recommended)

5. APPENDIX

- (1) Debt Recovery Policy

Appendix 1

Debt Recovery Policy

COUNCIL POLICY

	DEBT RECOVERY
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Policy Number:	FIN-04
Responsible Department(s):	Corporate <u>Financial</u> Services
Relevant Delegations:	<u>As per the delegations schedule and as included in this Policy</u> Nil
Other Relevant Policies:	<u>Community Loans Policy</u> Internal Review of Council Decisions <u>Rating Policy</u>
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Local Government Act 1999</i> <i>Water Industry Act 2012</i>
Policies and Procedures Superseded by this policy on its Adoption:	Debt Recovery, 15/12/15 Item 14.2, 209 <u>Debt Recovery, 28/11/17, Item 12.13, 287/17</u>
Adoption Authority:	Council
Date of Adoption:	<u>To be updated administratively</u>
Effective From:	<u>To be updated administratively</u>
Minute Reference for Adoption:	<u>To be updated administratively</u>
Next Review:	No later than November <u>2020-2023</u> or as required by legislation or changed circumstances

Version Control

[illegible]

DEBT RECOVERY POLICY

1. INTRODUCTION

- 1.1 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.
- 1.2 This policy will assist to ensure a strategic, equitable, accountable, consistent and transparent approach to Council's debt management, collection decisions and practices but also retain the flexibility to respond to the unique circumstances of individual customers.

2. OBJECTIVES

- 2.1 Council depends on incomes from rates and other debtors to fund services and facilities for the community. This policy provides the practice for Council to recover unpaid rates and other debtors.
- 2.2 Council undertakes recovery action for overdue rates and other debtors to ensure the fair, equitable and consistent collection of rates and other debtors in an effective and timely manner. Council will attempt to recover all costs, interest and expenses incurred by Council while recognising the need to identify and consider individual cases of genuine hardship.

3. DEFINITIONS

- 3.1 **"Council"** is the Adelaide Hills Council.
- 3.2 **"Council Debtor"** includes both rate debtors (including CWMS) and all other debtor types
- ~~3.23.3~~ **"Debt"** is the amount (of money) owed to Council.
- 3.4 **"Financial Counsellor"** - Means accredited financial counsellor.
- 3.5 **"Financial Hardship"** - Means a circumstance of experiencing a lack of financial means, which may be either ongoing or temporary, but does not include circumstances where a person chooses not to meet a liability for an unpaid debt.
- 3.6 **"Hardship Customer"** - Means a customer who has been identified under, accepted into, or is eligible for assistance under Council's hardship program.
- 3.7 **"Payment Arrangement for Hardship"** - Means anyone who meets the definition of Hardship Customer and has entered into an arrangement to pay their rates beyond the due date.
- ~~3.33.8~~ **"the Act"** is the Local Government Act 1999.

4. PRINCIPLES

4.1 Customers' Rights and Responsibilities

4.1.1 Rights:

- Be treated respectfully, sensitively and non-judgementally
- Have their cases individually considered and their circumstances kept confidential
- Receive prompt information on alternative payment arrangements
- Negotiate the amount they can afford and the frequency of instalments of their preferred payment plan
- Re-negotiate the amount of their instalment if there is change in their circumstances
- Receive information about free independent and accredited financial counselling services
- Receive a language interpreter service free
- Be shielded from legal action and additional debt recovery costs, whilst they continue to make payments according to an agreed schedule, or an agreed altered schedule of payments
- Where possible speak with a person at Council (or Council's agent) who is familiar with their situation in order to re-negotiate their payment arrangement if a payment has been missed or is likely to be missed.

4.1.2 Responsibilities:

- Advise Council (or Council's agent) of their financial difficulties as soon as practicable
- Treat council employees respectfully
- Be reasonable in their negotiations with Council staff-employees (or their Council's agent) in pursuit of a mutually acceptable outcome
- Be honest and realistic in their assessment of their capacity to pay
- Seek independent financial advice or representation where appropriate
- Maintain any arranged payment plan and advise Council (or Council's agent) if they are unable to meet a scheduled payment
- Advise Council (or Council's their agent) if their circumstances change as soon as practicable
- Maintain contact by phone, email or correspondence with Council (or Council's agent)
- Update Council on any changes to contact information including correct postal address, phone numbers and email address

4.2 Debtor Types

Given the diversity of services provided by Council there are a number of circumstances that will result in money being owed to Council. The following sections provide an outline of each key area, the process by which a debt is raised and the recovery process that will be followed for Council to recover any debt owed.

4.2.1 Rates Debtors (including CWMS)

Adelaide Hills Council operates a computerised rates billing system which records financial information on a transactional basis and maintains debtor

information in accordance with established principles of rating in local government.

Annual rate notices are issued not less than one month prior to the due date of the first instalment. Subsequent instalment rate notices are issued not less than one month before the due date of payment.

All notices will be clear, concise and provide sufficient information to enable the debtor to be aware of their obligations.

Council rates become overdue when not paid in accordance with a Rate Notice that is issued pursuant to S180 of the Act and will be recovered in accordance with Section 5.3 of this Policy.

The ~~Local Government~~ Act provides for the raising of interest and penalties for overdue rates that are recognised as a charge against the property in accordance with Sections 177, 178 and 181.

Payment plans and flexible payment arrangements will be made available to ratepayers upon application for overdue amounts.

Recovery Process

Debtors considered overdue will be issued with a Reminder Notice which contains sufficient information regarding the original debt, any interest penalties imposed and proposed action to be taken by the Council should the account remain unpaid after a further 7 business days.

The debtor will be given the opportunity to dispute the amount owing or make alternative arrangements for payments within that 14 day period. Payment plans and flexible payment arrangements will be made available to ratepayers and other debtors upon application for overdue amounts.

Those accounts still outstanding after the 14 day final notice period may~~will~~ be referred to a debt collection agency chosen by Council. The collection agency will issue a final demand that includes costs of recovery. All accounts outstanding after the expiry of the final demand letter, for which an arrangement has not been made, will be recovered through court proceedings.

Sale Of Land To Recover Debt

Section 184 of the [Local Government](#) Act provides for the sale of land for non-payment of rates where the amount payable has been in arrears for three or more years.

Preparation for sale of properties will commence in accordance with the process prescribed within the Act as soon as practical after the three years rates have become due and no arrangements for payment have been agreed.

4.2.2 Other Debtors ~~(including CWMS)~~

Council operates a computerised debtor accounts system which records financial information on a transactional basis and maintains debtor information in accordance with the established principles of a commercial business.

There are various debtor types that are recorded within the debtors system including the following:

- ~~Additional Bins~~
- ~~Age Units~~
- Burial Fees
- Fire Hazard Reduction
- Food Premises Inspection
- ~~Grants Receivable~~
- Legal costs awarded to Council
- Rents and Miscellaneous (includes Adelaide Hills Business and Tourism Centre)
- Private Works
- Road Rents

Council issues tax invoices for money owing at the end of each month or on a time basis applicable to each debtor class (eg. ~~Aged Care invoices are issued on a 4 week cycle from the date of occupancy~~, seasonal users of Council facilities receive an invoice at the start of its season).

The tax invoice issued contains sufficient information so that the debtor can recognise the transactions included on the invoice and reconcile the debt if required.

The invoice issued is due and payable within 14 days of its date and invoices not paid by the due date are considered overdue and will be recovered in accordance with Section 4.3 ~~5.3~~ of this Policy.

Council may apply an administration charge to ~~undry other~~ debtors that are overdue as specified in Council's Fees & Charges register.

Whilst recovery of debt will proceed in accordance with this Policy, rights and responsibilities established under the Retail and Commercial Leases Act are not affected.

Recovery Process

Other Debtors with overdue balances will be issued with a monthly statement which essentially serves as a reminder that the debt is overdue.

Debtors are given the opportunity to dispute the amount owing or make alternative arrangements for payments. Payment plans and flexible payment arrangements will be made available to other debtors upon application for overdue amounts.

Debtors who have not disputed the amount owing, made alternative payment arrangements or made any contact with Council in relation to the debt will be referred to a debt collection agency chosen by Council.

The collection agency will issue a final demand and debts outstanding after the expiry of the final demand, for which an arrangement has not been made, may be recovered through legal proceedings. Any costs of recovery of the debt can be added to the debt outstanding.

Writing off paid debts will only be considered when all reasonable attempts have been made to recover the outstanding amount and amounts written off will be reported to the Audit Committee on a six monthly basis

4.3 Financial Hardship Assistance

For the purposes of this policy “financial hardship” means- a circumstance of experiencing a lack of financial means, which may be either ongoing or temporary, but does not include circumstances where a person chooses not to meet a liability for an unpaid debt. a situation where a ratepayer is unable, reasonably, because of prolonged illness or unemployment, or other reasonable cause, to discharge their financial obligations to the Council and the ratepayer reasonably expects to be able to discharge those obligations if payment arrangements were changed.

Financial Hardship does not include circumstances where a person is simply unwilling to make payment.

Cases of financial hardship will be considered by application on an individual basis and always with a view to the council debtor ratepayer re-establishing financial capability and, wherever possible, meeting their financial obligations.

If a Council Debtor is suffering financial hardship, they should contact Council as soon as possible to discuss the matter. Such inquiries are treated confidentially, and any application will be considered on its merits.

Options to address financial hardship include:

4.3.1 Referral to an accredited financial counsellor

4.3.2 Flexible Payment Arrangements (s181 (4))

If a ratepayer is experiencing financial hardship and anticipates difficulty paying the next rate instalment notice, Council will work with that ratepayer to make alternative arrangements.

In terms of rate debtors, in addition to quarterly instalments, ratepayers can arrange with Council to pay their rates weekly, fortnightly or monthly to provide for a smaller, more regular payment option via BPAY, phone or internet. In addition, Council offers the availability of Centrelink’s Centrepay service

Ratepayers should liaise directly with the Rates Team to complete an assessment process to ensure staff are able to determine the assistance required. Payment arrangements are to:

- be based on capacity to pay

- include the arrears and ongoing council rates where possible
- be fair and reasonable timeframes to pay the debt
- be mutually negotiated and agreed

4.3.3 Waiving of Fines and Interest

Council can consider the waiving of fines and interest as part of addressing financial hardship. When a ratepayer has committed to a payment plan and adheres to a regular payment, Council will consider the waiving of fines and interest to assist the ratepayer.

4.3.4 Postponement of Rates

A ratepayer may apply to Council to postpone payment of rates in whole or in part for a period of due to hardship. Any such application must be made in writing and outline the reasons why postponement is requested.

If postponement is granted then Council will consider the waiving of fines and interest for the same period to assist the ratepayer.

In accordance with legislation, a postponement may, if Council thinks fit, be granted on condition that the ratepayer pays interest on the amount affected by the postponement at a rate fixed by the council (but not exceeding the cash advance debenture rate as defined in the Local Government Act).

As postponement may only delay financial hardship for a period of time, options involving flexible payment arrangements and plans are more likely to be beneficial for ratepayers to assist in reducing rates balances outstanding over time.

All postponement will be subject to a timetable for periodic review

The ratepayer must be able to demonstrate financial hardship. As such, depending on the extent of the ratepayer's financial circumstances, Council may request that the ratepayer attend an appointment with an accredited financial counsellor through the South Australian Financial Counsellors Association

Applications for financial hardship assistance may be made by:

- the ratepayer direct with the rates team
- an accredited financial counsellor on behalf of the ratepayer

In relation to property based debts such as rates and private works Council will consider an application for postponement of an outstanding amount. Council will not take any action against a debtor if postponement has been approved. All postponements will be subject to a timetable for periodic review.

Postponement will only be granted to individuals experiencing hardship with regard to amounts outstanding on their primary residence.

Ratepayers may apply to the Senior Rates Officer to have rates, interest and charges postponed, in whole or part, subject to the following conditions:

for a debt exceeding \$500 the ratepayer will be expected to provide a confidential statement from a recognised financial counsellor, or similarly qualified person, in support of the application for relief;

~~the ratepayer must enter into an alternative arrangement with Council to pay the debt and meet the terms of such an arrangement; and if interest has been waived and the ratepayer defaults on the agreed terms for repayment, the interest waiver may be withdrawn and interest will then accrue under normal payment arrangements.~~

If postponement is approved the following will occur:

- a) the property will be flagged as a postponed property;
- b) rates and interest will still accrue (although fines and interest may be waived); and
- c) no debt recovery action will be taken while the terms for payment are met.

Postponement will be withdrawn if:

- a) the ratepayer advises financial hardship no longer exists; or
- b) the ratepayer ceases to own or occupy the property; or

-

4.3.5 Removal of financial hardship assistance

Council will ensure that a debtor is aware that they will be removed from financial hardship assistance, and be returned to Council's standard collection cycles, including debt recovery:

- should they cease to make payments according to the agreed payment arrangement
- fail to contact, or respond to, Council for a period of greater than 60 days
- provide false or misleading information in support of the application for hardship.

Council will advise the debtor that they have been removed from receiving hardship assistance for not meeting their obligations, and that Council will commence debt recovery, which may include legal action.

4.3.6 Remission of rates

The Council has a discretion to partially or wholly remit (i.e. waive) rates on the basis of hardship.

-

Council has a charge over the land under Section 177 of the Act and therefore is likely to be able to recover rates outstanding upon sale. The granting of a remission forgoes this right and therefore is only considered as an option in circumstances where the ratepayer has demonstrated serious and long term hardship and where there is no chance of improvement in the ratepayer's financial circumstances.

Consideration must also be given to the tax burden redistribution effect on other rate-payers of any remission.

-

For these reasons, and given the importance of ensuring fairness to other ratepayers, remission will only be considered as a last resort and only where there is no chance of improvement in the ratepayer's financial circumstances. As such, it is likely that postponement of payment of rates due to hardship has

been occurring for some period to confirm the permanency of the ratepayer's situation.

4.4 Community Wastewater Management Systems Customer Hardship Policy

It should be noted that Council holds a licence for the provision of CWMS that is issued by the Essential Services Commission of South Australia under the *Water Industry Act 2012*. This licence requires specific provisions in relation to hardship that are specified in Appendix 1 to this Policy.

4.5 Seniors Postponement (under s182A of the Act)

It should be noted that there are special provisions included within Section 182A of the *Local Government Act 1999* relating to the postponement of rates for holders of a State Government Seniors Card. Ratepayers seeking postponement should contact the Senior Rates Officer for these provisions if they are eligible.

The Seniors Postponement scheme under Section 182A of the Act simply provides an option for seniors to choose to free up money by postponing a portion of their rates until the property is sold or any other time of their choosing. It is emphasised that the scheme is non-concessional and interest is charged by a council on the accumulating postponed amount.

The provisions of s182A are made available to seniors as a 'right' under the Act. There is no requirement for the senior to demonstrate financial hardship in order to access this scheme.

As such, any senior who is experiencing genuine financial hardship will have access to options under Section 4.4. as s182A of the Act is not intended to cater for seniors facing financial hardship.

When considering financial hardship for seniors, each situation should be assessed on its merits to determine whether the senior has the means available to substantially or permanently improve their financial position by disposing of any assets.

4.6 Right to seek review

If an application for relief is refused, the applicant may seek a review of the decision by a more senior officer or the CEO.

An Internal review of a Council decision is also available under section 270 of the *Local Government Act 1999*. This is a process established by legislation that enables a Council to reconsider all the evidence relied on to make a decision, including new evidence if relevant. This process is generally a last resort in the complaint handling process, but may also be used in situations which are not able to be resolved by other means.

~~In relation to property-based debts such as rates and private works Council will consider an application for postponement of an outstanding amount. Council will not take any action against a debtor if postponement has been approved. All postponements will be subject to a timetable for periodic review.~~

~~Postponement will only be granted to individuals experiencing hardship with regard to amounts outstanding on their primary residence.~~

~~Ratepayers may apply to the Senior Rates Officer to have rates, interest and charges postponed, in whole or part, subject to the following conditions:~~

- ~~a) the ratepayer must be able to demonstrate financial hardship. For example, a statutory declaration from a person familiar with the applicant's circumstances (family doctor, bank officer, financial counsellor);~~
- ~~a) for a debt exceeding \$500 the ratepayer will be expected to provide a confidential statement from a recognised financial counsellor, or similarly qualified person, in support of the application for relief;~~
- ~~a) the ratepayer must enter into an alternative arrangement with Council to pay the debt and meet the terms of such an arrangement; and~~
- ~~a) if interest has been waived and the ratepayer defaults on the agreed terms for repayment, the interest waiver may be withdrawn and interest will then accrue under normal payment arrangements.~~

~~If postponement is approved the following will occur:~~

- ~~-a) the property will be flagged as a postponed property;~~
- ~~-a) rates and interest will still accrue (although interest may be waived); and~~
- ~~-a) no debt recovery action will be taken while the terms for payment are met.~~

~~Postponement will be withdrawn if:~~

- ~~a) the ratepayer advises financial hardship no longer exists; or~~
- ~~a) the ratepayer ceases to own or occupy the property; or~~
- ~~a) the ratepayer has defaulted in meeting the agreed terms for payment of the debt;~~
- ~~or~~
- ~~a) the ratepayer has provided false or misleading information in support of the application for relief.~~

4.44.7 Reporting

The summary of all overdue debts will be prepared on a monthly basis for review by the Manager Financial Services.

A biannual quarterly aged debtors report ~~(including rates)~~ will be prepared and reported to the Council Executive Leadership Team for subsequent presentation to the Audit Committee and Council.

5. DELEGATION

5.1 The Chief Executive Officer has the delegation to:

5.1.1 Approve, amend and review any procedures that shall be consistent with this policy; and

5.1.2 Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

6. AVAILABILITY OF THE POLICY

This Policy is 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 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 1

Community Wastewater Management Systems Customer Hardship Policy

COMMUNITY WASTEWATER MANAGEMENT SYSTEM CUSTOMER HARDSHIP POLICY

1. PURPOSE

Adelaide Hills Council is committed to assisting residential customers of recycled water and sewage (CWMS) services, who are experiencing financial hardship, to manage their payments in a manner that best suits the customer and ensuring they remain connected to a retail service.

The purpose of this policy is to identify residential customers who are experiencing payment difficulties due to hardship and assist those customers to better manage their bills on an ongoing basis.

This policy sets out:

1.1 Processes to identify residential customers experiencing payment difficulties due to:

- Hardship
- Identification by Council
- Self-identification by a residential customer
- Identification by an accredited financial counsellor
- Welfare agency

1.2 An outline of a range of processes or programs that Council will use, or apply, to assist Council's customers who have been identified as experiencing payment difficulties.

2. LEGISLATIVE FRAMEWORK AND OTHER REFERENCES

The following legislation applies to this Policy:

2.1 ***South Australia Water Industry Act 2012***

Under section 37(3) of this Act, a water industry entity must adopt a customer hardship policy published by the Minister under this section; or with the approval of the Commission, adopt such a policy with modifications.

2.2 **Other references**

Council's documents including:

- Fees and Charges Register
- Customer Service Charter for Recycled Water & Sewage (CWMS) Services
- Sale of Land for Non-payment of Council Rates as per Section 184 of the *Local Government Act 1999*
- Sec 182 of the *Local Government Act 1999* – Remission and postponement of payment
- Sec 182A of the *Local Government Act 1999* – Postponement of Rates - Seniors
- Complaints Policy

- Internal Review of Council Decisions Policy

External documents including:

- *South Australia Water Industry Regulations 2012*
- Water Retail Code – Minor and Intermediate Retailers
- *Essential Services Commission Act 2002*

This Policy is based on the Customer Hardship Policy, made by the Minister for Communities and Social Inclusion, pursuant to Section 37 of the *Water Industry Act 2012*, under a delegation by the Minister for Water and the River Murray.

3. DEFINITIONS

For the purposes of this Policy the following definitions apply:

- 3.1 **“Accredited Financial Counsellor”** - In South Australia, means a person who holds a Diploma of Community Services (Financial Counselling), and who has worked at least 12 months as a financial counsellor under the supervision of the South Australian Financial Counsellors Association.
- 3.2 **“Consumer”** - As defined in the *Water Industry Act 2012*, means a person supplied with retail services as a consumer or user of those services.
- 3.3 **“Customer”** - As defined in the *Water Industry Act 2012* means a person who owns land in relation to which a retail service is provided and includes:
- Where the context requires, a person seeking the provision of a retail service, and
 - In prescribed circumstances, a person supplied with retail services as a consumer or user of those services (without limiting the application of this definition to owners of land) and
 - A person of a class declared by the regulations to be customers.
- 3.4 **“CWMS”** - Community Wastewater Management System.
- 3.5 **“Financial Counsellor”** - Means accredited financial counsellor.
- 3.6 **“Financial Hardship”** - Means a circumstance of experiencing a lack of financial means, which may be either ongoing or temporary, but does not include circumstances where a person chooses not to meet a liability for an unpaid debt.
- 3.7 **“Hardship Customer”** - Means a residential customer who has been identified under, accepted into, or is eligible for assistance under Council’s hardship program.
- 3.8 **“Payment Arrangement fFor Hardship”** - Means anyone who meets the definition of Hardship Customer and has entered into an arrangement to pay their rates beyond the due date.
- 3.9 **“Regulations”** - Means regulations under the *Water Industry Act 2012*.

- 3.10 **“Residential Customer”** - As defined in the *Water Industry Act 2012* means a customer or consumer who is supplied with retail services for use at residential premises.
- 3.11 **“Retail Service”** - As defined in the *Water Industry Act 2012* means a service constituted by:
- The sale and supply of recycled water to a person for use (and not for resale other than in prescribed circumstances (if any)) where the recycled water is to be conveyed by a reticulated system, or
 - The sale and supply of sewage (CWMS) services for the removal of sewage.
- (even if the service is not actually used) but does not include any service, or any service of a class, excluded from the ambit of this definition.
- 3.12 **“Sewage”** - As defined in the *Water Industry Act 2012* includes any form of waste that may be appropriately removed or dealt with through the use of a sewerage service.
- 3.13 **“Sewerage Service”** - As defined in the *Water Industry Act 2012* means:
- A service constituted by the collection, storage, treatment or conveyance of sewage through the use of a reticulated system, or
 - Any other service, or any service of a class, brought within the ambit of this definition by the regulations.
- 3.14 **“Water”** - As defined in the *Water Industry Act 2012*, includes rainwater, stormwater, desalinated water, recycled water and water that may include any material or impurities, but does not include sewage.
- 3.15 **“Water Service”** - As defined in the *Water Industry Act 2012* means:
- A service constituted by the collection, storage, production, treatment, conveyance, reticulation or supply of water, or
 - Any other service, or any service of a class, brought within the ambit of this definition by the regulations.

4. POLICY

4.1 Identifying residential customers experiencing financial hardship

A residential customer experiencing financial hardship is someone who is identified by themselves, by Council, by an accredited financial counsellor, or by a welfare agency as having the intention, but not the financial capacity, to make required payments in accordance with Council’s payment terms.

There are two types of financial hardship: ongoing and temporary. Depending on the type of hardship being experienced, hardship customers will have different needs and will require different solutions.

Residential customers that are identified as experiencing ongoing hardship are generally those on low or fixed incomes. These customers may require ongoing assistance.

Residential customers that may be identified as experiencing temporary hardship are those that have experienced a short-term change in circumstances, such as:

- Serious illness
- Disability or death in the family
- Loss or change in income
- Separation
- Divorce or other family crisis
- A loss arising from an accident
- Or some other temporary financial difficulty
- These customers generally require flexibility and temporary assistance, such as an extension of time to pay or an alternative payment arrangement.

The extent of hardship will be determined by either Council's assessment process or by an external body, such as an accredited financial counsellor.

Where Council assesses a residential customer's eligibility for hardship assistance, Council will consider indicators including (but not limited to) whether:

- The customer is on a Centrelink income and holds a Pensioner Concession Card or holds a Centrelink Low Income Health Care Card
- The customer is eligible for a South Australian Government concession
- The customer has been referred by an Accredited Financial Counsellor or welfare agency
- The customer has previously applied for emergency relief (irrespective of whether or not their application was successful)
- The customer's payment history indicates that they have had difficulty meeting their retail services bills in the past
- The customer, through self-assessment, has identified their position regarding their ability to pay.

4.2 Assisting residential customers who are experiencing financial hardship

Council will inform a residential customer of this Policy where:

- It appears to Council that non-payment of a bill for retail services is due to the customer experiencing payment difficulties due to hardship, or
- Council is proposing to install a flow restriction device.

Where a residential customer has been identified as experiencing financial hardship, we will offer the customer, as soon as is reasonably practicable, flexible and frequent payment options that have regard to the hardship customer's usage, capacity to pay and current financial situation. This is to be considered as a Payment Plan for Hardship. These options will include:

- An interest and fee free payment plan
- Centrelink's Centrepay Service
- Other arrangement, under which the customer is given more time to pay a bill or to pay in arrears (including any disconnection or restriction of charges)

Where a residential customer has been identified as experiencing financial hardship, Council will offer the customer, as soon as is reasonably practicable, flexible and

frequent payment options that have regard to the hardship customer's usage, capacity to pay and current financial situation. Options may include:

- BPAY
- Councils online service
- Centrelink's Centrepay service, or
- Other arrangement, under which the customer is given more time to pay a bill or to pay in arrears (including any disconnection or restriction charges).

Recognising that some residential customers have a short-term financial hardship issue which may be resolved in the near to medium-term, where others may require a different type of assistance for ongoing financial issues.

Council will not charge a residential customer a reconnection charge where that customer is experiencing financial hardship and should have been identified as eligible for this Policy, so long as the customer agrees to participate in Council's hardship program, upon reconnection.

Council will engage in discussion with the hardship customer to determine a realistic payment option in line with the customer's capacity to pay.

Council will work with a hardship customer's financial counsellor to determine the Payment Arrangement for Hardship and instalment amount that best suits the customer and their individual circumstances.

Where a hardship customer's circumstances change, Council will work with the customer, and their financial counsellor, to re-negotiate their payment arrangement.

Council will not require a hardship customer to provide a security deposit.

Council will not restrict a hardship customer's retail services if:

- The customer has agreed to a payment arrangement and continues to adhere to the terms of that arrangement, or
- Council has failed to comply with the requirements of this Policy.

Council will also offer the hardship customer:

- Where appropriate, information about the right to have a bill redirected to a third person, as long as that third person consents in writing to that redirection
- Information about, and referral to, Commonwealth and South Australian Government concessions, rebates, grants and assistance programs
- Information about, and referral to, accredited financial and other relevant counselling and support services, particularly where a customer that is identified as experiencing ongoing financial hardship.

Where hardship customer requests information or a redirection of their bills, Council will provide that information or redirection free of charge.

Council will provide information to the hardship customer on how to reduce usage and improve water efficiency, which may include referral to relevant government water efficiency programs. This will be provided at no charge to the customer.

Council will explain to the hardship customer how and when the customer will be returned to regular billing cycles (and collection), after they have successfully completed the hardship program.

Council will also explain to the hardship customer that they will be removed from Council's hardship program, and be returned to Council's standard collection cycles, including debt recovery, should they cease to make payments according to the agreed payment arrangement or fail to contact Council for a period of greater than 90 days.

Council will not take any action to remove a customer from Council's hardship program until Council has sent the customer a written notice, allowing them 10 working days from the date of the notice to contact Council to re-negotiate their re-entry into the program.

4.3 Payment plans

Council's Payment Plan for Hardship customer will be established having regard to:

- The customer's capacity to pay and current financial situation
- Any arrears owing by the customer, and
- The customer's expected usage needs over the following 12 month period.
- Subject to a hardship customer meeting their obligations interest and fines will be waived when on a payment plan.

The payment plan will also include an offer for the hardship customer to pay for their retail services in advance or in arrears by instalment payments at a frequency agreed with the customer (e.g. weekly, fortnightly, monthly or as otherwise agreed with the customer).

Where a payment plan is offered to a hardship customer, Council will inform the customer within 10 business days of an agreement being reached, of:

- The duration of the plan
- The amount of each instalment payable under the plan, the frequency of instalments and the date by which each instalment must be paid
- If the customer is in arrears, the number of instalments to pay the arrears, and
- If the customer is to pay in advance, the basis on which instalments are calculated.

Where a hardship customer is seeking assistance in accordance with this Policy, but has failed to fulfil their obligations under an existing hardship arrangement, Council will require them to sign up for Centrepay or direct debit deductions.

4.4 Debt recovery

Council will suspend debt recovery processes while negotiating a suitable payment arrangement with a hardship customer.

Council will not engage in legal action or commence proceedings for the recovery of a debt relating to a retail service for a hardship customer if:

- The customer has agreed to a payment arrangement and continues to adhere to the terms of that arrangement, or
- Council has failed to comply with the requirements of this Policy.

4.5 Rights of residential customers experiencing financial hardship

Every residential customer experiencing financial hardship has the right to:

- Be treated respectfully on a case-by-case basis, and have their circumstances kept confidential
- Receive information about alternative payment arrangements, this Policy, and government concessions, rebates, grants and assistance programs
- Negotiate an amount they can afford to pay on a payment plan or other payment arrangement
- Consider various payment methods and receive written confirmation of the agreed payment arrangement within 10 business days
- Renegotiate their payment arrangement if there is a change in their circumstances
- Receive information about free and independent, accredited financial counselling services
- Receive a language interpreter service at no cost to the customer
- Be shielded from legal action and additional debt recovery costs, whilst they continue to make payments according to an agreed payment arrangement
- Not have retail services restricted or disconnected as long as they have agreed to a payment arrangement and continue to make payments according to an agreed plan.

4.6 General provisions

Council will ensure residential customers have equitable access to this Policy, and that this Policy is applied consistently. A copy of the documentation will be available at no charge to customers.

Council will ensure appropriate training of employees dealing with residential customers in hardship to enable them to treat customers with respect and without making value judgements. Training will also assist employees in the early identification of hardship customers, with establishing payment plans based on a hardship customer's capacity to pay, and include processes for referral to an Accredited Financial Counsellor or welfare agency for assistance.

Council will also make a copy of this policy available free of charge to a customer upon request as soon as practicable following a request to do so.

4.7 Confidentiality

Any information disclosed by a customer is confidential and will not be used for any purpose other than the assessment of an application for assistance.

4.8 Complaints handling

Council's General Complaints Policy detailing Council's customer complaints and dispute resolution process is available, upon request.

A residential customer experiencing hardship has a right to have any complaint heard and addressed by Council, and in the event that their complaint cannot be resolved, the right to escalate their complaint to the Ombudsman SA as outlined in Council's Internal Review of Council Decisions Policy.

5. DELEGATION

5.2 The Chief Executive Officer has the delegation to:

5.2.1 Approve, amend and review any procedures that shall be consistent with this policy; and

5.2.2 Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

6. AVAILABILITY OF THE POLICY

This Policy is 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 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 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.12

Responsible Officer: Mike Carey
Manager Financial Services
Corporate Services

Subject: Policy Review – Grant & External Funding (Acceptance)

For: Decision

SUMMARY

The purpose of this report is to allow Council to consider a review of the *Grant & External Funding (Acceptance) Policy*, (the Policy) which was formerly titled the *Acceptance of External Funding Policy* as foreshadowed in the Policy Review Schedule.

The objectives of this policy are:

- To provide a framework for Council to review and evaluate whether to accept Grant and External Funding opportunities as they arise
- To ensure that Grant and External Funding opportunities are assessed fairly and equitably across Council
- To ensure Council is not placed at risk by accepting funding that is not suitable for Council
- To ensure that ongoing expenses beyond the term of the funding are transparent, agreed upon and are not burdensome on Council

The Policy has been reviewed (**Appendix 1**) and is recommended to be adopted with minor changes.

The policy was considered by the Audit Committee on 16 November 2020.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. With an effective date of 8 December 2020, to revoke the 14 March 2017 *Acceptance of External Funding Policy* and to adopt the revised *Grant & External Funding (Acceptance) Policy* in Appendix 1.
 3. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the *Grant & External Funding (Acceptance) Policy* prior to the effective date.
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective 03 Our organisation is financially sustainable for both current and future generations

Priority 03.1 03.3 - Actively pursue alternative funding opportunities to reduce reliance on rates income

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

Priority 05.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

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

➤ Legal Implications

Section 125 of the *Local Government Act 1999* establishes requirements in relation to the Internal Controls established by the Council to ensure that financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities have been conducted properly and in accordance with law in all material respects.

➤ Risk Management Implications

The adoption and implementation of this Policy will assist in mitigating the risk of:

Council accepting funding that does not align to Council's strategic direction or commits Council to increased costs without associated benefits to the Community.

Inherent Risk	Residual Risk	Target Risk
High (3B)	Medium (3C)	Medium (3D)

➤ Financial and Resource Implications

There are no immediate financial or resource implications associated with the implementation of this Policy.

➤ Customer Service and Community/Cultural Implications

There is a high expectation that Council has appropriate corporate governance processes in place including an effective suite of policies.

➤ Sustainability Implications

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: The Policy was considered by the Audit Committee on 16 November 2020

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Executive Leadership Team
Manager Community Development
Manager Strategic Assets
Sport & Recreation Planner
Sport & Recreation Officer
Governance & Risk Coordinator

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

The Policy was originally developed in 2017 in response to External Audit findings that identified a potential risk as a result of Adelaide Hills Council not having a clear policy position in relation to the management of grant funding requests that are made by Council:

It was recognised that whilst there were processes in place in relation to the application for grants by Council, they were not supported by a funding policy.

A draft Policy considered by the Audit Committee in February 2017 prior to being endorsed by the Strategic Planning and Policy Committee in March 2017.

The objectives of the policy were to:

- To provide a framework for Council to review and evaluate grant and external funding opportunities as they arise
- To ensure that grant and external funding opportunities are assessed fairly and equitably across Council
- To ensure Council is not placed at risk by accepting funding that is not suitable for Council
- To ensure that ongoing expenses beyond the term of the funding are transparent, agreed upon and are not burdensome on Council.

The Policy is now due for review as foreshadowed in the Policy Review Schedule.

3. ANALYSIS

The administration has reviewed the Policy and its application within the organisation and has identified a small number of changes as identified using track changes in **Appendix 1**.

The minor changes proposed largely related to some improvements in the administration of Grants & External Funding opportunities including the documentation of proposed grant in the Grants Register to provide a more up to date status of these opportunities for various stakeholders within Council.

There was also discussion at the Administration level that the existing title of *Acceptance of External Funding Policy* has resulted in a lower profile, adherence and understanding of Council's policy position given the lack of reference to grants which is a significant area covered by the policy objectives. Consideration of a revised title was also cognisant that the title had been revised prior to adoption in March 2017 upon advice from the Audit Committee to ensure that it was clearly understood that the intent of the policy related to external funding that was being sought as opposed to grants that are provided by Council.

It is therefore considered that the revised policy name of *Grant & External Funding (Acceptance) Policy* will best meet the needs of Council in achieving the policy objectives outlined.

Council's customary practice is to include financial related policy reviews as an agenda item at Audit Committee meetings. The Audit Committee considered the Policy at its meeting on 16 November 2020, and resolved as follows:

6.10. Policy Review – Grant & External Funding Acceptance

Moved Paula Davies

S/- Cr Leith Mudge

65/AC20

1. That the report be received and noted
2. To recommend to Council the adoption of the *Acceptance of External Funding Policy* as detailed at Appendix 1.

Carried Unanimously

4. OPTIONS

Council has the following options:

- I. To adopt the Policy, with or without amendment (Recommended)
- II. To determine not to adopt the Policy at this time (Not Recommended)

5. APPENDICES

- (1) *Grant & External Funding (Acceptance) Policy*

Appendix 1

Grant & External Funding (Acceptance) Policy

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<p><u>ACCEPTANCE OF GRANT & EXTERNAL FUNDING ACCEPTANCE</u></p>
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Policy Number:	GOV-07
Responsible Department(s):	Corporate <u>Financial</u> Services
Relevant Delegations:	Nil
Other Relevant Policies:	Nil
Relevant Procedure(s):	Nil
Relevant Legislation:	Nil
Policies and Procedures Superseded by this policy on its Adoption:	<u>Acceptance of External Funding, 14/03/17, Item 12.1, SP8/17</u> Nil
Adoption Authority:	Council Strategic Planning & Development Policy Committee
Date of Adoption:	<u>To be updated administratively</u> 14 March 2017
Effective From:	<u>To be updated administratively</u> 28 March 2017
Minute Reference for Adoption:	<u>To be updated administratively</u> Item 12.1, SP8/17

Next Review:

No later than November 2023 or as required earlier by
legislation or changed circumstances. ~~November
2023~~ March 2020

[illegible]

ACCEPTANCE OF GRANT & EXTERNAL FUNDING ACCEPTANCE

1. INTRODUCTION

Adelaide Hills Council is often eligible to receive funds for programs and projects through a variety of grants, philanthropic bequests, support groups and formal government programs. This can include specific bequests of funds from local community based groups such as Friends Groups, special interest and sporting groups.

The obligations of these funds can vary greatly, from funding to deliver an outcome to very prescriptive funding with very specific expectations. The funding can also come with an expectation of being matched by Council or Council providing additional funds, resources or expecting Council to fund the service ongoing.

Each of these grant and funding opportunities needs to be assessed on strict and fair criteria to determine if Council should pursue the funding opportunity by due consideration of having regard to the following:-

- Council's ability to deliver the outcome within the agreed parameters required by the relevant funding body
 - the outcome to be achieved and the alignment to Council's adopted strategic plans and directions
 - the resourcing impact, both in implementation and ongoing
 - the value achieved in terms of Council's financial and resourcing commitment against other competing priorities
- ~~is prepared to contribute additional funds; resourcing impacts and fit to Council's strategic plans and directions.~~

This policy provides Council and its administration with principles and guidelines to underpin decision making in relation to consideration and acceptance of grant and funding opportunities available to Council.

2. OBJECTIVES

The objectives of this policy are:

- To provide a framework for Council to review and evaluate whether to pursue and accept Grant and External Funding opportunities as they arise
- To ensure that Grant and External Funding opportunities are assessed fairly and equitably across Council
- To ensure Council is not placed at risk by accepting funding that is not suitable for Council
- To ensure that ongoing expenses beyond the term of the funding are transparent, agreed upon and are not burdensome on Council

3. DEFINITIONS

- **External Funding** refers to funds offered to Council from external bodies, both government and non-government

- **Grant Funding** refers to funds available for council to apply for, in either a competitive or non-competitive process, from external bodies, both government and non-government

4. SCOPE

This policy applies to all grants, whether match funded or not, that require applications to be made. The policy also applies:

- Where Council is one of a number of partners in a joint external funding application
- Where Council auspices an external grant on behalf of another organisation/s
- Where an application is being made for renewal of a currently held grant
- Where a funding provider approves a grant application with variations to the original proposal

4.5. POLICY STATEMENT

Council provides a diverse range of programs and projects to meet the needs of the community and internal stakeholders. To meet these needs, Council must balance cost pressures with community and internal stakeholder expectations.

External Funding and Grants can assist Council to meet the needs of the community through the funding of capital or operating projects that align with Council's corporate objectives. However, they also have resource implications for Council that must be taken into consideration before applying for a Grant or accepting External Funding.

These implications include not only financial and in-kind contributions (such as resource contributions, project management costs and administration costs) during the funding period, but also any potential ongoing liabilities beyond the funding period. For example, an operational Grant or External Funding that enables Council to offer a service may create expectations in the community or with internal stakeholders that Council will continue to deliver that service beyond the funding period. For such reasons, it is essential that projects and programmes funded by External Funding or Grants align with Council's strategic objectives.

To ensure that all implications are fully considered, any application and /or acceptance of External Funding or Grant should only occur after a grant/funding assessment process has been undertaken by management. The grant/funding assessment process should be reflective of the level of funding on offer, as well as any potential impact on Council's capacity to manage the funded programme and any ongoing liabilities.

In undertaking the assessment when applying for and managing External Funding or Grants, the 'Principles for Effective Grant Management', as outlined in this policy below, should be followed.

Principles for Effective Grant Management

- Ensure that the funded project or programme aligns with Council corporate/strategic objectives
- Ensure all financial and operational implications have been considered, both short and long term
- Manage community and internal stakeholder expectations for service continuation
- Practice effective project management techniques
- Establish and adhere to clear project goals and objectives

- Encourage the active involvement of the funding body in all funded services/ projects
- Ensure all variations to the contractual agreement are formally agreed to by the funding body
- Undertake planning with stakeholders prior to the implementation of the funded project, service or activity
- Clear articulation to all stakeholders of council's role, requirements and due processes in terms of project delivery including adherence to other Council policies and procedures such as procurement, contract management and WHS
- Maintain sound administrative practices including:
 - obtaining formal funding commitments where a number of stakeholders are involved in the overall funding of a project
 - prompt invoicing of other stakeholders funding commitment
 - clear understanding of, and compliance with grant/funding conditions
 - completion of acquittal requirements within agreed timeframes

Governance

All Grant funding applications must be approved by the Executive Leadership Team (ELT), or referred to Council (at the discretion of the ELT), prior to submission.

Where External Funding (i.e. non-Grant) opportunities are raised with Council identified, at the earliest opportunity these must be approved considered by the Executive Leadership Team (ELT), or referred to Council (at the discretion of the ELT), prior to proceeding with the opportunity.

Communication

Knowledge of External Funding and Grant opportunities should be communicated to the relevant business area to ensure that any interested and relevant officers are aware of the opportunity and have sufficient time to consider applying.

In addition, any proposed grant needs to be captured in the Grants Register maintained on Councils internal Financial Services Sharepoint site detailing relevant information. The register will also need to be updated to reflect the status of any grant application and associated documentation as it changes.

5.6. DELEGATION

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

~~The Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this Policy.~~

6.7. AVAILABILITY OF THE POLICY

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

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.13

Responsible Officer: Mike Carey
Manager Financial Services
Corporate Services

Subject: Policy Review – Treasury Policy

For: Decision

SUMMARY

The purpose of this report is to allow Council to consider a review of the *Treasury Policy* (the Policy) as foreshadowed in the Policy Review Schedule.

The objectives of this policy are to provide direction to management, staff and Council in relation to the treasury function and establishes a decision framework that:

- Ensures funds are available as required to support strategic objectives and approved expenditure.
- Ensures that relevant risk exposures are acknowledged and responsibly managed.
- Is reasonably likely to minimise on average over the longer term, the net interest costs associated with borrowing and investing.
- Ensures that outstanding debt is repaid as quickly as possible and therefore that the gross level of debt held by Council is minimised, and
- Ensures that medium to longer term objectives of the Long Term Financial Plan are not compromised.

As part of this review, consideration was given to the LGA Information Paper 15, Treasury Management and a number of other SA Council's Treasury Management Policies.

The Policy has been reviewed (**Appendix 1**) and is recommended to be adopted with minor changes.

The policy was considered by the Audit Committee on 16 November 2020.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. With an effective date of 8 December 2020, to revoke the 26 September 2017 *Treasury Policy* and to adopt the revised *Treasury Policy* in Appendix 1.
 3. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the *Treasury Policy* prior to the effective date.
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

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

Priority O3.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

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

The Council is committed to open, participative and transparent decision-making and administrative processes. We diligently adhere to legislative requirements to ensure public accountability and exceed those requirements where possible.

➤ Legal Implications

Section 134 (Borrowing and related financial arrangements) and Section 139 (Investment Powers) of the *Local Government Act 1999* set out Council's powers in respect of treasury management.

The attached Policy (**Appendix 1**) is consistent with these provisions.

➤ Risk Management Implications

The adoption of the updated Policy will continue to assist in mitigating the risk of:

Council incurring greater than necessary interest costs averaged over the medium to long term period, or investing money in a speculative or hazardous manner.

Inherent Risk	Residual Risk	Target Risk
High (3B)	Medium (3C)	Medium (3D)

➤ Financial and Resource Implications

There are no financial or resource implications associated with the implementation of this Policy. It dictates the principles which guide borrowing and investment arrangements to minimise financial risk and underpin the *Long Term Financial Plan*.

➤ Customer Service and Community/Cultural Implications

There is a high expectation that Council has appropriate corporate governance processes in place including an effective suite of policies.

This Policy explains why it is appropriate for Council to maintain borrowings as part of its *Long Term Financial Plan*, balancing infrastructure demands against current income generating capacity. This is important when certain sections of the community consider the ideal for Council is to be debt free.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: The Audit Committee considered this policy at its meeting on 16 November 2020

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Executive Leadership Team
Procurement Coordinator
Governance & Risk Coordinator
Finance Officer – Accounts Receivable & Treasury

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

Council first adopted the Policy in April 2008 and the current adopted policy, adopted in September 2017 is now due for revision.

As part of this review, consideration was given to the LGA Information Paper 15, Treasury Management and a number of other SA Council's Treasury Management Policies.

3. ANALYSIS

The *Treasury Policy* underpins Council's decision making in the funding of Council's operations in the context of cash flow, budgeting, borrowings and investments.

The Administration has reviewed the Policy and its application within the organisation and has identified a small number of changes as highlighted in **Appendix 1**.

Council's customary practice is to include financial related policy reviews as an agenda item at Audit Committee meetings. The Audit Committee considered the Policy at its meeting on 16 November 2020, and resolved as follows:

6.9. Policy Review – Treasury Policy

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge

64/AC20

- 1. That the report be received and noted**
- 2. To recommend to Council the adoption of the *Treasury Policy* as detailed at Appendix 1.**

Carried

4. OPTIONS

Council has the following options:

- I. To adopt the Policy, with or without amendment (Recommended)
- II. To determine not to adopt the Policy at this time (Not Recommended)

5. APPENDIX

- (1) Treasury Policy

Appendix 1

Treasury Policy

COUNCIL POLICY

	<p style="text-align: center;">TREASURY</p>
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Policy Number:	FIN-03
Responsible Department(s):	Finance
<u>Relevant Delegations:</u>	<u>As per the delegations schedule and as included in this Policy</u>
Other Relevant Policies:	None
Relevant Procedure(s):	None
Relevant Legislation:	<i>Local Government Act 1999.</i>
Policies and Procedures Superseded by this policy on its Adoption:	Treasury, 10/06/14, Item 12.3, 36 <u>Treasury, 26/09/17, Item 12.3, 208/17</u>
Adoption Authority:	Council
Date of Adoption:	<u>To be added administratively</u>
Effective From:	<u>To be added administatively</u>
Minute Reference for Adoption:	
Next Review:	<u>No later than November 2023 or as required by legislation or changed circumstances</u>

Version Control

[illegible]

TREASURY POLICY

1. INTRODUCTION

- 1.1 This policy underpins Council's decision-making in the financing of its operations in the context of its annual business plan & budget and long-term financial plan and associated projected and actual cash flow receipts and expenditure.
- 1.2 Council has developed a Long Term Financial Plan and is committed to operating in a financially sustainable manner.

2. POLICY OBJECTIVES

- 2.1 This Treasury Policy provides direction to management, staff and Council in relation to the treasury function and establishes a decision framework that:
- ensures funds are available as required to support strategic objectives and approved expenditure.
 - ensures that relevant risk exposures~~interest rate and other risks (including credit risk, market risk, liquidity risk and interest rate risk e.g. liquidity risks and investment credit risks)~~ are acknowledged and responsibly managed.
 - is reasonably likely to minimise on average over the longer term, the net interest costs associated with borrowing and investing.
 - ensures that outstanding debt is repaid as quickly as possible and therefore that the gross level of debt held by Council is minimised, and
 - ensures that medium to longer term objectives of the Long Term Financial Plan are not compromised.

3. DEFINITIONS

- 3.1 **"Annual Business Plan"** In accordance with s123 of the *Local Government Act 1999* Council must have for each financial year a plan and budget that outlines annual and long term objectives, annual activities and measures of performance.
- 3.2 **"Financial Sustainability"** A Council's long term financial performance and position is sustainable where planned long term service and infrastructure levels and standards are met without unplanned increases in rates or disruptive cuts to services.
- 3.3 **"Intergenerational Equity"** Intergenerational equity (or fairness) involves the costs associated with expenditure being spread over time in accordance with the distribution of the benefits that are generated from that expenditure. It is commensurate with spreading costs in relation to the pattern of benefits over time so that one generation is not excessively subsidising another generation.
- 3.4 **"LGFA – Local Government Financing Authority"** A Government guaranteed statutory authority established to develop and implement borrowing and investment programs for the benefit of Councils and prescribed local government bodies within the State.

- 3.5 **“Long Term Financial Plan”** In accordance with s122 of the Local Government Act 1999 Council must develop and adopt a long term financial plan for a period of at least 10 years.
- 3.6 **“Net Financial Liabilities (NFL)”** NFL equals total liabilities less financial assets, where financial assets for this purpose include cash, investments, receivables and prepayments, but exclude equity held in a Council subsidiary, inventories and assets held for sale. The Net Financial Liabilities Ratio is calculated by expressing net financial liabilities at the end of the year as a percentage of total operating revenue for the year.
- 3.7 **“Surplus Funds”** Funds over and above a level which is required to meet Council’s immediate working capital requirements
- 3.8 **“Treasury Management”** Refers to those activities which are related to the funding of Council operations. This includes funds management, cash flow budgeting, investment of surplus funds and borrowings

4. TREASURY MANAGEMENT STRATEGY

- 4.1 Operating and capital expenditure decisions are made based on:
- community need and benefit relative to other expenditure options.
 - cost effectiveness of the proposed means of service delivery.
 - affordability of proposals having regard to Council’s long-term financial sustainability (including consideration of the cost of capital and the impact of the proposal on Council’s Net Financial Liabilities), and
 - whether a borrowing needs to be raised and if so the nature of it is a separate decision to the expenditure one and it is made in accordance with the criteria specified in this policy.

- 4.2 Council manages its treasury functions – borrowings, investments and associated cash flow holistically in accordance with its overall financial sustainability strategies and targets.

This means Council will:

- maintain a target range for its Net Financial Liabilities ratio
 - generally only borrow funds to support cash flow and not specifically for particular Council projects
 - only retain or quarantine money for a particular future purpose when required by legislation or part of an agreement
 - apply where cost effective any funds that are not immediately required to meet approved expenditure, to reduce its level of borrowings or to defer and/or reduce the level of new borrowings that would otherwise be required.
- 4.3 Council recognises that on average the rate of return that can be received from investing money is less than the interest rate charged on borrowed funds. As such, cash inflows that are surplus to short or medium term needs can be applied in the first instance to reduce the level of borrowings that would otherwise be necessary. This is more readily and effectively achievable with variable interest rate borrowings.

- 4.4 Community self-funding loans borrowed on behalf of community groups fall outside this definition, having no net impact on Council's cash position.

5. POLICY

5.1 Intergenerational Equity Funding

Council shall strive to achieve equity between generations of ratepayers (intergenerational equity) whereby the mechanisms to fund specific capital expenditure and operations take into account the ratepayers who benefit from the expenditure and therefore on a user pay basis, who should pay for the costs associated with such expenditure.

5.2 Borrowings

The level of borrowings shall be considered in the context of Council's strategic priorities within the adopted Net Financial liabilities ratio and in conjunction with Council's Long Term Financial Plan to ensure the long-term sustainability of Council.

5.2.1 Short Term Cash Flow Management

Short term cash advances may be used to sustain the cash flows of Council having regard to anticipated receipts and expenditures and the annual cash flow budget. For this purpose Council may operate a cash advance facility from a financial institution and/or an overdraft on its bank account.

5.2.2 Interest Rate Risk Exposures

Council recognises that future movements in interest rates are uncertain in direction, timing and magnitude. Council considers that a mixture of both fixed and variable interest rate borrowings will assist in meeting Council's policy objective of minimizing net interest costs on average over the longer term and at the same time managing interest rate movement risks.

Management shall not speculate on interest rate movements.

5.2.3 Fixed and Variable Interest Rate Borrowings

Having regard to cost effectiveness, risk management criteria and flexibility, Council has restructured its portfolio of borrowings as old borrowings mature and new ones are raised to progressively achieve and thereafter strive to maintain a mixture of fixed and variable loans.

In order to spread its exposure to interest rate movements, Council will aim to have a variety of maturity dates on its fixed interest rate borrowings over the practically available maturity spectrum.

5.2.4 Risk Minimisation

To reduce the level of risk, which includes but is not limited to credit risk, market risk, liquidity risk and interest rate risk:

- Council approval is required for all new loans
- Loans are to be provided by institutions with long term credit ratings in line with the four major Australian banks
- All new loans are to be tendered to at least three lending institutions.

5.2.5 Borrowing Redemption

When surplus funds exist, the decision to repay borrowings shall be made based on the facts available at the time giving due regard to minimising the overall cost to Council.

5.3 Investments

Any funds that are not immediately required for operational needs and cannot be applied to either reduce existing borrowings or avoid the raising of new borrowings will be invested. The balance of funds held in any operating bank account that doesn't generate investment returns shall be kept at a level that is no greater than is required to meet immediate working capital requirements.

Any funds invested will be lodged at call or, having regard to differences in interest rates for fixed term investments of varying maturity rates, may be invested for a fixed term. The maturity date for a fixed term investment would not exceed a point in time where the funds otherwise could have been applied to cost-effectively either defer the need to raise a new borrowing or reduce the level of Council's variable interest rate borrowing facility.

When investing funds within the above criteria the investment which delivers the best value to Council is to be selected having regard to investment returns, transaction costs and other relevant and objectively quantifiable factors.

Investments are limited to the following (unless as specifically endorsed by Council):

- Deposits with the Local Government Finance Authority
- Bank interest bearing deposits or investment accounts with Council's current banking service provider
- Bank accepted/ endorsed bank bills, and
- State / Commonwealth Government Bonds.

To manage the level of risk Council will limit its investments to secure organisations. The following investment types are prohibited under this policy:

- Derivative based instruments
- Principal only investments or securities that provide potentially nil or negative cash flow
- Stand alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind, and
- Leveraging (borrowing to invest).

In addition, Council is prohibited from directly acquiring shares in a company.

5.4 Reporting

On or before 30 November, Council shall receive a specific report regarding treasury management performance of the previous financial year relative to this policy document.

This report shall highlight:

- For each Council borrowing and investment - the quantum of funds, its interest rate and maturity date, and changes in the quantum since the previous report
- The portion of fixed interest rate and variable interest rate borrowings at the end date of the reporting period, and
- ~~Confirmation of compliance with Full details and explanation of any instances of deviation from this policy during the year.~~

6. DELEGATION

6.1 Section 44 Part 1c of the Act provides that a council must approve all loans and clearly states that the power to borrow money cannot be delegated from the Council itself.

In terms of Investments, there is no restriction upon the delegation of the powers at Section 139 or the duty at Section 140 of the Act.

Investment/Loan Transactions within **new** facilities which must be within the debt levels approved by Council have been delegated to two of the following to authorise:

- CEO
- Directors
- Manager Financial Services

Investment/Loan Transactions within **existing** approved facilities are delegated to one of the following to authorise:

- CEO
- Directors
- Manager Financial Services
- Management Accountant

In relation to the above delegations, the officer initiating the transaction must be separate from the officer authorising the transaction.

~~The Chief Executive Officer, or delegate, is authorised to make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.~~

~~In addition, the Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this Policy.~~

6.2 The Chief Executive Officer has the delegation to:

6.2.1 Approve, amend and review any procedures that shall be consistent with this policy; and

6.2.2 Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

7. AVAILABILITY OF THE POLICY

This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.ahc.sa.gov.au. Copies will also be provided to the public upon

request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.14

Originating Officer: Lachlan Miller
Executive Manager Governance and Performance
Office of the Chief Executive

Subject: Cessation of the Strategic Planning & Development Policy Committee

For: Decision

SUMMARY

In May 2009, Council reviewed the Terms of Reference (TOR) of the Planning Policy Committee (a s41 Committee under the *Local Government Act 1999*) to satisfy the requirements of Section 101A of the *Development Act 1993* (the Development Act) and renamed that committee to be the Strategic Planning & Development Policy Committee (SPDPC).

The SPDPC has operated since this time, for a period with an expanded TOR providing delegation from Council to adopt policies, and operated as a quasi-second Council meeting from 2013 to 2017. However, the scope was narrowed back to the requirements of Section 101A after the 2017 Governance Review. Membership of the SPDPC has been all Council Members for almost the whole of its existence. However, the number of meetings of the Committee has decreased significantly with the approval of the last two Development Plan Amendments in 2017 and 2019. It is noted that no further Development Plan Amendments are being undertaken, given the pending implementation of the new Planning & Design Code (PDC).

With the transition to the *Planning, Development and Infrastructure Act 2016* (PDI Act), there is no longer a requirement for a Council Committee to satisfy Section 101A of the Development Act, which will become redundant when Phase 3 of the PDC becomes operative sometime in early 2021. Any matters relating to the Planning & Design Code Amendments under the PDI Act will come to the full Council for consideration.

The purpose of this report is to seek Council's consideration of a proposal to cease the SPDPC effective from 27 November 2020 (as this aligns with the presiding member's current term).

RECOMMENDATION

That Council resolves:

1. That the report be received and noted
 2. With an effective date of 27 November 2020, to cease the Strategic Planning & Development Policy Committee.
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

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

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

➤ Legal Implications

Section 101A of the *Development Act 1993* requires that a council must establish a SPDPC and prescribes a series of functions which relate to the consideration of Development Plan Amendments and planning policy related matters.

Section 41 of the *Local Government Act 1999* (the Act) sets out the processes for the establishment of council committees. These committees may be formed to assist council in the performance of its functions; to enquire into matters; to provide advice to council and to exercise delegated powers, functions and duties. The SPDPC is a s41 Committee.

The PDI Act does not have a requirement to establish an SPDPC-type committee and any PDC Amendments can be considered by the Council itself.

➤ Risk Management Implications

Structuring Council's s41 committee arrangements to assist the Council in the discharge of its functions 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)	Low (3E)	Low (3E)

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

➤ Financial and Resource Implications

There are no costs associated with the cessation of the SPDPC.

There will indirectly be a saving from the proposed action as the SPDPC has historically had a Presiding Member who receives the Presiding Member of a Prescribed Committee allowance under *Determination 6 of 2018 – Allowances for Members of Local Government Councils*. The quantum of the Presiding Member allowance for the period November 2020 to October 2021 is \$4,525, as such there would be a pro-rata saving until the full commencement of the PDI Act.

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

There is a high expectation that Council has appropriate governance and accountability mechanisms in place in relation to its meeting structures.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Council Members: The proposal has been discussed with the Acting Mayor and the SPDPC Presiding Member

Advisory Groups: Not Applicable

Administration: Chief Executive Officer
Director Development & Regulatory Services
Governance & Risk Coordinator
Executive Assistant Mayor & CEO

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

In May 2009, Council reviewed the Terms of Reference of the then Planning Policy Committee (a s41 Committee under the *Local Government Act 1999*) with a view to complying with the requirements of Section 101A of the *Development Act 1993*, as below:

- (1) A council must establish a strategic planning and development policy committee.
- (2) The functions of the committee are:
 - (a) to provide advice to the council in relation to the extent to which the council's strategic planning and development policies accord with the Planning Strategy; and
 - (b) to assist the council in undertaking strategic planning and monitoring directed at achieving—
 - (i) orderly and efficient development within the area of the council; and
 - (ii) high levels of integration of transport and land-use planning; and
 - (iii) relevant targets set out in the Planning Strategy within the area of the council; and
 - (iiia) the implementation of affordable housing policies set out in the Planning Strategy within the area of the council; and
 - (iv) other outcomes of a prescribed kind (if any); and
 - (c) to provide advice to the council (or to act as its delegate) in relation to strategic planning and development policy issues when the council is preparing—
 - (i) a Strategic Directions Report; or
 - (ii) a Development Plan Amendment proposal; and
 - (d) other functions (other than functions relating to development assessment or compliance) assigned to the committee by the council.
- (3) The *Local Government Act 1999* will apply in relation to a committee established under this section as if it were a committee established under that Act.

With the revised Terms of Reference (TOR) the Committee was renamed to be the Strategic Planning & Development Policy Committee (SPDPC).

In February 2013, the TOR of the SPDPC was again reviewed with Council resolving to provide a number of other roles and functions to the Committee, as follows:

As established by Council

- 2.10 To ensure that Council's Strategic Management Plan objectives, directions and outcomes are met.
- 2.11 To review and adopt Policy and Codes on behalf of Council
- 2.12 To consider Financial Matters and Tenders and Contracts that fall within budget allocation which have been previously adopted by Council.
- 2.13 To advise Council in regards to:
 - 2.13.1 Infrastructure matters not included in Council's budget
 - 2.13.2 Financial matters not included in any adopted budget
 - 2.13.3 Matters referred to the Committee by established sub-committees.
- 2.14 To encourage, receive, consider and make recommendation to Council relating to outcomes from various engagements with the community.
- 2.15 To act on behalf of Council where Council has granted delegated authority to the Committee and as set out in Council's Delegation Register.
- 2.16 Consider and make submissions to Government or private organisations as required
- 2.17 Continually seek to improve procedures that simplify all planning and related matters for ratepayers.
- 2.18 Ensure that broad community feedback is sought on all new strategic policy initiatives.

With these additional roles and an order of business largely identical to the Council's, the SPDPC was regarded in the community, if not in the Council itself, as a quasi-second Council meeting each month. This perception was strengthened through a membership comprising all Council Members, which was not the case for the other s41 committees (Audit Committee and CEOPRP).

On 25 July 2017, the TOR was again reviewed as part of the Section 41 Committee and Advisory Group Governance Review and Council resolved to revert the functions of the SPDPC back to those required by s101A.

With the narrowing of the SPDPC's scope and the focus on the transition to the PDI Act and PDC, the number of meetings has reduced from monthly to as required. In 2020, there have been two meetings.

3. ANALYSIS

With the progressive transitioning to the PDI Act and the Planning & Design Code (PDC), which will commence for the Adelaide Hills Council in early 2021, Council no longer has a need to consider Development Plan Amendments (which were the bulk of the business created by Section 101A). As such, the SPDPC has become redundant as any other SPDPC-type business can be managed in Council agendas.

Given the expiration of the Presiding Member's term on 26 November 2020, it seems an opportune time for Council to formally resolve to cease the SPDPC.

4. OPTIONS

The Council has the following options:

- I. To resolve to cease the SPDPC (***Recommended***)
- II. To determine not to cease the SPDPC at this point in time (***Not Recommended***).
Doing so would not cause any detriment to Council other than having a committee whose functions were effectively redundant.

5. APPENDIX

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.15

Responsible Officer: Jennifer Blake
Manager, Communications Engagement and Events
Community Capacity

Subject: Shannons Adelaide Rally 2020 proposed date change

For: Decision

SUMMARY

Due to the six day “stay at home” COVID-19 emergency directions, and the likely extension of restrictions to some degree, it is not possible for the Shannons Adelaide Rally to go ahead as planned from Wednesday 25 – Saturday 28 November, 2020. The application for road closures for the Shannons Adelaide Rally was made by Massive Events Corp Pty Ltd.

The purpose of this report is to seek consent for road closure orders proposed for a rescheduled event on Wednesday 24 – Saturday 27 March 2021. The organisers propose using the same road closure routes, days of the week and timing as previously considered and approved by Council on 26 May 2020 for the November 2020 event with minor changes approved subsequently by the Chief Executive Officer under delegation.

This report proposes that the date change be approved and a modified community consultation is undertaken by the event organiser in collaboration with Council, to advise affected residents of the new dates and gather information on any impacts which will need to be mitigated by the event organisers. The full list of proposed closures is included under Section 3 of this report (Analysis).

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
- 2. That the Council determines that due to the extraordinary situation posed by the COVID-19 emergency declaration and directions, that the normal provisions of the Festivals and Events Policy, as they apply to motorsport events, regarding consultation with residents on affected sections of road, not be required to be applied in this instance, on the basis that:**
 - a. It is the same event, postponed to a new date**
 - b. The roads, times and days of week that sections of road are proposed to be closed are the same as that previously consulted on and considered by the Council**
 - c. The requirement to undertake the usual process of consultation would jeopardise the ability for the organisers to reschedule the event and maintain existing entries.**

3. That, in relation to the 2020 Shannons Adelaide Rally, Council supports rescheduling of the event to March 2021 contingent on the organisers, to the satisfaction of the Chief Executive Officer:
- a. Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event
 - b. Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event
 - c. Working in collaboration with Council staff to inform the community of the new event date and seek their feedback regarding issues, concerns or support
 - d. Providing written confirmation that the concerns raised by affected residents have been taken into account and that arrangements for egress and regress for those properties can be managed within the event where possible
 - e. Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event.
4. That subject to the requirements of item 3. being undertaken, Council provides consent for road closure orders in relation to the event, to be held between Wednesday 24 and Saturday 27 March 2021 as follows:

2020 Shannons Adelaide Rally

Event date/s: Wednesday 24 March 2021

Stage 1 and 9 – Scott Bottom and Bradbury

Approximate closure 11:30am – 2:00pm and 3:45pm – 6:15pm

Mount Bold Road and Dorset Vale Road closed – from AHC boundary to Gurr Road

Event date/s: Thursday 25 March 2021

Stage 11 and 14 – Anstey Hill Short

Approximate closure 8:45am – 2:30pm

Lower North East Road closed – from Perseverance Road to Range Road

Stage 12 and 15 – Chain of Ponds Plus

Approximate closure 9:00am – 2:45pm

North East Road closed – from Fidlers Hill Road to Gorge Road

Stage 13 – Corkscrew

Approximate closure 9:30am – 1:00pm

Corkscrew Road closed – from Gorge Road to Montacute Road

Stage 16 – Lobethal

Approximate closure 11:30am – 3:00pm

Cudlee Creek Road closed – from Fox Creek Road to Tabor Lane

Event date/s: Friday 26 March 2021

Stage 19 and 22 – Norton Summit

Approximate closure 8:30am – 1:45pm
New Norton Summit Road closed – from Coach House Drive to Lobethal Road

Stage 20 and 24 – Stafford Ridge and Heysen
Approximate closure 9:00am – 12:15pm and 12:45pm – 4:30pm
Staffords Road and Fox Creek Road closed – from Lobethal Road to Fox Creek MTB carpark

Stage 23 – Morialta
Approximate closure 11:30am – 4:00pm
Gorge Road, Corkscrew Road and Montacute Road closed – from Prairie Road to Maryvale Road

Stage 21 – Marble Hill
Approximate closure 9:30am - 2:00pm
Gorge Road, Corkscrew Road, Marble Hill Road closure – from Prairie Road to Tembys Road

Stage 25 – Ironbank
Approximate closure 2:00pm – 5:00pm
Morgan Road and Scott Creek Road closed – from Morgan Road to Evans Drive

Stage 26 – Sturt Valley
Approximate closure 2:00pm – 5:15pm
Sturt Valley Road closed – from 274 Sturt Valley Road to Longwood Rd

Stage 27 – Eagle on the Hill
Approximate closure 2:15pm – 5:45pm
Mount Barker Road closed – from AHC boundary to 350 Mount Barker Rd

Event date/s: Saturday 27 March 2021

Stage 28 – Mt Lofty
Approximate closure 9:30am – 1:15pm
Greenhill Road and Summit Road closed – 661 Greenhill Road to Cleland Wildlife Park

Stage 29 – Basket Range
Approximate closure 10:00am – 1:30pm
Lobethal Road closed – 374 Lobethal Road, Ashton to Basket Range Road

Stage 30 – Carey Gully
Approximate closure 10:15am - 1:45pm
Lobethal Road and Deviation Road closed – Fernglen Road to Boundary Drive (South)

Stage 31 – Mt George
Approximate closure 10:30am – 2:15pm
Gorge Road, Worden Road, Muller Road, Carey Gully Road, Tanamerah Road, Gum Flat Road, Badenoch Road closed – from Rangeview Drive to Beaumont Road, Verdun

Stage 32 – Summit Road

Approximate closure 1:00pm – 3:45pm

Summit Road closed – Greenhill road to Cleland Wildlife Park

Stage 33 – Leawood Gardens

Approximate closure 1:15pm – 4:15pm

Mount Barker Road closed – from AHC boundary to 350 Mount Barker Rd

Stage 34 - Athelstone

Approximate closure 1:45pm – 4:45pm

Gorge Road closed – from Corkscrew Road to Council boundary

5. That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for minor changes to the road closures in the lead up to the event.

1. GOVERNANCE

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

Strategic Plan 2020-24 – A brighter future

Goal Community Wellbeing

Objective C6 Celebrate our community's unique culture through arts, heritage and events

Priority C6.2 Develop, support and bring events to our district that have social, cultural, environmental or economic benefits

Council's Strategic Plan recognises that events play a key role in connecting our community and are an important contributor to economic and social prosperity. They offer an opportunity to bring communities together, welcome visitors to the area, promote the unique culture of the Hills and build community spirit.

The Council's Festivals and Events Policy contains requirements for consultation with affected property owners in relation to sections of road proposed to be closed for motorsport events. Consultation in relation to this event did occur, albeit for the proposed event dates of November 2020. The Policy is silent on how a postponed motorsport event should be treated, hence the matter is being put to Council for consideration.

➤ **Legal Implications**

Section 33 of the *Road Traffic Act 1961* (the Act) allows the Minister to declare events to be events to which the Section applies, and then to declare road closures, part closures and exemptions to the Road Rules for that event.

SA Police have already issued a road order for the original event dates in November 2020. If the rescheduled March 2021 event is supported, SA Police will need to issue new road orders, including exemptions to the observance of certain road rules (including speed limits), for the vehicles involved in the event within the closed sections of road.

➤ **Risk Management Implications**

Consent to full road closures for the proposed 2021 Shannons Adelaide Rally will assist in mitigating the risk of:

Conflicts between event participants, residents, business owners and road users leading to injuries and/or property/vehicle damage and/or financial loss to those affected parties.

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

The residual risk rating takes into consideration the provision of organisers' risk management plans, public liability insurance and on-site traffic marshals and action taken to mitigate resident and business concerns following public consultation. The target risk rating is with full road closures as requested and the event run as intended.

➤ **Financial and Resource Implications**

Should Council resolve to allow the rescheduling of the road closures, a modified consultation with affected residents on the proposed new dates would be undertaken in collaboration with the event organiser. There would be no direct financial cost to Adelaide Hills Council.

Staff time would need to be dedicated to assisting the event organiser in the coordination and execution of the consultation. This would be accommodated within normal operational resourcing.

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

All directly affected businesses and residents (defined in the Policy as those on roads subject to closures or intersecting roads with no alternate entry/egress) were consulted on the current dates, times and locations of the proposed November 2020 event road closures in April 2020. They also received a notification letter containing the details of the Council-consented closures in October 2020, approximately four (4) weeks prior to the event date.

Roadside signage was installed in October 2020 to provide advanced notice to all passing traffic of the upcoming closure points, dates and times. These signs were to have been amended with the addition of a large 'postponed' notice but organisers were unable to complete this job due to lockdown.

Council is committed to supporting the return of safe and community focused events once restrictions are lifted.

➤ **Sustainability Implications**

No additional environmental or sustainability impacts are anticipated to be caused by the date change.

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

Consultation on the development of this report was as follows:

Council Committees: Not applicable

Council Workshops: Council Members were advised of the potential for this situation to arise at the Council Member workshop held on 17 November 2020

Advisory Groups: Not applicable

Administration: Coordinator Civil Operations
Economic Development Manager
Events Officer
Coordinator Service Strategy and Innovation

External Agencies: Apple and Pear Growers Association of South Australia

Community: Consultation occurred on the original dates for the proposed road closures as described elsewhere in this report.

2. BACKGROUND

At the ordinary meeting of 26 May 2020, Council resolved to provide consent to road closures for the Shannons Adelaide Rally in November 2020 as follows:

Moved Cr Nathan Daniel
S/- Cr John Kemp

93/20

10.04pm Cr Chris Grant left the meeting
10.06pm Cr Chris Grant returned to the meeting

Council resolves:

1. That the report be received and noted.
2. That, in relation to the 2020 Shannons Adelaide Rally and 2020 Gorge Rallysprint, Council supports the event contingent on the organisers, to the satisfaction of the Chief Executive Officer:
 - a. Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event
 - b. Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event
 - c. Providing confirmation that the affected business owners are aware of the road closures
 - d. Providing written confirmation that the concerns raised by affected residents have been adequately addressed and that arrangements for egress

- and regress for those properties can be managed within the event where possible
 - e. Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event.
3. That subject to the requirements of item 2. being undertaken, Council provides consent for road closure orders in relation to the two events, to be held on Sunday 13 September and between Wednesday 25 and Saturday 28 November as follows:

2020 Gorge Rallysprint

- a. Sunday 13 September
 - i. Stage 1 - Pinkerton Gully
Approximate closure 9:00am – 4:30pm
Gorge Road closed – from approximately King George Avenue to Pinkerton Gully Road
 - ii. Stage 2 – Paracombe
Approximate closure 9:00am – 4:30pm
Gorge Road closed – from approximately Batchelor Road to 500m before Torrens Valley Road
 - iii. Stage 3 – Prairie
Approximate closure 9:00am – 4:30pm
Gorge Road closed – from approximately Torrens Valley Road to Prairie Road

2020 Shannons Adelaide Rally

- b. Wednesday 25 November
 - iv. Stage 1 and 9 – Scott Bottom and Bradbury
Approximate closure 11:30am – 2:00pm and 3:45pm – 6:15pm
Mount Bold Road and Dorset Vale Road closed – from AHC boundary to Gurr Road
 - c. Thursday 26 November
 - v. Stage 11 and 14 – Anstey Hill Short
Approximate closure 8:45am – 2:30pm
Lower North East Road closed – from Perseverance Road to Range Road
 - vi. Stage 12 and 15 – Chain of Ponds Plus
Approximate closure 9:00am – 2:45pm
North East Road closed – from Fidlers Hill Road to Gorge Road
 - vii. Stage 13 – Corkscrew
Approximate closure 9:30am – 1:00pm
Corkscrew Road closed – from Gorge Road to Montacute Road
-

- viii. Stage 16 – Lobethal
Approximate closure 11:30am – 3:00pm
Cudlee Creek Road closed – from Fox Creek Road to Tabor Lane
- d. Friday 27 November
 - ix. Stage 19 and 22 – Norton Summit
Approximate closure 8:30am – 1:45pm
New Norton Summit Road closed – from Coach House Drive to Lobethal Road
 - x. Stage 20 and 24 – Stafford Ridge and Heysen
Approximate closure 9:00am – 12:15pm and 12:45pm – 4:30pm
Staffords Road and Fox Creek Road closed – from Lobethal Road to Fox Creek MTB carpark
 - xi. Stage 21 and 23 – Castambul and Morialta
Approximate closure 9:30am -4:00pm
Gorge Road, Corkscrew Road, Montacute Road and Marble Hill Road closed – from Prairie Road to Tembys Road
 - xii. Stage 25 – Ironbank
Approximate closure 2:00pm – 5:00pm
Morgan Road and Scott Creek Road closed – from Morgan Road to Evans Drive
 - xiii. Stage 26 – Sturt Valley
Approximate closure 2:00pm – 5:15pm
Sturt Valley Road closed – from 274 Sturt Valley Road to Longwood Rd
 - xiv. Stage 27 and 32 – Eagle on the Hill and Leawood Gardens
Approximate closure 2:15pm – 5:45pm
Mount Barker Road closed – from AHC boundary to 350 Mount Barker Rd
- e. Saturday 28 November
 - xv. Stage 28 – Mt Lofty
Approximate closure 9:30am – 1:15pm
Greenhill Road and Summit Road closed – 661 Greenhill Road to Cleland Wildlife Park
 - xvi. Stage 29 – Basket Range
Approximate closure 10:00am – 1:30pm
Lobethal Road closed – 374 Lobethal Road, Ashton to Basket Range Road
 - xvii. Stage 30 – Carey Gully
Approximate closure 10:15am - 1:45pm
Lobethal Road and Deviation Road closed – Fernglen Road to Boundary Drive (South)
 - xviii. Stage 31 – Mt George
Approximate closure 10:30am – 2:15pm

Gorge Road, Worden Road, Muller Road, Carey Gully Road, Tanamerah Road, Gum Flat Road, Badenoch Road closed – from Rangeview Drive to Beaumont Road, Verdun

xix. Stage 32 – Summit Road

Approximate closure 1:00pm – 3:45pm

Summit Road closed – Greenhill road to Cleland Wildlife Park

xx. Stage 33 – Athelstone

Approximate closure 1:45pm – 4:45pm

Gorge Road closed – from Corkscrew Road to Council boundary

4. That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for minor changes to the road closures in the lead up to the event.
5. That organisers of the 2020 Shannons Adelaide Rally be required to attend a Council workshop by February 2021 to provide feedback on the 2020 event and allow elected members the opportunity to ask questions in relation to the event.

Carried

Cr Chris Grant voted against the motion. The majority of persons who were entitled to vote at the meeting voted in favour of the motion.

All requirements under item 2 of the Council resolution were met by the event organiser prior to the November 2020 event.

The Council's *Festivals & Events Policy* contains a specific appendix with guidelines for Competitive Motoring Events. These guidelines were adhered to by the event organiser in conducting the original consultation.

3. ANALYSIS

The event organisers of the Shannons Adelaide Rally have advised that due to the current COVID-19 restrictions, they had no option but to cancel the 2020 event proposed for 25 – 28 November 2020. The organisers had confirmed their largest ever field of 404 cars, with one in eight of the 808 participants coming from interstate to take part, even in the face of border restrictions and uncertainty throughout the year. The event organisers would like support for the event and consent to the road closures so they can provide participants with a new date as soon as possible and also use this date to attract new participants and visitors to the event. This is a well-run, vibrant and internationally recognised event as recognised by Council in approving past events.

Careful consideration was given regarding a proposed new date for the event with the same days of the week and closure times as already consulted on used to minimise impact and confusion for the community. Other major local and interstate events have been taken into account, in particular the Formula One Grand Prix in Melbourne, which takes place the week prior, and Easter, which occurs on the following weekend. March offers similar weather to late November and is still in daylight saving time.

A March event provides an opportunity to showcase the Adelaide Hills in autumn. The organisers have had significant interest in a March date from interstate and hope to increase interstate visitation from 12% for the November 2020 event up to 20% in March 2021 with potential for increased bed nights, economic benefit and exposure for the state and the Adelaide Hills Region.

In terms of potential conflicts with other key activities in the Adelaide Hills, it is likely to be the end of vintage and the closures may impact some varieties of apple picking however, the economic impact on producers in March is expected to be less than was anticipated for the November event..

Road closure information signs were erected in recent weeks around the rally routes and communications sent to 1100 residents notifying them of the dates and times of rally closures. Organisers received three forms of negative feedback following these communications as did the Council Administration. These concerns have been responded to. In past years organiser have displayed consideration and compromise with the route in response to resident concerns such as including special escorts through road closures and minor route alterations to suit resident needs. The event and Council website have both been updated awaiting confirmation of new dates.

The event organisers anticipate other affected councils providing consent to the new road closure dates as applicable to their areas. Several of these do so administratively under delegation and without the need for community consultation.

The Council's Festivals and Events Policy contains requirements for consultation with affected property owners in relation to sections of road proposed to be closed for motorsport events. Consultation in relation to this event did occur, albeit for the proposed event dates of November 2020. The Policy is silent on how a postponed motorsport event should be treated, hence the matter is being put to Council for consideration.

The organisers have advised that in the interests of maintaining the level of event entries they have achieved, they need to lock in a new date for the event as soon as possible. They further advise that conducting fresh consultation in the manner and timelines normally required by the Council's Festivals and Events Policy, are not conducive to new dates being promoted early.

The organisers have proposed a modified consultation process. They intend to communicate with impacted residents to advise them of the new event dates and to invite anyone with concerns or particular needs to contact them. The organisers have undertaken to accommodate any pressing needs as far as is practicable. Past practice has, for instance, included shortening closed road stages to avoid particular business entry/exit points, pausing stages to allow the passage of buses and essential business deliveries and providing affected people/businesses with opportunities to work with the event. The Administration proposes a collaborative approach to this communication, including the option of responding to the notification directly to the Council via Council's online engagement portal. This will increase Council's visibility of any community concerns and allow closer collaboration with event organisers in mitigating them. It will ultimately remain a matter for the event organiser to determine how and if any particular needs can be accommodated, however the organiser is well aware that the manner in which they deal with community concerns is taken into account in consideration of future events.

Given the extraordinary situation and the lack of provisions in the Festival and Events Policy regarding motorsport postponements, it is considered appropriate for the Council to consider the special circumstances and make a determination on consent for new event dates without a further comprehensive consultation process.

In order to enable the event to proceed, it is recommended that the Council provide consent to the road closures on the new dates, subject to the modified consultation process outlined.

Proposed dates for Shannons Adelaide Rally – March 2021

Event date/s: Wednesday 24 March 2021

Stage 1 and 9 – Scott Bottom and Bradbury
Approximate closure 11:30am – 2:00pm and 3:45pm – 6:15pm
Mount Bold Road and Dorset Vale Road closed – from AHC boundary to Gurr Road

Event date/s: Thursday 25 March 2021

Stage 11 and 14 – Anstey Hill Short
Approximate closure 8:45am – 2:30pm
Lower North East Road closed – from Perseverance Road to Range Road

Stage 12 and 15 – Chain of Ponds Plus
Approximate closure 9:00am – 2:45pm
North East Road closed – from Fidlers Hill Road to Gorge Road

Stage 13 – Corkscrew
Approximate closure 9:30am – 1:00pm
Corkscrew Road closed – from Gorge Road to Montacute Road

Stage 16 – Lobethal
Approximate closure 11:30am – 3:00pm
Cudlee Creek Road closed – from Fox Creek Road to Tabor Lane

Event date/s: Friday 26 March 2021

Stage 19 and 22 – Norton Summit
Approximate closure 8:30am – 1:45pm
New Norton Summit Road closed – from Coach House Drive to Lobethal Road

Stage 20 and 24 – Stafford Ridge and Heysen
Approximate closure 9:00am – 12:15pm and 12:45pm – 4:30pm
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Stage 21 – Marble Hill
Approximate closure 9:30am - 2:00pm

Gorge Road, Corkscrew Road, Marble Hill Road closure – from Prairie Road to Tembys Road

Stage 25 – Ironbank

Approximate closure 2:00pm – 5:00pm

Morgan Road and Scott Creek Road closed – from Morgan Road to Evans Drive

Stage 26 – Sturt Valley

Approximate closure 2:00pm – 5:15pm

Sturt Valley Road closed – from 274 Sturt Valley Road to Longwood Rd

Stage 27 – Eagle on the Hill

Approximate closure 2:15pm – 5:45pm

Mount Barker Road closed – from AHC boundary to 350 Mount Barker Rd

Event date/s: Saturday 27 March 2021

Stage 28 – Mt Lofty

Approximate closure 9:30am – 1:15pm

Greenhill Road and Summit Road closed – 661 Greenhill Road to Cleland Wildlife Park

Stage 29 – Basket Range

Approximate closure 10:00am – 1:30pm

Lobethal Road closed – 374 Lobethal Road, Ashton to Basket Range Road

Stage 30 – Carey Gully

Approximate closure 10:15am - 1:45pm

Lobethal Road and Deviation Road closed – Fernglen Road to Boundary Drive (South)

Stage 31 – Mt George

Approximate closure 10:30am – 2:15pm

Gorge Road, Worden Road, Muller Road, Carey Gully Road, Tanamerah Road, Gum Flat Road, Badenoch Road closed – from Rangeview Drive to Beaumont Road, Verdun

Stage 32 – Summit Road

Approximate closure 1:00pm – 3:45pm

Summit Road closed – Greenhill road to Cleland Wildlife Park

Stage 33 – Leawood Gardens

Approximate closure 1:15pm – 4:15pm

Mount Barker Road closed – from AHC boundary to 350 Mount Barker Rd

Stage 34 - Athelstone

Approximate closure 1:45pm – 4:45pm

Gorge Road closed – from Corkscrew Road to Council boundary

4. OPTIONS

Council has the following options:

- I. Receive the report and resolve to consent to the road closures contemplated in this report (Recommended).
- II. Resolve not to provide consent for the road closures contemplated in this report. Should the Council not consent to some or all road closures proposed for this event, significant parts of the event, or the event in its entirety, would be unable to proceed as intended (Not Recommended).

5. APPENDIX

- (1) Letter of postponement and request for a rescheduled date

Appendix 1

*Letter of postponement and request for rescheduled
date*



Adelaide Rally
PO Box 198 Crafers
S.A 5152
www.adelaiderrally.com.au

Jennifer Blake
Manager Communications Engagement and Events
C/O Adelaide Hills Council

Dear Jennifer,

We would firstly like to thank Council for the continued support and approval of this long-running event, which is the biggest event of its type in the southern hemisphere.

The 2020 Shannons Adelaide Rally has confirmed its largest ever field of 404 cars, with one in eight of the 808 participants coming from interstate to take part, even in the face of border restrictions and uncertainty throughout the year.

Unfortunately, as of today, Wednesday November 18, the South Australian Government has enacted a strict lockdown for at least six days, beginning at midnight tonight. With our event scheduled to commence next Wednesday we have no option but to postpone.

We have after careful consideration chosen March 24-27, 2021 as the new date for the event. There are a number of reasons for this decision.

We have confidence that the "Circuit Breaker" lockdown will be effective and we will be able to run the event as planned at this new date. Our proposed strategy for the event is based on this assumption.

To begin, we must stress that what we are proposing is to run the Adelaide Rally exactly as already approved by Council. The route is exactly the same, at the same times, on the same days of the week, which minimises any confusion in the community. Literally the only alteration to any of our plans is to change the date in response to a health crisis.

A significant consideration in the choice of March 24-27 is that it offers similar weather to late November, and runs in daylight saving time as is the case with the November dates.

We believe the 17 weeks between now and March 24 offers ample time to bring this virus cluster under control, based on the experience of the Victorian lockdown, which was not as strict as the one we are entering now. A number of vaccines are also predicted to become available in the new year. Other major local and interstate events have also been taken into account, in particular the Formula One Grand Prix in Melbourne, which takes place the week prior, and Easter, which occurs on the following weekend.

This provides a perfect window of opportunity to show the Adelaide Hills in autumn. With border restrictions in place, our field was 12.5% interstate competitors. We have already had significant interest from interstate since the postponement was announced this afternoon and hope to achieve a figure closer to 20% interstate visitation which will deliver increased bednights, economic benefit and exposure for the state and the Adelaide Hills Region.

Operating the event also provides opportunity for local producers, tourism and hospitality operators. Lunch stops at Bridgewater and Lobethal feature catering by local artisans, with fare such as icecream made from local fruit, local chocolatiers and restaurants. The Adelaide Rally exposes the Adelaide Hills as a destination to a cohort of high net worth individuals and generates significant economic activity for the region.



Adelaide Rally
PO Box 198 Crafers
S.A 5152
www.adelaiderally.com.au

Running the Rally on March 24-27 offers a potential increase in benefits over the November event, while also demonstrating respect for the community.

From our decades of experience in dealing with the community in relation to this kind of event, we find that residents become familiar with road closures and orchestrate solutions for themselves – if they happen to be amongst the very small percentage of directly affected residents. For example, if you have to leave early to pick up a child from school on a Wednesday, our proposed date change means that solution is still valid and requires no change on their part.

Our proposal is that we will, in compliance with Council's Festival and Events Policy erect signage and mail out information as per usual to the same residents that have already received several letters of correspondence from us this year about the same route held on the same days at the same time. We propose timing this to occur between 3.5 and 6 weeks pre event which we have found to be most effective, as people have some certainty about their own plans and enough notice to make changes if required.

After the recent erection of signs and informative communications that went to 1100 residents just weeks ago, we are aware of only 3 forms of negative feedback. It should also be mentioned here that we will continue to provide high levels of consideration and compromise with the route as we have demonstrated yearly by way of special escorts through road closures and minor alterations to suit resident needs where reasonable and possible.

Our analysis shows no reason the event cannot run in March, in essentially the same format as the event already approved for late November. It is important to note that this is the same event run on a different date, not a new event nor a new event application.

We believe that as a community and region we need to continue to live our lives as best we can, supporting each other as much as possible and making the most of our opportunities as we safely can. In saying this we propose to set a second date beyond the proposed March date should unforeseen happen and we require a fall-back date. This being May 5th to 8th

We have already consulted with neighbouring councils and they have indicated that the date change is perfectly reasonable and satisfactory, and that they expect it to produce a better economic outcome.

We look forward to continuing to work with Adelaide hills Council to deliver an iconic event that brings vibrancy and activity to the region under difficult circumstances.

Regards Tim Possingham
Event Director



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 12.16

Responsible Officer: Lachlan Miller
Executive Manager Governance and Performance
Office of the Chief Executive

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:

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
24/05/2016	Ordinary Council	105/16	Land at Houghton Request to Purchase	None declared
27/02/2018	Ordinary Council	57/18	Confidential Item - AH Swimming Centre Shade Sail	None declared
27/02/2018	Ordinary Council	58/18	AH Swimming Centre Shade Sail - Period of Confidentiality	None declared
24/09/2019	Ordinary Council	253/19	Oakbank Soldiers Memorial Hall	None declared
17/12/2019	Ordinary Council	309/19	Mylor BMX Bike Track	Perceived - Cr Leith Mudge
28/01/2020	Ordinary Council	16/20	CEO PRP Independent Membership	None declared
28/04/2020	Ordinary Council	75/20	CEO PRP Independent Member Deferral	None declared
28/07/2020	Ordinary Council	136/20	MON Late Lewis (Lew) Brickhill	None declared
27/10/2020	Ordinary Council	223/20	Petition - Opposition to DA Silver Lake Mylor	None declared
27/10/2020	Ordinary Council	225/20	MON South Eastern Freeway Noise	None declared
27/10/2020	Ordinary Council	230/20	General Purpose Financial Statements	None declared
27/10/2020	Ordinary Council	232/20	Nomination of East Waste Audit Committee Independent Member	None declared
27/10/2020	Ordinary Council	236/20	12.10 Rescission of resolution 253/19 - Oakbank Soldiers Memorial Hall	None declared
27/10/2020	Ordinary Council	238/20	Confidential Items Review	Perceived - Cr Andrew Stratford Material - Cr Linda Green Material - Cr Malcolm Herrmann
27/10/2020	Ordinary Council	249/20	Review of Development Application Fee Waiver Policy	None declared
27/10/2020	Ordinary Council	255/20	Confidential - Audit Committee Independent Member Appointment	None declared
27/10/2020	Ordinary Council	256/20	Confidential Item - Audit Committee Independent Member Appointment	None declared

27/10/2020	Ordinary Council	258/20	Confidential - CEO PRP Independent Member Appointment	None declared
27/10/2020	Ordinary Council	259/20	CEO PRP Independent Member Appointment - Period of Confidentiality	None declared

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

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

➤ Sustainability Implications

Not applicable

➤ Engagement/Consultation conducted in the development of the report

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.

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	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
22/03/2016	Ordinary Council	69/16	Land Acquisition Colonial Drive Norton Summit	None declared	Negotiate with the Anglican Church and CFS regarding the proposed boundary realignment and the preparation of preliminary plans	Terry Crackett	In Progress	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 to present a formal position to Council for consideration. The Norton Summit Church has advised that the State Diocese has consented to progress the matter and Council is awaiting contact from them to progress.
26/04/2016	Ordinary Council	83/16	Croft & Harris Road Precinct, Lenswood	None declared	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	Director Infrastructure & Operations is now representing AHC on a Project Steering Group to assist in development of the ForestrySA Cudlee Creek Forest Trails Fire Recovery Strategy. First meeting occurred in May which incorporated visioning exercise and SWOT Analysis with a broad range of stakeholders Public Feedback currently being sought on the draft Cudlee Creek Forest Trails Fire Recovery Strategy
24/05/2016	Ordinary Council	105/16	Land at Houghton Request to Purchase	None declared	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	Completed	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 reissued in the name of Adelaide Hills Council. The Section 210 process has been completed. Land has been transferred to Council from DIT and will be declared as public road by separate resolution of Council

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
24/01/2017	Ordinary Council	7/17	Cromer Cemetery Revocation of Community Land	None declared	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	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. DEW staff member dealing with this matter has left DEW so there may be an extended delay whilst it is reallocated and assessed. DEW awaiting finalisation of negotiations with Dept for Mining
27/02/2018	Ordinary Council	57/18	Confidential Item - AH Swimming Centre Shade Sail	None declared	As per confidential minute	Terry Crackett	Completed	Matter now finalised in accordance with the resolution.
27/02/2018	Ordinary Council	58/18	AH Swimming Centre Shade Sail - Period of Confidentiality	None declared	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	Completed	Matter now finalised in accordance with the resolution.
28/08/2018	Ordinary Council	200/18	Proposal to enter 11 AHC Reserves into Heritage Agreements 2018	None declared	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, Aldgate Heathfield Waste Facility, 32 Scott Creed Road, Heathfield Kiley Reserve, 15 Kiley Road, Aldgate Shanks Reserve, 1 Shanks Road, Aldgate Stock Reserve, Stock Road, Mylor Leslie Creek Reserve, Leslie Creek Road, Mylor Mi Mi Reserve, 125 Aldgate Valley Road, Mylor Aldgate Valley 2 Reserve, 114 Aldgate Valley Road, Mylor Kyle Road Nature Reserve, Kyle Road, Mylor Carey Gully Water Reserve, Deviation Road, Carey Gully Heathfield Stone Reserve, 215 Longwood Road, Heathfield Mylor Parklands, Mylor 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	Heritage Agreement applications lodged for and still in progress: • Mylor Parklands • Heathfield Waste Facility Heritage Agreement have been registered over: • Kiley Reserve • Shanks Reserve • Kyle Road Nature Reserve, • Leslie Creek Reserve • Aldgate Valley 2 Reserve • Doris Coulls Reserve

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
28/08/2018	Ordinary Council	203/18	Community Wastewater Management Systems Review - Update and Consultation Outcomes	Cr Andrew Stratford (Material), Cr Linda Green (Material), Cr Malcolm Herrmann (Material)	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	Peter Bice	In Progress	Workshop and Report to Council in December 2020. The Registration of Interest was launched on 8/9/2020 to the market. Following this process a report is anticipated to be brought to Council in December 2020 regarding next step options and a decision to proceed or otherwise to further stages. The Expression of Interest process has been delayed in consideration of Covid-19 impacts. In collaboration with project partners currently progressing with preparation of request for expression of interest tender process and documentation. Council staff continue to work with project partners towards request for tender release forecast to be in July 2020. Commercial advisory services have been engaged to ensure the approach to market is undertaken in such a manner to maximise return.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
11/09/2018	Special Council	229/18	Road Exchange McBeath Drive, Skye Horsnell Gully	None declared	<p>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</p> <p>The closed road is excluded as Community Land pursuant to the <i>Local Government Act 1999</i>.</p> <p>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.</p> <p>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</p>	Terry Crackett	In Progress	<p>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. The Boundaries Commission has agreed to investigate the proposal and that process is underway. Further feedback has been provided to the Boundaries Commission to progress. Boral are negotiating a Land Management Agreement with the State Government which has delayed the completion of the land division and road exchange. Awaiting advice that land division has been completed so that the boundary realignment can occur</p>

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
11/09/2018	Special Council	232/18	Revocation of Community Land – Bridgewater Retirement Village	None declared	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. 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. 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. That a further report be presented to Council for consideration after community consultation and further investigations have been completed	Terry Crackett	In Progress	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. Council, at the meeting of 27 August 2019, approved Carripook Park as the location to vary the trust to. Community consultation is open and runs until 20th December 2020. The Attorney-General has provided in-principle support to the proposal so a design for the landscaped garden and bushfire memorial at Carripook Park will be prepared for submission to the Supreme Court.
11/09/2018	Special Council	238/18	Ashton Landfill – Confidential Item	None declared	Until 10 September 2019. 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. Refer to confidential minute	Peter Bice	In Progress	Matter continues to be progressed. Further update will be provided when a material change occurs.
26/03/2019	Ordinary Council	70/19	Aboriginal Place Naming	None declared	That advice on the potential for Aboriginal place naming be sought from the Reconciliation Working Group, including a proposed approach for progressive implementation	David Waters	In Progress	This matter has been worked through with the Reconciliation Working Group and is likely to be an ongoing topic of discussion. The Group is at this stage advising the Council to focus on some 'easy wins' with places like Uraidla, Gumeracha and Cudlee Creek, whose names are anglicised versions of traditional Aboriginal names, to start building awareness in community. The Administration is continuing to work with the Group on how this should be done in practice.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
26/03/2019	Ordinary Council	77/19	Randell's Cottages, Beavis Court, Gumeracha	None declared	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	Not Started	The land sits within the Enviromental Food Protection Area and proposed use is not supported. An application will be made to DPTI for a review once the Minister announces the review, likley to be in mid 2020. Subject to a removal of the land from the EFPA, a development application will then be lodged for the division of the cottages (noting that it will be a non-complying development). Note that the implementation of the new legislation has been deferred.
26/03/2019	Ordinary Council	78/19	Scott Creek Cemetery Reserve Fund	None declared	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	Investigations as to options for marking of graves has commenced and once collated will be finalised for installation. Council staff have met with the Scott Creek Progress Association Committee to progress. Construction of concrete plinths is progressing and plaques will be finalised for installation. A fenced area is proposed for the unmarked grave area. Works for driveway upgrade will be scheduled this financial year. Works will be undertaken upon recruitment of cemetery maintenandce team member

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7/05/2019	Special Council	94/19	Stonehenge Reserve Masterplan Update and Findings from Consultation	None declared	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	<p>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.</p> <p>Update 8/10 - As per the original grant agreement, resurfacing works at the Heathfield (Council owned) site have been completed. Works to the existing courts at the Stonehenge site will commence shortly.</p> <p>Council staff are in the process of submitting a formal variation to the grant funding agreement with the ORSR that will allow the third component of the project (works originally intended for the creation of new courts at the Stonehenge site) to be undertaken at the Heathfield High School site instead.</p> <p>Over the past few months Council staff have been working with staff from Heathfield High School and the Department for Education to facilitate an agreement that will allow these works to occur.</p> <p>Project scoping and preparation for a tender process has begun. Works funded by the ORSR grant funding will include the extension and reconstruction of the Heathfield High School courts.</p> <p>Update 17/11 - As per above.</p>
7/05/2019	Special Council	104/19	Unsolicited Approach to Purchase Community Land – Period of Confidentiality	None declared	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	Matter not requiring action at this time.
25/06/2019	Ordinary Council	158/19	Boundary Reform - Approval to Explore	None declared	That the report be received and noted.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.That in relation to strategic boundary reform:Approve the engagement of a consultant to undertake a high level review of Council's boundaries to identify boundary reform options.Once the review has been undertaken and boundary reform options identified, that a workshop be held with the Elected Body (confidential if necessary) whereby the outcomes of the subject review can be presented prior to a formal report to council for consideration.	Andrew Aitken	In Progress	<p>Rec 2: Updated correspondence was sent to Woodforde and Rostrevor residents regarding the community meeting - COMPLETED</p> <p>Rec 3(1): C.L. Rowe & Associates engaged to conduct the Strategic Boundary Review - COMPLETED</p> <p>Rec 3(2): Workshops conducted on 17 March and 20 October 2020, Inform Engagement with neighbouring council Mayors and CEOs (delayed due to COVID-19) now completed. Report scheduled for October 2020 meeting.</p>

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
25/06/2019	Ordinary Council	173/19	Library Services Review	None declared	That the report be received and noted. 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 as budgeted for in the 2018/19 Annual Business Plan, with the Council noting that the budget will need to be carried forward into 2019-20. That a Library Services Strategy be developed during 2019-20. That Council consults with the community on any changes to operating hours and services.	David Waters	In Progress	Tenders for Mobile Library received. The procurement process was suspended pending a review of the effectiveness of alternative service delivery models resulting from the Covid-19 pandemic restrictions. The procurement process has now recommenced. Three tenders have been assessed. Further information identified and to be requested. Strategic Plan presented at a Council Workshop 10 November 2020 for feedback and further consideration before return to Council.
23/07/2019	Ordinary Council	188/19	LED Street Lighting Upgrade	None declared	That the report be received and noted. To approve an increase of \$365k in Council's 2019/20 capital budget to commence the transition of 900 P – category public streetlights to LED with the funding source to be recommended to Council at its next budget review. That Council engage SAPN to commence the changeover of P-Category lights to LED public lighting on Council roads and that authority is given to the CEO to finalise a contract with SAPN and sign that agreement. That Council enter into a PLC tariff agreement for public lighting with SAPN until 30 June 2020 and subsequently move to the tariff set by the Australian Energy Regulator from July 2020. That Council continues to liaise with SAPN and DPTI on the changeover of Council public lighting on roads under the care and control of the State Government. That a further report be provided to Council on the outcome of the continued discussions with SAPN and DPTI.	Peter Bice	In Progress	V Category lights identified and process to update on Council roads being developed. A new customer portal has been developed by SAPN and this will assist in light ownership and validation of V-Category (road category lighting from the Aust Standards) lighting owned by Council. DPTI request for all new lights to be V3 or V4 standard for DPTI roads. Council is also reviewing V category lighting on Council roads to determine the appropriate LED options and costs. Meeting with DPTI and SAPN undertaken to discuss main road requirements. Assessment of requirements being investigated. Phase One roll-out of P Category street lights on Council roads has been completed. SAPN Letter of Offer accepted. Hardware supplier agreed and notified. SAPN final contract offer being reviewed. Procurement process for hardware installation has commenced. Subject to availability of hardware, installation on site is proposed to commence prior to the end of the calendar year. Follow-up contact made with SAPN to progress contract and management of roll-out including any design work, communications and project management.
27/08/2019	Ordinary Council	223/19	Review of Primary Production Incentive Grant Funding	None declared	1. That the report be received and noted. 2. That the Primary Production Incentive Grant be discontinued and the balance of the funds be redirected to community education on rural land management issues and European Wasp control for the benefit of the primary production sector.	Marc Salver	In Progress	An Expression of Interest process concluded on 10 August 2020 to seek assistance from media experts to assist with preparing relevant material and short videos in this regard to put on Council's media channels. The proposals received are now be reviewed with a view to awarding a contract for this work in the next few weeks.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
17/09/2019	Special Council	239/19	Circular Procurement Pilot Project	None declared	Council resolves: That the report be received and noted. To approve participation in the Circular Procurement Pilot Project. That the Chief Executive Officer be authorised to execute the Memorandum of Understanding as contained in Appendix 1 of this report. That the Council endorses, in principle, the following targets: subject to the procurement needs and requirements of Council in 2020/21 purchasing recycled plastic products or materials equivalent to 10% of the weight of plastic collected within the Council area, which is equivalent to approximately 25 tonnes based on 2017/18 data. subject to the procurement needs and requirements of Council, commencing in 2021/22 Council will incrementally increase its purchasing of recycled plastic products or materials thereafter until it is equivalent to 50% of the weight of plastic collected within the Council area, which is equivalent to 124 tonnes based on 2017/18 data. That a report be provided to Council in early 2021/22 providing an update on the Council's participation in the Circular Procurement Pilot Project for the period 2020/21.	Peter Bice	In Progress	<p>The Circular Procurement Project is now underway, and the Memorandum of Understanding has been executed.</p> <p>Amendments to Council's procurement processes has been completed to provide effect to Council's participation in the Circular Procurement trial.</p> <p>Staff training in the Circular Procurement Project has been undertaken.</p> <p>Recording of goods purchased with recycled content has commenced including bin surrounds, wheelie bins, office paper, fence posts and road construction materials.</p> <p>To date council has purchased 3446 tonnes of recycled product including predominantly recycled road base and other items such as wheelie bins, bollards, picket fence panels and steel rails.</p> <p>Training is ongoing as required, staff continue to record purchases of recycled product through the procurement process.</p>
24/09/2019	Ordinary Council	252/19	Kenton Valley War Memorial Park	None declared	That the report be received and noted That no further action be taken at this time to progress the revocation of community land classification for the land located at the intersection of Kenton Valley and Burfords Hill Roads known as the Kenton Valley War Memorial Park, being Allotment 64 in Filed Plan No. 155479 contained in Certificate of Title Volume 5718 Folio 775 ("Land") That Council staff provide assistance to the proposed community group to form plans for the use and maintenance of the Land within existing budget and resources, including assistance to identify grant opportunities that may be available to the group A review be undertaken with the community working group in 12 months and an update report be provided to Council by 31 December 2020.	Terry Crackett	In Progress	<p>The park was impacted by the Cudlee Creek Bushfire.</p> <p>The community group remains active in looking at opportunities to improve the park and a new sign is due to be installed.</p>

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
24/09/2019	Ordinary Council	253/19	Oakbank Soldiers Memorial Hall	None declared	That the report be received and notedThat the Council provides financial and administrative assistance to the Oakbank Soldiers Memorial Hall Inc ("Association") to make an application to the Supreme Court for a trust variation scheme to vary the charitable trust that exists over the Oakbank Soldiers Memorial Hall ("OSM Hall") located at 210 Onkaparinga Valley Road Oakbank contained in Certificate of Title Volume 5846 Folio 513.That the Council and the Association enter into a binding agreement regarding the level of financial and administrative support being provided, to a maximum of \$40,000, to undertake the trust variation scheme, and land division if deemed financially viable, with all agreed financial and administrative support to be reimbursed to Council upon sale of the OSM Hall.That the Council agree to enter into a trust variation scheme that would result in the trust being varied from the OSM Hall to the Council owned Balhannah Soldiers Memorial Hall ("BSM Hall") that would bind the BSM Hall to be held in perpetuity as a Memorial Hall in memory of the residents of the township and district of Oakbank who enlisted for and made the supreme sacrifice in the Great War 1914 - 1918 and preserve the same upon trust for the general benefit of the residents of the township of Oakbank and district, and including the Balhannah township and district, and accept monies from the Association to be held on trust for that purpose.5. That the Mayor and CEO be authorised to sign all necessary documents, including affixing the common	Terry Crackett	Completed	Council rescinded this resolution on 26 October 2020

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22/10/2019	Ordinary Council	249/19	Crown Land Review	None declared	<p>That the report be received and noted That Council commence a community land revocation process in relation to the following land:</p> <p>CR 5752/186, Lot 32 Fullgrave Road, Crafers CR 5753/725, Section 1609 Illert Road, Mylor CR 5753/729, Section 1657 Scott Creek Road, Scott Creek CR 5753/741, Sections 53 and 54 Sandy Waterhole Road, Woodside CR 5753/742, Section 547 Schuberts Road, Lobethal CR 5753/744, Section 553 Pedare Park Road, Woodside CR 5753/745, Section 556 Tiers Road, Woodside CR 5753/746, Section 565 Old Carey Gully Road, Stirling CR 5753/751, Section 489 Chapman Road, Inglewood CR 5753/754, Section 511 North East Road, Inglewood CR 5753/758, Section 262 Reserve Road, Forreston CR 5763/631, Section 1591 Silver Road, Bridgewater CR 5763/634, Section 71 Magarey Road, Mount Torrens CR 5763/635, Section 72 Magarey Road, Mount Torrens CR 5763/636, Section 84 Forreston Road, Forreston CR 6142/329, Lot 501 Greenhill Road, Balhannah CR 5926/487, Lot 20 Bell Springs Road, Charleston CR 5753/718, Section 1544 Reserve Terrace, Aldgate CR 5753/753, Section 495 off Kersbrook Road, Kersbrook Community consultation be undertaken in accordance with the Council's Public Consultation Policy. A further report be presented to Council following completion of the community consultation process.</p>	Terry Crackett	In Progress	Consultation has closed with a report to be presented to Council in December
26/11/2019	Ordinary Council	277/19	MON Water Usage from Bores	None declared	<p>1. That the CEO investigates any circumstances where Council provides water to or receives water from a person/organisation.</p> <p>2. Following the investigation, a report detailing, among other things, any contractual arrangements, costs, risks and liabilities, be provided to Council by 30 April 2020</p>	Terry Crackett	In Progress	Investigations as to various arrangements is being undertaken with a report being presented to Council early in 2021

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17/12/2019	Ordinary Council	309/19	Mylor BMX Bike Track	Perceived - Cr Leith Mudge	1. That the report be received and noted. 2. That broad community consultation be undertaken in accordance with the consultation plan set out in this report 3. That, following completion of community consultation and further investigations by Council staff, a further report is presented to Council for consideration. 4. That consultation excludes any areas identified in the Community Land Management Plans as being for conservation purposes in the Mylor Parklands as a site considered for any potential BMX track in the Mylor region 5. To reaffirm its commitment to the Heritage Agreement application in its current form, which is in progress for the Mylor Parklands 6. To thank all community groups and volunteers who have contributed to the preservation and conservation of the Mylor Parklands over many years 7. That compliance action be taken to stop further illegal use in Mylor Parklands, signs be placed informing visitors appropriately of activities that are, and are not, allowed in accordance with Community Land Management Plans.	Peter Bice	Completed	Completed
17/12/2019	Ordinary Council	314/19	Road Exchange Montacute Road Montacute	None declared	1. That the report be received and noted 2. To execute under seal a Deed of Assignment of Rights to Occupation to bring land identified as proposed Allotment 11 in DP 72622 under the <i>Real Property Act 1886</i> 3. To, in conjunction with Giuseppe Meccariello, Filomena Sanche, Vincenzo Meccariello and Telstra Corporation Ltd, undertake the road widening process in accordance with the plan attached as Appendix 2, to vest allotments 12 and 14 as public road for nil consideration 4. The road to be closed as identified as "A" in Preliminary Plan 05/0056 be excluded as Community Land pursuant to the Local Government Act 1999 5. To authorise the Chief Executive Officer and Mayor to finalise and sign all documentation, including under seal if necessary, to give effect to this resolution.	Terry Crackett	In Progress	Council has executed documents to support a process to bring land under the provisions of the Real Property Act 1886. Awaiting completion of that process before the road exchange can progress.
28/01/2020	Ordinary Council	11/20	Revocation of Community Land - Bridgewater Retirement Village	None declared	That the report be received and noted Subject to the Supreme Court issuing an order granting approval for a trust variation scheme, a report be prepared and submitted to the Minister for Planning seeking approval to revoke the community land classification of Allotment 220 in Filed Plan No. 8131 known as 511 Mount Barker Road Bridgewater. The Mayor and CEO be authorised to sign all necessary documentation to give effect to this resolution.	Terry Crackett	In Progress	Application to the Minister for Planning will be made once the trust variation scheme has been approved by the Supreme Court. Currently awaiting feedback from the Attorney-General.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
28/01/2020	Ordinary Council	16/20	CEO PRP Independent Membership	None declared	That the report be received and noted That in relation to the CEO Performance Review Panel: To undertake a recruitment process for the selection of one Independent Ordinary Member for the CEO Performance Review Panel for a term of 24 months, indicatively commencing 1 March 2020. To appoint Cr Mark Osterstock & Cr Kirsty Parkin and the Executive Manager Organisational Development as members of the CEO Performance Review Panel Independent Member Selection Panel.	Terry Crackett	Completed	Recommendation on the appointment of the CEO Performance Review Panel Independent Member was approved on 27/10/2020.
28/04/2020	Ordinary Council	71/20	Rural Land Acquisition from DPTI - Houghton & Aldgate	None declared	That the report be received and noted To accept a transfer of land from the Commissioner of Highways for Allotment 13 in Deposited Plan No. 26030 contained in Certificate of Title Volume 5741 Folio 518 being Lot 13 Horn Street, Houghton from the Commissioner of Highways for nil consideration. To accept a transfer of land from the Commissioner of Highways for Allotment 51 in Deposited Plan No. 82071 contained in Certificate of Title Volume 6058 Folio 751 being Lot 51 Strathalbyn Road, Aldgate from the Commissioner of Highways for nil consideration. To exclude the land described in 2 & 3 above as community land pursuant to section 193(4) of the <i>Local Government Act 1999</i> . To delegate to the Chief Executive Officer to execute the necessary documentation to give effect to this resolution.	Terry Crackett	In Progress	The registration of the transfer of the land parcels to Council has been completed. A further report will be presented to Council to obtain a resolution to declare the land parcels as public road.
28/04/2020	Ordinary Council	75/20	CEO PRP Independent Member Deferral	None declared	That the report be received and noted To defer the recruitment of an Independent Ordinary Member until the social distancing restrictions associated with COVID-19 are sufficiently reduced/removed.	Andrew Aitken	Completed	Recommendation on the appointment of the CEO Performance Review Panel Independent Member was approved on 27/10/2020.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
26/05/2020	Ordinary Council	93/20	Support for Road Closures - 2020 Shannons Adelaide Rally & 2020 Gorge Rallysprint	Cr Chris Grant - Perceived	<p>That the report be received and noted.</p> <p>That, in relation to the 2020 Shannons Adelaide Rally and 2020 Gorge Rallysprint, Council supports the event contingent on the organisers, to the satisfaction of the Chief Executive Officer: Providing evidence of satisfactory insurance to cover any damage to third 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 the affected business owners are aware of the road closures Providing written confirmation that the concerns raised by affected residents have been adequately addressed and that arrangements for egress and regress for those properties can be managed within the event where possible Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event.</p> <p>That subject to the requirements of item 2. being undertaken, Council provides consent for road closure orders in relation to the two events, to be held on Sunday 13 September and between Wednesday 25 and Saturday 28 November as follows: Refer to Minutes</p> <p>4. That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for minor changes to the road closures in the lead up to the event.</p>	David Waters	In Progress	<p>The event organiser is aware of the Council's resolution and is willing to attend the workshop in February 2021.</p> <p>Evidence of all requirements received.</p> <p>The Gorge Rallysprint was held on Sunday 13th September and a feedback was provided on 17 September. There were no complaints or enquiries received on or post event. The Adelaide Rally takes place on 25-28 November 2020.</p>

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
23/06/2020	Ordinary Council	105/20	Community & Recreation Facility Framework Project Update	None declared	That the report be received and noted That Council endorses the Community & Recreation Facilities Framework - Community Consultation Implementation Plan, contained in <i>Appendix 1</i> .	Peter Bice	In Progress	<p>Stage 1 and 2 of the consultation for this project is currently open. Data will be analysed, & used to inform new service levels & policy positions that will form part of the Framework.</p> <p>Update 19/8 - Stage 1 & 2 of the consultation for this project has now closed. Staff will begin analysing data in the coming weeks in conjunction with Council Members who form part of the CRFFIWG. Data gathered used to inform new service levels & policy positions that will form part of the Framework.</p> <p>Update 14/9 - Staff are continuing to analyse data, & will share findings with members of the CRFFIWG in the coming weeks.</p> <p>Update 8/10 - Consultation findings have been shared with members of the CRFFIWG in the past few weeks; & the group has begun to discuss models & service levels & policy positions that reflect information provided through the consultation process. Over the coming months the group will continue to progress & develop these positions, which will be presented to a Council Member workshop in early 2021.</p> <p>Update 17/11 - The CRFFIWG members will continue to progress & develop models, service levels & policy positions, which will be presented to a Council Member workshop in early 2021. In addition, CRFFIWG members & staff recently held a targeted stakeholder consultation session to discuss various service level options.</p>
23/06/2020	Ordinary Council	122/20	Event Opportunity - Confidential Item	None declared	Refer to Confidential Minute	David Waters	In Progress	The matter remains subject to the confidentiality order.
23/06/2020	Ordinary Council	123/20	Event Opportunity - Period of Confidentiality	None declaredthat the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the event agreements are signed and the relevant event details are announced by the relevant Minister, but not longer than 31 December 2021.	David Waters	In Progress	This items remains in confidence under the provisions contained in the resolution and a report will be going to Council to extend this period.
28/07/2020	Ordinary Council	136/20	MON Late Lewis (Lew) Brickhill	None declared	That the CEO investigates, in consultation with the family and the Friends of Bushland Park, how the memory of the late Lewis Norman Brickhill can be commemorated for his contribution to, not only Lobethal Bushland Park, but also to the wider community, and provides a report to Council by 30 September 2020.	Peter Bice	Completed	Report was tabled at October Council meeting.
28/07/2020	Ordinary Council	147/20	Citizen of the Year Awards Presentation Location	None declared	That the report be received and noted. That the winners of the three primary Australia Day Awards – Citizen of the Year, Young Citizen of the Year and Community Event of the Year – be given the opportunity to receive their award at a community celebration of their choice, commencing in January 2021.	David Waters	Not Started	The action arising from this resolution does not come about until January 2021.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
28/07/2020	Ordinary Council	148/20	Road Closure adj Posen Road Birdwood	None declared	<p>1. That the report be received and noted</p> <p>2. 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. 20/0005 attached to this report with Piece 14 in Deposited Plan No. 63287 comprised in Certificate of Title Volume 5911 Folio 108.</p> <p>3. 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 Mrs Elizabeth Addams-Williams, the owner of the property with which it is merging for the amount of \$8,000 plus GST (if applicable) and all fees and charges associated with the road closure process.</p> <p>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.</p>	Terry Crackett	In Progress	<p>Commenced in accordance with the resolution.</p> <p>Road Process Order and transfer documents being prepared by Surveyor.</p>
28/07/2020	Ordinary Council	149/20	Road Widening Netherhill Road Kenton Valley	None declared	<p>1. That the report be received and noted</p> <p>2. To purchase the areas of land totalling 335 sqm identified in red on the Land Acquisition Plan attached as <i>Appendix 2</i> ("land") from Stephen Paul Cowie the land owner at 67 Nether Hill Road, Kenton Valley, for the purchase price of \$6,700 (excl GST) plus all reasonable costs to vest the Land as public road.</p> <p>3. To purchase the area of land being 188 sqm identified in red on the Land Acquisition Plan attached as <i>Appendix 2</i> ("land") from Paul Andrew Arnup and Danielle Marie Beatrice Helbers the land owner at 109 Nether Hill Road, Kenton Valley, for the purchase price of \$3,760 (excl GST) plus all reasonable costs to vest the Land as public road.</p> <p>4. The road land being acquired to be excluded as Community Land pursuant to the <i>Local Government Act 1999</i>; and</p> <p>5. That the Mayor and CEO be authorised to sign all necessary documentation, including affixing the common seal, to give effect to this resolution.</p> <p>6. To approve an expenditure budget of \$10,460 to purchase the two areas of land on Nether Hill Road, Kenton Valley, with funding to be sourced from favourable capital revenue identified within the 2020-21 Capital Works budget.</p>	Terry Crackett	In Progress	<p>Progress has commenced in accordance with the resolution</p> <p>Conveyancer has been instructed to prepare boundary realignment documents</p>

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
25/08/2020	Ordinary Council	165/20	Replacement LMA 3 & 5 Pomona Road Stirling	None declared	<p>1. That the report be received and noted</p> <p>2. To enter into a deed of rescission, rescinding Land Management Agreement 10923983 dated 10 March 2008 and Variation of Land Management Agreement 12221145 dated 22 October 2014 noted on the land comprised and described in Certificate of Title Book Volume 6127 Folio 47, known as 3 Pomona Road, Stirling</p> <p>3. To enter into a deed of rescission, rescinding Land Management Agreement 13038239 dated 29 November 2018 noted on the land comprised and described in Certificate of Title Book Volume 6218 Folio 57, known as 5 Pomona Road, Stirling</p> <p>4. To enter into the new Land Management Agreement with Aldi Foods Pty Ltd attached in Appendix 1 of this report for Certificate of Title Volume 6127 Folio 47 and Certificate of Title Volume 6128 Folio 57, known as 3 & 5 Pomona Road, Stirling, subject to the acceptance by the Council Assessment Panel to the variation of the approved landscaping plan for Development Application 16/463/473 and subject to the acceptance of the State Commission Assessment Panel to the variation of the approved landscaping plan for Development Application 19/272/473 (19/E9/473)</p> <p>5. The Mayor & CEO are authorised to affix the Council Seal and execute the new Land Management Agreement, the Deeds of Rescission, and Consents to Note the new Land Management Agreement and Rescissions for 3 & 5 Pomona Road Stirling, and</p>	Marc Salver	In Progress	The new LMA approved by Council on 25 August has been forwarded to the applicant for execution and will then be registered on the respective titles. They awaiting SCAP approval to the amended landscaping plan before the LMA in this regard can be registered.
25/08/2020	Ordinary Council	168/20	Gumeracha Court Resurfacing Project	None declared	<p>1. That the report be received and noted.</p> <p>2. To approve the 2020-21 capital expenditure budget of \$220k to be funded by \$220k in capital grants income from the Federal Government Community Development Grants Program in accordance with initial funding documentation.</p> <p>3. That \$150,000 be brought forward from the 2021-22 LTFP allocation into the 2020-21 Capital Program to enable the lighting and associated works at the Gumeracha courts to be undertaken.</p> <p>4. That \$50,000 from the 2019-20 Capital Program be carried forward into the 2020-21 Capital Program to enable the lighting and associated works at the Gumeracha courts to be undertaken.</p>	Peter Bice	In Progress	<p>Update 14/9 - Staff are progressing the funding agreement with the relevant Federal Government agency, & have organised to meet with community representatives in the coming weeks.</p> <p>Update 8/10 - Staff are finalising the funding agreement with the relevant Federal Government agency. Staff have also met with a club representative to understand their needs & ensure that these are reflected in the project scope. Project scoping works, in preparation for tender have begun.</p> <p>Update 17/11 - As per above update.</p>

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
25/08/2020	Ordinary Council	169/20	Heathfield Change Room & Cricket Net Project	None declared	That the report be received and noted. To approve an increase in the 2020-21 Capital Expenditure Budget of \$1,088,949, resulting in a total project cost of \$1,414,851, to be funded by \$1,088,949 in grants and associated contributions for the Heathfield Oval Change Room and Cricket Net Project, in accordance with the Funding Agreements.	Peter Bice	In Progress	Update - 14/9 -Council staff & project managers are currently waiting for outcomes of planning assessment. Tender documentation continues to be progressed. Update 8/10 - Development Plan Consent has been completed for the project, & the Building Rules Consent process has begun. Staff & club representatives have formed a Building Reference Group that will meet throughout the duration of the project to ensure that all necessary outcomes are met. Tender documentation continues to progress. Update 17/11 - The various clubs have started some site preparation works, that form part of their in-kind & cash contributions towards the project. Detailed design documents continue to progress, for use in the tender process, as does the Building Rules Consent process.
8/09/2020	Special Council	184/20	MON Woodforde/Rostrevor Boundary Reform FOI Release	None declared	Receive the documents contained in Appendix 1, offered to Council by Cr Mark Osterstock as the product of a Freedom of information (FOI) request in his private capacity to Campbelltown City Council. The documents are in satisfaction of the FOI application dated 23 June 2020 and released in a determination dated 20 August 2020 with the following requested information:Copies of ALL correspondence (including yet not limited to email correspondence) received from, or to, residents residing in Rostrevor (Adelaide Hills Council), and Woodforde (Adelaide Hills Council), relating to the issue of 'boundary realignment' andFrom, or to, any person, business, government or non-government agency, in relation to the issue of 'boundary realignment', andFrom, or to, any or all Elected Members of Council in relation to the issue of 'boundary realignment' (10 November 2018 – 23 June 2020, inclusive).Copies of all correspondence (including yet not limited to email correspondence) from any member of the Council Administration to any one, or all, of the Elected Members of Council, concerning requests from Adelaide Hills Council for a deputation on the issue of 'boundary realignment', particularly in relation to the 2nd June 2020 deputation that Council received from the Adelaide Hills Council. (01 February 2020 – 23 June 2020, inclusive).Copies of all correspondence (including yet not limited to email correspondence) from any Elected Members of Council, to any person, concerning requests from Adelaide Hills Council for a deputation on the issue	Andrew Aitken	In Progress	Report scheduled for December 2020 Council meeting.
8/09/2020	Special Council	196/20	Election of Deputy Mayor	Cr Nathan Daniell - material	Council resolves to appoint Cr Nathan Daniell to the position of Deputy Mayor for a 12 month term to commence 27 November 2020 until 26 November 2021 inclusive.	Andrew Aitken	In Progress	Accounts Payable advised, email of congratulations sent to Cr Daniell from Lachlan Miller.
8/09/2020	Special Council	188/20	Audit Committee Membership appointment of Council Members	Cr Malcolm Herrmann - Perceived Cr Leith Mudge - Actual	Council resolves to appoint Cr Malcolm Herrmann and Cr Leith Mudge as members of the Audit Committee for a 24 month term to commence from 27 November 2020 until the conclusion of this Council term.	Andrew Aitken	In Progress	Records updated

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
8/09/2020	Special Council	189/20	Audit Committee Membership approval to commence recruitment of Independent Member	None declared	That the report be received and noted That in relation to the Audit Committee: To undertake a recruitment process for the selection of one Independent Ordinary Member for the Audit Committee for a term commencing 1 November 2020 and concluding 30 April 2022 (inclusive). To appoint Cr Malcolm Herrmann, Cr Leith Mudge and the CEO (or delegate) as members of the Audit Committee Independent Member Selection Panel.	Andrew Aitken	In Progress	Appointment report scheduled for 27 October 2020 Council Meeting.
22/09/2020	Ordinary Council	203/20	Long Term Strategic Tree Planting Program	None declared	That the Chief Executive Officer provides a report to inform the 2021/2022 budget process on the establishment of a long term (approximately 10 years) tree planting program. Such a report to address, inter alia: Possible locations including roadsides, reserves, council and community owned land Potential involvement of schools, volunteers and/or community groups Priorities for plantings which may inform the number of trees to be planted, and/or a \$ cost per annum	Peter Bice	In Progress	Draft Program will be prepared for consideration of the 21/22 ABP.
22/09/2020	Ordinary Council	205/20	100 Old Mt Barker Road Stirling	Material - Cr Kirrilee Boyd	1. That the report be received and noted 2. To progress the budgeted upgrade of the old school building located at 100 Old Mt Barker Road Stirling including the replacement of the roof, gutters, fascia boards, downpipes and damaged internal ceilings, with the anticipated cost to be \$155,000. 3. To apply to the Minister for Environment and Water for approval to lease the land located at 100 Old Mt Barker Road Stirling, including the old school building, to The Old School Community Garden Inc. 4. Subject to obtaining the approval specified in 3 above, offer to The Old School Community Garden a 2 year lease over the land located at 100 Old Mt Barker Road Stirling, including the old school building. The rent under the lease to be \$1 per annum (if demanded). 5. That the Mayor and Chief Executive Officer be authorised to sign all necessary documents, including affixing the common seal, to give effect to this resolution.	Terry Crackett	In Progress	Initial information provided to Crown Lands in relation to approval for lease, awaiting their response. Designs and scope of works have been completed with a development application has been lodged.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
22/09/2020	Ordinary Council	206/20	Recovery Update	None declared	<p>1. That the report, including the update on the Council's activities in support of recovery from the Cudlee Creek Bushfire and COVID-19 pandemic, be received and noted.</p> <p>2. That Council approve the submission of an application for funding of \$140,000 per year for two years for the establishment of a Resilience and Readiness Program.</p> <p>3. That Council work with the Office of the Premier's Advocate for Suicide Prevention to initiate a Suicide Prevention Network in the Adelaide Hills.</p> <p>4. That subject to the success of the pilot series of workshops currently being conducted to support community groups in the recovery from both the Cudlee Creek Bushfire and the COVID-19 pandemic, that a further series of workshops be held to target the needs of community and sporting associations throughout the district.</p>	David Waters	In Progress	<p>The Administration submitted the application described in Point 2 of the resolution, and has since been advised that it was successful.</p> <p>The Office of the Premier's Advocate for Suicide Prevention has been advised of the decision made in Point 3 and staff will work with them over the coming months to establish the network.</p> <p>Two successful community support workshops were held (Point 4) and staff are presently designing another series of workshops to follow.</p>
22/09/2020	Ordinary Council	207/20	S210 Conversion to Public Road	None declared	<p>1. That the report be received and noted.</p> <p>2. To undertake a process pursuant to Section 210 of the <i>Local Government Act 1999</i> for the conversion of private road to public road for the land described as: Russell Terrace, Bridgewater being the land comprised in CT 5411/603 of 1494m2 currently owned by Bridgewater Park Ltd (In Liquidation). Lot 82 Western Branch Road, Lobethal being the land comprised in CT 5696/27 of 105m2 currently owned by Margaret Dixon Dearman, Ernest William Dearman & Burton Stirling Dearman. 1 Robert Street Woodside being the land comprised in CT 5695/342 of 58m2 currently owned by James Johnston and William Johnston. Pieces 29 and Lot 30 in FP 156206 on Western Branch Road, Lobethal being the land comprised in CT 5696/31 of 446m2 and 337m2 currently owned by South Australian Company. Norman Road, Bridgewater being Allotment 16 and 17 in DP 2167 as the land comprised in CT 5890/905 of 738m2 and 1265m2 currently owned by Donald Frederick Canham & Eileen Agnes Canham.</p> <p>3. That the Mayor and the Chief Executive be authorised to finalise the above matter including signing all necessary documentation to complete all transactions.</p> <p>4. That a further report be presented to Council following the completion of the notice period required under Section 210(2) of the Act detailing the outcome of the attempts to locate the owners of the roads detailed above.</p>	Terry Crackett	In Progress	Advertisements seeking land owners or beneficiaries of land owners have been undertaken. A report will be presented to Council in January 2021.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
22/09/2020	Ordinary Council	216/20	Pomona Road Streetscape	None declared	That the Chief Executive Officer provide for consideration by the elected body at the November 2020 Council meeting a report detailing the way in which the Pomona Road Stirling streetscape will be returned to its prior tree-lined amenity (or similar) after all the construction works currently taking place, or planned, across various sites along the road have been completed.	Marc Salver	In Progress	Staff are preparing a report for Council's consideration at its 24 November 2020 meeting.
27/10/2020	Ordinary Council	223/20	Petition - Opposition to DA Silver Lake Mylor	None declared	<p>1. That the petition signed by 16 signatories opposing the Category 3 Development Application at 118 Silver Lake Road Mylor be received and noted.</p> <p>2. That the CEO advises the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.</p> <p>3. It is noted that Council has no role to play in the assessment of development applications and that Council's Assessment Panel (CAP) is the decision authority in this instance, which, due to legislative restrictions, cannot receive or consider a petition as part of its deliberations on a development application.</p>	Andrew Aitken	Completed	Letter sent to Petitioner
27/10/2020	Ordinary Council	224/20	MON Speed Limit Reduction Longwood & Red Hill Roads	None declared	<p>That Council:</p> <p>1. receives the residents' request as contained in Appendix 1 and</p> <p>2. undertakes a speed limit review on sections of Longwood and Red Hill Roads in response to the submission received from local residents, and</p> <p>3. communicates the outcome of the review and proposed action to Council Members via the Council and Committee Meeting Action Tracker.</p>	Peter Bice	In Progress	Speed limit review being undertaken currently, with data collection underway.
27/10/2020	Ordinary Council	225/20	MON South Eastern Freeway Noise	None declared	<p>That the Mayor writes to the Minister for Infrastructure and Transport, Minister for Environment and Minister for Planning asking the State Government to: Undertake a comprehensive noise study that includes a noise survey and modelling of the impacts of development and traffic volumes along the South Eastern Freeway (the Freeway), both now and into the future. Consider implementing noise mitigation measures along the Freeway corridor to reduce noise to acceptable levels for nearby residents and businesses.</p> <p>That copies of the letter be forwarded to the Member for Heysen, Member for Kavel, the State Opposition Leader and the Federal Member for Mayo.</p>	Andrew Aitken	Completed	Letters sent to Ministers, copied to Electorates & Leader of Opposition
27/10/2020	Ordinary Council	226/20	Memorial Seat for former Cr Bill Gale	None declared	That, in conjunction with the Gale family, Council purchase and install a park seat with a plaque to commemorate the contribution the late ex Cr Bill Gale made to the Adelaide Hills Council and, in particular, to the Woodside area.	Peter Bice	In Progress	Process underway.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
27/10/2020	Ordinary Council	227/20	Lew Brickhill Memorial	None declared	Council resolves:That the report be received and noted.That Council approve a \$5,600 expenditure budget to undertake an engineering design for the restoration and reinstatement of the lookout tower at Lobethal Bushland Park.Subject to recommendation 2 above, a quote for restoration and reinstatement works of the lookout tower at Lobethal Bushland Park be obtained.That consideration be given to funding the restoration and reinstatement of the Lobethal Bushland Park lookout tower in the development of the 2021-2022 budget.	Peter Bice	In Progress	Design and quotation process underway.
27/10/2020	Ordinary Council	228/20	Disability Access and Inclusion Plan	None declared	Council resolves:That the report be received and noted.To endorse the provisional <i>Adelaide Hills Council Disability Access and Inclusion Plan (DAIP) 2020-2024: A brighter future for all</i> , as contained in <i>Appendix 1</i> , for publication on Council's website and further community consultation.To delegate to the Chief Executive Officer to determine the timings, media and processes around further community consultation while ensuring consistency and compliance with the provisions of applicable legislation and Council's Public Consultation Policy.That an amended edition of the DAIP incorporating further community and stakeholder feedback on the provisional DAIP (received during further community consultation) be referred back to the Council for consideration and adoption at the Council Meeting scheduled for 27 January 2021.	David Waters	In Progress	Council's provisional Disability Access and Inclusion Plan (DAIP) 2020-2024 was published on the AHC website on Wednesday 28 October 2020. The Chief Executive of the Department of Human Services (DHS) was notified of the publication of AHC's DAIP on 29 October 2020. Phase 2 of community consultation currently underway, seeking community feedback on Council's provisional DAIP.
27/10/2020	Ordinary Council	229/20	Mylor BMX Consultation Findings	Perceived - Cr Leith Mudge	Council resolves:That the report be received and noted.That Council approve a \$15,000 expenditure budget to undertake remediation of the Aldgate Quarry site.That funds be considered as part of Council's 2021-22 Annual Budget and Business Planning process for the construction of a pump track at Sherry Park in Mylor.	Peter Bice	In Progress	Investigations are underway to identify options for consideration of a pump track at Sherry Park in Mylor to be included as part of the 21-22 ABP.
27/10/2020	Ordinary Council	230/20	General Purpose Financial Statements	None declared	Council resolves:That the report be received and noted.That, in accordance with Section 127 of the <i>Local Government Act 1999</i> and the <i>Local Government (Financial Management) Regulations 1999</i> , Council adopts the General Purpose Financial Statements for the financial year ended 30 June 2020 with the required changes as set out in section 3.6 of agenda report 12.4.To authorise the Mayor and CEO to sign the General Purpose Financial Statements for the financial year ended 30 June 2020.	Terry Crackett	Completed	The A/Mayor and CEO have signed the updated General Purpose Financial Statements for the financial year ended 30 June 2020 and as a result Galpins, Council's External Auditors have provided their signed audit opinions in relation to Financial Statements and Internal Controls.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
27/10/2020	Ordinary Council	231/20	Draft Road, Footpath & Kerb Asset Management Plan 2020	None declared	Council resolves: 1. That the report be received and noted. 2. That the Draft Road, Footpath and Kerb Asset Management Plan 2020 as contained in <i>Appendix 1</i> be released for community consultation. 3. That the CEO be authorised to determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's Public Consultation Policy.	Peter Bice	Not Started	Community consultation underway
27/10/2020	Ordinary Council	232/20	Nomination of East Waste Audit Committee Independent Member	None declared	Council resolves: That the report be received and noted That Council nominates Paula Davies and Lachlan Miller to East Waste for consideration as an Independent Member of the East Waste Audit Committee.	Andrew Aitken	Completed	Letter sent to both nominees and East Waste advised of nominations with CVs
27/10/2020	Ordinary Council	233/20	Resilient Hills and Coasts Sector Agreement	None declared	That the report be received and noted. To note the achievements of the Resilient Hills & Coasts partnership to date, and its future priorities for action. To recommit to the partnership by authorising the Mayor to sign the RH&C Sector Agreement 2020-2025, as contained in Appendix 1.	Peter Bice	In Progress	Signing of the Sector Agreement now needs to wait on other Council's formally endorsing the process.
27/10/2020	Ordinary Council	234/20	Change to Community Land Management Plan 10 - Vehicle Access Control Reserves	None declared	That the report be received and noted. That the proposed amendment of Plan 10 of the Community Land Management Plan – Vehicle Access Control Reserves has no impact or no significant impact on the interests of the community and therefore the provisions of section 198(3) of the <i>Local Government Act 1999</i> requiring community consultation do not apply. To amend Plan 10 of the Community Land Management Plan - for Vehicle Access Control Reserves to permit leases or licences to adjoining landowners to occupy a portion of a reserve immediately abutting their property. That it be a condition of any lease or licence to an adjoining landowner to occupy a portion of a reserve that vehicle access across the reserve is prohibited and any fence constructed does not include a gate wide enough to cater for a vehicle.	Terry Crackett	In Progress	Amendments are being undertaken to the published Community Land Management Plan in accordance with the resolution
27/10/2020	Ordinary Council	235/20	Revocation of Community Land - Closed Road R855 Upper Hermitage	None declared	That the report be received and noted To commence a revocation of community land process for the land described as "A" in Road Plan No. 855 ("Closed Road") including consultation in accordance with Council's Public Consultation Policy and the <i>Local Government Act 1999</i> with the intention of selling the Closed Road to the adjoining owners. That a further report be presented to Council at the completion of the consultation.	Terry Crackett	In Progress	Community consultation plans are being developed and community consultation will be commenced in respect of the proposal to revoke the community land classification

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
27/10/2020	Ordinary Council	236/20	12.10 Rescission of resolution 253/19 - Oakbank Soldiers Memorial Hall	None declared	That the report be received and noted To rescind the resolution made on 24 September 2019 and numbered 153/19. To continue to provide assistance to the Oakbank Soldiers Memorial Hall Inc Committee consistent with support provided by Council to other community owned halls.	Terry Crackett	Completed	No action required
27/10/2020	Ordinary Council	237/20	Strategic Boundary Review	None declared	1. That the report be received and noted. 2. That the Strategic Boundary Review Report in Appendix 1 be received and noted. 3. To conduct a workshop session in the first quarter of 2021 to further explore the boundary reform options identified in the Strategic Boundary Review Report.	Andrew Aitken	Not Started	
27/10/2020	Ordinary Council	238/20	Confidential Items Review	Perceived - Cr Andrew Stratford Material - Cr Linda Green Material - Cr Malcolm Herrmann	Decision 1 - 10 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	Andrew Aitken	Completed	
27/10/2020	Ordinary Council	249/20	Review of Development Application Fee Waiver Policy	None declared	1. That the report be received and noted 2. With an effective date of 10 November 2020, to revoke the 9 May 2017 <i>Development Application Fee Waiver Policy</i> and to adopt the 27 October 2020 <i>Draft Development Application Fee Waiver Policy</i> as contained in Appendix 1 of this report 3. That the CEO is permitted to make any formatting, nomenclature or other minor changes to the Policy as per Appendix 1 prior to the effective date	Marc Salver	Completed	Adopted Policy has been uploaded to Council's Website
27/10/2020	Ordinary Council	255/20	Confidential - Audit Committee Independent Member Appointment	None declared	As per confidential minute	Andrew Aitken	Completed	Appointment confirmed, advice sent to candidates
27/10/2020	Ordinary Council	256/20	Confidential Item - Audit Committee Independent Member Appointment	None declared	that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the appointment has been confirmed with the applicant	Andrew Aitken	Completed	Applicant advised.
27/10/2020	Ordinary Council	258/20	Confidential - CEO PRP Independent Member Appointment	None declared	As per confidential minute	Terry Crackett	Completed	All interviewed candidates have been advised of the outcome of the CEO PR Panel Independent Member appointment. Successful candidate has been confirmed in writing also.
27/10/2020	Ordinary Council	259/20	18.2.2 CEO PRP Independent Member Appointment - Period of Confidentiality	None declared	until the appointment have been confirmed with the applicants, but not longer than 2 months	Terry Crackett	Completed	All interviewed candidates have been advised of the outcome of the CEO PR Panel Independent Member appointment. Successful candidate has been confirmed in writing also. Governance has been advised this action is complete.
27/10/2020	Ordinary Council	261/20	Confidential - Event Opportunity	None declared	As per confidential minute	David Waters	Not Started	Subject to confidentiality order.
27/10/2020	Ordinary Council	262/20	Confidential - Event Opportunity - Period of Confidentiality	None declared	until the event agreements are signed and the relevant event details are announced by the relevant Minister, but not longer than 31 December 2020	David Waters	Not Started	Triggers for bringing this item out of confidence have not yet occurred.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 13.1

Responsible Officer: Kira-marie Lavery
Corporate Planning & Performance Coordinator
Office of the Chief Executive

Subject: Quarterly Council Performance Report – Q1

For: Information

SUMMARY

As a local government entity, Council has a number of legislative obligations regarding the preparation and distribution of corporate planning and reporting information to the elected body and the community. In addition, to these mandated requirements, Council has over time created a number of additional elements to improve the integration, transparency and accountability of its activities.

A revised suite of corporate performance indicators and targets were developed in consultation with Council Members, the Strategic Leadership Team and relevant officers as part of the *2020-21 Annual Business Plan* process. These were aligned to the new *Strategic Plan 2020-24 – A brighter future* adopted in April 2020.

The *Quarterly Council Performance Report* for Q1 (**Appendix 1**) covers the period 1 July 2020 to 30 September 2020, and shows the performance against the corporate performance indicators as well as discussing key highlights aligned with the Strategic plan.

The purpose of this report is to provide information on Council's performance against the *2020-21 Annual Business Plan* targets.

RECOMMENDATION

Council resolves that the report be received and noted

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal A progressive Organisation

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

Priority O5.3 Demonstrate accountability through robust corporate planning and reporting that enhances performance, is relevant and easily accessible by the community

The *Quarterly Council Performance Report* is part of the performance reporting suite contained in the *Corporate Planning & Performance Framework*.

➤ Legal Implications

Chapter 8 - Administrative and financial accountability of the *Local Government Act 1999* sets out the key legislative obligations regarding corporate planning and reporting obligations, as follows:

- S122 – Strategic management plans – development, content requirements, consultation, review and availability of strategic plan, asset management plan and long-term financial plan;
- S123 – Annual business plans and budgets - development, content requirements, consultation, review and availability of annual business plan and budget
- S127 – Financial statements – preparation, content, auditing and availability of the financial statements;
- S131 – Annual reports – preparation, content, distribution and availability of the annual report

Additional requirements are contained in the *Local Government (General) Regulations 2013* and the *Local Government (Financial Management) Regulations*.

➤ Risk Management Implications

Quarterly Council Performance Reporting will assist in mitigating the risk of:

Ineffective performance management and reporting processes leading to poor performance and/or loss of stakeholder confidence

Inherent Risk	Residual Risk	Target Risk
Extreme (4B)	Low (2D)	Low (2D)

Note that there are many other controls that assist in mitigating this risk. The quarterly performance reports are part of the current control suite and therefore there is no additional mitigating impact of this report.

➤ **Financial and Resource Implications**

The Corporate Planning & Performance Coordinator role, which coordinates the performance reporting function, is funded in the Governance & Performance Department budget.

Quarterly Council Performance Reporting assists in showing the financial and resource performance to plan as per the targets, initiatives and activities outlined in the *2020-21 Annual Business Plan*.

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

Providing integrated, consultative corporate planning and effective and transparent performance reporting to the Council and community has the potential to increase the level of trust and confidence in Council.

➤ **Sustainability Implications**

Quarterly Council Performance Reporting assists in demonstrating the outcomes related to Council's economic, social and environmental initiative

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

Consultation on the development of this report was as follows:

Council Committees: The report was received and noted at the 16 November 2020 meeting

6.5. Council Quarterly Performance Report

Moved Cr Leith Mudge
S/- Peter Brass

60/AC20

The Audit Committee resolves that the report be received and noted.

Carried Unanimously

Council Workshops: Not applicable

Advisory Groups: Not applicable

Administration: Council's Executive Leadership Team, relevant Managers, and Officers were consulted during preparation of the quarterly performance report.

External Agencies: Not applicable

Community: Not applicable

2. BACKGROUND

At its 19 June 2018 meeting, Council adopted (Res 128/18) the *Corporate Planning & Performance Framework*, of which a key element was the establishment of a suite of Corporate Business Performance Indicators which are aligned with Adelaide Hills Council's Strategic Plan goals and will enable the tracking of performance over time.

Over the 2019-20 financial year, Quarterly Council Performance Reports were drafted showing the performance against the Corporate Performance indicators, strategic initiatives and key activities of the *2019-20 Annual Business Plan*.

A revised suite of corporate performance indicators and targets were developed in consultation with Council Members, the Strategic Leadership Team and relevant officers as part of the 2020-21 Annual Business Planning process. These were aligned to the new *Strategic Plan 2020-24 – A brighter future* adopted in April 2020.

3. ANALYSIS

To reflect the alignment to the *Strategic Plan 2020-24 – A brighter future* the format of the *Quarterly Council Performance Report* has been adjusted to show Council's performance against the five strategic goals:

- Built Environment
- Community Wellbeing
- Economy
- Natural Environment
- Organisation

The report still includes the Customer Service Standards, Capital Works performance, and Quarterly Financial Performance in a similar way to the 2019-20 FY reports.

Overall, performance for Quarter 1 has been generally positive despite continuing impacts from Cudlee Creek bushfires and COVID-19 restrictions.

- 84% of Strategic initiatives on track or completed, and 11% not started
- 10 of the 17 corporate performance indicators met or exceeded, and
- 11 of the 14 measurable customer service standards met or exceeded.

See the attached *Quarterly Council Performance Report – Quarter 1 (Appendix 1)* for details.

4. OPTIONS

As this is an information report, the Council is limited to receiving and noting the report but may choose to provide commentary to the Administration for consideration to enhance the reports into the future.

5. APPENDIX

- (1) *Quarterly Council Performance Report – Quarter 1 2020-21*

Appendix 1

*Quarterly Council Performance Report – Quarter 1
2020-21*

Quarterly Council Performance Report

Quarter 1 – 1 July to 31 September 2020



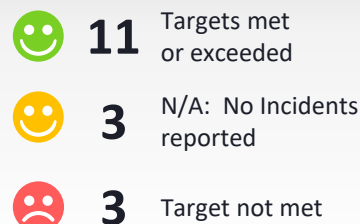
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1. Executive Summary

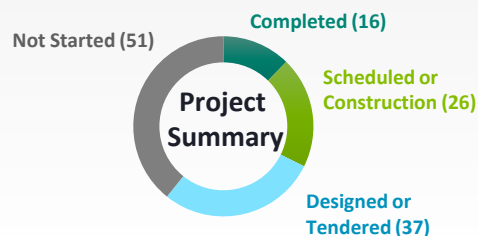


Customer Service Standards



Capital Performance

- \$1.3m of infrastructure delivered
- \$3.3m of works in progress
- Focus has been on scoping new projects, as well as commencing construction on projects that were designed in 2019-20 Financial Year.



Highlights

- The capital works projects, such as the footpath renewal program, is currently ahead of schedule due to early contractor availability.
- Works are progressing well on the undergrounding of power lines in the Gumeracha Main street project. Conduits have been installed from top of Albert St and into Victoria and John Fisher Streets.
- The initial Kerbside Waste Audit (3-Stream) has been undertaken in Woodside
- Negotiated additional funding from State Government for post-bushfire roadside tree management.
- Conducted first round of community support workshops to help community groups and clubs navigate their recovery from bushfire and COVID-19.

Risk and Challenges

- While the Cuddlee Creek Bushfire and COVID-19 are still having an impact on some of our services and projects, we have continued to implement innovative solutions and are starting to see projects coming back on track for delivery over the coming quarters.
- COVID-19 continues to present a challenge in planning for major events such as Tour Down Under and Christmas parades.

2. Performance by Strategic Goal

A functional Built Environment

Highlights

Gumeracha Main Street Project

- The detailed design and irrigation design have been completed ready for construction tender.
- A contractor engaged for storm water installation with construction to start in late October 2020.
- Works are progressing on the undergrounding of power lines with conduits installed from top of Albert St and into Victoria and John Fisher Streets.

Upgrading of Woodside Library & Service Centres

- Quotes being sought for layout change and furnishings.

Play space upgrades

- Play space upgrade projects at Charleston, Mount Torrens & Kersbrook have undergone tender assessment with successful contractors appointed.
- Draft designs are currently out for community consultation.

Council Fire Prevention & Mitigation Activities

- The new local government Code of Practice for issuing 105F notices is being prepared and will be ready for 2021 fire danger season.
- New community education materials are on order from the CFS and we are awaiting delivery of these.

Infrastructure Assets Climate change adaption

- Various climate change adaptation technologies are being investigated, including scoping a potential 'cool roads' trial.

Community Wastewater Management Systems

- Engagement with Cleanaway on contract communication and reporting improvements for annual Septic Tank Pump Out Program.

Property Services

- Refurbishment of public toilets at Stonehenge Reserve and Bridgewater Hall (playground) completed.

Carbon Inventory

- Draft report on the collection of data for carbon reporting has been completed.
- Consultant has been engaged to prepare a template suitable for the collection of Scope 3 carbon emissions.
- Staff commuting survey has been launched to determine total kms travelled by staff to and from work.

Program Management Framework

- First draft of the framework has been reviewed by the project team and is now in trial phase. Post testing, a second draft will be produced for broad consultation in the second quarter.

Energy upgrades, Battery & Efficiency Actions

- New air-conditioning system at the Coventry Library and Stirling Office is under investigation as a result of the recent air-conditioning audit.

Fleet Management

- Two hybrid vehicles purchased in Quarter 1.

Cemeteries

- Survey and mapping of Stirling Catholic and Mt Lofty Cemeteries has been completed.

Community & Recreation Facilities Framework

- Consultation findings has been shared with the working group and results incorporated into development.

Strategic Assets

- Customised financial report developed and implemented in the Enterprise Confirm Asset Management System.

Policy Planning

- A second round of public consultation on the Draft Crafers Village Design Guidelines has been completed
- Community & stakeholder consultation on the State Government's lifting of the Genetically Modified Crops Moratorium was undertaken and Council resolved to lodge an application with the Minister Primary Industries and Regional Development to be designated a GM free area on 25 September 2020. The Minister's decision in this regard will be known on 15 November 2020
- Continued to work with the State Planning Commission on finalising the proposed planning policy and zoning changes for our Council area which will form part of the Planning & Design Code.

Risks & Challenges

Stirling Cemetery Review

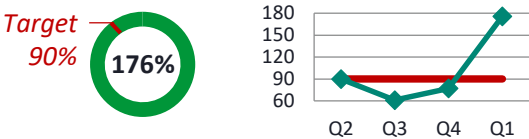
- Development of masterplan delayed as options are considered for alternative spaces for burials following the decision of the Native Vegetation Council to refuse clearance of vegetation to enable cemetery expansion.

Septic Tank Desludge Program

- Septic tank compulsory pump out is slightly behind schedule due to delays caused by COVID-19. However, all septic tanks in nominated pump out townships will be completed by the end of the financial year.

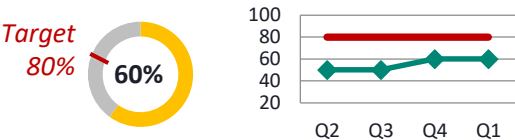
Performance Indicators

Delivery of capital works program



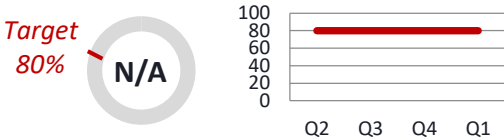
Expenditure is well ahead of forecast budget year-to-date. This is due to early contractor availability allowing projects, such as the footpath renewal program, to proceed ahead of schedule. This result is expected to trend back towards 90% over the next two quarters.

Operational tasks completed within the Civil Zone Maintenance Program



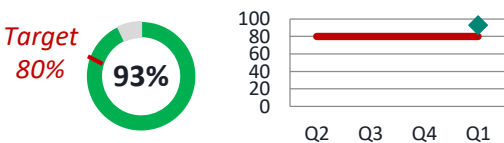
The result above indicates that 60% of operational activities are planned, compared to the remaining 40% being reactive. Current results are estimated from the limited available information, however accuracy will improve with the broader rollout of confirm asset management software and in field devices.

Compliance inspections completed within 5 business days of development completion notification



Compliance Inspections focused on swimming pools and spas this quarter. Other developments were required to supply statements of compliance, complete essential safety requirements and obtain a certificates of occupancy.

Compliance inspections completed within 5 business days of notification of alleged unlawful development



For the 14 compliance inspections related to alleged unlawful development undertaken in this quarter 13 were completed within the 5 business days of receipt of the notification.

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
B1003	New Bus Shelter Installation Program - Birdwood, Lobethal & Stirling Yr 1	✓
B1004	New and Upgrade Footpath Program	✓
B1005	Newman Road Reconstruction (Kerb/Pavement & Storm water)	✓
B2002	Gumeracha Main street project - stage 2	✓
B2003	Gumeracha undergrounding of powerlines (PLEC)	✓
B2004	Gumeracha Main Street Stormwater	✓
B2005	Transition to the Planning, Development & Infrastructure Act (PDI Act)	✓
B2006	Local Heritage Fund	😊
B2007	Integration of Development Assessment Systems	✓
B3001	Water reuse for Woodside recreation ground irrigation - investigation yr 1	✓
B3002	Implement irrigation systems (renewal / Upgrades)- yr 1 Birdwood play space	—
B3005	Energy Upgrades, Battery & Efficiency Actions from new Carbon Management Plan	✓
B3006	LED Public Lighting Installation - investigate transition of main road street lighting	✗
B3007	Carbon Inventory	✓
B3010	Fleet Transition Plan	—
B4001	Lower Hermitage Road storm water capacity upgrade	✓
B4003	Grevillea Way Woodside Drainage Infrastructure to reduce flooding	✓
B4004	Woodland Way Teringie Drainage Infrastructure to reduce flooding	✓
B4005	Aldgate Terrace Bridgewater Drainage Infrastructure to reduce flooding	✓
B4006	Asset management - Confirm Web and Connect Licenses and Field Devices	✓
B4007	Asset Management Plans for Buildings	—
B4008	Combined maintenance team for playgrounds/park furniture/cemeteries	✓
B4009	Building Upgrades - minor	✓
B4010	Cemeteries Upgrades	✓
B4011	CWMS Capacity Upgrades (Birdwood & Woodside gravity mains)	✓
B4012	Stirling library lawns - Rotunda Replacement	✓
B4013	Upgrading of Woodside Library/Service Centre	✓
B4014	Road Safety Program including co-contribution to Road Blackspot	✓
B4015	Installation of further EV charging stations	✓
B4016	Purchase of EV cars for fleet	✓
B4017	WSUD implementation for Woodside Rec Ground	✓
B4018	Infrastructure assets Climate Change Adaption	✓

Highlights

Bushfire Recovery Action Plan

- Recovery activities continue with a key focus this quarter on priority processing for rebuilding development applications, negotiating with State Government for funding for tree clearance work, and biodiversity recovery work.

Sport & Recreation Master planning projects

- Staff have met with stakeholders of the Heathfield, Woodside & Bridgewater sites to review and updated the actions included in the plans.
- Tendering and construction to commence on elements of the Heathfield & Gumeracha projects in the coming months.

Support for small Events

- Commenced a program on 24 September to support event organisers to recover and cope with the new health restrictions and to run successful and safe events. 18 key community event organisers attended the workshop.

Customer Service

- Continued flexible working arrangements for contact centre staff to maintain distancing requirements. This includes rotational rostering, working from home arrangements and an additional contact centre station set up in Gumeracha.

Libraries

- Easing of restrictions has resulted in a gradual increase in physical library visits. Compared with Q1 in 2019-20, physical visits are 38% less and physical borrowing is 11% less. Conversely, Digital loans are 4,500 higher than last year (38%).

Digital Learning

- 42 online preschool programs were conducted with 1,682 viewings
- 11 online STEM programs were run with 121 participants

Positive Ageing

- Sector updates provided regarding the Royal Commission
- Webinars provided to age care provided regarding wellbeing and re-ablement
- Online workshop provided on Living with Dementia

Volunteering

- Training conducted for Volunteer leaders in new volunteer onboarding processes.
- Six month training calendar released with opportunities for volunteer skill development
- Community volunteer support survey launched on our strategies for supporting volunteering groups and organisations across the Adelaide Hills and Mount Barker regions.

Youth Development

- Participants of the Youth Leadership Program have delivered the 2020 Year 12 Support Program
- The Xith (video gaming events) committee have added online gaming competitions to increase opportunities for local community connections

Community Centres

- Video entry of the four community sheds associated with the Hills Connected Communities Project has made it to Semi-finals in the Loneliness Cure Award.
- Three workshops were organised by Hills Connected Communities collaborative program for NAIDOC week.

Disability Access and Inclusion

- The draft Disability Access and Inclusion Plan has been developed with consultation anticipated to commence in Q2.
- Collaboration with Mount Barker District Council and the NDIS Local Area Coordinator to run a disability reference group.

Arts & Heritage

- The Arts & Heritage Collection policy was adopted.
- The public art project in Gumeracha was completed

Fabrik

- Fabrik reopened in August with a SALA exhibition connecting to bushfire themes.
- Country Arts SA launched their touring exhibition "Domestic Arts", with associated workshops booked out.
- Facilities Development Plan was endorsed.
- The change of use application is progressing and final designs for installation of lift and stairs in Building 20 and toilets in Building 21 are also underway.

Risks & Challenges

Events

- Given the current health restrictions, no events were supported in Quarter 1. However, the team has been busy providing COVID Safe advice and working towards solutions for future events.

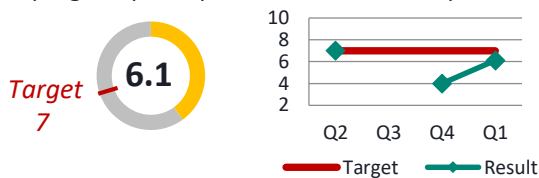
Women's Tour Down Under

- Announcement on the 2021 event has been delayed while event organisers consult with SA Health and the international teams on how the event can be run under current COVID-19 restrictions.

Performance Indicators

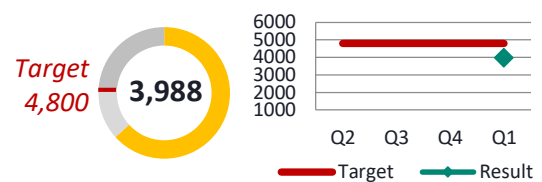
Positive ageing wellbeing score

Average level of self-determined wellbeing of program participants reviewed in the quarter.



The wellbeing score has been impacted by two significant, stressful events in the lives of our clients/community - The Cudlee Creek Bushfires and The COVID-19 Pandemic (which required the suspension of all social programs). Social events have resumed (in a scaled down, COVID safe manner) and its hoped this resumption will see an improvement in the score for the next quarter.

Number of volunteer hours contributed to AHC programs each year



Results appear lower than the quarterly target due to COVID-19 restrictions still being in place for much of the quarter.

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
C1001	Disability Planning - Staffing	✓
C1002	Disability Planning materials	✓
C2001	Norton Summit Community Centre Facility Upgrades	✓
C4001	Community Wellbeing Indicators - staffing	✓
C4002	Regional Health Planning Initiatives - Staffing	✓
C4003	Court Resurfacing – Office for Recreation, Sport & Racing Grant Funding	✓
C4004	Gumeracha Court Resurfacing – Federal Government Community Development Grant Funding	✓
C4005	Heathfield Oval Changeroom Upgrade – Sport Australia Grant Funding	✓
C4006	Play Space Upgrades – Mount Torrens, Charleston, Kersbrook (linked to renewal)	✓
C4007	Heathfield Oval - Masterplan Implementation	✓
C4008	Woodside Recreation Ground - Masterplan Implementation	✓
C4009	Heathfield Oval - Masterplan Implementation – AHC Grant Funding Contribution	✓
C4010	Play Space - Asset Audit	–
C4011	Adelaide Hills (War Memorial) Swimming Centre – Asset Audit	✓
C4015	Emergency Management Bushfire Preparedness Consultancy	✓
C4016	Implement the Bushfire Recovery Action Plan	✓
C5001	Reconciliation Action Plan (RAP)	✓
C5002	Support for Aboriginal Cultural Centre	✓
C6001	Fabrik Arts & Heritage Hub Activation - Capital	✓
C6003	Capital Divestment - Capital Cost	✓
C6004	Activation Arts & Heritage Hub - Operating (Income)	✓
C6005	Activation Arts & Heritage Hub - Operating (Expenditure)	✓
C6006	Women's Tour Down Under	✓
C6007	Support for Small Events	✓
C6008	Support for high profile regional event	–
C6009	Public Art Acquisition	✓

Highlights

Review and upgrade Council signage and branding

- New vehicle branding was rolled out on a Council works ute and the Hut Community bus.
- Work is continuing on the Council signage master list with design in progress for Fabrik, Woodside and Stirling offices.

Economic Development Officer

- Recruitment and interviews undertaken over August September. Successful candidate to commence in Q2.

UNESCO World Heritage Bid

- Met with City of Adelaide staff in August to discuss their Expert Review report and map a work plan for a joint bid.

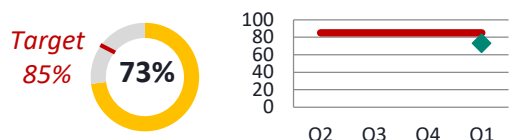
Risks & Challenges

Tree safety work to support Tour Down Under (TDU)

- Notice of TDU event status and locations delayed until mid-October due to COVID. As result Open Space have been unable to assess trees and implement required work within first quarter.

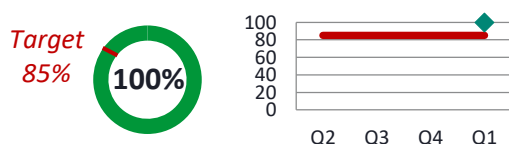
Performance Indicators

Percentage of planning consents completed within statutory timeframes



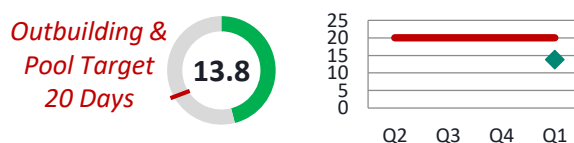
A delayed assessment on one non-complying development impacted on the achievement of the target this quarter

Percentage of new development application decisions upheld in Council/CAPs favour under appeal










There was one matter where the Court upheld the decision of the Council Assessment Panel (CAP). Another two matters have no determination in this quarter and one matter was withdrawn by the appellant.

Average number of days for applications to be approved - building consent



Currently this indicator is only able to be reported upon for Building Rules Consent Only applications for Pools and Outbuildings, and not all building applications assessed by Council. Based upon the 29 Applications in this category there was 100% achievement of the target. A system enhancement has been requested from our software provider to allow wider data capture.

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
E1001	Economic Development Officer	
E1002	Financial support to assist the business & community to recover from fires and COVID-19 (including rates)	
E2001	Review and upgrade Council signage and branding	
E2002	Place making Coordinator to shape, activate and coordinate place making at a community level	
E2003	Upgrades of remaining 2 DPTI roundabouts Crafers on Ramp and Piccadilly	
E4001	Additional Tree safety work that is required to support the TDU	
E4002	UNESCO World Heritage Bid	

Highlights

Social, Economic and Environmental recovery

- Staff have established a staff Reference Group for the Lobethal Bushland Park project. The group will review the project plan and engagement plan at their October meeting. Community engagement is due to begin in late November 2020.

Kerbside Waste Audit and Education Program

- Initial three stream waste kerbside bin audit has been undertaken in Woodside. Results to be provided.

Heritage Agreements for land under Council's care

- Agreements registered for Kiley Reserve; Shanks Reserve; Kyle Road Nature Reserve; Leslie Creek Reserve; Aldgate Valley 2 Reserve; and Doris Coulls Reserve.

Dog and Cat Animal Management plan

- Community education campaign commenced via social media regarding cat confinement by-law awareness.
- Plans for cat holding facility completed.

Develop and review Council Management plan for high value reserves

- Four management plans currently being reviewed for Aldgate Valley Reserve; Bradwood Park; Heathfield Stone Reserve; and Lobethal Bushland Park. One new plan being created for Heron Reserve.

Management and monitoring of prescribed burn sites

- Bird Surveys underway at all sites for Spring 2020
- Weed management activities currently being undertaken and on track to be completed as planned.

Risks & Challenges

Tree Population Data Collection

- No data collection undertaken in first quarter.
- Significant pressure already placed upon Arboriculture consultancy budget to manage operational issues.

Wastewater Aerobic Irrigation Inspections

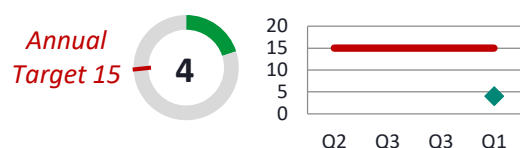
- Program placed on hold due to COVID-19, however has now resumed with a replacement officer engaged to continue the work

Investigate impact of wastewater system on catchment

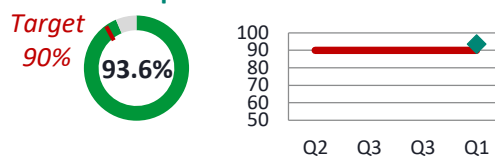
- Project on hold due to COVID-19. Discussions in progress with SA water to resume project in January 2021.

Performance Indicators

No of sites completed in the Woody Weed Program



Percentage of nuisance and litter queries resolved

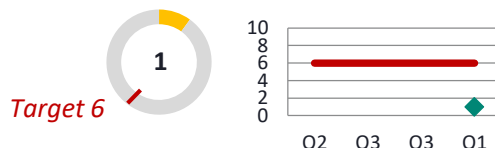


Tonnes of green organics collected on Green organics days



Two Green Organic days held in September. Green Organic days are traditionally held just prior to bushfire season and post bushfire season to assist with fire prevention. Holding these days during the winter months has had limited numbers attend therefore no collection days were held in July and August. The total annual figures will more than likely meet the target as we continue to hold the days in the warmer months.

Number of community education actions delivered – actioned vs planned



Due to COVID restrictions many opportunities where Council would normally provide waste education were cancelled. This included district events and school visits. To ensure waste education continued, zoom sessions were held via East Waste and KESAB and information provided via website and My Local Services App.

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
N1001	Tree Population Data Collection	—
N1002	Social, Economic and Environmental Recovery	✓
N2002	Heritage Agreements for land under Council's care and control	✓
N2003	Roadside Marker Program to protect and manage roadside vegetation	✓
N2006	Develop and review Council Management Plans for high value reserves	✓
N2008	Develop informative and attractive signage in Council reserves/playgrounds	✓
N2009	Feral cat study and implementation of an action plan	✓
N2011	Wastewater Aerobic Irrigation Inspections - Compliance staff	✓
N3001	Local Climate Adaptations for landscape conservation	✓
N5001	Kerbside Waste Audit and Education Program	✓



Highlights

Information & Communications Technology (ICT)

- After a formal restructure of the Information Service Department a recruitment process was completed to fill two vacant Team Leader Positions where new staff have now commenced.
- In the ICT Team a Cyber Security Audit was undertaken with input from staff completing the process. This will assist with the development of a Cyber Security Plan for Council.

Review the Community Engagement Framework and supporting tools

- The Local Government Association has announced they are proposing a bill to parliament to develop a local council wide Community Engagement Charter and Framework. This requires AHC to consider how we will reframe our project to get the best outcomes for our community and staff. A decision on the bill is expected early 2021.

Equipment to broadcast Council Meetings

- Survey of users (Council Members and Officers) has been completed and these are being collated for a workshop/report to Council Members to confirm project scope.
- An interim broadcasting solution has been put in place and is operating well

Implementation of Organisational Information Management System

- Migration of departments into Records Hub is progressing well in a phased approach. Quotes have also been received for assistance with the record migration work and a vendor selected to commence shortly.

Internet of Things (IoT) Project

- Quoting for installation of Gateway devices has been completed for the Woodside township. Cost analysis being undertaken to consider alternative locations.

Risks & Challenges

Bushfire Recovery

- Negotiations with the State Government over an alternative funding approach to contribute to essential tree clearance work have been ongoing, which has led to changes in the way the income will be recognized in the Council's accounts. In-principle terms have been agreed and the matter will be finalised in November 2020.

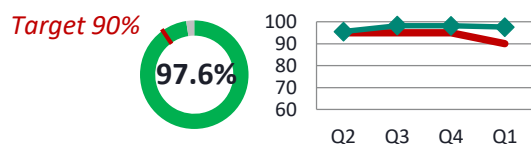
Digitisation and destruction of hard copy records

- Due to staff vacancies, recruitment activities and general workload this activity is behind schedule, however this will re-commence once new team members have started.

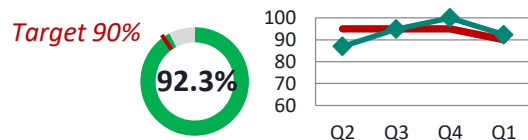


Performance Indicators

Decisions (Council resolutions) considered in open ordinary and special Council meetings during the period

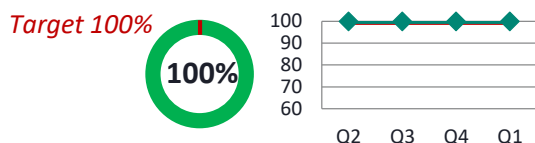


Council member attendance at ordinary and special meetings for the period

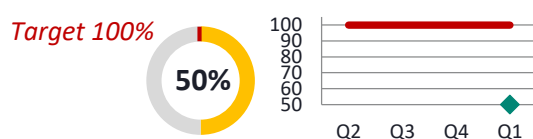


Council granted two leaves of absence and had one apology

Freedom of Information (FOI) requests completed within the legislated timeframe



Percentage of Ombudsman investigations upholding Council's decisions



Of the two case results, one only partially upheld Council's original determination as there were some addresses and phone numbers redacted under FOI in 2 of the documents that did not need to be. Noting that this was 2 out of more than 100 documents.

Number of lost time injuries

Annual Target 0 Actual 0

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
O1001	Resource to manage Skytrust (WHS system) implementation	
O1002	Update of Business Continuity Plan and implementation	
O2001	New council website and e-services	
O2004	Customer Experience Training	
O2005	Service Changes to Accommodate COVID-19 Impacts	
O3001	Service Review Framework Development	
O4003	Develop or respond to Boundary Reform Proposals	
O5002	Equipment to broadcast Council Meetings	
O5003	Corporate Plan Review	
O5005	Resource to manage building & swimming pool inspections to ensure legislative compliance	
O6002	Information System Cyber Security Plan	
O6003	Two Factor Authentication - Software Subscription	
O6004	Application Whitelisting - Software Subscription	

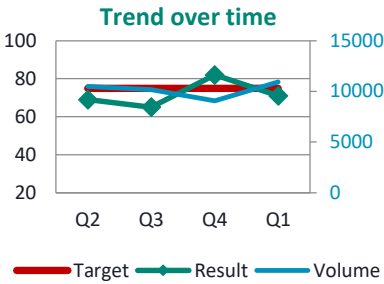
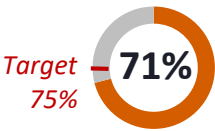
3. Customer service standards

5.1 General Customer Standards

Answering Incoming Phone Calls

Volume of calls = 10,925

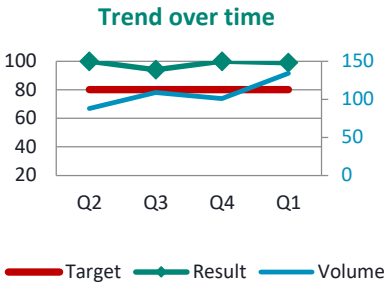
Contact centre calls answered within 30 sec



Updating Customer Details

Volume of updates = 134

Details updated within 5 days



5.2 Service Specific Standards – Time Based Indicators

New Event Applications

Volume of applications = 3

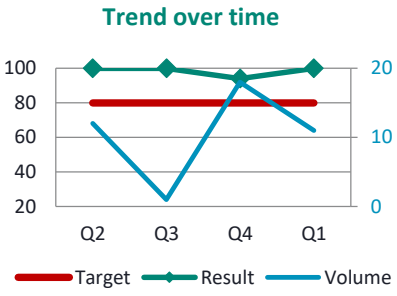
Acknowledgement of receipt within 5 days



Illegal Burning Complaints

Volume of complaints = 11

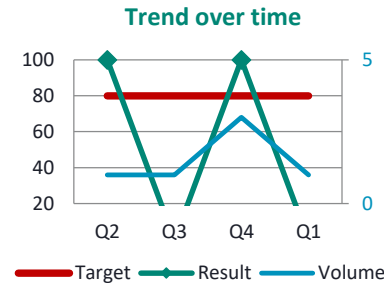
Investigated within 24 hours



Health Complaints

Volume of complaints = 1

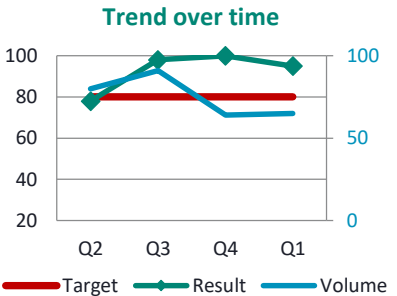
Investigated within 24 hours



Illegally Dumped Rubbish

Volume of reports = 65

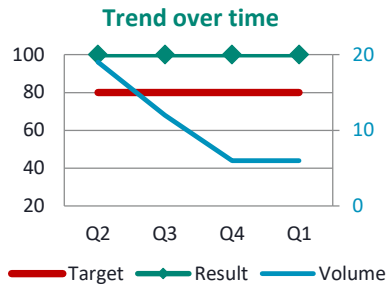
Rubbish removed within 3 days



Library Services

Volume of requests = 6

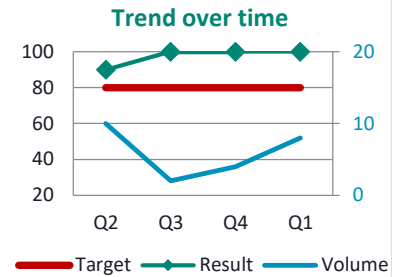
Response to requests to purchase materials within 10 days



Dog Attacks

Volume of attack reports = 8

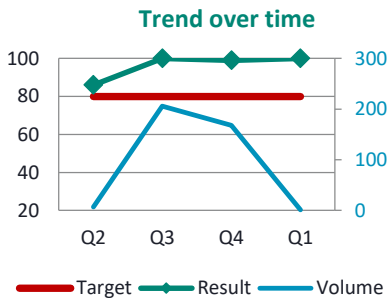
Response within 24 hours



Wasps

Volume of reports = 1

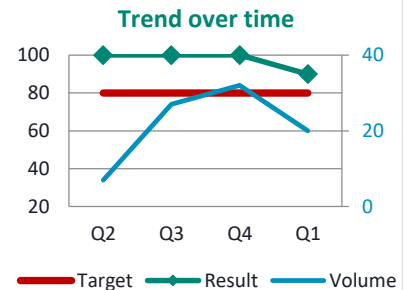
Investigate and action within 7 days



Development Applications

Volume of applications = 20

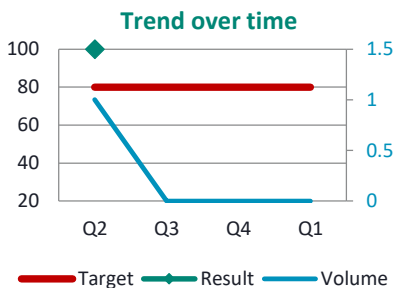
Approval of fast track development applications within 28 days



Missed Bins

Volume of requests = 0

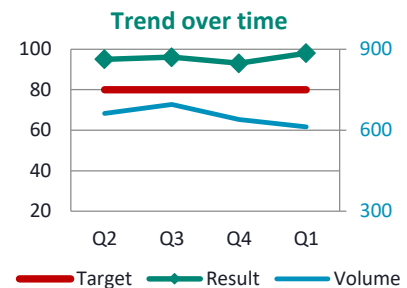
Missed bins collected within 2 days



Request for Bin Repair or Replacement

Volume of requests = 612

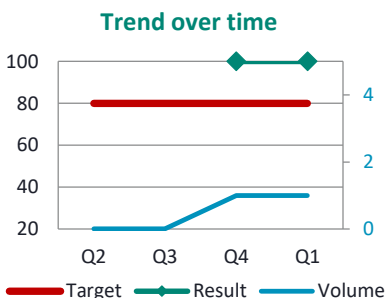
Requests actioned within 7 days



Footpath Repairs - Hazardous

Volume of repairs = 1

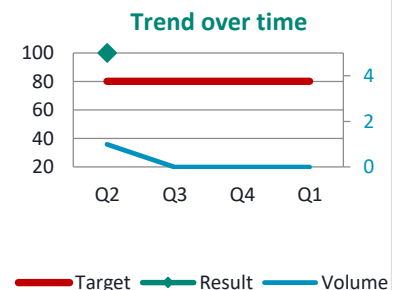
Responded and made safe within 24 hours



Road Repairs - Hazardous

Volume of repairs = 0

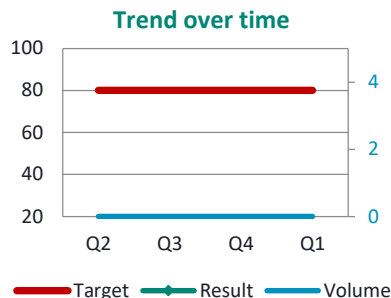
Responded and made safe within 24 hours



Stormwater Repairs - Hazardous

Volume of reports = 0

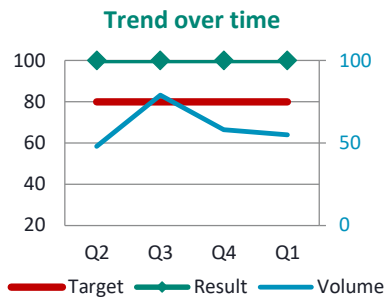
Responded and made safe within 24 hours



Trees - Hazardous

Volume of reports = 55

Responded and made safe within 24 hours

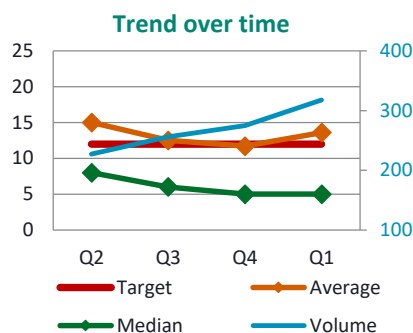
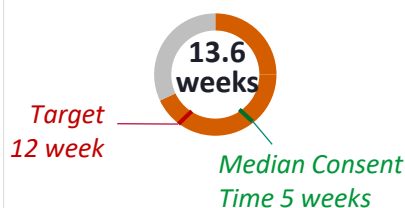


5.3 Service Specific Standards – Other Indicators

Development Applications

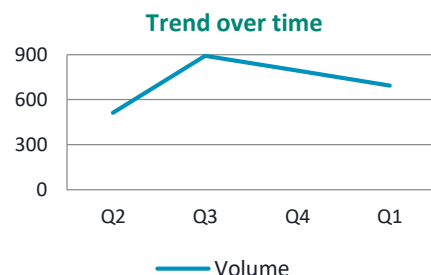
Volume of applications = 318

Average consent time from date of receipt



Low Risk Infrastructure Requests – Number of New Requests

Volume of new requests = 693



Low Risk Infrastructure Requests – Average Time to Resolve

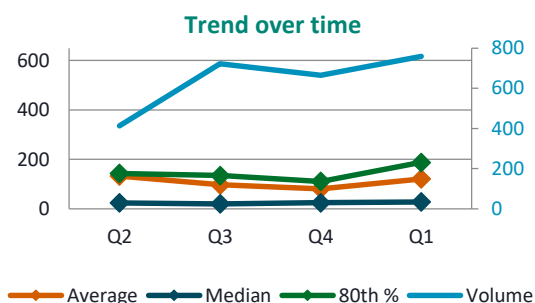
Volume of Requests = 759

Resolution time of requests

Average = 121 days

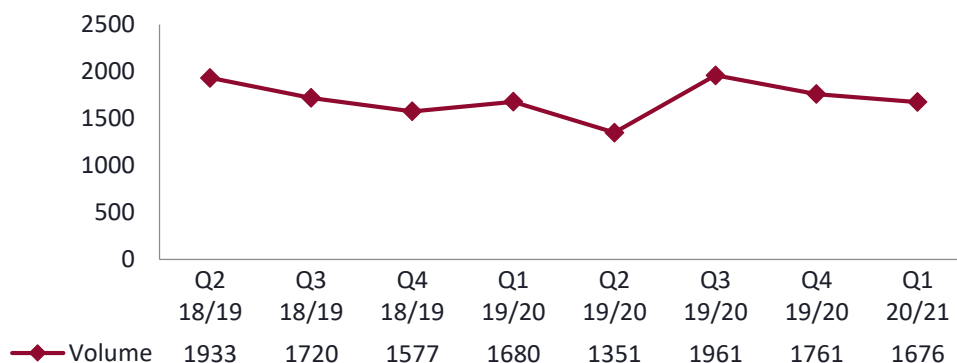
Median = 28 days

80th Percentile = 188 days



Overall Volume of Requests

Trend in volume of requests/customer cases for which there is an adopted service standard, excluding the volume of phone calls



3. Capital Works Program

Quarter 1 of 2020-21 FY represents the commencement of the 2020-21 Capital Works Program, with \$1.3M of infrastructure delivered during this period and another \$3.3M of works ordered. The primary focus of this quarter has been on scoping new projects, as well and commencing construction on projects that were designed in 2019-20 Financial Year.

Highlights

- The Paracombe Rd Blackspot project was completed.
- The Newman Rd renewal and upgrade project was commenced.
- Construction of West St Mylor was completed.

What's Next

- The roundabout landscaping project is due to be completed in early Q2.

Financial Performance by Asset Category

Asset Category	YTD Actuals \$'000	YTD Budget \$'000	YTD Var Fav / (unfav) \$'000	Annual Budget \$'000
Bridges	4	10	6	155
Buildings	267	200	(47)	2,661
Cemeteries	74	20	(54)	120
CWMS	72	200	128	414
Footpaths	90	36	(54)	870
Kerbing	30	-	(30)	266
Local Roads & Community Infrastructure Program (LRCIP)	2	85	83	843
Other - Ret Walls, Str Furniture & Bus Stops	202	230	8	2,300
Roads - Pavements	483	499	16	2,770
Roads - Seals	138	-	(138)	1,182
Roads - Shoulders	-	50	50	270
Roads - Unsealed	163	140	(22)	1,341
Sport & Recreation	38	-	(38)	4,081
Stormwater	191	175	(17)	927
Fleet	54	305	251	2,188
ICT	4	148	144	743
Library	-	7	7	68
Plant & Equipment	7	5	(2)	60
	1,820	2,110	290	21,269

4. Financial Performance

Overall Funding Statement as at 30 Sept 2020

	YTD Actual	YTD Budget	YTD Variance	Revised Budget
	\$'000	\$'000	\$'000	\$'000
Total Operating Income	42,421	42,019	● 402	48,443
Total Operating Expenditure	9,216	9,234	● 18	47,615
Funding surplus before Capital	33,205	32,785	● 420	829
Capital Expenditure	1,820	2,110	● 290	21,269
Capital Income	653	503	● 150	4,873
Net expenditure - Capital projects	1,167	1,607	● 440	16,396
Net Lending / (Borrowing) Result for Year	32,038	31,177	● 860	(6,331)

Adelaide Hills Council Operating Summary By Directorate as at September 2020

	YTD Actuals \$'000s	YTD Budget \$'000s	YTD Var fav / (unfav) \$'000s	Revised Budget \$'000s
Income				
Community Capacity	581	393	● 187	2,679
Corporate Services	38,600	38,494	● 106	40,189
Development & Regulatory Services	554	525	● 30	1,254
Infrastructure & Operations	2,686	2,607	● 79	4,322
Income Total	42,421	42,019	● 402	48,443
Expenditure				
Community Capacity	1,734	1,819	● 85	8,584
Corporate Services	2,559	2,535	● (24)	8,158
Development & Regulatory Services	977	942	● (34)	3,715
Infrastructure & Operations	3,946	3,939	● (8)	27,157
Expenditure Total	9,216	9,234	● 18	47,615
Operating Surplus (Deficit)	33,205	32,785	● 420	829

Operating summary by Function (Income)

as at September 2020	Income by Function			
	YTD Actuals \$'000s	YTD Budget \$'000s	YTD Var fav / (unfav) \$'000s	Annual Revised Budget \$'000s
Bushfire Recovery	13	-	13	980
CC Director's Office	-	-	-	-
Communications, Engagement & Events	-	-	-	3
Economic Development	125	95	30	95
FABRIK Arts and Heritage Hub	55	10	45	47
Community Development (Management)	-	-	-	-
Cultural Development	-	-	-	-
Grants & Partnerships	-	-	-	-
Hills Connected Communities Projects	28	16	12	64
Positive Ageing (Home and Social Support)	271	235	36	1,014
Positive Ageing Project (Collaborative)	66	18	49	80
Service Strategy & Innovation	-	-	-	-
The Summit Community Centre	3	2	2	15
Torrens Valley Community Centre	7	9	(1)	36
Volunteering	-	-	-	-
Youth Development	-	-	-	2
Library Services	12	9	3	344
Customer Service	-	-	-	-
Community Capacity	581	393	187	2,679
AHBTC	61	85	(24)	366
Cemeteries	59	54	6	215
CS Director's Office	1	1	-	3
COVID 19	-	-	-	-
Financial Services	38,398	38,334	63	39,441
Governance & CEO Office	-	-	-	75
Information Services	-	-	-	-
OD & WHS	-	-	-	-
Property Management	70	11	59	52
Retirement Villages	10	9	1	37
Corporate Services	38,600	38,494	106	40,189
Animal Management	322	338	(17)	416
DRS Director's Office	-	-	-	-
Fire Prevention	-	-	-	14
Mt Lofty Waste Control Project	-	-	-	50
Parking and By-Laws	9	13	(4)	48
Planning & Development	187	146	42	561
Policy Planning	-	-	-	-
Public Health	36	28	8	166
Development & Regulatory Services	554	525	30	1,254
Civil Services	760	773	(14)	2,225
Community Wastewater Management System	1,842	1,773	69	1,795
Depreciation	-	-	-	-
Emergency Management	-	-	-	-
IO Director's Office	-	-	-	-
Open Space - Biodiversity	15	-	15	-
Open Space Operations	7	-	7	-
Open Space - Sport & Rec Planning	-	-	-	230
Sustainability	-	-	-	-
Strategic Assets	-	-	-	-
Waste	62	61	1	72
Infrastructure & Operations	2,686	2,607	79	4,322
Total	42,421	42,019	402	48,443

Operating summary by Function (Expenditure & Net Position)

as at September 2020	Expenditure by Function				Net Position
	YTD Actuals \$'000s	YTD Budget \$'000s	YTD Var fav / (unfav) \$'000s	Annual Revised Budget \$'000s	Variance \$'000s
Bushfire Recovery	111	51	<div></div> (60)	1,410	<div></div> (47)
CC Director's Office	78	80	<div></div> 2	301	<div></div> 2
Communications, Engagement & Events	138	133	<div></div> (5)	665	<div></div> (5)
Economic Development	79	190	<div></div> 111	502	<div></div> 141
FABRIK Arts and Heritage Hub	105	80	<div></div> (25)	340	<div></div> 20
Community Development (Management)	82	86	<div></div> 5	361	<div></div> 5
Cultural Development	29	32	<div></div> 2	149	<div></div> 2
Grants & Partnerships	40	40	<div></div> 1	237	<div></div> 1
Hills Connected Communities Projects	16	16	<div></div> ()	68	<div></div> 12
Positive Ageing (Home and Social Support)	222	249	<div></div> 27	1,051	<div></div> 63
Positive Ageing Project (Collaborative)	29	20	<div></div> (8)	80	<div></div> 40
Service Strategy & Innovation	49	54	<div></div> 5	171	<div></div> 5
The Summit Community Centre	37	41	<div></div> 4	175	<div></div> 5
Torrens Valley Community Centre	45	44	<div></div> (1)	173	<div></div> (2)
Volunteering	19	18	<div></div> (1)	84	<div></div> (1)
Youth Development	37	37	<div></div> (1)	158	<div></div> (1)
Library Services	392	397	<div></div> 5	1,536	<div></div> 8
Customer Service	227	250	<div></div> 23	1,123	<div></div> 23
Community Capacity	1,734	1,819	<div></div> 85	8,584	<div></div> 272
AHBTC	47	61	<div></div> 14	253	<div></div> (10)
Cemeteries	57	77	<div></div> 20	210	<div></div> 26
CS Director's Office	84	85	<div></div> 2	322	<div></div> 2
COVID 19	100	50	<div></div> (50)	50	<div></div> (50)
Financial Services	315	280	<div></div> (35)	372	<div></div> 29
Governance & CEO Office	567	588	<div></div> 21	2,001	<div></div> 21
Information Services	740	761	<div></div> 21	2,560	<div></div> 21
OD & WHS	152	138	<div></div> (14)	597	<div></div> (14)
Property Management	484	488	<div></div> 4	1,766	<div></div> 62
Retirement Villages	13	6	<div></div> (7)	25	<div></div> (6)
Corporate Services	2,559	2,535	<div></div> (24)	8,158	<div></div> 81
Animal Management	135	122	<div></div> (13)	414	<div></div> (29)
DRS Director's Office	85	81	<div></div> (3)	328	<div></div> (3)
Fire Prevention	18	18	<div></div> ()	99	<div></div> ()
Mt Lofty Waste Control Project		-	<div></div> ()	51	<div></div> ()
Parking and By-Laws	59	51	<div></div> (8)	193	<div></div> (12)
Planning & Development	521	499	<div></div> (22)	1,949	<div></div> 20
Policy Planning	40	42	<div></div> 1	173	<div></div> 1
Public Health	118	128	<div></div> 11	508	<div></div> 19
Development & Regulatory Services	977	942	<div></div> (34)	3,715	<div></div> (5)
Civil Services	1,249	1,334	<div></div> 85	5,408	<div></div> 72
Community Wastewater Management System	141	124	<div></div> (17)	839	<div></div> 52
Depreciation	-	-	<div></div> -	9,089	<div></div> -
Emergency Management	16	11	<div></div> (5)	92	<div></div> (5)
IO Director's Office	85	75	<div></div> (10)	326	<div></div> (10)
Open Space - Biodiversity	164	162	<div></div> (2)	539	<div></div> 13
Open Space Operations	923	881	<div></div> (43)	4,581	<div></div> (35)
Open Space - Sport & Rec Planning	187	172	<div></div> (14)	562	<div></div> (14)
Sustainability	34	47	<div></div> 13	268	<div></div> 13
Strategic Assets	128	137	<div></div> 8	548	<div></div> 8
Waste	1,020	996	<div></div> (24)	4,905	<div></div> (23)
Infrastructure & Operations	3,946	3,939	<div></div> (8)	27,157	<div></div> 71
Total	9,216	9,234	<div></div> 18	47,615	<div></div> 420



Adelaide Hills
COUNCIL

MORE INFORMATION



**63 Mt Barker Road
Stirling SA 5152**



08 8408 0400



mail@ahc.sa.gov.au

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 13.2

Responsible Officer: Lynne Griffiths
Community and Cultural Development Officer
Community Capacity

Subject: Adelaide Hills Reconciliation Working Group Update

For: Information

SUMMARY

On 28 August 2018 Council resolved to establish a Reconciliation Working Group in partnership with Mount Barker District Council, and, subject to a commitment to the same effect by Mount Barker District Council, adopt *Terms of Reference*.

Subsequently Mount Barker District Council confirmed their commitment, expressions of interest were sought from the community and the Adelaide Hills Reconciliation Working Group (AHRWG) was formed and members appointed. The AHRWG held their first meeting on 22 May 2019 and has met a minimum of bi-monthly to date.

This report presents an update of the progress of this group.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

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

Strategic Plan 2020-24 – A brighter future

Goal 2 Community Wellbeing

Objective C5 Respect for Aboriginal Culture and Values

Priority C5.1 Partner with the Aboriginal and Torres Strait Islander community to develop our second Reconciliation Action Plan (Innovate) and actively participate in Reconciliation Week.

Collaboration with Aboriginal and non-Aboriginal members of the community assists Council to develop a *Reconciliation Action Plan* (RAP) and undertake reconciliation initiatives that are informed and reflect a collective vision and expectations.

➤ **Legal Implications**

Not Applicable.

➤ **Risk Management Implications**

The involvement of Aboriginal stakeholders in the development of RAPs is fundamental to achieving a culturally appropriate approach and fostering community support. Without this level of engagement there is a significant risk that the Aboriginal community and other stakeholders will not support Council's Reconciliation initiatives.

Both Adelaide Hills Council and Mount Barker District Council are developing and expanding RAPs. Should this occur in isolation there is a risk that actions determined may not reflect a cohesive approach for the region.

Having a Reconciliation Working Group assists to mitigate the risk of:

Council taking reconciliation actions which are not culturally appropriate or supported by the community, leading to offence to Aboriginal people and reputational damage to the Council.

Inherent Risk	Residual Risk	Target Risk
High 3B	low 2D	Low 2D

➤ **Financial and Resource Implications**

The reimbursement of costs and catering associated with the AHRWG are within existing budget allocation and are shared with Mount Barker District Council.

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

Appropriate recognition of and engagement with the Aboriginal community and other key stakeholders is essential to the success of Council's RAP. A collaborative approach with Mount Barker District Council recognises that, culturally, the Aboriginal community relate to the Adelaide Hills as a region.

The community members of the AHRWG are all residents of the Adelaide Hills who identify as Aboriginal and bring a highly regarded and credentialed level of skills and expertise across health, education, governance and business. These members also have considerable networks and connections across both the Aboriginal and non-Aboriginal community. In addition the working group also has a staff member and Council member from each Council.

➤ **Sustainability Implications**

Not Applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Adelaide Hills Reconciliation Working Group

Administration: Internal Reconciliation Working Group

External Agencies: Mount Barker District Council

Community: Not Applicable

2. BACKGROUND

The Adelaide Hills Reconciliation Working Group was established in partnership with Mount Barker District Council in late 2018. Each of the two councils appoints one Council Member to the group.

The membership of the AHRWG is:

Community Members

Parry Agius
Deanne Hanchant-Nichols
Tanya Michelle
Alucius Turner
Skye Akbar
Hayley Willis
Courtney Hebbberman (subsequently
resigned due to family reasons)

Council Members

Cr Kirrilee Boyd
(Adelaide Hills Council)
Cr Samantha Jones
(Mount Barker District Council)

Council Staff

Lynne Griffiths (Adelaide Hills Council)
Peter McGinn (Mount Barker District Council)

Each Council committed to establish an internal working group to drive the creation of RAPs with the AHRWG as a reference point.

In July 2019, following the establishment of the AHRWG, an internal Reconciliation Working Group was established to write the Adelaide Hills Council Innovate RAP. The membership of this group is:

Biodiversity Officer
Procurement Project Officer
Building Management Coordinator
Senior Strategic and Policy Planner
Manager Economic Development
Manager Communications, Engagement and Events
Organisational Development Advisor
Community and Cultural Development Officer

3. ANALYSIS

Under the Terms of Reference the AHRWG functions as an advice giving body, with individuals able to provide advice freely and as requested. Advice may be sought through meetings or by other means.

The RWG has no decision making power or authority to act in its own right. For advice on specific matters a consensus will be sought, however, the views of all individual members will be taken into consideration.

The role of the AHRWG is to:

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

The AHRWG has undertaken this role and function in consideration of the five dimensions of Reconciliation determined by Reconciliation Australia being Race Relations, Equality and Equity, Unity, Institutional Integrity and Historical Acceptance.

In preparing the progress report (**Appendix 1**) actions and goals have been considered against the RAP template headings of Relationships, Respect, Opportunities, Governance and Reporting.

A significant exercise of the AHRWG was to meet with the Adelaide Hills Council Internal Reconciliation Working Group members and some key staff from Mount Barker District Council to identify shared values that will underpin the creation of RAPs. (**Appendix 2**)

Significant discussions have also taken place regarding place naming, dual place naming and use of language and cultural representation in public spaces. This includes consideration of appropriate process in identifying places, language to be used (Peramangk, Kaurna) and the seeking of authentication and permissions to use this language. Further exploration of this matter is prioritised for the year ahead.

The group was also consulted in relation to appropriate wording for Adelaide Hills Council Acknowledgement of Country, and suggested wording for future use. Further discussion addressed the protocols for use of Welcome to Country and Acknowledgement of Country and the opportunity for Councils to show leadership in this area.

The Adelaide Hills Council Internal Reconciliation Working Group is making good progress in writing the first draft of the Innovate Reconciliation Action Plan and anticipates seeking the feedback of the AHRWG on this draft by the end of November.

4. OPTIONS

Council has the following options:

- I. That Council receive and note this report (Recommended).

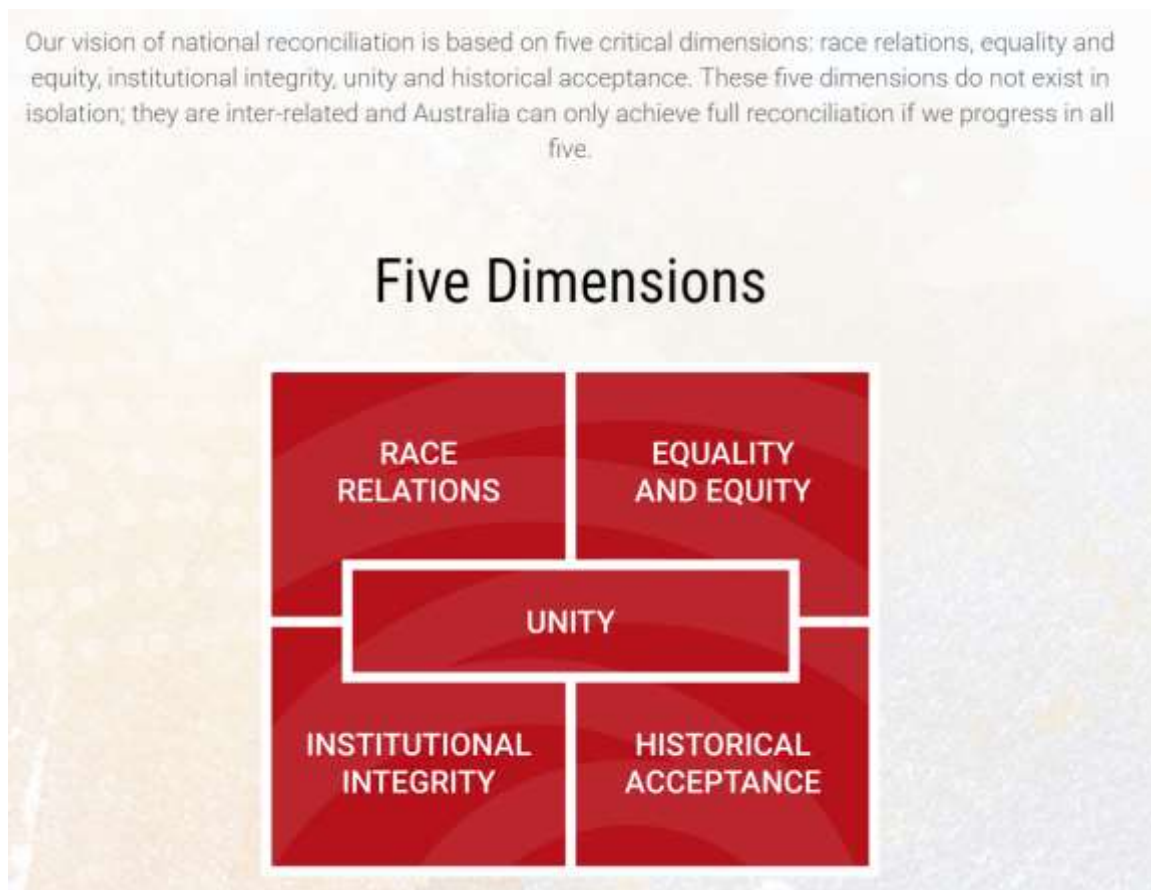
5. APPENDICES

- (1) Adelaide Hills Reconciliation Working Group Report November 2020
- (2) Adelaide Hills Reconciliation Working Group Shared Values

Appendix 1

***Adelaide Hills Reconciliation Working Group
Report November 2020***

This report shares our progress towards our RAP commitment, based and measured on the five dimensions outlined by **Reconciliation Australia**:



Reconciliation Action Plan Dimensions

In writing a Reconciliation Action Plan the template is structured to address the following:

<i>Relationships</i>	<i>Reconciliation Action Planning and Promotion Consultation and Engagement Reconciliation Events and Participation</i>
<i>Respect</i>	<i>Acknowledgement of Country & Cultural Protocols Cultural Learning Celebrating / Valuing Culture</i>
<i>Opportunities</i>	<i>Employment and Vocational Supplier Diversity Valuing Connection to Country</i>
<i>Governance</i>	<i>Establish & Maintain RAP Working Group' Support for the implementation of the RAP Accountability and Transparency Continue the RAP to next level</i>
<i>Reporting</i>	<i>Tracking Progress and Reporting</i>

Definitions:**AHRWG** Adelaide Hills Reconciliation Working Group**AHC** Adelaide Hills Council**MBDC** Mount Barker District Council**RAP** Reconciliation Action Plan**Actions and Achievements within Councils**

Action/Achievement	Indicators	Associated RAP Values
Increasing awareness and understanding of reconciliation	<ul style="list-style-type: none"> Staff aware of the Aboriginal community and involving this understanding in everyday work Better engagement with Aboriginal communities 	Relationships
Staff and Elected Members recognise the importance of Reconciliation	<ul style="list-style-type: none"> Cultural awareness training AHC Intranet worksite resource for staff Planning and resourcing of Reconciliation activities and events AHRWG provides a conduit for acquiring information and understanding in a safe setting 	Relationships Respect Opportunities
Shared Vision across AHRWG and both Councils working groups	<ul style="list-style-type: none"> Shared vision results in shared aspirations and common goals AHRWG as a shared resource and source of knowledge Ngapartji Ngapartji. A mutually beneficial outcome of sharing, learning and thriving. Through a process of mutual understanding and benefit making; I provide you with something, you provide me with something in return, and we collectively gain for the greater good together! 	Relationships Respect
Formalise commitment to RAP	<ul style="list-style-type: none"> Both Councils have registered with Reconciliation Australia 	Governance Relationships Reporting
MBDC complete Reflect RAP to draft stage	<ul style="list-style-type: none"> Consultation taken place and redraft in progress 	Governance Relationships
AHC Innovate RAP well under way	<ul style="list-style-type: none"> First draft by end October 	Governance Relationships
Establishment of Internal Council Working Groups	<ul style="list-style-type: none"> AHC has an Internal Reconciliation Working Group that is meeting regularly and writing an Innovate RAP MBDC planning a presentation to the leadership group to form an Internal Reconciliation Working Group 	Governance Relationships

Actions and Achievements within Community

Action/Achievement	Indicators	Associated RAP Values
Increasing awareness and understanding of reconciliation	<p>Greater presence on Council's websites and social media (info and links, reconciliation week video)</p> <p>Support of AHC radio programs on Hills Radio during NRW</p>	Relationships Respect Opportunities
Raise awareness that there are Aboriginal people living and working in the Adelaide Hills	<p>Public art and place-making reflecting Aboriginal culture</p> <p>Promotion of AHRWG, info and bios on websites</p> <p>AHRWG gives a resource for Aboriginal people to connect</p>	Respect Opportunities
Raising awareness of the Aboriginal heritage of the Adelaide Hills	<p>Identifying opportunities to recognise and celebrate cultural heritage through sharing of knowledge</p> <p>Promote partnerships and opportunities that recognise and are appropriate to the Adelaide Hills (ie: recovery and land management knowledge)</p>	Respect Opportunities
Create opportunity for Aboriginal people to acknowledge their connection to the Adelaide Hills	Promote the connection of Aboriginal people to the Adelaide Hills as both traditional custodians and contemporary citizens	Respect Opportunities

Our next steps

What is planned for the next 12 months

- MBDC Reflect RAP endorsed by Reconciliation Australia and adopted by Council
- AHC Innovate RAP endorsed by Reconciliation Australia and adopted by Council
- Support the implementation of RAP actions
- Place Naming Project across the region
- Explore a Truth Telling and Community Healing Forum

Appendix 2

Adelaide Hills Reconciliation Working Group Shared Values

RECONCILIATION WORKING GROUP

SHARED VALUES

➤ What do we mean by Shared Values

Council staff are in the unique position of being at the coal face and connected to the values of the community. Through exposure and relationships with community Council has insight into community values.

A Shared Value is something we all agree on. If we feel differently then that value is not a shared value.

Councils operate to a set of identified Corporate Values. Reconciliation could be one of these Corporate Values.

➤ Why are we here and what is important to you?

Establishing and practising Shared Values is not just about the content it is about the process and the learnings along the way.

We have the opportunity to lead from the front and demonstrate zero tolerance to racism. This includes informing and educating on our shared history through truth telling.

Reconciliation should be the norm in how Council does business not the exception.

We have the opportunity to “unlearn” – rethink and relearn systems that make for exclusion, such as through Procurement processes.

We need to take the community along on the journey with us. What do we want our future to look like as a shared journey?

We need to be able to report the impact of our actions – relatable, achievable and measureable.

Shared Values on Reconciliation

Relationships	Respect	Opportunities	Governance
<ul style="list-style-type: none"> ➤ Respect ➤ Acceptance ➤ Acknowledgement 	<ul style="list-style-type: none"> ➤ Education ➤ Awareness ➤ Truth telling ➤ Unlearning old ways 	<ul style="list-style-type: none"> ➤ Optimistic ➤ Influential 	<ul style="list-style-type: none"> ➤ Leadership ➤ Reconciliation
<ul style="list-style-type: none"> ➤ Zero tolerance to racism ➤ Safe 	<ul style="list-style-type: none"> ➤ Welcoming ➤ Accommodating ➤ Reflective 	<ul style="list-style-type: none"> ➤ Recognition 	<ul style="list-style-type: none"> ➤ The norm not the exception ➤ Infused ➤ incorporated
<ul style="list-style-type: none"> ➤ Collaboration ➤ Commitment ➤ Connection 	<ul style="list-style-type: none"> ➤ Acknowledgement ➤ Shared history shared future ➤ Connection to Country 	<ul style="list-style-type: none"> ➤ Opportunity ➤ Non restrictive 	<ul style="list-style-type: none"> ➤ Responsive ➤ Reflective ➤ Unbiased
<ul style="list-style-type: none"> ➤ Welcoming ➤ Accessible ➤ Sharing ➤ Inclusive 	<ul style="list-style-type: none"> ➤ Visible 	<ul style="list-style-type: none"> ➤ Justice ➤ Equity 	<ul style="list-style-type: none"> ➤ Measurable ➤ Report impact
<ul style="list-style-type: none"> ➤ Resilient ➤ Authentic 			

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 13.3

Responsible Officer: Marc Salver
Director Development & Regulatory Services
Development & Regulatory Services

Subject: Pomona Road Streetscape

For: Information

SUMMARY

In response to a Motion Without Notice from Cr Kirsty Parkin at the 22nd of September 2020 meeting (Item 15.1), Council resolved that the CEO provide a report to the November Council meeting detailing the way in which the Pomona Road Stirling Streetscape will be returned to its prior tree-lined amenity after all the construction works currently taking place, or planned, across the various sites along the road have been completed.

This report provides details of the current and proposed developments along Pomona Road and what streetscape landscaping is proposed. It should be noted that when any development occurs on a site, it often results in the alteration of the original character and landscaping of the property in order to accommodate a proposed building and associated infrastructure (e.g. driveway, car parking, sheds, etc.). When considering new development proposals, the Administration assesses such proposals in accordance with the relevant legislative provisions and Development Plan principles. A key outcome of all development decisions is to minimise the impacts of a proposed development on the character and amenity of the locality.

It is also noted that the proposed developments and those currently under construction in Pomona Road are being undertaken on properties which were rezoned to accommodate additional development within the Stirling District Centre Zone and the Mixed Residential Zone – refer to the Locality Plan contained in **Appendix 1**. Administration is recommending that the report be received and noted.

RECOMMENDATION

Council resolves:

That the report be received and noted.

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 1 A functional Built Environment
Goal 4 A valued Natural Environment

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

As part of the development assessment process, an assessment is made regarding the potential impact of a development proposal on the character and amenity of the streetscape. In instances where tree removal is required as part of a development proposal, replacement tree plantings are sought at a ratio of 2 new trees for each regulated tree removed. However, if a site is too small to accommodate new tree plantings, then an applicant has the option of paying into Council's Urban Tree Fund, which is then used to pay for planting of trees in Council's parks and reserves where appropriate.

➤ Legal Implications

Development applications received by Council are assessed in accordance with Part 4 of the *Development Act, 1993* and Part 7 of the *Planning, Development and Infrastructure (PDI) Act, 2016*. Part of the assessment process requires consideration of the impacts on any regulated or significant trees, whether on the site of the proposed development, or on adjoining land (including road verges).

➤ Risk Management Implications

Ensuring that development proposals involving regulated trees are assessed in accordance with the relevant legislative requirements and Council's Development Plan will assist in mitigating the risk of:

Developments resulting in the loss of street trees thereby negatively impacting on the streetscape including that of Pomona Road.

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

➤ Financial and Resource Implications

There are no financial or resource implications as a result of this report. It is noted that where an applicant opts to pay into the Urban Tree Fund, the statutory fee set by the State Government is \$96 per tree (refer to Regulation 117(4) of the *Development Regulations, 2008*). There is \$10,038 available for use for planting of trees within Council's parks, reserves and other land on the Community Lands Register outside of high bushfire prone areas. Administration has estimated that planting of one tree costs \$575 and so the amount available in the Fund would allow for the planting of 17 trees.

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

The public relies on new development proposals being assessed by Administration in accordance with the relevant legislative and Development Plan principles. A key outcome of all development decisions is to minimise the impact of a proposed development on the character and amenity of the locality.

➤ **Sustainability Implications**

Where regulated or significant trees are to be removed as a result of a proposal, Administration seek landscaping outcomes and the replanting of replacement trees where possible and appropriate.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Acting Manager Open Space

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

In response to a Motion Without Notice from Cr Kirsty Parkin at the 22nd of September 2020 meeting, Council resolved as follows (Item 15.1):

15.1 Pomona Road Streetscape

**Moved Cr Kirsty Parkin
S/- Cr John Kemp**

216/20

That the Chief Executive Officer provide for consideration by the elected body at the November 2020 Council meeting a report detailing the way in which the Pomona Road Stirling streetscape will be returned to its prior tree-lined amenity (or similar) after all the construction works currently taking place, or planned, across various sites along the road have been completed.

Carried Unanimously

The purpose of this report is to provide a response to the above resolution of Council.

3. ANALYSIS

When any development occurs on a site, it results in the alteration of the original character and landscaping of the property in order to accommodate a proposed building and associated infrastructure (e.g. driveway, car parking, sheds, etc.). When considering new development proposals, Administration assess such proposals in accordance with the relevant legislative provisions and Development Plan principles. A key outcome of all development decisions is to minimise the impact of a proposed development on the character and amenity of the locality.

Properties in Pomona Road between the Stirling roundabout and the Council's reserve were rezoned to accommodate additional development within the Stirling District Centre Zone in August 2010 (3, 5 & 7 Pomona Road) and the Mixed Residential Zone in October 2017 (10 – 21 Pomona Road) – refer to the Locality Plan contained in **Appendix 1**.

With regard to recent development proposals in Pomona Road, Council has in the last 6 years received applications for six properties on Pomona Road, namely:

1. 3 & 5 Pomona Road - Supermarket development currently under construction. No street trees were impacted as a result of this development, although there were some trees removed along the street frontage of the property. However, it is noted that 22 trees are proposed to be replanted across the two sites with 8 of these being replacement trees at 5 Pomona Road, together with an increase in shrub/hedge plants from 15 to 34 on the same site. Note that the three existing Regulated English Oak trees and four other smaller trees at the south eastern corner of 5 Pomona Road are to be retained.
2. 7 Pomona Road – Office development – completed. No street trees were impacted by this development. However, 3 new trees were planted along the Pomona Road boundary within the property.
3. 12 Pomona Road – completed single storey detached dwelling. No street trees were impacted by this development. The trees at the front of the property were not affected by the development.
4. 16 Pomona Road - double storey detached dwelling which is nearing completion. No street trees were impacted by this development. However, landscaping along the road frontage is still to be planted.
5. 20 Pomona Road - 9 unit community title mixed density residential development. The original proposal was refused by Council's Assessment Panel (CAP) in July this year. The applicant then appealed the decision to the Environment, Resources and Development (ERD) Court and compromise proposal was put forward reducing the number of units to 8. This was presented to CAP on 11 November 2020 and was subsequently supported. The ERD Court has been advised of the CAP decision and will now issue a Court order granting Planning Consent for the proposed development. Note that two of the ten street trees will be removed as a result of this development, none of which are regulated or significant trees. No replanting of the street trees is proposed. However, other landscaping within the new development along the road frontage is proposed.
6. 21 Pomona Road - 7 Torrens title allotments with 7 new dwellings proposed. This development has been approved and is currently under construction. One Council tree was removed as part of the proposal which was not a regulated tree, and which will be replaced with two other trees in the front of the proposed dwellings. However, three street trees and 3 other trees along the road frontage within three

of the 7 allotments have been retained, and extensive landscaping along Pomona Road consisting of shrubs and ground covers is proposed as part of the development.

It is noted that during the assessment of each of the above applications, an assessment was made regarding the potential impact of the proposals on the character and amenity of the streetscape. In all instances the properties in question were either vacant or had single dwellings on them with a number of trees located within the properties. All the developments have resulted in the modification of the on-site vegetation, and some street trees, in order to accommodate the new proposals.

With regard to the impacts on the streetscape, the focus of the assessment is to ensure as much landscaping as possible is achieved along the road frontage and it is considered that this has been achieved (refer to snip image below of the proposed landscaping for the supermarket proposal). It is noted that due to the relatively narrow Council verge in front of the said allotments, no additional street trees are proposed to be planted along Pomona Road by Council.



Site before construction commenced as viewed from Pomona Road



Artists impression of the site viewed from a similar location on completion of the development

In instances where tree removal is required as part of a development proposal, replacement tree plantings are sought at a ratio of 2 new trees for each regulated tree removed. However, if a site is too small to accommodate new tree plantings, then an applicant has the option of paying into Council's Urban Tree Fund, which is then used to pay for planting of trees in Council's parks, reserves and other land on the Community Lands Register outside of high bushfire prone areas where appropriate.

4. OPTIONS

Council has the following options:

- I. To note and receive the report (Recommended)
- II. To note and receive the report and instruct Administration to undertake additional actions in this regard (Not Recommended)

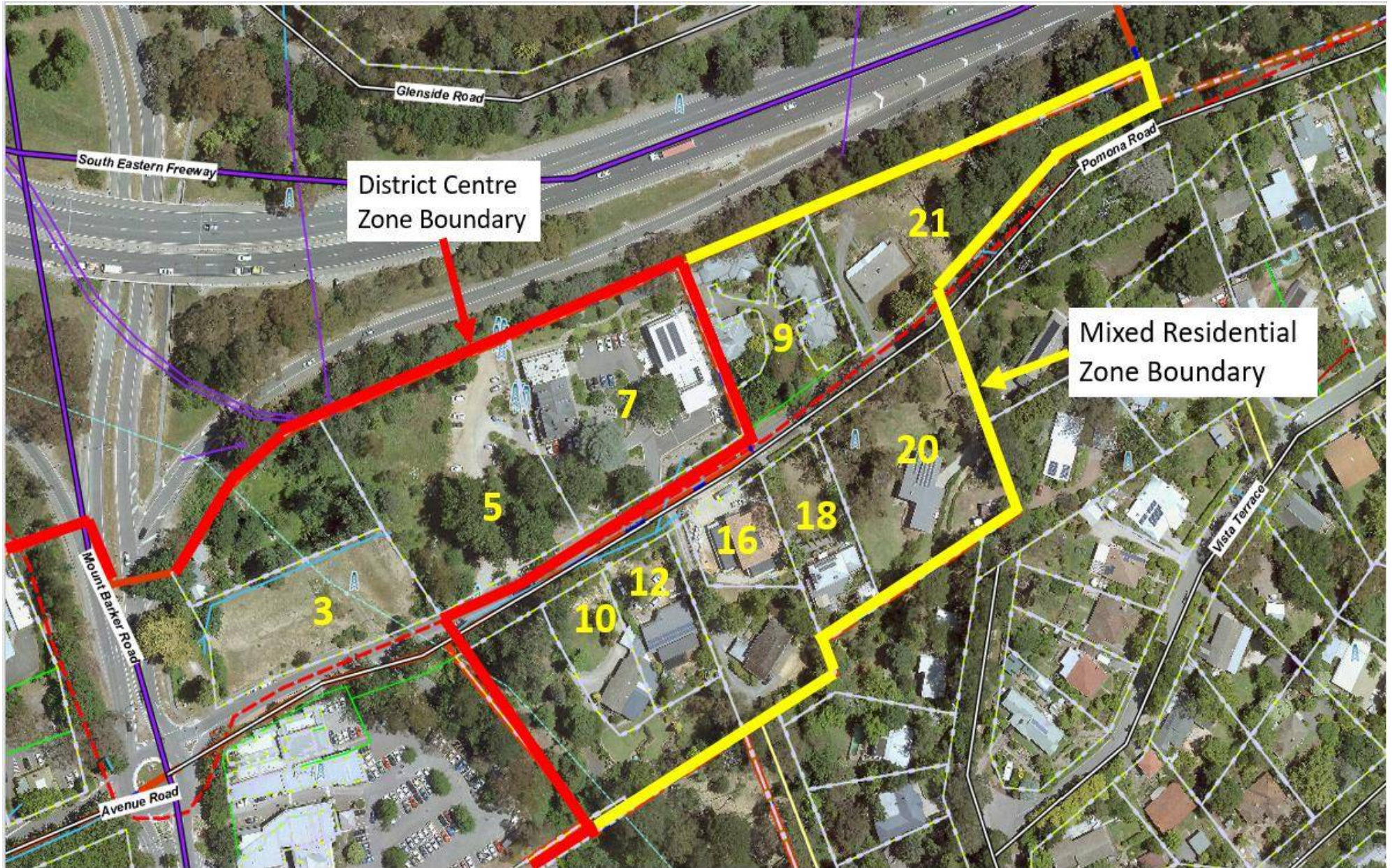
5. APPENDIX

- (1) Locality Plan

Appendix 1

Locality Plan

LOCALITY PLAN – PROPERTIES ON POMONA ROAD STIRLING



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 24 November 2020
AGENDA BUSINESS ITEM**

Item: 13.4

Originating Officer: Lachlan Miller
Executive Manager Governance and Performance
Office of the Chief Executive

Subject: Audit Committee Presiding Member's Report 2020

For: Information

SUMMARY

The Audit Committee Terms of Reference provides that the Presiding Member will attend a meeting of the Council at least once per annum to present a report on the activities of the Committee.

Cr Malcolm Herrmann is the current Presiding Member of the Audit Committee.

Cr Herrmann presented the report as contained in **Appendix 1** to the Audit Committee's 16 November 2020 meeting.

The purpose of this report is for the Council to gain an understanding and assurance as to the activities of the Audit Committee in accordance with its Terms of Reference for the 2020 calendar year.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

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

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

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

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

The Audit Committee Presiding Member's provision of an annual report to the Council of the Committee's business is an important tool in facilitating accountability and transparency with the committee structures.

➤ **Legal Implications**

Section 126 of the *Local Government Act 1999* sets out the functions of an audit committee.

There is no legislative requirement for the Presiding Member of a s41 Committee to report to the Council.

➤ **Risk Management Implications**

The Council's consideration of the Audit Committee Presiding Member's Report 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)	Low (3E)	Low (3E)

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

➤ **Financial and Resource Implications**

Not applicable.

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

Not applicable.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: The Presiding Member's Report was presented to the 16 November 2020 Audit Committee meeting.

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Director Corporate Services
Manager Financial Services
Governance & Risk Coordinator

External Agencies: Not applicable

Community: Not Applicable

2. BACKGROUND

Clause 8.1.2 of the Audit Committee Terms of Reference provides that the Presiding Member will attend a meeting of the Council at least once per annum to present a report on the activities of the Committee

The Presiding Member presented the report to the 16 November 2020 Audit Committee meeting. In considering the report the Committee resolved:

5.2. Audit Committee Presiding Members Report 2020

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge

55/AC20

The Audit Committee received and noted the Presiding Members Report 2020.

Carried

3. ANALYSIS

The Presiding Member has structured his report (**Appendix 1**) in accordance with the key functions of the Audit Committee Terms of Reference. The commentary provided demonstrates the manner in which and the activities undertaken by the Committee to fulfil its role.

Some minor changes have been made to the report presented to the Audit Committee based on feedback from the Committee.

4. OPTIONS

Council has the following options:

- I. Note and receive the report (Recommended)
- II. Resolve that other actions are required (Not Recommended).

5. APPENDIX

- (1) 2020 Audit Committee Presiding Member's Report

Appendix 1

2020 Audit Committee Presiding Member's Report

REPORT TO THE ADELAIDE HILLS COUNCIL ON THE OPERATIONS OF THE AUDIT COMMITTEE DURING 2020

INTRODUCTION

As outlined in Clause 8.1.2 of the Terms of Reference for the Audit Committee, the Presiding Member will attend a meeting of the Council at least once per annum to present a report on the activities of the Committee. This report provides an overview of the Adelaide Hills Council's Audit Committee operations for the 2020 calendar year.

This report includes:

- A summary of the work the Committee performed during the year aligned to the Committee's Terms of Reference;
- Details of meetings, including the number of meetings held during the period, and the number of meetings attended by each member; and
- Advising the future work scheduled for 2021.

The report is intended to invite comment from the Council on all of the above.

SUMMARY OF WORK PERFORMED AGAINST THE TERMS OF REFERENCE

For 2020, as in previous years, the Audit Committee had established a robust framework for the provision of information to meet the objectives established within the Terms of Reference. As a consequence 56 reports were considered by the Committee for consideration over six meetings, and where appropriate, recommendations subsequently provided to Council.

The following sections of this report provide a brief summary of the work undertaken by the specific function of the Committee as set out in the Terms of Reference.

Financial Reporting and Prudential Requirements

Strategic Management Planning

In relation to Council's suite of Strategic Management Plans (SMPs), the Committee reviewed the assumptions underpinning the *Long Term Financial Plan* (LTFP) at its February meeting prior to the revised LTFP being recommended to Council at the Committee's April meeting. Also at the April meeting, the Committee reviewed the alignment of the draft *Strategic Plan 2020-24 – A brighter future* with the other SMPs before recommending its adoption to Council. Throughout the year, the Committee received regular reports on the progress of the asset management system implementation and considered the draft *Road, Kerb and Footpath Asset Management Plan* for recommendation to Council at its October meeting.

Annual Business Planning

The development of the draft *2020-21 Annual Business Plan and Budget* (APB) was impacted by the COVID-19 pandemic and the Committee received a report in April on the proposed approach and then the draft ABP at its May meeting. The focus of the Committee was on the assumptions that had been used in the development of the ABP and alignment with the SMPs.

Budget Reviews

The Audit Committee reviewed the 2019-20 second (BR2) and third (BR3) budget reviews and the End of Year Financial Report and the 2020-21 first (BR1) budget review prior to these reports going to Council.

Financial Statements and Annual Reports

At the October meeting, the Committee had an in depth discussion around the draft Annual Financial Statements that had been presented. The Committee was satisfied that the Statements present fairly the state of affairs of Council in accordance with the *Local Government Act 1999*, the *Local Government (Financial Management) Regulations 2011* and Australian Accounting Standards. Notwithstanding this, the Committee proposed a number of minor amendments to the Statements to provide greater transparency that were incorporated by the Administration.

At the November meeting, the Committee reviewed the draft *2019-20 Annual Report* and advised Council that the document meets the applicable legislative requirements.

Quarterly Performance Reporting

Commencing in the 2019-20 financial year, the Committee receives quarterly performance reports on the achievement of strategic plan objectives and priorities, key projects, customer and other performance targets, capital works program implementation and financial performance.

These reports continued in the 2020 calendar year with the Quarter 1 2020-21 report, featuring the projects and performance targets in the 2020-21 ABP, being considered by the Committee at its November meeting.

Internal Controls and Risk Management Systems

Internal Controls

From the start of the 2015-16 financial year, Adelaide Hills Council has had additional obligations regarding the development and maintenance of a system of internal financial controls, consistent with the requirements of the *Local Government (Financial Management) Regulations 2011*. This has required Council's external auditors to provide an opinion on internal financial controls in accordance with s129(3)(b) of the Act.

Monitoring the key financial risks and controls has been generated from a system called 'Control Track'. This system tracks the recognised 'core' controls and the agreed treatment plans by responsible officers. These have been provided to the Audit Committee on a biannual basis.

At its August meeting, the Committee received a report on the status of AHC's Purchase Card arrangements when benchmarked against the published findings of the Auditor-General examination of three councils' (not AHC) credit card arrangements. The existing AHC arrangements substantially addressed the issues raised by the Auditor-General and a small number of enhancements were identified for actioning.

Risk Management

Throughout the year, the Audit Committee has reviewed quarterly updates on the organisation's strategic risks and mitigation actions. The strategic and operational risks are managed in a spreadsheet-based register and the Committee has received updates on the transition to the sector-wide SkyTrust risk management platform.

At its August 2020 meeting, the Committee received a report on the placement of Council's insurance portfolio and the plans to enhance elements of Council placement and claims management arrangements in conjunction with the insurers.

Council participated in the Local Government Risk Services (LGRS) Risk Evaluation in October 2019 and the report was provided to the February 2020 meeting. Council received its biannual action implementation progress report at the November meeting.

Debtors

Biannual reporting of debtors continued to the Committee which demonstrated the ongoing improvement in the management of historic rate debtors as a result of the development and application of a Debt Recovery Policy.

Policy Reviews

The Committee plays an important role in reviewing all financial and internal control related policies and making recommendations as appropriate to Council. During 2020, the Committee reviewed the following:

- *Fraud, Corruption and Maladministration Policy*
- *Treasury Policy*
- *Grant & External Funding Acceptance Policy*
- *Debt Recovery Policy*

Internal Audit

The Committee received quarterly reports on the implementation of the *Strategic Internal Audit Plan 2018-19 – 2021-22* (SIAP). Progress against the SIAP has been behind schedule for the first half of 2020 due to the bushfire and COVID pandemic however a number of projects have been scoped and prepared for procurement for delivery in late 2020/early 2021, subject to social distancing restrictions.

A Cyber Security Audit was completed during 2020 and the Committee considered those findings in confidence.

All agreed actions from internal and external audits are captured within the Committee's Audit Actions Implementation Register and reported to the Committee on a biannual basis to ensure that appropriate actions are being undertaken.

External Audit

At its February meeting, the Committee considered the External Auditor's *Engagement Letter and Audit Plan* for the Annual Financial Statement and Internal Financial Control audits. The Committee also considered the matter of auditor independence.

At the May meeting, the External Auditors, Galpins, presented the results of the Interim Audit and advised that the work to date was indicating unqualified audit reports. A number of recommendations were made by Galpins regarding potential improvements to the suite of internal financial controls and management responses and agreed actions adopted.

The Audit Committee met with Galpins in the absence of management (i.e. in camera) at the October meeting. Galpins advised that the financial management and reporting of council activities was of a high standard.

The Committee also assessed the External Auditor's independence and objectivity taking into account relevant professional and regulatory requirements and the extent of Council's relationship with the auditor, including the provision of any non-audit services. The Committee was satisfied that for the 2019-20 financial year, there were no relationships between the External Auditor and the Council that compromise audit independence, and this was also confirmed in writing by the external auditor.

In their audit of the Council's Annual Financial Statements, Galpins have issued an unqualified audit opinion in the *2019-20 Audit Completion Report* providing the following statement:

In our opinion, the accompanying financial report presents fairly, in all material aspects, the financial position of the Council as at 30 June 2020, and its financial performance and its cash flow for the year then ended in accordance with the Australia Accounting Standards, Local Government Act 1999 and Local Government (Financial Management) Regulations 2011.

In auditing the internal financial controls, Council's External Auditors have issued an unqualified audit opinion in the *2019-20 Audit Completion Report* providing the following statement:

In our opinion, Adelaide Hills Council has complied, in all material respects, with Section 125 of the Local Government Act 1999 in relation to internal controls established by the Council in relation to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities so as to provide reasonable assurance that the financial transactions of the Council have been conducted properly and in accordance with law for the period 1 July 2019 to 30 June 2020.

At its November meeting, the Committee considered a report in confidence regarding the External Audit Contract and made a recommendation to Council for its consideration.

COMMITTEE SELF-ASSESSMENT

At its November meeting, the Committee considered the results of its annual Self-Assessment process. The feedback received is that the Committee is performing in relation to its role and functions under the Committee's Terms of Reference.

DETAILS OF MEETINGS

During 2020, a total of six (6) Audit Committee meetings were held being:

- 17 February 2020
- 20 April 2020
- 25 May 2020
- 17 August 2020
- 19 October 2020
- 16 November 2020

The above meeting cycle is consistent with the requirements of the Committee's Terms of Reference which requires at least four (4) meetings per year to be held.

The Audit Committee member attendance at meetings during the year was as follows:

Name	Attendance	Comments
Cr Malcolm Herrmann	6/6	Presiding Member
Peter Brass	6/6	
David Moffatt	6/6	
Paula Davies	6/6	
Cr Leith Mudge	6/6	

The February meeting was the inaugural meeting for the new Independent Member, David Moffatt.

The November meeting was the final meeting for Independent Member Paula Davies. Paula joined the Committee in August 2014 and her dedication and commitment to the Committee is to be congratulated. I wish her well on her Board and Committee roles into the future.

FUTURE WORK PROGRAM PROPOSAL

At the November meeting, the Committee established its Work Plan for the 2021 calendar year. This Work Plan will ensure that the Committee continues to undertake its principal functions as set out in Section 126(4) of *the Local Government Act 1999* which include:

- reviewing annual financial statements to ensure that they present fairly the state of affairs of the Council;
- proposing, and providing information relevant to, a review of the Council's strategic management plans or annual business plan;
- liaising with the Council's auditor; and
- reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis.

The Local Government Reform process is continuing and it is anticipated that there will be legislative changes that impact on the membership, roles and functions of audit committees into the future. As the details of the new legislation becomes clearer, the Committee will make recommendations to the Council for revisions to the Committee's Terms of Reference.

CONCLUSION

The body of work undertaken by the Committee is continuing to develop over time and the Committee is striving to ensure that its work is useful in the context of contributing to Adelaide Hills Council's strategic objectives.

Finally, I would like to thank the other members of the Committee for their ongoing efforts in ensuring that the work undertaken is done so at both a highly professional and robust level. I would also like to thank those staff involved in preparing the reports and responding to questions at meetings, as their involvement has significantly aided in the review and decisions of the Committee.

Cr Malcolm Herrmann

Presiding Member

Adelaide Hills Council Audit Committee

24 November 2020

Item 18 Minutes of Committees

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 21 OCTOBER 2020
SPRINGHEAD LUTHERAN CHURCH HALL, 280 SPRINGHEAD ROAD, MOUNT TORRENS**

[Please Note: These minutes are unconfirmed until 11 November 2020]

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup

David Brown

John Kemp

In Attendance

Marc Salver
Deryn Atkinson
Melanie Scott
Karen Savage
Nikki Batten

Director Development & Regulatory Services
Assessment Manager
Acting Team Leader Statutory Planning
Minute Secretary
COVID Marshall

1. Commencement

The meeting commenced at 6.34pm

2. Opening Statement

“We would like to acknowledge that the land we gather on today is the traditional lands of the Peramangk and Kaurana peoples and that we respect their spiritual relationship with their Country. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land and acknowledge that their cultural and heritage beliefs are still as important to those living today”.

3. Apologies/Leave of Absence

3.1 Apologies
Paul Mickan

3.2 Leave of Absence
Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 21 OCTOBER 2020
SPRINGHEAD LUTHERAN CHURCH HALL, 280 SPRINGHEAD ROAD, MOUNT TORRENS**

[Please Note: These minutes are unconfirmed until 11 November 2020]

4. Previous Minutes

4.1 Meeting held 14 October 2020

The minutes were adopted by consensus of all members (27)

That the minutes of the meeting held on 14 October 2020 be confirmed as an accurate record of the proceedings of that meeting.

5. Delegation of Authority

Decisions of this Panel were determined under delegated authority as adopted by Council on 28 November 2017.

6. Presiding Member's Report

Nil

7. Declaration of Interest by Members of Panel

The Presiding Member declared an interest, but not a conflict of interest, in relation to Item 9.1. He advised that the organisation he works for has made a decision on a development application for which Tetris Energy was also the applicant. The Presiding Member further advised that one of the third party representors is represented by Planning Studio, with whom his organisation has a contract to provide planning services. The Presiding Member will remain in the meeting and will vote on the matter, as the declaration is not considered a conflict.

8. Matters Lying on the Table/Matters Deferred

8.1 Matters Lying on the Table
Nil

8.2 Matters Deferred
Nil

ADELAIDE HILLS COUNCIL
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WEDNESDAY 21 OCTOBER 2020
SPRINGHEAD LUTHERAN CHURCH HALL, 280 SPRINGHEAD ROAD, MOUNT TORRENS

[Please Note: These minutes are unconfirmed until 11 November 2020]

9. Development Assessment Applications

- 9.1 Development Application 20/530/473 by Tetris Energy Pty Ltd for solar farm (4.98MW), comprising ground mounted solar arrays (maximum height 2.9m), battery storage containers (4MW), inverters, temporary site office, storage building and associated car parking, fencing (maximum height 2.3m) and signage (non-complying) at the intersection of Warren Road and Torrens Valley Road, Birdwood**

9.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Jim Rathjen	36 Archer Road, Birdwood	Personally
John Keep	231 McVitties Road, Birdwood	Apology
Paul Laister	5 Topham Lane, Birdwood	Personally
Bianca Laister	5 Topham Lane, Birdwood	Personally
Kathryn Hodgson	8 Church Street, Birdwood	Bianca Laister
Geoff Hodgson	8 Church Street, Birdwood	Bianca Laister
Arnold Neyman	PO Box 220, Port Augusta	Bianca Laister
Wendy Mallett	6 Blumel Road, Birdwood	Bianca Laister
Margaret Applebee	4 Church Street, Birdwood	Bianca Laister
Malcolm Applebee	4 Church Street, Birdwood	Bianca Laister
Adam & Diane Levy	254 Winton Road Forreston	Personally
G L & E F Pienaar	56 Shannon Street Birdwood	Apology
Matthew & Haze Sackey	31 Winton Road, Birdwood	Personally
Jess Micklethwait	910 Torrens Valley Road, Birdwood	Personally
Adrian & Ann Beacham	1783 Warren Road Birdwood	Apology
Karen Russell	13 Lange Crescent Birdwood	Did Not Attend
Garry North	1977 Warren Road Birdwood	Personally
Pastor David Kuss	Birdwood Lutheran Church 2017 Warren Road Birdwood	Apology
Caralyn Marsland	811B Torrens Valley Road Birdwood	Personally

**ADELAIDE HILLS COUNCIL
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[Please Note: These minutes are unconfirmed until 11 November 2020]

Anthony Le Ray	1030 Torrens Valley Road Birdwood	Personally
Eboni Ashby	1030 Torrens Valley Road Birdwood	Anthony Le Ray
David Lewis	1 Theel Avenue, Birdwood	Did Not Attend
Liesa Lombard	30 Shannon Street Birdwood	Matthew Lombard
Matthew Lombard	29 Shannon Street Birdwood	Personally
Christine Shanahan	811C Torrens Valley Road Birdwood	Apology
Kristine Hefford (Keogh)	5 Church Street, Birdwood	Apology

The applicant's representative, Frank Boland (Tetris Energy), addressed the Panel.

9.1.2 Decision of Panel

The following recommendation was adopted by consensus of all members (28)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 20/530/473 by Tetris Energy Pty Ltd for Solar farm (4.98MW), comprising ground mounted solar arrays (maximum height 2.9m), battery storage containers (4MW), inverters, temporary site office, storage building & associated car parking, fencing (maximum height 2.3m) & signage (non-complying) at Lot 16 Torrens Valley Road Birdwood subject to the following conditions:

(1) Development In Accordance With The Plans

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

- **Planning Issue Arkgroup Drawings A-090720 01 of 02 & 02 of 02 date stamped by Council 15 September 2020**
- **Tracker & PCU Elevation Drawing PS118584-CIV-0002 revision A dated 27 March 2020 prepared by WSP and date stamped by Council Amended 14 September 2020**
- **Birdwood Solar Farm Amended Landscaping Plan prepared by Tetris Energy dated 14 September 2020 and date stamped by Council Amended 14 September 2020**
- **PV Solar Overall Layout Plan revision 3 dated 28 September 2020 and date stamped by Council 29 September 2020**

**ADELAIDE HILLS COUNCIL
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SPRINGHEAD LUTHERAN CHURCH HALL, 280 SPRINGHEAD ROAD, MOUNT TORRENS**

[Please Note: These minutes are unconfirmed until 11 November 2020]

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

(2) External Finishes

The external finishes to the buildings (temporary site office, battery storage and inverters) herein approved shall be as follows:

WALLS: Colorbond Woodland Grey or similar
ROOF: Colorbond Woodland Grey or similar

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

(3) Construction Environmental Management Plan (CEMP)

A Construction Environmental Management Plan (CEMP) shall be submitted for approval by Council prior to the commencement of site works. The CEMP shall include specific management measures or plans for the following aspects:

- Air quality and dust
- Traffic and access
- Waste management

REASON: To minimise environmental impacts.

(4) Operational Environmental Management Plan (OEMP)

An Operational Environmental Management Plan (OEMP) shall be submitted for approval by Council prior to the commencement of commercial operations. The OEMP shall include specific management measures or plans for the following environmental aspects:

- Noise and vibration
- Fire risk
- Public safety
- Emergency response planning
- Complaints management

REASON: To minimise environmental impacts.

(5) Rehabilitation of Construction Area

Exposed and/or cleared ground surfaces (as a result of construction activities) shall be reinstated and/or reseeded with appropriate ground cover as soon as practicable following substantial completion.

REASON: To limit wind and water borne erosion.

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[Please Note: These minutes are unconfirmed until 11 November 2020]

- (6) The operation of plant or equipment (approved herein) shall be designed and operated to comply with the *Environment Protection (Noise) Policy 2007*.

REASON: To ensure that no demonstrable nuisance or loss of amenity is caused to any person beyond the site.

- (7) The portable toilet shall be removed from the site upon completion of the construction phase and prior to the commencement of the operational use of the development.

REASON: To ensure all waste water is managed appropriately on site.

- (8) Landscaping and Tree Planting

Landscaping and tree planting proposed must be planted in the first spring after construction on the site commences and regularly watered in the first year to allow landscaping to become established and henceforth maintained appropriately, with any dead or dying plants to be removed and replaced, to the satisfaction of Council.

REASON: To preserve the amenity of the locality.

- (9) Prior to Building Rules Consent - Access

Prior to Building Rules Consent being obtained, the engineering detail for the proposed new access to Winton Road, including access dimensions, gradients and interface with Winton Road and stormwater management shall be submitted to and, approved by Council. The Design shall demonstrate consideration of existing stormwater flows past the access point, and include management of these flows, as well as any flows generated by the new access itself.

REASON: To ensure safe and convenient all-weather access.

- (10) Prior to Building Rules Consent – Provision of Stormwater Management Plan

Prior to Building Rules Consent being obtained, a detailed stormwater management plan for the site shall be submitted to, and approved by Council. The works required by this Stormwater Management Plan shall be constructed, completed and operational within 1 month of the installation of the solar array, to the satisfaction of Council.

REASON: To ensure that stormwater does not adversely affect any adjoining property, the River Torrens or a public road.

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(11) Land Rehabilitation/Decommissioning

Within nine months of cessation of the solar farm use, the renewable energy infrastructure approved herein (including all arrays, associated equipment and structures, cabling, fencing, footings etc) shall be decommissioned and removed, with the land rehabilitated to its pre-development condition.

REASON: To ensure that the cost of land rehabilitation is borne by the applicant and preserve the viability of the land for primary production purposes.

NOTES

(1) Development Plan Consent

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

(2) Erosion Control During Construction

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

(3) EPA Environmental Duty

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

The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm. This includes taking all reasonable and practicable measures to minimise the potential for pollution from sediment and waste generated on-site during construction. Further guidance can be sought from the EPA's *Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry* and the *EPA Handbook for Pollution Avoidance on Commercial and Residential Building Sites* (http://www.epa.sa.gov.au/files/47790_bccop1.pdf).

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- (4) EPA information sheets, guidelines documents, codes of practice, technical bulletins etc. can be accessed on the following web site:
<http://www.epa.sa.gov.au>

- (5) **Department of Environment and Water (DEW) - Native Vegetation Council**
The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. The clearance of native vegetation includes the flooding of land, or any other act or activity that causes the killing or destruction of native vegetation, the severing of branches or any other substantial damage to native vegetation. For further information visit:
www.environment.sa.gov.au/Conservation/Native_Vegetation/Managing_native_vegetation

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

10. Policy Issues for Advice to Council

Question on Notice from David Brown:

How would the development proposal for the solar farm in Birdwood be considered under the new Planning & Design Code?

11. Other Business

Nil

12. Order for Exclusion of the Public from the Meeting to debate Confidential Matters

Nil

13. Confidential Item

Nil

14. Next Meeting

The next ordinary Council Assessment Panel meeting will be held on Wednesday 11 November 2020.

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
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SPRINGHEAD LUTHERAN CHURCH HALL, 280 SPRINGHEAD ROAD, MOUNT TORRENS**

[Please Note: These minutes are unconfirmed until 11 November 2020]

- 15. Close meeting**
The meeting closed at 9.07pm.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 11 NOVEMBER 2020
63 MOUNT BARKER ROAD, STIRLING**

[Please Note: These minutes are unconfirmed until 9 December 2020]

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup

David Brown

Paul Mickan

John Kemp

In Attendance

Marc Salver
Deryn Atkinson
Melanie Scott
Karen Savage

Director Development & Regulatory Services
Assessment Manager
Senior Statutory Planner
Minute Secretary

1. Commencement

The meeting commenced at 6.30pm

2. Opening Statement

“We would like to acknowledge that the land we gather on today is the traditional lands of the Peramangk and Kurna peoples and that we respect their spiritual relationship with their Country. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land and acknowledge that their cultural and heritage beliefs are still as important to those living today”.

3. Apologies/Leave of Absence

3.1 Apologies
Nil

3.2 Leave of Absence
Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 11 NOVEMBER 2020
63 MOUNT BARKER ROAD, STIRLING**

[Please Note: These minutes are unconfirmed until 9 December 2020]

4. Previous Minutes

4.1 Special Meeting held 21 October 2020

The minutes were adopted by consensus of all members (29)

That the minutes of the special meeting held on 21 October 2020 be confirmed as an accurate record of the proceedings of that meeting.

5. Delegation of Authority

Decisions of this Panel were determined under delegated authority as adopted by Council on 28 November 2017.

6. Presiding Member's Report

Nil

7. Declaration of Interest by Members of Panel

Paul Mickan declared an interest, but not a conflict of interest, in relation to Item 9.1. He advised that he has previously worked with Phil Harnett, who is representing URPS on behalf of the applicant, at The Barossa Council, and occasionally meets with him on a social basis. However, he does not believe that there is any conflict and will remain in the meeting.

David Brown also declared an interest, but not a conflict of interest, in relation to Item 9.1. The applicant's representative, URPS, has recently been engaged by his employer, the City of Unley, to provide planning advice on a project. However, he does not believe that there is any conflict and will remain in the meeting.

8. Matters Lying on the Table/Matters Deferred

8.1 Matters Lying on the Table
Nil

8.2 Matters Deferred
Nil

**ADELAIDE HILLS COUNCIL
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[Please Note: These minutes are unconfirmed until 9 December 2020]

9. Development Assessment Applications

9.1 Development Application 19/322/473 (19/C20/473) by John Ellery – amended proposal as Planning Appeal Compromise:

Staged application for demolition of existing dwelling, community title land division (1 into 8) and construction of three (3) two storey dwellings and a two storey residential flat building comprising five (5) dwellings, removal of five (5) regulated trees (*Eucalyptus obliqua*), retaining walls (maximum height 2.8m), combined fence & retaining walls (maximum height 4.6m), landscaping including replacement plantings & associated earthworks:

Stage 1 – Demolition and tree removal

Stage 2 – Driveway construction and civil works

Stage 3 – Construction of dwellings on Lots 1, 2 & 3

Stage 4 – Construction of residential flat building (dwellings on Lots 4 to 8) and remainder of works at 20 Pomona Road, Stirling

9.1.1 Representations

Nil

9.1.2 Decision of Panel

Moved Ross Bateup
S/- Paul Mickan

Carried
(30)

- A. The Council Assessment Panel considers that the compromise proposal (AMENDED) is NOT seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and SUPPORTS an Order being issued to GRANT Development Plan Consent to Development Application 19/322/473 by John Ellery for Staged application for demolition of existing dwelling, community title land division (1 into 8) and construction of three (3) two storey dwellings & a two storey residential flat building comprising five(5) dwellings, removal of five (5) regulated trees (*Eucalyptus obliqua*), retaining walls (maximum height 2.8m), combined fence & retaining walls (maximum height 4.6m), landscaping including replacement plantings & associated earthworks:**
- Stage 1 - Demolition and tree removal
- Stage 2 - Driveway construction and civil works
- Stage 3 - Construction of dwellings on lots 1, 2 & 3
- Stage 4 - Construction of residential flat building (dwellings on lots 4 to 8) and remainder of works at 20 Pomona Road Stirling subject to the following conditions:

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 11 NOVEMBER 2020
63 MOUNT BARKER ROAD, STIRLING**

[Please Note: These minutes are unconfirmed until 9 December 2020]

Planning Conditions

(1) Development Plan Consent

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

- Amended plans from Alexander Brown Architects as follows :
Drawing 18-015.PL02 Rev L Allotment subdivision plan dated 14 October 2020
Drawing 18-15.PL03 Rev L Site Plan dated 23 October 2020
Drawing 18-15.PL04 Rev G Individual Floorplans Lots 01-03 dated 09 October 2020
Drawing 18-15.PL05 Rev H Individual Floorplans Lots 04-08 dated 09 October 2020
Drawing 18-15.PL06 Rev H Elevations dated 09 October 2020
Drawing 18-15.PL07 Rev I Elevations dated 14 October 2020
Drawing 18-15.PL08 Rev G Elevations dated 14 October 2020
- Arborman Tree Solutions Report dated 08 October 2020
- Amended Civil and Earthworks plan from KP Squared Project number 181116 drawing C2 issue H dated 5 November 2020, as further amended by conditions

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

(2) No tree removal until Development Approval issued

This Consent Notification is for Development Plan Consent only and Development Approval is still required.

You must not remove any trees included in this consent nor commence any site works, building work or change the use of the land until you have also received notification of a Development Approval. A separate 221 application for tree removal in the road verge is required.

REASON: To maintain the amenity of the area.

**ADELAIDE HILLS COUNCIL
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WEDNESDAY 11 NOVEMBER 2020
63 MOUNT BARKER ROAD, STIRLING**

[Please Note: These minutes are unconfirmed until 9 December 2020]

(3) External Finishes

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

Roof: Revolution Roofing True Oak Super 5 and Flashing cladding in Colorbond "Shale Grey"

Walls: James Hardie Scuo Axon Cladding painted in Colorbond "Monument" Austral Bricks in "Hawthorn"

CFC Sheets painted Colorbond "Monument" and "Shale Grey"

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

(4) Firefighting Water Supply - Mains Water Supply Available

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

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

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

(5) Residential Lighting

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

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

**ADELAIDE HILLS COUNCIL
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63 MOUNT BARKER ROAD, STIRLING**

[Please Note: These minutes are unconfirmed until 9 December 2020]

(6) Prior to Building Rules Consent Being Granted for any stage of works - Requirement For Stormwater Management Plan, Stormwater Calculations and an amended Civil and Earthworks plan

1. Prior to Building Rules Consent being granted for any stage of works all hydrological and hydraulic stormwater calculations shall be submitted to Council for approval together with the final drainage plan. The final civil and earthworks plan must reflect the TPZ for tree 56 and in particular propose a permeable surface for the driveways where they are in the TPZ of Tree 56. In addition the proposed Civil and Earthworks plan must reflect the proposed underground detention tanks being located outside the TPZ;
2. Discharge of stormwater to the Council easement pipe shall be at a maximum flow of 70 L/s in a 100 year ARI storm, 20 minute event. Storage for a 100 year storm event shall be provided to prevent overflows into adjoining properties; and
3. A stormwater management plan for the site considering existing stormwater overland flow paths from neighbouring properties shall be submitted to Council for approval. The stormwater management plan shall demonstrate how existing stormwater overflow paths will be managed for the development to minimise the risk to infrastructure and the development in a major storm event.

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

- (7) Prior to Building Rules Consent Being Granted for any stage of works - Requirement for Soil Erosion And Drainage Management Plan (SEDMP)**
- Prior to Building Rules Consent being granted for any stage of works the applicant shall prepare and submit to Council a Soil Erosion and Drainage Management Plan (SEDMP) for the site for Council's approval. The SEDMP shall comprise a site plan and design sketches that detail erosion control methods and installation of sediment collection devices that will prevent:
- a) soil moving off the site during periods of rainfall;
 - b) erosion and deposition of soil moving into the remaining native vegetation; and
 - c) soil transfer onto roadways by vehicles and machinery.

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

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

(8) Protection Of Trees

The works in relation to trees outlined in the Arborist's Report prepared by Arborman Tree Solutions and submitted as part of this application as a strategy for management of the tree(s) are to be undertaken simultaneously with the demolition and any building works on the site.

REASON: To protect the regulated/significant tree from the impact of the development.

(9) Tree Protection Zone

A tree protection zone (TPZ) around the 'significant' tree to be retained (trees 56, tree 100 and the Council trees 29, 30, 31, 32, 33 & 34 on Pomona Road) is required. The protection zone is to encompass the structural root zone of the tree and should be determined by the project arborist. During construction each TPZ shall be fenced with 2.0 metre high chain mesh material with posts at 3 metre intervals and incorporate on the east and south sides a clearly legible sign displaying the words "Tree Protection Zone". The following restrictions apply to each tree protection zone:

- a) No machine excavation is permitted unless under the supervision and direction of the Project Arborist.
- b) If any major roots (roots with a diameter greater than 25mm) are found outside the TPZ during construction the project arborist shall be contacted immediately to assess the situation.
- c) The works adjacent to trees 56, 100 and the Council trees 29, 30, 31, 32, 33 & 34 on Pomona Road) are to be undertaken under the supervision of the project arborist.
- d) A layer of organic mulch to a depth of 100mm shall be placed over all root systems so as to assist with moisture retention and to reduce the impact of compaction.
- e) No material, equipment or temporary buildings shall be placed within any TPZ.
- f) No items shall be attached to each tree including temporary service wires, nails, screws or any other fixing device.

**ADELAIDE HILLS COUNCIL
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[Please Note: These minutes are unconfirmed until 9 December 2020]

- g) Supplementary watering shall be provided to the trees through any dry periods during and after the construction process. Each tree is to be provided with a circular dripper system comprising 19mm polypipe, 4 litre per hour drippers spaced every 2 metres.
- h) No other works can occur within a TPZ without the consent of Council's Arborist (for street trees) or the Project Arborist during the life of the retained trees.
- i) Any services such as stormwater, sewer and electrical that enter the TPZ are to be excavated using non-destructive methods such as Hydro vac®, hand digging or directional boring systems. This work is to be supervised by a project arborist. If any tree roots are discovered at this time, the project arborist is to assess and address accordingly.
- j) The common driveway in the TPZ of tree 56 must be covered in a permeable surface to ensure ongoing access to water for the tree.

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

(10) Timeframe for Landscaping to be Planted

Landscaping detailed in the amended Alexander Brown Architects drawing numbers 18-015.PL03 Rev K shall be planted in the planting season following installation of the infrastructure and maintained in good health and condition at all times. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased in the next planting season.

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

(11) Construction of Crossover

The new driveway crossover shall be constructed prior to occupation of any dwelling and shall be sealed in bitumen, pavers, concrete or similar, and the existing redundant crossover replaced with kerb, all to the reasonable satisfaction of Council.

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

(12) Entry/Exit of Vehicles

Prior to the occupation of any dwelling, the driveway with turning head as depicted on the KP Squared Civil and Earthworks plan Rev H dated 5 November 2020 (as further amended by conditions), shall be constructed to the reasonable satisfaction of Council. All vehicles shall enter and exit in a forward direction.

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[Please Note: These minutes are unconfirmed until 9 December 2020]

REASON: For safe and convenient movement of vehicles.

Land Division Conditions

Council Requirement

- (1) **Prior to Section 51 Clearance – Stormwater Infrastructure To Be Installed**
Prior to Section 51 Clearance, the proposed stormwater infrastructure required by the final approved drainage and stormwater management plan referred to in Condition 6 of this approval shall be installed.

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

SCAP Requirements

- (2) The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0084684).

SA Water Corporation further advise that the developer should inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at FULL cost to the owner/applicant.

SA Water also advise that for further processing of this application by SA Water, to establish the full requirements and costs of this development, the developer will need to advise SA Water of their preferred servicing option. Information of our servicing options can be found at:
<http://www.sawater.com.au/SAWater/DevelopersBuilders/ServicesForDevelopers/CustomersConnections+Centre.htm>
For further information or queries please contact SA Water Land Developments on 74241119.

- (3) Payment of \$50771.00 into the Planning and Development Fund (7 allotment/s @ \$7253 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.

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- (4) A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

NOTES

(1) Land Division Development Approval

This development approval is valid for a period of three (3) years from the date of the decision notification. This time period may be further extended beyond the 3 year period by written request to, and approval by, Council prior to the approval lapsing. Application for an extension is subject to payment of the relevant fee. Please note that in all circumstances a fresh development application will be required if the above conditions cannot be met within the respective time frames.

(2) Native Vegetation Council Requirements

The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. For further information visit: www.environment.sa.gov.au/Conservation/Native_Vegetation/Managing_native_vegetation

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

- (3) The Developer is required to maximise the notice given to Council and residents of any works affecting traffic flows on Pomona Road and in any event must give more than four weeks' notice. A separate 221 application for works in the road verge is required to be submitted and approved by Council prior to the commencement of such works.

(4) Council Rubbish Collection

The applicant is advised that Council rubbish and recycling trucks will enter the subject land. The onus is therefore on future landowners/occupiers to ensure that the access is maintained and refuse bins are placed in suitable locations on the internal road so as to not obstruct the proposal turnaround.

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(5) Property Identifiers

The property identifiers for this property are now:

Proposed L3 - 1/20 Pomona Road

Proposed L2 - 2/20 Pomona Road

Proposed L1 - 3/20 Pomona Road

Proposed L8 - 4/20 Pomona Road

Proposed L7 - 5/20 Pomona Road

Proposed L6 - 6/20 Pomona Road

Proposed L5 - 7/20 Pomona Road

Proposed L4 - 8/20 Pomona Road

(6) A Section 221 application and approval will be required for the proposed tree removal (trees 15, 16, 20, 21, 27, 28, 35 & 36).

B. The Assessment Manager is granted delegation to make changes to condition wording as considered necessary in finalising the Court Order.

10. Policy Issues for Advice to Council

10.1 Response to Question on Notice raised by David Brown – how would the development proposal for the solar farm in Birdwood be considered under the new Planning & Design Code?

Staff provided the Panel with a verbal response of the provisions that would apply under the new Planning & Design Code. The proposal would be performance assessed and publicly notified and it is noted that ground mounted solar facilities are envisaged in the Code.

11. Other Business

Nil

12. Order for Exclusion of the Public from the Meeting to debate Confidential Matters

Nil

13. Confidential Item

Nil

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[Please Note: These minutes are unconfirmed until 9 December 2020]

14. Next Meeting

The next ordinary Council Assessment Panel meeting will be held on Wednesday 9 December 2020.

15. Close meeting

The meeting closed at 7.30pm.

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
MINUTES OF MEETING
MONDAY 16 NOVEMBER 2020
63 MT BARKER ROAD STIRLING**

In Attendance

Members:

Cr Malcolm Herrmann	Presiding Member
Peter Brass	Independent Member
David Moffatt	Independent Member
Paula Davies	Independent Member
Cr Leith Mudge	Council Member

In Attendance:

Andrew Aitken	Chief Executive Officer
Peter Bice	Director Infrastructure & Operations
Lachlan Miller	Executive Manager Governance & Performance
Mike Carey	Manager Financial Services
Kira-marie Laverty	Corporate Planning & Performance Coordinator
Steven Watson	Governance and Risk Coordinator Minute Taker

1. COMMENCEMENT

The meeting commenced at 6.00pm.

2. APOLOGIES/LEAVE OF ABSENCE

2.1. Apology

Nil

2.2. Leave of Absence

Nil

2.3. Absent

Nil

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
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3. MINUTES OF PREVIOUS MEETINGS

3.1. Audit Committee Meeting – 19 October 2020

Moved Peter Brass

S/- Paula Davies

53/AC20

That the minutes of the Ordinary Council meeting held on 19 October 2020 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4. Delegation of Authority

In accordance with the Audit Committee Terms of Reference, the Committee has no delegated decision-making powers. The Recommendations in Item(s) 6.1, 6.2, 6.4, 6.7, 6.9, 6.10, 6.11, 6.13, and 7.1 are to be submitted to Council for consideration.

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF AUDIT COMMITTEE

Nil

5.1. PRESENTATION – Directorate Risk Presentation, Director Infrastructure and Operations

Moved Peter Brass

S/- David Moffatt

54/AC20

The Audit Committee thanked Peter Bice, Director Infrastructure and Operations for his presentation.

Carried Unanimously

5.2. Audit Committee Presiding Members Report 2020

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

55/AC20

The Audit Committee received and noted the Presiding Members Report 2020.

Carried

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6. OFFICER REPORTS – DECISION ITEMS

6.1. Draft 2019 – 2020 Annual Report

Moved Paula Davies
S/- Cr Leith Mudge

56/AC20

The Audit Committee resolves:

1. That the report be received and noted
2. To advise Council that the Committee has reviewed the Draft *2019-20 Annual Report*, as contained in *Appendix 1*, in terms of the report's adequacy in meeting its legislative requirements.
3. That, on the basis of the Committee's review and with minor suggested edits to recommend the Annual Report to Council for adoption.

Carried

6.2. End of Year Financial Report

Moved Peter Brass
S/- David Moffatt

57/AC20

The Audit Committee resolves:

1. That the report be received and noted
2. To recommend to Council that the Audited 2019-20 Financial Results compared to Budget contained within this report have been appropriately considered

Carried Unanimously

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6.3. Audit Committee Self-Assessment Report 2020

Moved Peter Brass

S/- Paula Davies

58/AC20

The Audit Committee resolves that the report be received and noted.

Carried Unanimously

6.4. Budget Review 1

Moved Cr Leith Mudge

S/- Paula Davies

59/AC20

The Audit Committee resolves:

1. That the report be received and noted.
2. To recommend to Council the proposed budget adjustments presented in the 2020-21 Budget Review 1 be approved which result in:
 - a. An increase in the Operating Surplus from \$808k to \$2.343m for the 2020-21 financial year.
 - b. Changes to Capital Works, increasing capital income by \$50k and capital expenditure by \$219k for the 2020-21 financial year resulting in a revised capital expenditure budget for 2020-21 of \$21.487m.
 - c. A decrease in Council's current Net Borrowing Result from \$6.350m to \$4.984m for the 2020-21 financial year as a result of the proposed operating and capital adjustments.

Carried Unanimously

6.5. Council Quarterly Performance Report

Moved Cr Leith Mudge

S/- Peter Brass

60/AC20

The Audit Committee resolves that the report be received and noted.

Carried Unanimously

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6.6. Action Report & Work Plan Update

Moved Peter Brass

S/- David Moffatt

61/AC20

The Audit Committee resolves:

- 1. That the report be received and noted.**
- 2. That the status of the Action Report and Work Plan be noted.**
- 3. That the Proposed 2021 Audit Committee Work Plan be adopted**

Carried Unanimously

6.7. Risk Management Plan Update

Moved Paula Davies

S/- Cr Leith Mudge

62/AC20

The Audit Committee resolves that the report be received and noted.

Carried

6.8. LGRS Risk Evaluation 2019 – Action Plan Review

Moved Cr Leith Mudge

S/- Peter Brass

63/AC20

The Audit Committee resolves that the report be received and noted.

Carried Unanimously

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
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6.9. Policy Review – Treasury Policy

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

64/AC20

1. That the report be received and noted
2. To recommend to Council the adoption of the *Treasury Policy* as detailed at Appendix 1.

Carried

6.10. Policy Review – Grant & External Funding Acceptance

Moved Paula Davies

S/- Cr Leith Mudge

65/AC20

1. That the report be received and noted
2. To recommend to Council the adoption of the *Acceptance of External Funding Policy* as detailed at Appendix 1.

Carried Unanimously

6.11. Policy Review – Debt Recovery Policy

Moved Cr Malcolm Herrmann

S/- Paula Davies

66/AC20

1. That the report be received and noted
2. To recommend to Council with minor suggested edits the adoption of the Debt Recovery Policy as detailed at Appendix 1.

Carried Unanimously

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6.12. Audit Committee Meeting Dates 2021 – 2022

Moved Peter Brass
S/- Cr Leith Mudge

67/AC20

The Audit Committee resolves:

1. That the report be received and noted.
2. To approve the Audit Committee meeting schedule, timings and locations for 2021 as follows:

Commencement	6.30pm
Meeting Dates and Locations	Monday 15 February 2021, 63 Mt Barker Road, Stirling
	Monday 19 April 2021, 36 Nairne Road, Woodside
	Monday 24 May 2021, 63 Mt Barker Road, Stirling
	Monday 16 August 2021, 63 Mt Barker Road, Stirling
	Monday 18 October 2021, 63 Mt Barker Road, Stirling
	Monday 15 November 2021, 63 Mt Barker Road, Stirling

3. To approve the Audit Committee meeting schedule, timings and locations for 2022 as follows:

Commencement	6.30pm
Meeting Dates and Locations	Monday 14 February 2022, 63 Mt Barker Road, Stirling
	Monday 18 April 2022, 36 Nairne Road, Woodside
	Monday 23 May 2022, 63 Mt Barker Road, Stirling
	Monday 15 August 2022, 63 Mt Barker Road, Stirling
	Monday 17 October 2022, 63 Mt Barker Road, Stirling
	No meeting scheduled (Council General Elections Nov 2022)

Carried Unanimously

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
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6.13. Internal Audit Quarterly Update

Moved David Moffatt

S/- Paula Davies

68/AC20

The Audit Committee resolves:

1. That the report be received and noted
2. To recommend to Council to adopt the revised Strategic Internal Audit Plan v1.6a as contained in Appendix 1.

Carried

7. CONFIDENTIAL ITEMS

7.1. External Audit Contract – Exclusion of the Public

Moved Paula Davies

S/- Cr Leith Mudge

69/AC20

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

- CEO, Andrew Aitken
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Financial Services, Mike Carey
- Corporate Planning & Performance Coordinator, Kira-marie Laverty
- Governance & Risk Coordinator, Steven Watson
- Natalie Johnston

be excluded from attendance at the meeting for Agenda Item 7.1: (External Audit Contract) in confidence.

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

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
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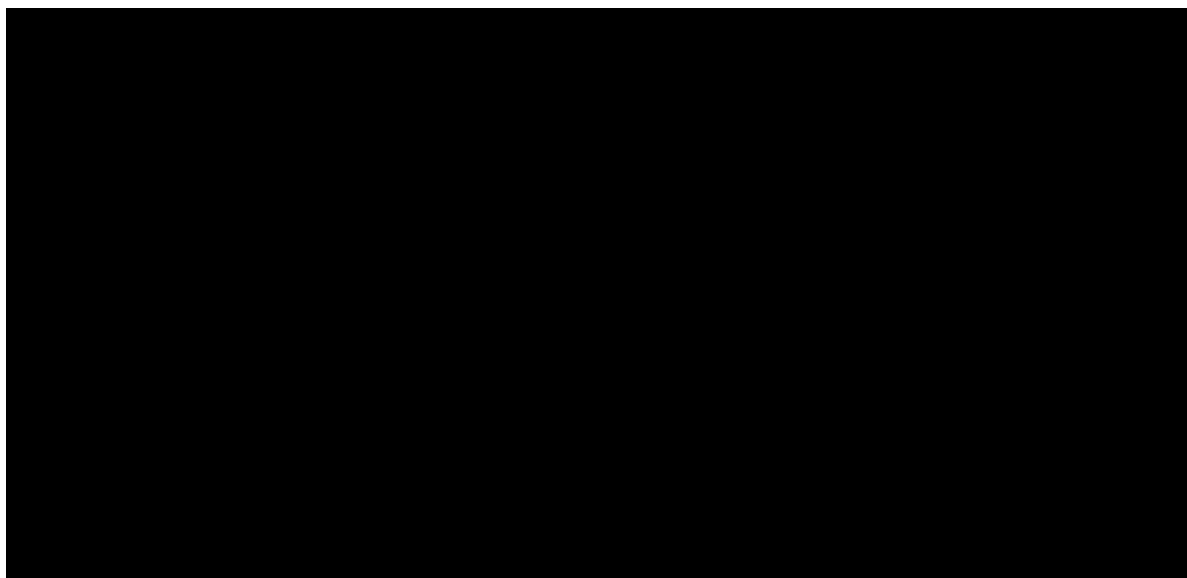
Section 90(3)(d) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) that would, on balance, be contrary to the public interest, the disclosure of which could reasonably be expected to prejudice the commercial position of the business which supplied the information and confer a commercial advantage on a third party.

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

Carried

**ADELAIDE HILLS COUNCIL AUDIT COMMITTEE
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7.1.1. External Audit Contract – Confidential Item



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7.1.2. External Audit Contract –Period of Confidentiality

Moved Cr Leith Mudge

S/- David Moffatt

71/AC20

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 7.1 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 Council has determined its position in relation to the exercise of the two-year option under the Professional Services Agreement.

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

Carried Unanimously

8. OTHER BUSINESS

8.1. Independent Member Paula Davies

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

72/AC20

The Committee thanked Independent Member Paula Davies for her service and contribution to the Audit Committee and wished her well in future endeavours.

Carried Unanimously

9. NEXT MEETING

The next ordinary meeting of the Audit Committee will be held on Monday 15 February 2021 from 6.30pm at 63 Mt Barker Road, Stirling.

10. CLOSE MEETING

The meeting closed at 8.10pm.