



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

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

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

Tuesday 25 May 2021
6.30pm
63 Mt Barker Road Stirling

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

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

Andrew Aitken
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 25 May 2021
6.30pm
63 Mt Barker Road Stirling

ORDER OF BUSINESS

1. COMMENCEMENT

2. OPENING STATEMENT

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

3. APOLOGIES/LEAVE OF ABSENCE

- 3.1. Apology
Apologies were received from
- 3.2. Leave of Absence
 - Cr Kirrilee Boyd 25 May to 27 July inclusive
- 3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 27 April 2021

That the minutes of the ordinary meeting held on 27 April 2021 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

6. MAYOR'S OPENING REMARKS

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

- 7.1. Questions Adjourned
Nil
- 7.2. Questions Lying on the Table
Nil

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

- 8.1. Petitions
Nil
- 8.2. Deputations
 - 8.2.1. Tim Possingham re Adelaide Rally Road Closures
- 8.3. Public Forum
 - 8.3.1. Annual Business Plan consultation (up to one hour)

9. PRESENTATIONS (by exception)

- 9.1. Southern & Hills Local Government Association – Graeme Martin

10. QUESTIONS ON NOTICE

- 10.1.

11. MOTIONS ON NOTICE

- 11.1. Gumeracha Medieval Fair (Cr Malcolm Herrmann)
That Council expresses its support for the Gumeracha and Torrens Valley communities' efforts to retain the Gumeracha Medieval Fair at Gumeracha.
- 11.2. Passenger Rail for Adelaide Hills (Cr Leith Mudge)
The Mayor writes to the State Minister for Infrastructure and Transport to:
 - 1. *Reaffirm the support of the Adelaide Hills Council for a freight rail bypass of the Adelaide Hills region.*
 - 2. *Ask the Minister to undertake a comprehensive study into a passenger rail service (or other suitable rapid transit service e.g. O-Bahn) along the rail corridor freed up by the implementation of the freight rail bypass. The service would as a minimum stop at Stirling and Mt Barker with potential connections to Murray Bridge and Strathalbyn. The study should address and balance the economic, environmental and community wellbeing aspects of such a service.*
 - 3. *Ask the Minister to ensure that if such a system were implemented, the public transport network in the Adelaide Hills is modified to ensure that the new service is viable and offers an attractive alternative to private vehicle travel along the increasingly congested South Eastern Freeway.**Copies of the letter should be forwarded to the State members for Heysen and Kavel, Federal Member for Mayo, State Leader of the Opposition, the Southern & Hills Local Government Association and Regional Development Australia Adelaide Hills, Fleurieu and Kangaroo Island.*

12. ADMINISTRATION REPORTS – DECISION ITEMS

12.1. Budget Review 3

- 1. That the report be received and noted.*
- 2. To adopt the proposed budget adjustments presented in Budget Review 3 for the 2020-21 financial year which result in:*
 - a. a reduction in the Operating Surplus from \$1.883m to \$1.498m*
 - b. Changes to Capital Works, increasing capital income by \$138k and reducing capital expenditure by \$4.772m resulting in a revised capital expenditure budget of \$15.311m.*
 - c. A change in Council's net result from a Net Borrowing Result of \$3.865m to a Net Lending Result of \$659k as a result of the proposed operating and capital adjustments.*

12.2. Draft Trails & Cycling Routes Management Policy

- 1. That the report be received and noted.*
- 2. That the draft Trails and Cycling Routes Policy contained in Appendix 1 be endorsed and consultation*
- 3. That the CEO be authorised to:*
 - a. Make any formatting, nomenclature or other minor changes to the Policy prior to being released for public consultation and*
 - b. Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's Public Consultation Policy.*
- 4. That the outcomes of the consultation and a final draft document be presented to Council for its consideration August 2021.*

12.3. Burning Permit Policy Review

- 1. That the report be received and noted*
- 2. With an effective date of 8 June 2021, to revoke the 26 February 2019 Burning Permit Policy and to adopt the revised Burning Permit Policy as contained in Appendix 1 of this report.*
- 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 25 May 2021 Burning Permit Policy prior to the effective date of adoption.*

12.4. Order Making Policy Review

- 1. That the report be received and noted.*
- 2. With an effective date of 8 June 2021, to revoke the 28 November 2017 Order Making Policy and to adopt the revised Order Making Policy in Appendix 1.*
- 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 25 May 2021 Order Making Policy prior to the effective date of adoption.*

- 12.5. Properties with outstanding rates – S210 conversion to public road
Refer to Agenda
- 12.6. East Waste 2021-22 Annual Business Plan
 - 1. *That the report be received and noted*
 - 2. *To provide consent to the Eastern Waste Management Authority Draft Annual Plan 2021-22.*
- 12.7. S&HLGA Governance Arrangements
 - 1. *That the report be received and noted*
 - 2. *To approve the Southern & Hills Local Government Association Board seeking an exemption from the Minister for Local Government from the requirement to have an audit committee under Regulation 18 of the Local Government (Financial Management) Regulations 2011.*
 - 3. *To endorse the draft Southern & Hills Local Government Association Charter as contained in Appendix 2 with the following options and clarifications:*
 - a. *AHC supports the proposed clause 5.1.1 regarding Board Membership in the draft Charter*
 - b. *AHC supports the proposed clause 5.1.4 regarding Board Observers in the draft Charter*
 - c. *AHC supports either amending proposed clause 5.1.5 in the draft Charter to be for expenses only or to remove proposed clause 5.1.5 in its entirety*
 - d. *AHC supports the proposed clauses regarding officer bearers being Elected Members in the draft Charter*
 - e. *AHC supports amending clause 10.1 in the draft Charter to require the unanimous resolution of Constituent Councils*
 - 4. *That the Southern & Hills Local Government Association's draft 2021-22 Key Action Plan and proposed budget be received and noted.*
- 12.8. Delegations Review May 2021
Refer to Agenda
- 12.9. Status Report – Council Resolutions Update
Refer to Agenda

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

- 13.1. Quarterly Performance Report Q3

14. QUESTIONS WITHOUT NOTICE

15. MOTIONS WITHOUT NOTICE

16. REPORTS

- 16.1. Council Member Function or Activity on the Business of Council
- 16.2. Reports of Members/Officers as Council Representatives on External Organisations
- 16.3. CEO Report

17. REPORTS OF COMMITTEES

- 17.1. Council Assessment Panel – 12 May 2021
That the minutes of the CAP meeting held on 12 May 2021 as supplied, be received and noted.
- 17.2. Audit Committee
Nil
- 17.3. CEO Performance Review Panel
Nil

18. CONFIDENTIAL ITEMS

- 18.1. Multi-Year Road Rally Proposal

19. NEXT MEETING

Tuesday 22 June 2021, 6.30pm, 63 Mt Barker Road, Stirling

20. CLOSE MEETING

Council Meeting/Workshop Venues 2021

DATE	TYPE	LOCATION	MINUTE TAKER
JUNE 2021			
Thurs 3 June	CEO Performance Review	Stirling	TBA
Tues 8 June	Workshop	Woodside	N/A
Wed 9 June	CAP	TBA	Karen Savage
Tues 15 June	Professional Development	Stirling	N/A
Tues 22 June	Council	Stirling	Pam Williams
JULY 2021			
Thurs 8 July	CEO Performance Review	Stirling	TBA
Tues 13 July	Workshop	Woodside	N/A
Wed 14 July	CAP	TBA	Karen Savage
Tues 20 July	Professional Development	Stirling	N/A
Tues 27 July	Council	Stirling	Pam Williams
AUGUST 2021			
Tues 10 August	Workshop	Woodside	N/A
Wed 11 August	CAP	TBA	Karen Savage
Thurs 12 August	CEO Performance Review	Stirling	TBA
Mon 16 August	Audit Committee	Stirling	TBA
Tues 17 August	Professional Development	Stirling	N/A
Tues 24 August	Council	Stirling	Pam Williams

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

Community Forums 2021

6.00 for 6.30pm

(dates and venues to be confirmed)

DATE	LOCATION
Tues 31 August	Basket Range
Tues 30 November	Birdwood

Conflict of Interest Disclosure Form

CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS

Councillor:

Date:

Meeting name:

Agenda item no:

1. I have identified a conflict of interest as:

MATERIAL ☐ ACTUAL ☐ PERCEIVED ☐

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

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

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

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

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

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

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

OR

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

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

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

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

CONFLICTS MUST ALSO BE DECLARED VERBALLY DURING MEETINGS

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

8. DEPUTATIONS

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

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

8.3 PUBLIC FORUM

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

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



Ordinary Business Matters

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

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

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

Engagement and membership with groups and organisations exemption

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

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

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

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

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 May 2021
AGENDA BUSINESS ITEM**

Item: 11.1 Motion on Notice

Originating from: Cr Malcolm Herrmann

Subject: Gumeracha Medieval Fair

1. MOTION

I move that:

Council expresses its support for the Gumeracha and Torrens Valley communities' efforts to retain the Gumeracha Medieval Fair at Gumeracha.

2. BACKGROUND

The Medieval Fair has been held in Federation Park at Gumeracha since 2008. As a Not-for-Profit Association, it has been able to provide a venue and a customer base for community groups, such as the Gumeracha Community Association, to raise funds. I am advised that, in addition, it has donated over \$42,000 from its proceeds to community groups to assist them in their endeavours.

I am further advised that it has contributed funds to erect three timber framed structures in the Medieval style at Federation Park.

The event attracts over 12,000 visitors per year, injects \$'000's into the local economy and is a major tourist event, together with the Bay to Birdwood Run, in the northern area of the council.

Reports suggest that it is one of the most popular Medieval Fairs in Australia.

There is social media speculation that the event is to be transferred away from Gumeracha next year, possibly out of the council area. Should it be shifted, there is concern that the Committee would be unable to meet the objects of the Association which are, inter alia, "To distribute excess money to any charitable organisations, service organizations and community clubs of the Gumeracha and Torrens Valley District", and "to promote the Torrens Valley as a tourist destination.

Council's support for the event to be retained at Gumeracha, will strengthen the community groups' endeavours to retain this important event at Gumeracha.

3. OFFICER'S RESPONSE – Jen Blake, Manager Communications Engagement & Events

➤ **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.

➤ **Legal Implications**

Not applicable.

➤ **Risk Management Implications**

The expression of support for the event to be retained in Gumeracha will assist in mitigating the risk of:

missed economic opportunity leading to a reduction in future opportunities for the local community to benefit.

Inherent Risk	Residual Risk	Target Risk
High (2B)	Medium (2C)	Medium (2C)

➤ **Financial and Resource Implications**

The Medieval Fair is one of the principal events in the northern areas of the council bringing in significant numbers of visitors to the region. It generates a visitor spend of about \$720,000 over the two days (based on economic impact modelling). The overall economic impact of the event which includes indirect spending on other businesses/ tourism activities and funds provided to Not-for-Profit Organisations is \$939,170. This is a significant contribution to the region's economy and justifies Council's support for the event.

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

The local community appears to be committed to retaining the event and the benefits it brings to Gumeracha, surrounding areas and the Adelaide Hills in general. Council's expression of support would strengthen their endeavours to retain the event.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Events Officer
Executive Manager Governance & Performance
Manager Economic Development

External Agencies: Adelaide Hills Tourism

Community: Not Applicable

4. ANALYSIS

The Adelaide Hills Council is a long-time supporter of the Gumeracha Medieval Fair which over two days provides entertainment and activities for all age groups. The fourteenth annual Fair was held in May 2021 and has grown over the years to attract visitors from across the state and interstate.

At the end of the 2021 event it was announced at the Fair, and then the following day on social media, that the Fair was moving on to a different (unspecified) venue in 2022. The Council has not received specific notification of this, other than that the public social media posts thanked Council for its support over the time the event was held in Gumeracha.

Local businesses benefit from the thousands of visitors to Gumeracha and surrounds and local sponsors include Lobethal Bierhaus, Birdwood Cheese & Wine Centre and the Gumeracha Primary School.

Adelaide Hills Tourism (AHT) actively promotes the Fair each year through multiple communication channels and stated that because of its size, unique offering and longevity, it rates as one of the region's signature events. In the 2019 Adelaide Hills Visitor Guide it was one of 20 events featured and AHT would include it in a top 10 events list alongside events like Winter Reds, Bay to Birdwood, Tour Down Under, Oakbank Horse Racing Carnival and Lights of Lobethal.

Each year Council supports the Fair with:

- Free and exclusive use of Federation Park for a period of one week (allowing for event set up and pack down) including general site preparation, remediation of any damage and management of tree risks
- Waste Management – loan of bins (general waste and 10c bottle/cans). Event organisers usually arrange for a group (the Lions or Scouts) to empty the 10c bins and redeem them as fundraising at a depot somewhere
- Electrical/Water supply lines marked on the grass – to ensure the safety of stall holders and entertainers with pegging into the grass for tents or other structures
- Marketing/Advertising the event on Council's website and social media
- Support with management of traffic and parking in the vicinity of the event.

The Adelaide Hills Council has conducted improvements to Federation Park and surrounds to benefit the local community including upcoming improvement of the tennis courts and playground and the forthcoming installation of an indigenous artwork. Past improvements have included the installation of park shelters built in medieval style. These improvements will not impede access or ability for the organisers to conduct the Gumeracha Medieval Fair or for other community groups to use the park and indeed, changes proposed in the Federation Park Masterplan have been developed in a manner which accommodates the annual Medieval Fair into the future.

Council has always worked closely with event organisers and there have been no changes to our commitment to supporting the event and the local community to hold a successful and safe event for the benefit of Gumeracha, surrounding areas and the broader Adelaide Hills region.

Since the announcement of the Fair moving to a different location, there have been some questions posed regarding the Council's support for the event to remain in Gumeracha. A resolution in line with the motion, will show the Council's support for a medieval fair to be held in Gumeracha.

5. APPENDIX

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 May 2021
AGENDA BUSINESS ITEM**

Item: 11.2 Motion on Notice

Originating from: Cr Leith Mudge

Subject: Passenger Rail for the Adelaide Hills

1. MOTION

I move that:

The Mayor writes to the State Minister for Infrastructure and Transport to:

- 1. Reaffirm the support of the Adelaide Hills Council for a freight rail bypass of the Adelaide Hills region.**
- 2. Ask the Minister to undertake a comprehensive study into a passenger rail service (or other suitable rapid transit service e.g. O-Bahn) along the rail corridor freed up by the implementation of the freight rail bypass. The service would as a minimum stop at Stirling and Mt Barker with potential connections to Murray Bridge and Strathalbyn. The study should address and balance the economic, environmental and community wellbeing aspects of such a service.**
- 3. Ask the Minister to ensure that if such a system were implemented, the public transport network in the Adelaide Hills is modified to ensure that the new service is viable and offers an attractive alternative to private vehicle travel along the increasingly congested South Eastern Freeway.**

Copies of the letter should be forwarded to the State members for Heyesen and Kavel, Federal Member for Mayo, State Leader of the Opposition, the Southern & Hills Local Government Association and Regional Development Australia Adelaide Hills, Fleurieu and Kangaroo Island.

2. BACKGROUND

Mt Barker is now the second fastest growing inland city in Australia and is projected to overtake Mt Gambier and Whyalla to become SA's second largest city (behind Adelaide) by 2036, with a population of over 56,000.¹ Many of the new residents will need to commute to Adelaide on a daily basis. Additional growth in Murray Bridge, Strathalbyn and as far south as Goolwa will cause an increase in commuting and general passenger traffic to the Adelaide metro area. This growth will also cause increases in traffic congestion and noise along the SE Freeway which acts as a collector of traffic from these regions.

Adelaide Hills Council residents along the SE Freeway corridor continue to bear the brunt of the effects of this traffic and are often caught up in large traffic jams which cause delays of up to 2 hours. The current passenger transport system in the Adelaide Hills is very focused on road transport through the bottle neck of the SE Freeway between Crafers and the Toll Gate.

A passenger rail service or other suitable rapid transit system to the Adelaide Hills and outer regions would not only enhance the life of these living in these areas. It would also stimulate economic growth through increased access to local and international tourists.

Passenger rail is also one of the least carbon intensive forms of transport. It causes significantly less carbon emission than private passenger vehicles and buses per person-mile travelled. This fits with Councils strategic plans to help residents to reduce their carbon footprint. It would also provide better transport alternatives to those who don't drive such as the young and the elderly.

A freight rail bypass of the Adelaide Hills would allow the double stacking of carriages that are currently unable to pass through narrow Adelaide Hills tunnels. The Adelaide Hills stretch of the national freight rail network is the only section of the network that doesn't allow double stacking of carriages. This means that national freight traffic may eventually bypass Adelaide as alternative routes are found, reducing trade and commerce opportunities in our region and resulting in a loss of jobs.

3. OFFICER'S RESPONSE – David Waters, Director Community Capacity

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal	A prosperous economy
Objective E2	Provide local infrastructure to drive growth and productivity
Priority E2.1	Work with all levels of government to ensure the region's infrastructure needs are understood and prioritised.

¹ Mt Barker District Council Population Forecast, .idcommunity demographic resources, accessed 20 Feb 2021, <https://forecast.id.com.au/mount-barker/about-forecast-areas#:~:text=The%202021%20population%20forecast%20for,grow%20to%2056%2C710%20by%202036.&text=The%20District%20Council%20of%20Mount,of%20the%20Mount%20Lofty%20Ranges>.

➤ **Legal Implications**

Not applicable.

➤ **Risk Management Implications**

The motion put forward by Cr Mudge is seeking to mitigate the risk of:

Increased traffic congestion on the South Eastern Freeway leading to reduced quality of life for Adelaide Hills residents.

Inherent Risk	Residual Risk	Target Risk
Extreme (4A)	High (4C)	Medium

It should be noted that given that this motion has not been subject to extensive analysis by the Administration and that the risks associated with arterial road congestion are matters for the State Government, the risk analysis provided above is based on cursory consideration. The analysis has, in simple terms, considered that there is an extreme risk associated with Freeway congestion if nothing is done, but recognises in the residual risk assessment that some initiatives have recently been pursued (e.g. additional Freeway lanes between Stirling and Crafers, on-demand public transport in Mount Barker, increased express bus services from Mount Barker to the City) to mitigate the risk to some degree. The target risk is considered to be a responsible position for the Council to aim for in its advocacy, recognising the challenges in completely mitigating the risk of Freeway congestion.

Cr Mudge has also noted positive opportunities with respect to increased access to the region for tourists, reduced carbon emissions and economic viability of freight transport.

While the matters of freight and public transport are ones for the State Government, the motion, if carried, provides one way that the Council can contribute to mitigating this risk.

➤ **Financial and Resource Implications**

It is not proposed or recommended that Council funds be committed to any aspect of this matter at this stage. At present, it is considered a matter of advocacy, which can occur within existing resource allocations and through partnering agencies such as Regional Development Australia Adelaide Hills, Fleurieu and Kangaroo Island (RDA AHFKI). The specific motion put forward has no financial or resource implications.

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

There appears to be a sentiment in some sectors of the community that passenger rail transport to the Adelaide Hills would be desirable. It can be inferred by public comments that this largely relates to increasing congestion on the South Eastern Freeway and the time taken to get to the Adelaide city centre on buses. It would therefore be important that any study into the viability of passenger rail transport addresses whether or not these issues could be overcome.

➤ **Sustainability Implications**

More efficient transport systems usually have positive sustainability implications through reduced greenhouse gas emissions arising from fewer vehicle movements.

A study into the viability of passenger rail through the Adelaide Hills would look into any implications of developing the rail corridor on local vegetation, waterways, etc.

➤ **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: Nil

Advisory Groups: Not applicable

Administration: Manager Economic Development

External Agencies: Administration of RDA AHFKI

Community: Nil

4. ANALYSIS

In partnership with other agencies and stakeholder groups, such as RDA AHFKI, the Council has for some years advocated for the consideration of a freight bypass, primarily to remove rail freight from the Hills and make rail freight more attractive and sustainable for the transport sector.

Additional benefits of a rail freight bypass include the potential reduction of the number of heavy vehicles using the South Eastern Freeway as a consequence of rail freight transport becoming more efficient and reduced congestion at rail crossings around the Adelaide metropolitan area. It also ‘frees up’ the existing rail corridor for other uses, which may include commuter passenger rail transport.

Key recent studies carried out, of which the Council has been a partner or supporter include:

Adelaide Hills and Fleurieu Peninsula Regional Public Transport Study (RDA HFKI, 2019)

This study looked at future demands and development ideas to increase public transport patronage. It identified “conduct planning corridor and environmental studies to reserve potential alignment for a future passenger railway between Adelaide and Mt Barker” as a long term (over 10 years) initiative.

The study found that passenger rail transport on the existing rail corridor would be difficult to justify given the indirect route to the Adelaide city centre and the existing use of the corridor for freight transport. In other words, there would need to be an

alternative found for freight transport in order for the corridor to be developed for passenger transport.

Northern Rail Bypass Scoping Study (RDA HFKI, 2018)

This study looked at ‘refreshing’ previous studies into the viability of directing the rail freight line from Murray Bridge to connect with the existing line to the north of Adelaide near Two Wells. It recognised that the existing rail freight efficiencies are limited by the winding and steep descent into Adelaide on the existing alignment, meaning double stacking of rolling stock was not possible. It also recognised that if freight was moved to an alternative rail route, there would be an option to utilise the existing corridor for passenger rail.

The State Government had previously committed to a study into the feasibility of a plan tagged GlobeLink, which involved, among other things including an airport and export park at Monarto, both rail and road freight connections between the South Eastern Freeway and the Sturt Highway. Had the plan progressed it would have achieved the desire to remove freight train movements from the Adelaide Hills, thus freeing up the rail corridor for other uses and reducing the heavy vehicle numbers on the South Eastern Freeway. The study found that GlobeLink was not economically viable and the State Government subsequently announced that the concept would no longer be pursued. The State Government has, however, recently announced funding to improve existing road freight routes between Murray Bridge at the Sturt Highway.

There has been no recent Government studies specifically into the use of the existing freight rail corridor for passenger rail transport. There has been no formal community engagement or needs analysis. What is apparent however, based on community sentiment expressed publicly, is that consideration of passenger rail transport through the Adelaide Hills should be explored.

At this point, in light of the findings of previous studies and public sentiment, the Administration recommends that the Council continues to pursue the matter of rail freight redirection and advocate for the State Government to undertake a feasibility study into the future viability of passenger rail transport through the Adelaide Hills.

5. APPENDIX

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 May 2021
AGENDA BUSINESS ITEM**

Item:	12.1
Responsible Officer:	Mike Carey Manager Financial Services Corporate Services
Subject:	2020-21 Budget – Budget Review 3
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 third formal Budget Review (BR3) of the 2020-21 financial year to Council.

Where possible, Council's customary practice is to include Budget Reviews as an agenda item for the Audit Committee prior to consideration by Council. Given the timing of the Audit Committee meeting being the previous day, any feedback from the Audit Committee will be provided by the Presiding Member of the Audit Committee prior to the adoption of resolutions emanating from this report to Council.

Largely as a result of a transfer of Council's Power Line Environment Committee (PLEC) contribution of \$580k from capital to operating offset by a proposed carry forward of \$192k relating to Bushfire Recovery Development Services resourcing required in 2021-22, the proposed budget changes reduce the Operating Surplus from \$1.883m to \$1.498m.

In relation to capital it is proposed to increase the BR3 net capital budget by \$46k, once transfers between operating and capital and between the current and next year's budget are excluded.

BR3 also proposes carry forwards in capital expenditure of \$4.426m.

As a result of proposed operating and capital adjustments, Council's overall net position for the year changes from a Net Borrowing Result of \$3.865m to a Net Lending Result of \$659k.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
2. To adopt the proposed budget adjustments presented in Budget Review 3 for the 2020-21 financial year which result in:
 - a. a reduction in the Operating Surplus from \$1.883m to \$1.498m
 - b. Changes to Capital Works, increasing capital income by \$138k and reducing capital expenditure by \$4.772m resulting in a revised capital expenditure budget of \$15.311m.
 - c. A change in Council's net result from a Net Borrowing Result of \$3.865m to a Net Lending Result of \$659k 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 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 to 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 budget review process as required by Regulations results in inaccurate budgets and unforecasted deficits leading to inadequate resourcing for current and future activities.

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

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

➤ **Financial and Resource Implications**

In terms of the proposed BR3 operating changes, the majority of the income and expenditure items offset each other, resulting in the Operating Surplus reduction from \$1.883m to \$1.498m being largely impacted by:

- a transfer of \$580k from capital to reflect the accounting treatment of a Council contribution to State Government (DIT) and SA Power Networks (SAPN) assets
- a proposed operating initiative carry forward relating to Development Services resourcing to the 2021-22 financial year.

More specific details of these proposed budget adjustments have been provided under the Analysis section of this report.

In relation to capital it is proposed to increase the BR3 net capital budget by \$46k, once transfers between operating and capital and between the current and next year's budget are excluded.

In terms of the capital transfers between years it is proposed to carry forward an amount of \$4.426m to 2021-22 reducing the capital budget by this amount and transferring the funding requirements for this expenditure to next year. There is also a \$50k bring back from the proposed 2021-22 capital budget currently out for consultation for Verdun Main Street kerbing, as that project is now proposed to be delivered in 2020-21.

As a result of proposed operating and capital adjustments, Council's net result for the year changes from a Net Borrowing Result of \$3.865m to a Net Lending Result of \$659k.

Although there are adjustments as a result of the proposed BR3 budget changes, Council still meets all of Council's adopted financial indicator targets.

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**

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: Budget Review 3 was considered by the Audit Committee on 24 May 2021

Council Workshops: Not Applicable

<i>Advisory Groups:</i>	Not Applicable
<i>Administration:</i>	The budget review has been prepared in consultation with Directors and Managers to obtain detailed operating and capital information for each budget area.
<i>External Agencies:</i>	Not Applicable
<i>Community:</i>	Not Applicable

2. BACKGROUND

Regulation 9(1)(b) of the *Local Government (Financial Management) Regulations 2011* 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.

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 5**.

At the Council meeting held on the 23 February 2021, Council adopted the 2020-21 Budget Review 2 (BR2) with a Budgeted Operating Surplus before Capital Revenue of \$1.883m and an estimated Net Borrowing Result of \$3.865m.

Council's customary practice is to include Budget Reviews as an agenda item at Audit Committee meetings prior to consideration of Council. Due to the timing of the Audit Committee meeting on 24 May 2021 it will not be possible to include the Audit Committee resolution in the agenda of the Council. As such it is proposed that the Presiding Member of the Audit Committee provide details of the resolution and Audit Committee comments, if any, to the Council meeting prior to the consideration of the Budget Review 3 resolutions.

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 shown as **Appendix 1** to this report.

3. ANALYSIS

BR3 has been prepared in consultation with Directors and Managers who have provided information for each budget area.

Budget Review 3 Proposed Adjustments

\$000s	2020-21 Current Budget	Proposed BR3 Adjustments	Transfer	Proposed BR3 Carry Forwards	Revised Budget after BR3
Operating Income	50,940	374	-	-	51,314
Operating Expenditure	(49,056)	(372)	(580)	192	(49,816)
Operating Surplus	1,883	2	(580)	192	1,498
Depreciation	9,237	-	-	-	9,237
Capital income	5,098	138	-	-	5,236
Capital Expenditure	(20,083)	(234)	580	4,426	(15,311)
Net (Borrowing)/Lending Position	(3,865)	(94)	-	4,618	659

Proposed Budget Adjustments

Operating:

Key operating variations included in this review are as follows, noting that many of the proposed income and expenditure adjustments directly offset each other:

Operating Income \$374k increase

- Additional planning statutory income of \$113k in part relating to new development relating to the Cudlee Creek Bushfire area as well as an overall increase in development activity within the council area, noting that this is offset by resource cost increases related to addressing the workload from the increase in applications
- Additional grant funding of \$244k represented by:
 - \$133k in Biodiversity bushfire related grants offset by associated expenditure requirements
 - \$112k relating to community recovery and resilience funding offset by associated expenditure requirements
 - \$29k relating to additional CWMS contributions received above budget
 - \$20k in Community Development grants partly offset by expenditure requirements
 - \$50k reduction in a SA Water grant for Mt Lofty Waste Control Project with a similar reduction in expenditure as this program has ceased
- An increase of \$20k in animal management registrations offset by additional expenditure requirements of the same amount
- A reduction in investment income of \$8k offset by a similar amount in interest expense due to lower interest rates
- An increase in East Waste income distribution of \$14k as a result of the final 2019-20 financial results
- A number of offsetting increases and decreases in income with favourable results in Cemeteries, Property and Health offsetting reductions in Parking, Old Woollen Mill rental and Community Centre programs

Operating Expenditure \$372k increase

Details of the key operating expenditure proposed budget requests, totalling \$372k are as follows:

- Associated expenditure increases of \$378k relating to identified income increases highlighted above in Planning, Biodiversity, Community Development, Community Recovery and Resilience and Animal Management functions
- Reduction of \$50k in resource expenditure for the Mt Lofty Waste Control due to cessation of the project in line with the grant reduction under income
- a \$40k budget relating to the reinstatement of the contribution amount approved by Council in 2018-19 Budget for the Houghton, Inglewood and Hermitage Soldiers Memorial Park but not expended nor carried forward to the relevant year
- An increase in the hard waste budget of \$55k relating to a significant increase in demand as outlined in the Council Report to the January 2021 meeting offset by identified waste savings of \$20k and additional East Waste income discussed above
- Additional \$10k for additional free green organic drop off days for the remainder of the 2020-21 financial year proposed to be funded by a redirection of the Regulatory Services fire prevention budget still available.
- A reduction in interest expense of \$8k offsetting the similar reduction in investment income discussed above
- A small amount of contractor savings across a number of functions

Transfer between Capital and Operating

It is proposed to transfer \$580k from Capital to Operating for the PLEC contribution relating to the undergrounding of power lines for the Gumeracha Main Street Project which has been budgeted under Capital. From an accounting perspective this needs to be disclosed as operating expenditure given that Council is contributing an amount to State Government (DIT) and SAPN assets.

Operating Initiative Carry Forward

Included in Council's 2020-21 Bushfire Recovery Strategic Initiative is an amount of \$380k to fund two resources in Development Services over a two year period to manage the workload relating to the Cudlee Creek development applications. As it is anticipated that the resource commitment will continue into the next financial year it is considered appropriate to quarantine an amount of \$192k to fund these resources by carrying forward an operating initiative budget to 2021-22.

Capital

\$000s	2020-21 Current Budget	Proposed BR3 Adjustments	Transfer to Operating	Carry Forwards	Proposed BR3 Budget
Capital Income	5,098	138	-	-	5,236
Capital - Renewal Expenditure	(10,646)	52	-	845	(9,749)
Capital - New Capital Expenditure	(9,438)	(286)	580	3,581	(5,563)
Total Capital Expenditure	(20,083)	(234)	580	4,426	(15,311)
Net Capital Position	(14,985)	(96)	580	4,426	(10,075)

The net impact resulting from proposed changes in the Capital Works program increases capital income by \$138k and reduces total capital expenditure by \$4.772m (as represented by proposed reductions of carry forwards of \$4.426m, the transfer to operating of \$580k offset by an increase in BR3 capital expenditure of \$234k) as summarised above. As a result, it is proposed to increase the BR3 net capital budget by \$46k, once the transfers between operating and capital and between the current and next year's budget are excluded.

Proposed Adjustments to Capital Income

For BR3 capital income is being increased by \$138k to account for contributions from the State Government in relation to the Crafers to Stirling Bikeway and the Blackspot funding program. Both are associated with expenditure requirements relating to additional scope of works. Specific details by project have been provided in **Appendix 2**.

Proposed Adjustments to Capital Expenditure

As at Budget Review 3 there are a number of proposed variations in the capital budget spread across asset categories. The majority of these were able to be balanced out between projects or with additional income received. Overall, the net result is unfavourable to budget by just under \$100k as a result of:

- additional funds being recommended for the Crafers to Stirling bikeway to deliver the proposed scope of works, and
- bringing back \$50k of renewal works for Verdun Main Street kerbing currently proposed for the 2021-22 financial year to better align with a Department of Infrastructure and Transport resurfacing project. This would result in a reduction in the 2021-22 kerb renewal budget currently out for consultation.

Specific details by project have been provided in **Appendix 3**.

Proposed transfer from Capital to Operating

As discussed above, it is proposed to transfer \$580k from capital to operating for the PLEC contribution relating to the undergrounding of power lines for the Gumeracha main street which has been budgeted under capital.

Capital Expenditure Carry Forwards

In addition, Budget Review 3 identified proposed carry forwards in capital expenditure of \$4.426m.

Details of the capital expenditure carry forwards have been provided in **Appendix 4**.

The capital expenditure carry forward projects include a number of projects relating to the Heathfield and Gumeracha works, plant replacement program and the Mobile Library Truck replacement.

All other capital projects will continue to be monitored in the lead up to the end of the financial year with any additional carry forwards required at that time will be considered by Council in August 2021. It has been identified that there will be some carry forward requirements for the light fleet program due to the disruption of the global supply chain but as the dollar amount cannot currently be readily determined, it is proposed that any adjustment will be addressed in August 2021.

Other points of note:

Movements in Budgeted Borrowings

The Budgeted Borrowing as at BR2 are currently forecast at \$16.9m. As a result of proposed Budget Review 3 changes and largely as a result of the capital carry forwards, there will be a decrease in the order of \$4.5m to borrowings resulting in a forecast of \$12.4m at 30 June 2021. The borrowing movements for the year are shown below.

Borrowings \$000s	Opening July 2020	New Borrowings	Repayments	Forecast June 2021
CAD (Short Term Drawdown)	2,000	-	(143)	1,857
Other Borrowings	-	5,500	-	5,500
Fixed Term Borrowings	10,000	-	(5,000)	5,000
Total Borrowings	\$12,000	\$5,500	(\$5,143)	\$12,357

This is reflected in the Financing transaction detail as shown at the bottom of Council's *Uniform Presentation of Finance* **Appendix 1**.

The financing result for the financial year also includes budgeted payments relating to the landfill remediation provision and refund of debentures relating to the sale of the Bridgewater Retirement Village.

For reference, where capital projects are carried forward to next year, this will also move the funding requirement for those projects to the 2021-22 year and hence reduce the amount of borrowings forecast as at 30 June 2021.

Summary

As a result of proposed operating and capital adjustments, Council's net position for the year changes from a Net Borrowing Result of \$3.865m to a Net Lending Result of \$659k as shown below.

\$000s	\$
BR2 Adopted Budget Net Borrowings	(3,865)
Impact of Operating Budget Adjustments for BR3	2
Impact of Net Capital Expenditure Budget Adjustments for BR3 (including \$50k bring back from 2021-22)	(96)
Impact of Operating Expenditure Initiatives Carry Forwards to 2021-22	192
Impact of Capital Expenditure Carry Forwards to 2021-22	4,426
BR3 Revised Net Lending Position	659

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 3, 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) 2020-21 Budgeted Uniform Presentation of Finances
- (2) 2020-21 Capital Income Budget Review 3 Proposed Changes
- (3) 2020-21 Capital Expenditure Budget Review 3 Proposed Changes
- (4) 2020-21 Capital Carry Forwards to 2021-22
- (5) 2020-21 Budget Adjustments Subsequent to Budget Adoption

Appendix 1

2020-21 Budgeted Uniform Presentation of Finances

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

2019-20 Actuals	2020-21 Original Budget	Total Budget Movement since Adoption	BR3	2020-21 Revised Budget
\$'000	\$'000	\$'000	\$'000	\$'000
INCOME				
38,547 Rates	40,181	50	-	40,231
1,180 Statutory charges	1,173	107	148	1,428
704 User charges	712	26	(34)	704
5,245 Grants, subsidies and contributions	4,768	3,092	244	8,104
42 Investment income	27	(10)	(8)	9
228 Reimbursements	232	5	(6)	231
605 Other income	249	227	31	507
73 Net gain - equity accounted Council businesses	100	-	-	100
46,624 Total Income	47,442	3,497	374	51,314
EXPENSES				
17,433 Employee costs	18,067	276	73	18,416
21,927 Materials, contracts & other expenses	19,512	1,290	697	21,498
9,207 Depreciation, amortisation & impairment	9,237	-	-	9,237
589 Finance costs	736	(60)	(8)	668
10 Net loss - equity accounted Council businesses	-	-	-	0
49,166 Total Expenses	47,551	1,506	760	49,816
(2,542) NET BUDGETED SURPLUS / (DEFICIT) BEFORE CAPITAL AMOUNTS	(109)	1,992	(386)	1,498
Net Outlays on Existing Assets				
(9,718) Capital Expenditure on Renewal and Replacement of Existing Assets	(9,212)	(1,434)	897	(9,749)
714 Proceeds from Sale of Replaced Assets	646	-	-	646
9,207 Depreciation	9,237	-	-	9,237
203 NET OUTLAYS ON EXISTING ASSETS	671	(1,434)	897	134
Net Outlays on new and Upgraded Assets				
(3,223) Capital Expenditure on New and Upgraded Assets & Remediation costs	(4,953)	(4,485)	3,875	(5,563)
556 Capital Grants & Monetary Contributions - New & Upgraded Assets	232	2,734	138	3,104
1,647 Proceeds from Sale of Surplus Assets	64	1,422	-	1,486
(1,020) NET OUTLAYS ON NEW AND UPGRADED ASSETS	(4,657)	(328)	4,013	(972)
(3,359) Net Lending/ (Borrowing) Result for Financial Year	(4,095)	230	4,524	659
(15,388) Net Financial Liabilities at Beginning of Year	(19,883)	61	-	(19,822)
(1,012) Decrease / (increase) in Other	-	-	-	0
(63) Non Cash Equity Movement	(100)	-	-	(100)
(19,822) Net Financial Liabilities at End of Year	(24,078)	291	4,524	(19,263)

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	-	(4,500)	5,500
2,000 Increase/(Decrease) in Short Term Draw Down	70	(189)	(24)	(143)
1,507 (Increase)/Decrease in Cash & Investments	168	(104)	-	64
(23) (Increase)/Decrease in Working Capital	-	-	-	0
(62) Principal Repayments on Borrowings	(5,263)	263	-	(5,000)
- Reinstatement/Restoration Provision Payment	(780)	580	-	(200)
- Debenture Payment	-	(780)	-	(780)
(63) Non Cash Equity Movement	(100)	-	-	(100)
3,359	4,095	(230)	(4,524)	(659)

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 2

2020-21 Capital Income Budget Review 3 Proposed Changes

2020-21 CAPITAL INCOME BUDGET REVIEW 3 PROPOSED CHANGES						
Proj #	Project Name	Project Description	Current Budget	Change FAV/ (UNFAV)	Revised Budget	Comment
CAPITAL INCOME						
149182074	FINANCIAL MANGT: Capital: Contributions	Crafers to Stirling Bikeway	\$ -	100,000	(100,000)	DIT contribution towards Crafers bikeway. Income relates to Project #3625
221276764	Blackspot Program Grant Capital	Additional variation approved for Paracombe Rd Project within overall Black Spot program	(940,000)	38,000	(978,000)	An increase in the State Blackspot grant to cover approved extra scope of works. Income related to Project #3849
Total Income Change			(940,000)	138,000	(1,078,000)	

Appendix 3

2020-21 Capital Expenditure Budget Review 3 Proposed Changes

2020-21 CAPITAL EXPENDITURE BUDGET REVIEW 3 PROPOSED CHANGES									
Proj #	Project Name	Project Description	Suburb	Type	Current Budget	Change FAV/ (UNFAV)	Transfer to Operating	Revised Budget	Comment
CAPITAL EXPENDITURE									
Buildings									
3803	Carbon Neutrality Plan Actions	Upgrade of Gumeracha Torrens Valley Community Centre Air Conditioning	Gumeracha	Renewal	\$41,400	(22,700)		\$64,100	Additional scope to upgrade associated air conditioning components.
Various	Building Renewal	Building Renewal Program	Various	Renewal	\$815,000	82,700		\$732,300	Savings across renewal program which are proposed to be reallocated to help fund additional costs for LRCIP Building Projects
TOTAL					\$856,400	60,000		\$796,400	
CWMS									
3918	Woodside Pumps	Renewal of two pumps at Woodside pump station.	Woodside	Renewal	\$60,000	(8,150)		\$68,150	The two new pumps were renewed to modern standards, however this required an upgrade of the control cabinet and a rearrangement of the pump shed, which were not included in the original budget estimate.
Footpaths									
3625	Crafers to Stirling Bikeway	undertake works to improve cycling access between Crafers and Stirling.	Stirling	New	\$125,000	(201,000)		\$326,000	Increased budget to include DIT contribution included in Capital Income. In addition, market response required additional funding to deliver project scope and DIT requirements.
3826	New Footpath Program	Delivery of priority new footpaths region wide.	Region wide	New	\$183,000	31,000		\$152,000	Final costs were less than budget estimates. Propose reallocating to Project # 3625 to deliver scope
3921	Footpath Renewal Program	Renewal of poor condition footpaths region wide.	Region wide	Renewal	\$404,000	20,000		\$384,000	Final costs were less than budget estimates. Propose to transfer to Project # 3625 to deliver scope
TOTAL					\$712,000	(150,000)		\$862,000	
Kerb									
3832	Kerb Renewal Program	Verdun Main Street - Kerb Renewal	Region wide	Renewal	\$247,000	(50,000)		\$297,000	Undertake stage 2 kerb renewal works this financial year. Scheduled for 21/22 however, DIT is proposing to resurface the full length of Onkaparinga Valley Road in Verdun and not bringing forward would mean ripping up new road. A reduction in the kerb renewal budget for 21/22 would occur.
TOTAL					\$247,000	(50,000)		\$297,000	
LRCIP									
3905	Woodside Institute Toilets	New toilets attached to Woodside Institute	Woodside	New	\$200,000	(30,000)		\$230,000	Additional costs due to increased costs of building materials
3906	Lobethal Centennial Hall Toilets	Upgrade to public toilets	Lobethal	Renewal	\$80,000	(60,000)		\$140,000	Additional costs due to electrical upgrade required to service additional power required
TOTAL					\$280,000	(90,000)		\$370,000	
Other									
3843	Gumeracha Main Street Streetscape (Change Project Description	Gumeracha Main Street upgrade	Gumeracha	New	\$654,800	(45,000)		\$699,800	Additional work required (pavement, kerb, extended footpath) to achieve the project's intended streetscape upgrade for Gumeracha
3848	Gumeracha PLEC	Gumeracha undergrounding of power lines.	Gumeracha	New	\$625,000	45,000	580,000	\$0	Final costs were less than budget estimates. Note balance of project transferred to operating in accordance with Accounting Standards as the amount represents a contribution to SAPN Infrastructure
TOTAL					\$1,279,800	0	580,000	\$699,800	
Roads - Pavements									
3849	Blackspot Program	Road safety improvements, including road widening, along Paracombe Rd, as par of the State Blackspot Program.	Paracombe	New	\$528,500	(92,200)		\$620,700	The extra expenditure here is to cover an additional scope of works, including the replacement of significant sections of poor subgrade found during construction, road widening to extend up to the Highercombe Golf Club entrance, which is partly offset by an increase in the State Blackspot funding of \$38k via a Department for Infrastructure and Transport grant including in Capital Income.
3851	Newman Rd Pavement Renewal	Renewal and upgrade of Newman Rd.	Charleston	New	\$720,000	74,200		\$645,800	A very favourable market response meant that final costs was less than budget estimates.
TOTAL					\$1,248,500	(18,000)		\$1,266,500	
Roads - Unsealed									
3403	Unsealed roads renewal program.	Renewal of unsealed roads by resheeting.	Region wide	Renewal	\$1,084,000	100,000		\$984,000	Having delivered the full program of planned resheet works, savings associated with materials procurement has resulted in an underspend. These material savings have been reflected in a revised renewal rate in future capital works budgets.
Stormwater									
3946	Grevillia Way	Upgrade of stormwater infrastructure in Grevillia Way, to address nuisance flooding.	Woodside	New	\$100,000	(68,000)		\$168,000	The initial Grevillia Way Stormwater Upgrade budget was based on preliminary assessment of the existing network that suggested a number of additional pits and pipes were required. However, detailed design, including modelling, found the deficiencies with the exiting system were greater than first thought. A detention basin is proposed to be build in upstream rural property to help mitigate flows entering the system.
3947	Woodland Way	Stormwater upgrades to Woodland Way, Teringie.	Teringie	New	\$50,000	(13,150)		\$63,150	Minor overspend
3948	Aldgate Tce	Stormwater upgrades to Aldgate Tce, Bridgewater.	Bridgewater	New	\$40,000	13,150		\$26,850	Minor savings
TOTAL					\$190,000	(68,000)		\$258,000	
Library									
3957	Woodside Library	Upgrading of Woodside Library/Service Centre	Woodside	Renewal	\$45,000	(10,000)		\$55,000	The budget for the refurbishment of the Woodside Library was based on indicative costings to replace the service desks in the existing location. The scope of this project now includes moving the service desks to a central position facing the entry, creating a public meeting room, and reorganising the collection to enable wheelchair access between shelving in the adult collection.
Expenditure Totals					\$6,002,700	(234,150)	\$580,000	\$5,656,850	
TOTAL BUDGET IMPACT						(234,150)	580,000		

Capital Expenditure
Split as follows:

Renewal	51,850	0	51,850
New	(286,000)	580,000	294,000
	(234,150)	580,000	345,850

Totals

Appendix 4

Proposed 2020-21 Capital Carry Forwards to 2021-22

2020-21 CAPITAL BUDGET REVIEW 3 - PROPOSED CAPITAL EXPENDITURE CARRY FORWARDS TO 2021-22									
Proj #	Project Name	Project Description	Suburb	Type	20/21 Budget	Change FAV/ (UNFAV)	Revised 20/21 Budget	Amount to Carry Forward to 21/22 Budget	Comment
CAPITAL EXPENDITURE									
Buildings									
3741	Activation of Arts & Heritage Hub	Redevelopment of Fabrik site	Lobethal	New	\$199,400	167,126	\$32,274	\$167,126	Carry forward into 2021-22 financial year, to be expended on site redevelopment
Footpaths									
3625	Crafers to Stirling Bikeway	undertake works to improve cycling access between Crafers and Stirling.	Stirling	New	\$326,000	322,500	\$3,500	\$322,500	Increased budget to include DIT contribution included in Capital Income. In addition, market response required additional funding to deliver project scope and DIT requirements.
LRCIP									
3960	LRCIP Stirling to Crafers Bikeway		Stirling	New	\$125,000	66,500	\$58,500	\$66,500	Works are delayed and will be delivery starting in July
Other									
3628	Coolamon sculpture	Installation of a Coolamon sculpture in Federation Park.	Gumeracha	New	\$6,425	5,285	\$1,140	\$5,285	the installation of this sculpture has been delayed at the request of the relevant community group, to allow time to finalise the preferred installation location, as well as to link it in with key events in the new financial year.
3843	Gumeracha Stage 2 Residents win	Streetscape works in the main street of Gumeracha associated with the undergrounding of power lines.	Gumeracha	New	\$699,800	679,800	\$20,000	\$679,800	Due to delays with the undergrounding of power lines by SA Power Networks, the delivery of street scaping works has been postponed to 2021/22 Financial Year.
3844	LED Street Lighting	Replace existing lights with LED	Region wide	New	\$175,000	175,000	\$0	\$175,000	Awaiting for outcome of agreement DIT/ LGA main street lighting sub-group of the Public Lighting Working Group to allow bulk replacement of Council lights with LED on main roads to proceed.
3923	Confirm Asset Management License Expansion	Purchase of Additional Licences and Devices to roll-out to Field.	Region wide	New	\$60,000	19,223	\$40,777	\$19,223	Delay in tablet device procurement has delayed on-going deployment to field.
Sports and Recreation									
3858	Irrigation Systems Implementation	Renewal and upgrade of irrigation systems across the district.	Region wide	Renewal	\$40,000	40,000	\$0	\$40,000	These works are proposed to be deferred to 2021/22 to form part of the broader Local Government Infrastructure Partnerships Program project around water reuse and sustainability.
3935	Sporting Surfaces Program - ORSR	Renewal and upgrade of the Heathfield Netball Courts.	Heathfield	New	\$460,890	296,000	\$164,890	\$296,000	This grant funded project involved an extensive consultation period, as well as design delays due to working in with the adjoining high school redevelopment. Accordingly, whilst this project has been designed and tendered in 2020/21 Financial Year, construction can not commence until early 2021/22 Financial Year.
3936	Heathfield Oval Change Rooms	Upgrade of the change rooms and sporting clubrooms at Heathfield Oval.	Heathfield	New	\$834,299	700,000	\$134,299	\$700,000	This multi year, grant funded project comprised community consultation and detailed design in 2020/21 FY, with construction due to commence in early 2021/22 Financial Year.
3940	Gumeracha Court Resurfacing	Renewal and upgrade of the Gumeracha tennis courts.	Gumeracha	New	\$420,000	386,300	\$33,700	\$386,300	This new project, which arose from an unplanned for grant, underwent community consultation and detailed design in 2020/21 FY. Construction was due to commence in May 2021, however here was a request form the community o delay works until after the Gumeracha Medieval Fair. Accordingly, construction is now due to commence early in the 2021/22 Financial Year.
Stormwater									
3611	Gumeracha Stormwater	Additional underground stormwater infrastructure in the main street of Gumeracha, as per the Gumeracha Stormwater Masterplan	Gumeracha	New	\$291,300	291,300	\$0	\$291,300	Contractor has been engaged, but due to delays with the undergrounding of power lines by SA Power Networks, the delivery of stormwater works has been postponed to 2021/22 Financial Year.
3619	Aldgate Stormwater Management Plan	Develop a Stormwater Management plan for the Aldgate Bridgewater, Crafers and Stirling catchments.	Aldgate	New	\$73,000	33,000	\$40,000	\$33,000	This is a multiyear project, with balance of funds unspent in 2020/21 to be carried forward to allow works to continue in the 2021/22 Financial Year.
Fleet									
3160	Plant Replacement Program	Renewal of heavy plant.	Region wide	Renewal	\$1,039,000	230,000	\$809,000	\$230,000	Due to global plant supply issues, a number of heavy fleet items that have been ordered this financial year won't be delivered until next financial year. Accordingly, a carry forward of funds is required to meet these commitments.
ICT									
3955	Council Website		Region wide	Renewal	\$100,000	95,000	\$5,000	\$95,000	This Community Capacity Strategic Initiative is currently in the scoping stage to build a business requirements specification. Carry forward funds will be required to progress the initial scoping work into the delivery program in stage 2
Library									
3994	Mobile Library	Replacement of the mobile library truck	Region wide	Renewal	\$480,000	480,000	\$0	\$480,000	The procurement process for the mobile library was suspended pending a review of the effectiveness of alternative service delivery models resulting from the Covid-19 pandemic restrictions and higher than expected tender prices. A revised business case is being developed regarding options for replacement of the mobile library so this funding will need to be carried forward to 2021-22.
Total					\$5,780,114	4,426,099	\$1,354,015	\$4,426,099	
Total Expenditure Change						4,426,099			

Capital Expenditure Carry Forward
Split as follows:

Renewal	845,000
New	3,581,099
	<u>4,426,099</u>

Appendix 5

*2020-21 Budget Adjustments Subsequent to 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)
2020-21 Budget Review 1 Council Meeting 24 November 2020 CR 272/20	1,976	441	1,535	219	50	1,366
2020-21 Budget Review 2 Council Meeting 23 February 2021 CR 32/21	490	949	(459)	114	175	(398)
2020-21 Budget Review 2 Carry Forwards CR 32/21				(1,518)		1,518
Sub total Budget Adjustments approved prior to 25 May 2021 Council Meeting	50,940	49,056	1,883	20,083	5,098	(3,865)
2020-21 Budget Review 3	374	372	2	234	138	(94)
2020-21 Budget Review 3 Transfer from Capital to Operating		580		(580)		0
2020-21 Budget Review 3 Carry Forwards		(192)	192	(4,426)		4,618
AHC Proposed Budget for 25 May 2021 Council Meeting	51,314	49,816	2,078	15,311	5,236	659

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 May 2021
AGENDA BUSINESS ITEM**

Item: 12.2

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

Subject: Trails and Cycling Routes Policy

For: Decision

SUMMARY

The purpose of this report is to seek Council's adoption of the Draft Trails and Cycling Routes Management Policy (the *Draft Policy*) (**Appendix 1**) and put the draft out for public consultation.

A Trails and Cycling Routes Management Policy is considered an important step in the development and management of Council trails and cycling routes infrastructure, and will underpin the development of the *Trails and Cycling Routes Management Framework* (the *Framework*).

The policy will establish Council's position with regards to the provision and support of recreation and commuter trails and cycling routes within its region, and assist in managing community expectations.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. That the draft Trails and Cycling Routes Policy contained in *Appendix 1* be endorsed for consultation
 3. That the CEO be authorised to:
 - a. Make any formatting, nomenclature or other minor changes to the Policy prior to being released for public consultation and
 - b. Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's *Public Consultation Policy*.
 4. That the outcomes of the consultation and a final draft document be presented to Council for its consideration August 2021.
-

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.
Priority B1.1	Increase accessibility to our district through the development and delivery of high priority trails and routes for all cyclists (on-road, off road, commuters, recreational and pedestrians).
Priority B1.3	Progress state-wide and inter-regional connectivity of cyclist routes by partnering with neighbouring councils.
Priority B1.5	Provide accessibility for the full range of users ensuring Council's road, footpath and trails network is adequately maintained and service levels for all users are developed and considered.
Goal 2	Community Wellbeing
Objective C4	An active, healthy, thriving and resilient community.
Priority C4.3	Recognise that trails are a destination in their own right and support both commuter and recreational trail opportunities.

Council acknowledges its responsibility to provide trails and cycling routes for all types of users, and understands that a transparent, fair and reasonable system of assessment must be implemented to develop and deliver an equitable network that defines its priorities. Council understands that trails must be treated similarly to other assets such as footpaths in that they must be maintained and service levels applied to them.

Council strategically acknowledges the value of trails and routes to the community, both economically and socially, and understands the contrast of providing both commuter and recreational trail opportunities.

Council's *Sport and Recreation Strategy 2017–2021* refers to recreation trends and the need to support unstructured and non-traditional activities such as walking, bike riding and horse riding for recreation and commuting within the region.

Continue to support 'non-traditional' and unstructured recreation opportunities in the region (E.G. Mountain Biking). Work and partner with relevant providers.

➤ Legal Implications

Not Applicable.

➤ **Risk Management Implications**

Without a current policy, position or procedure in managing existing or new trail and cycling route infrastructure, the expectation that trails are adequately managed and equitably distributed around the Council area, may not be met. This leads to:

- Reputational risk.
- Financial risks.
- Risk to achieving corporate objectives.
- Risks to trail and cycling routes users.

The development of the Trails and Cycling Routes Policy and supporting framework will assist in mitigating the risk of:

Mismanagement of trails and cycling infrastructure (new or existing) leading to lack of stakeholder confidence and inefficient resource distribution.

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

The development of a *Trails and Cycling Routes Management Framework* (similar to the *Community and Recreation Facilities Framework*) will considerably contribute to the mitigation of the aforementioned risks. The development and endorsement of the Draft Policy is pivotal to the framework because it provides strategic positioning to the framework.

➤ **Financial and Resource Implications**

Not applicable.

Financial implications will be outlined and linked with the endorsement of the *Framework* document.

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

The community expects a fair, transparent and robust assessment process in determining trail and cycling priorities and upgrade works. There is also an expectation that trails and cycling routes will be developed, mapped, promoted and improved. These expectations have been established by the *Adelaide Hills 20 Year Trails Strategy 2014 (AHTS)*, and *Adelaide Hills Strategic Bike Plan 2016 (AHSBP)* and the subsequent engagement processes at the time of development.

The *Trails and Cycling Management Policy* and supporting *Framework* will provide guidance and clarity in relation to Council's position on trails and cycling infrastructure, and how Council will develop and manage future priorities, and support and collaborate with other land managers in providing trails and cycling routes. Future engagement with the community is likely regarding network development and priorities. All internal and external, primary and secondary stakeholders will be included in all future consultation programs, including continuing to reach out to the local Aboriginal community.

➤ **Sustainability Implications**

The development and endorsement of the *Policy* sets in place a series of actions that builds on the *Framework*. The *Policy* outlines Council's position and the answers to the question, why is council providing and supporting the provision of trails and cycling infrastructure within the area? The *Framework* provides the mechanism and answers the questions, what, where, when and how will trails and cycling routes be managed by Council. The *Framework* ensures that trails and cycling routes are managed using sustainable practices and procedures that produce positive economic, social and environmental outcomes.

Economic

The *Policy* will ensure development of the *Framework* which will provide an effective and efficient budget forecast and long term financial planning process leading to economic efficiencies. Additionally, the *Policy* and supporting *Framework* will demonstrate Council's understanding that trail and cycling route assets provide economical value to the region through tourism related trail and cycling activities. With this understanding, Council will achieve greater economic outcomes.

Social

The *Policy* provides long term social benefits to the community and council through the *Policy's* enablement of the development of the *Framework*.

By endorsing the draft *Policy* for consultation, Council demonstrates its commitment to:

- Achieving strategic objectives, leading to increased community confidence in Council.
- The health and wellbeing of the community in providing informal recreation activities as alternatives to organised recreation and sport.

Additionally, by demonstrating these commitments, Council is leading the charge with regards to social capacity building, community stewardship and uptake in assisting Council in the ongoing management of trails and cycling routes infrastructure.

The social benefits of endorsing the *Policy* will be felt long after the policy and supporting *Framework* is developed.

Environmental

Although the policy endorsement on its own will not provide instant tangible environmental benefits to the community and Council, the long term impact that the supporting *Framework* will create will result in short and long term environmental benefits. These benefits include active management of trail corridors leading to greater weed management, tree management, water management and other broader environmental benefits.

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

The draft *Policy* has been reviewed internally by relevant staff. Additionally, a Council workshop was held on 13 April 2021, where supporting information and a previous iteration of the *Policy* was provided. **Appendix 1** has taken into account feedback from staff and elected members, and considers other Local Government trail, bike, horse and cycling policies available.

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: December 2020 and April 2021

Advisory Groups: Not Applicable

Administration: Executive Leadership Team
Manager Civil Services
Manager Open Space
Manager Strategic Assets
Manager Property Services
Coordinator Sport & Recreation
Biodiversity Officer(s)
Sport & Recreation Officer
Coordinator Open Space Operations
Senior Infrastructure Planning Engineer
Asset & GIS Officer
Sustainability Officer
Senior Strategic & Policy Officer
Roads Officer
Community Engagement Coordinator
Community & Social Planning Officer
Governance & Risk Coordinator
Community & Cultural Development Officer
Team Leader Regulatory Services

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

Council has been undertaking a review of its trails and cycling strategies, plans and infrastructure including but not limited to engaging a trails consultant to audit existing trails, and assess proposed trails and cycling routes as suggested by the *Adelaide Hills 20 Year Trails Strategy* (AHTS) and the *Adelaide Hills Strategic Bike Plan* (AHSBP).

This review process has revealed that although the AHTS and AHSBP are great starting points in providing direction into how and what a trail and cycle route network might look

like through the area, strategic policy positioning and clarity of purpose are lacking in these documents.

The results of staff and consultant desktop and asset review, and a version of the *Policy* and supportive *Framework* documents have been presented at workshops in May 2018, December 2020 and most recently in April 2021.

The Draft Policy is considered a sound administrative tool that consolidates the intentions of the AHTS and AHSBP, and combines this current knowledge and understanding of trail and cycle management to develop a position and standing on the provision of these assets by Council.

The Council Workshop on 13 April 2021 presented an iteration of the Draft Policy and an example of how the supporting *Framework* documents can and might be used to further develop trails and cycling routes. Feedback gathered from Council Members both through this workshop and through the online Have Your Say portal have been used to develop the Draft Policy.

Additionally, staff throughout the organisation have been engaged during the development of the Draft Policy. Comments and feedback received from staff have influenced the Draft Policy (**Appendix 1**).

3. ANALYSIS

Planning, development and management of trails and cycling routes infrastructure is currently dealt with across multiple functional areas including but not limited to Biodiversity, Open Space Management, Civil Services (E.g. main street master planning projects) and others.

When an enquiry is made to Council regarding an existing trail or cycling route staff currently have little guidance as to how the enquiry should be dealt with. The Policy will ensure staff have a sound base on which to move forward with regarding trail and cycling route enquiries.

Additionally, the expectation from the community making these enquiries is that something will be done and due consideration will be made to the enquiry in a timely manner. Expectations such as this will be better managed through the *Policy* and supporting *Framework* processes.

Lastly, the current decentralised management of trail and cycling route infrastructure works, whether that be upgrade works or new works, can lead to inefficient land, asset and financial management practices. By setting a policy position which informs the actions of the *Framework*, Council will ensure that targeted investment and resource management can occur.

The proposed Trails and Cycling Management Policy will:

- Demonstrate Council's commitment to environmental, economic and socially sustainable trail and cycle route development.
- Support Tourism and economic development within the Adelaide Hills Region.
- Engage trail and route users through promotion and education.
- Protect and enhance the natural and built environments.
- Foster community involvement and stewardship of trails and cycle routes.

The objectives of this policy are to:

- Ensure a considered selection process is used to determine suitable trails and cycling routes are developed.
- Provide a framework which enhances existing, and considers new trails and cycling routes.
- Provide adaptable methods to develop and promote sustainable trails and cycling routes.
- Provide a framework to manage expectations for trails and cycling routes within the Adelaide Hills Council area.
- Provide stakeholders and community involvement in the development of trails and cycling routes, where appropriate.

4. OPTIONS

Council has the following options:

- I. That Council adopt the Draft *Trails and Cycling Routes Management Policy* and a consultation period of 3 weeks. (Recommended)
- II. That the outcomes of the consultation and a final draft document be presented to Council for its consideration August 2021. (Recommended)
- III. That Council does not adopt the Draft Trails and Cycling Routes Management Policy and seeks further feedback from stakeholders regarding the implications of the policy. (Not Recommended)
- IV. That Council does not adopt the Draft Trails and Cycling Routes Management Policy for community consultation and continues to manage trails and cycling routes through ad-hoc programs and projects. (Not Recommended)

5. APPENDIX

- (1) Draft Trails and Cycling Routes Management Policy

Appendix 1

Draft Trails and Cycling Routes Management Policy

COUNCIL POLICY

	TRAILS AND CYCLING ROUTES MANAGEMENT
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Policy Number:	XXXXXX
Responsible Department(s):	Open Space
Relevant Delegations:	
Other Relevant Policies:	Asset Management Policy Procurement Policy Public Consultation Policy Risk Management Policy Sport and Recreation Policy Tree Management Policy Volunteers Engagement Policy Economic Development Plan 2020 to 2024
Relevant Procedure(s):	Trails and Cycling Routes Management Framework
Relevant Legislation:	<i>Local Government Act 1999</i> <i>Volunteer Protection Act 2001</i> <i>Planning, Development and Infrastructure Act 2016</i> <i>National Parks and Wildlife Act 1972</i> <i>Landscapes South Australia Act 2019</i> <i>Native Vegetation Act 1991</i> <i>Disability Inclusion Act 2018</i> <i>Roads (Opening and Closing) Act 1991</i> <i>Road Traffic Act 1961</i> <i>Environment Protection and Biodiversity Act 1999</i> <i>(and associated Regulations)</i>
Policies and Procedures Superseded by this policy on its Adoption:	New Policy
Adoption Authority:	Council
Date of Adoption:	<i>To be entered administratively</i>

Effective From:	<i>To be entered administratively</i>
Minute Reference for Adoption:	<i>To be entered administratively</i>
Next Review:	No later than June 2024 or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	TBA	New Policy	Council

TRAILS AND CYCLING ROUTES MANAGEMENT POLICY

1. INTRODUCTION

- 1.1 Council recognises the positive contribution that recreation trails and routes provide to the local community and visitors alike. Council understands it plays a pivotal role in providing trail and cycle experiences within the Council area. Council's *Strategic Plan 2020 – 2024 A brighter future* supports this position through two key goal areas; a Functional Built Environment and Community Wellbeing.

Council has a Trails and Cycling Routes Management Policy to:

- Demonstrate its commitment to environmental, financial and socially sustainable trail and cycle route development
 - Support Tourism and economic development within the Adelaide Hills Region
 - Engage trail and route users through promotion and education
 - Protect and enhance the natural and built environments
 - Foster community involvement and stewardship of trails and cycle routes
- 1.2 This Policy is actioned through the Trails and Cycling Routes Management Framework. The Policy should be read in conjunction with other relevant Council policies and other Framework components, including but not limited to:
- Trails and Cycling Routes Implementation/Management Plan
 - Service levels
 - Trails and cycling routes assessment and inspection tools
 - Risk assessment (New Infrastructure Only)
 - Works schedules and budgeting forecasts; and
 - Other supporting documents and procedures.
- 1.3. This Policy acknowledges that not all trails and cycling routes within the Council boundary are Council owned and/or managed. Therefore it is important to acknowledge the relationships Council has with other land and trail managers. All trails in which council has an 'interest' are to be captured within this policy and associated framework. Trails and cycle routes which council does not have an 'interest' will be supported by Council on a case by case basis (I.E. Fox Creek Mountainbike Trails, Heysen Trail, Amy Gillett Pathway etc).

2. OBJECTIVES

- 2.1 The objectives of this policy are to:

- Ensure a considered selection process is used to determine suitable trails and cycling routes are developed.
- Provide a framework which enhances existing, and considers new trails and cycling routes.
- Provide adaptable methods to develop and promote sustainable trails and cycling routes.
- Provide a framework to manage expectations for trails and cycling routes within the Adelaide Hills Council area.
- Encourage stakeholders and community involvement in the development of trails and cycling routes, where appropriate.

3. DEFINITIONS

“Commuter/Commuting” refers to a person or action of a person by walking, bike riding or horse riding whereby the person is using a trail/route to travel to and from a place of residence.

“Footpath” (identified as Township or Semi Urban, and captured in the Asset Management Plan) refers to purpose built footpath asset consisting of naturally formed, rubble, asphalt concrete or paved, not shared by motor vehicles, intended for use by pedestrians or cyclists, generally separate of the road.

“Interest” refers to Council’s relationship to a trail and may include a trail or route which council has planned, built or is managing, a trail/route that is on Council land but is managed by another entity or a trail/route on community/private land which Council has agreed to manage or support in some way by written agreement.

“Prescribed trail/route” refers to a trail and/or route that is identified in the Adelaide Hills Council Trails and Cycling Routes Framework. A prescribed trail is for the use by walkers, bicycle riders and horse riders and does not permit the use by motor cycles or motor vehicles. Any trail not identified as part of the framework is consider not prescribed and therefore *may* not be managed and/or maintained in the same manner as Adelaide Hills Council prescribed trails/routes.

“Route” a way or course used to get from a starting point to a finishing point. A route uses existing infrastructure such as roads, verges, unmade roads, laneways, rail corridors, bridges, trails etc. to guide a user around a series of points of interest, for the purposes of formal or informal, leisure, recreation and/or commuting. A route is not a piece of infrastructure, rather it uses existing infrastructure that is managed by a land manager. A cycling route, is a route for use by a human powered bicycle.

“Sustainable” refers to the management of trails and routes so that they provide positive social, environmental and economic outcomes.

“Trail” refers to infrastructure that has been purposefully designed and constructed on land for the purposes of formal, informal, active and/or passive recreation or commuting by a walker, bike rider or horse rider. *For the purposes of this policy ‘trail’ does not refer to a sculpture trail, tourism trail, art trail, history trail or the like.*

“Trail Manager” a trail manager is a person or group of people (community group) or agency that manages a route that is located within public or private land and may or may not be located on Council land for some or all of the trail. A trail manager may or may not own the land to which the trail they manage is located.

“Walkers” refers to a person using a trail by foot or mobility device and can include motorised wheelchairs, walking frames, mobility scooters, pram walkers/runners, runners and bushwalkers.

4. POLICY STATEMENT

Council strives to support mountain bike (off-road), road cycling, bushwalking and horse riding experiences throughout the Adelaide Hills region, and wishes to become a world leader in supporting trail and cycling route assets within the region.

Council acknowledges the social, environmental and economic value that recreation trails and cycling routes provide to the local area and broader region and supports the provision

of safe, sustainable and quality trails and cycling routes to ensure these values are achieved.

Principles

1. Trails and cycle route assets must be managed by Council using up to date methods including but not limited to industry standards and methodology.
2. All relevant legislative requirements together with political, social, economic and natural environments are taken into account in the development and implementation of trails, routes and cycle routes.
3. Council acknowledges the different types of users (walk, bike, horse), user cohorts (individuals, groups, organised groups, families, educational institutes, athletes, amateurs, and more) and abilities of users on prescribed trails, routes and cycle routes.
4. All Council prescribed trails and routes are to be managed through council's Trails and Cycling Route Framework.
5. Council uses various media and tools to promote prescribed trails and routes.
6. Council acknowledges its responsibility to support other land and trail managers, and will continue to support and promote non-Council managed trails and routes within the Adelaide Hills region and its nearby neighbours.

4.1 Policy Position

- 4.1.1 Council supports the use of prescribed trails and cycling routes by walkers, bike riders and horse riders of all abilities.
- 4.1.2 Council plans, develops and manages trails and routes that are:
 1. Sustainable - by contributing to positive social, environmental and economic outcomes, whilst reducing negative impacts.
 2. Safe and desirable – by ensuring they meet a minimum standard allowing for accessibility, and meeting the needs of the users.
- 4.1.3 Council Trails will be planned, designed and managed to promote safe and enjoyable trail experiences that focus on providing family friendly routes to, from and through places of interest ensuring high experience value for the user. A classification level, which ensures adherence to design standards, determines the types of users permitted on Council trails.
- 4.1.4 Council Cycle Routes will be planned, designed and managed to promote safe and enjoyable cycling experiences that focus on providing family friendly routes to, from and through places of interest ensuring high experience value for the user.
- 4.1.5 The overarching Trails and Cycle Routes Framework approach ensures that planning, budgeting, design, procurement and maintenance processes are aligned with Council's Strategic Objectives and that the community and relevant stakeholders are engaged in the process along the way.

4.2 Trail and Cycle Routes Classification & Grading

- 4.2.1 To assist in the planning and management of Council trails and cycle routes, a trail and cycle route classification and grading system has been developed. This system uses standards and guidelines that are nationally and internationally accepted. Council has modified some of the standards to suit the Adelaide Hills Council's nuances and attributes.

This approach ensures diversity of trail experiences throughout the Council area, assists with allocation of resources and assists users in understanding the conditions that may be experienced on any given prescribed trail.

Further detail regarding attributes and service levels for each classification can be found in the Framework document.

4.3. Trails and Cycle Route Management and Responsibilities

- 4.3.1 Council has responsibility of the maintenance and management of all prescribed trails and routes and associated infrastructure within the Council region, on land which is under the care and control of Council.
- 4.3.2 Requests for new trails, routes or alterations are to be assessed against an assessment tool. See Trails and Cycle Routes Framework.
- 4.3.4 Only Council employees, Council volunteers and consultants are permitted to upgrade and build trails and cycle routes, unless authorised in writing.
- 4.3.5 Cycle routes are located on existing Local Government or State Government roads, with Local and State Government partnerships supported to ensure continuity of networks, routes and the like.

4.4 Trails and Cycle Route Management and Responsibilities – Non-Council Managed Trails and Routes

- 4.4.1 All trails managed by other bodies, persons, groups or governments, which are located wholly or partially on Council owned and/or managed land, shall be subject to the policy and procedures outlined in the Trails and Cycling Framework.
- 4.4.2 Any non-Council managed trails which cross the same alignment/corridor of a Council prescribed trail, shall be subject to the policies and procedures outlined in the Trails and Cycling Framework, for the portion of the prescribed trail only.

4.5 Trail Maintenance, Upgrades and Management

- 4.5.1 Trails and Cycle Routes are designed, developed, maintained, upgraded and promoted in accordance with the Trails and Cycling Routes framework methodology that considers community needs and wants, environmental impacts and risks, broader social benefits and economic factors. A works program (working document) supports this policy and identifies priorities.
- 4.5.2 Council does not permit the use of unauthorised vehicles on prescribed trails including motor bikes and others as prescribed in the Road Traffic Act (on road prescribed cycle routes are exempt from this clause). Appropriate signage and communications occur to inform the community of this position.

4.6 Trail and Cycling Route User Responsibilities

- 4.6.1 All users of prescribed trails and cycling routes shall be bound by a trails and cycling code of practice, terms and conditions of use and/or similar, to ensure expectations of use are understood and trail/route stewardship is fostered. (Available on Council's website and promoted through signage). See Trails and Cycling Framework for more details.

5. DELEGATION

- 5.1 The Chief Executive Officer has the delegation to:
- Approve, amend and review any procedures that shall be consistent with this Policy; and
 - Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

6. AVAILABILITY OF THE POLICY

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
25 MAY 2021
AGENDA BUSINESS ITEM**

Item: 12.3

Responsible Officer: Matt Ahern, Team Leader Regulatory Services

Subject: Policy Review – Burning Permit Policy

For: Decision

SUMMARY

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

The objectives of this Policy are:

- To provide guidance to Relevant Council Delegates when administering functions provided to them under the Air Quality Policy
- Maximise equity in the level of permitted burning activities between residents outside Metropolitan Adelaide and residents within Metropolitan Adelaide
- Balance the intent of the *Environment Protection (Air Quality) Policy 2016* with the bushfire risk found within many parts of the Council area
- To document the policy position to apply within all Townships, within Metropolitan Adelaide (excluding Townships) and outside Metropolitan Adelaide (excluding townships)
- To provide a reference for community use.

Council's existing *Burning Permit Policy* was last reviewed and adopted on 26-February 2019.

The Policy has been reviewed (refer to **Appendix 1**) and some minor changes are proposed to Council's current *Burning Permit Policy*.

Consultation with the relevant staff and the Bushfire Advisory Group was undertaken between March and May this year. Administration is recommending that the draft revised *Burning Permit Policy* as contained in **Appendix 1** be adopted.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
2. With an effective date of 8 June 2021, to revoke the 26 February 2019 *Burning Permit Policy* and to adopt the revised *Burning Permit Policy* as contained in Appendix 1 of this report.

3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 25 May 2021 *Burning Permit Policy* prior to the effective date of adoption.
-

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 O5.2 Make evidence-based decisions and prudently assess the risks and opportunities to our community before taking action

The intent of the *Environment Protection (Air Quality) Policy 2016* (Air Quality Policy) is to better protect and improve the health of South Australians and the environment through improved air quality. By Council adopting the revised *Burning Permit Policy* that takes into account this intent, and provides the ability to undertake bushfire fuel hazard reduction, is an opportunity to increase the wellbeing of the community.

➤ Legal Implications

As Adelaide Hills Council has the responsibility to administer and enforce legislation this *Burning Permit Policy* will assist procedural fairness. By adhering to the *Burning Permit Policy* Council staff can demonstrate consistency in the manner in which enforcement action is undertaken within the context of both legislative and policy frameworks.

➤ Risk Management Implications

The adoption and implementation of the *Burning Permit Policy* will assist in mitigating the risk of:

Community's ability to undertake bushfire fuel reduction work curtailed leading to higher fuel loads and increased bushfire risk.

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

Smoke from burning in the open leading to increased air pollution and subsequent negative impacts on public health.

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

Adoption of the report's recommendation to endorse the draft revised *Burning Permit Policy* will ensure consistency for local residents when Council's authorised officers are considering Burning Permit applications.

➤ **Financial and Resource Implications**

There are no financial or resource implications associated with adoption of the draft revised *Burning Permit Policy* as recommended in this report.

Further, there would not be any direct resource implications associated with the implementation of the revised *Burning Permit Policy* as existing regulatory and compliance staff routinely undertake Burning Permit inspections.

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

The implementation of the draft revised *Burning Permit Policy* would ensure community confidence in Council's compliance and enforcement responsibilities. By providing guidance and direction to Council staff, the draft revised *Burning Permit Policy* will allow procedural fairness where issues of non-compliance are identified. Adoption of the revised *Burning Permit Policy* will also ensure a consistent approach is taken with members of the community with regards to burning activity undertaken.

➤ **Sustainability Implications**

The aim of EPA Air Quality Policy is to improve air quality and better protect and improve the health of South Australians and the environment. Re-adoption of a *Burning Permit Policy* that takes into account the intent of the Air Quality Policy and other relevant requirements, such as bushfire fuel reduction burning, and will maximise this benefit for the community.

➤ **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: Bushfire Advisory Group

Administration: Director Development & Regulatory Services
Executive Manager Governance & Performance
Fire Prevention Officers
Parks and Gardens Technical Officer

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 to review the *Burning Permit Policy* that was last adopted by Council on 26 February 2019 (Item 12.10) where Council resolved:

12.10 Burning Permit Policy Review

Action:

1. CEO to follow up with EPA regarding the extend of air quality monitoring undertaken
2. CEO to ensure that Council considers air quality monitoring in the next review of the Burning Permit Policy

Moved Cr John Kemp
S/- Cr Kirsty Parkin

40/19

Council resolves:

1. That the report be received and noted.
2. With an effective date of 12 March 2019, to rescind the 23 May 2017 Burning Permit Policy and adopt the revised Burning Permit Policy contained in *Appendix 2* of this report.
3. That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Burning Permit Policy prior to the effective date of adoption.
4. Subject to resolution 2 above, a review of the Burning Permit Policy be undertaken in November 2020 and be reported to Council outlining the results of the review and any recommendations prior to the end of the 2020/21 fire danger season, and to adopt a permit which covers the metropolitan areas of the Council as contained in *Appendix 5* of this report.

Carried Unanimously

3. ANALYSIS

As a result of input from the Fire Prevention Officers and the Bushfire Advisory Group, no changes are proposed to Council's current *Burning Permit Policy*. Some minor changes have though been made to pick up changes in legislation. The proposed changes that have been highlighted using track changes in *Appendix 1*.

In this instance, the proposed changes to the *Burning Permit Policy* are minor in nature and therefore Council did not believe public consultation was necessary. Administration is therefore recommending that the revised draft *Burning Permit Policy* as contained in *Appendix 1* be adopted.

4. OPTIONS

Council has the following options:

- I. To approve the revised draft *Burning Permit Policy* as contained in **Appendix 1** and to revoke the existing *Burning Permit Policy* (Recommended).
- II. To amend the revised draft *Burning Permit Policy* as contained in **Appendix 1**. Should Council resolve to make further amendments to the revised draft *Burning Permit Policy*, it is recommended that any substantive changes be referred back to Administration for analysis before doing so (Not Recommended).


5. APPENDIX

- (1) Draft Revised Burning Permit Policy (with tracked changes) – May 2021

Appendix 1

Draft Revised Burning Permit Policy (with tracked changes) – May 2021

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2>BURNING PERMIT</h2>
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Policy Number:	ENV-06
Responsible Department(s):	Development & Regulatory Services Waste, Health and Regulatory Services
Relevant Delegations:	Delegations by the Board of the Environment Protection Authority to Employees of Councils dated 22 June 2016
Other Relevant Policies:	Nil
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Environmental Protection Act 1993</i> <i>Environment Protection (Air Quality) Policy 2016</i> <i>Fire and Emergency Services Act 2005</i> <i>Planning, Development and Infrastructure Act 2016</i> Development Act 1993
Policies and Procedures Superseded by this policy on its Adoption:	Interim Township Burning Permit Policy Burning Permit Policy 23 May 2017, Item 14.2, 109/17 <u>Burning Permit Policy 26 February 2019, Item 12.10, 40/19</u>
Adoption Authority:	Council
Date of Adoption:	26 February 2019
Effective From:	12 March 2019
Minute Reference for Adoption:	Item 12.10, 40/19

Next Review:**No later than ~~November-May 2026~~ or as required by legislation or changed circumstances**

BURNING PERMIT POLICY

1. INTRODUCTION

In July 2016 the *Environment Protection (Air Quality) Policy 2016* (the Air Quality Policy) came into effect. The Air Quality Policy, created by the Environment Protection Authority (EPA) regulates air emissions including those from burning in the open. The intent of the Air Quality Policy is to better protect and improve the health of South Australians and the environment through improved air quality. The Air Quality Policy provides Council with the authority to issue permits for a variety of burning activities outside the Fire Danger Season.

2. POLICY OBJECTIVE

The objectives of this policy are:

- To provide guidance to Relevant Council Delegates when administering functions provided to them under the Air Quality Policy
- Maximise equity in the level of permitted burning activities between residents outside Metropolitan Adelaide and residents within Metropolitan Adelaide
- Balance the intent of the Air Quality Policy with the bushfire risk found within many parts of the Council area
- To document the policy position to apply within all Townships, within Metropolitan Adelaide (excluding Townships) and outside Metropolitan Adelaide (excluding townships)
- To provide a reference for community use.

3. SCOPE

This policy applies to:

- All land within Townships within the Adelaide Hills Council as defined by Council resolution, plans submitted to the Surveyor General's Office and publication in the Government Gazette
- All land within the portion of the Council district that falls within Metropolitan Adelaide
- All land within the portion of the Council district that falls outside Metropolitan Adelaide

The Air Quality Policy allows the following burning to occur without a permit from Council and therefore these activities are not within the scope of this policy:

- All exclusions as outlined in Clause 4 of the Air Quality Policy
- Metropolitan Adelaide and within all Townships:
 - Lighting or maintaining a fire using charcoal, dry wood or other dry plant material for the purpose of preparing food or beverages. The fire must be of a size, and has been built in a way, that reasonably corresponds to this purpose.
 - Burning charcoal (but not wood or other plant material) in a brazier, chiminea or fire pit for domestic heating.

- Non Metropolitan Adelaide (excluding townships):
 - Lighting or maintaining a fire in the open on land using charcoal, dry wood or other dry plant material for the purpose of preparing food or beverages. The fire must be of a size, and has been built in a way, that reasonably corresponds to this purpose.
 - Lighting or maintaining a fire in the open on land using charcoal, dry wood or other dry plant material for the purpose of a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity.
 - Burning charcoal, dry wood or other dry plant material in a brazier, chiminea or fire pit for domestic heating
 - Burning agriculture or forestry waste, burning off vegetation for fire prevention or control, or burning vegetation for any other purpose, outside a fire danger season, provided that:
 - The burning activity takes place only on land owned or occupied by the person or on land with the consent or authority of the owner or occupier; and
 - The person complies with any mandatory measures of a Prescribed Burning Code of Practice that apply in relation to the burning activity; and
 - The person has regard to any recommended measures of a Prescribed Burning Code of Practice that apply in relation to the burning activity.

This policy does not apply in relation to any item, activity or action that is not applicable under the Air Quality Policy.

4. DEFINITIONS

“Air Quality Policy” means the *Environment Protection (Air Quality) Policy 2016*.

“Burning Permit(s)” means a permit or permits issued by a Relevant Council Delegate of the Adelaide Hills Council, issued in accordance with the provisions of the *Environment Protection (Air Quality) Policy 2016*.

“Fire Danger Season” has the same meaning as in the *Fire and Emergency Services Act 2005*.

“Metropolitan Adelaide” has the same meaning as the *Environment Protection (Air Quality) Policy 2016*.

“Prescribed Burning Codes of Practice” has the same meaning as the *Environment Protection (Air Quality) Policy 2016* e.g.

- The Broad Acre Burning Code of Practice prepared by the South Australian Country Fire Service; or
- The Vegetation Pile Burning Code of Practice prepared by the South Australian Country Fire Service

“Relevant Council Delegate” means an employee of Council delegated with the authority to issue a Burning Permit in accordance with the provisions of the *Environmental Protection Act 1993* and the delegations by the Board of the Environment Protection Authority to employees of Councils.

“Township or Townships” unless defined otherwise, has the same meaning as the *Environment Protection (Air Quality) Policy 2016*.

5. POLICY STATEMENT

The Air Quality Policy provides Relevant Council Delegates with the ability to permit persons or class of persons to carry out any one or more of the following burning activities outside of the Fire Danger Season:

- Burning agriculture or forestry waste; or
- Burning off vegetation for fire prevention or control; or
- Burning vegetation for any other purpose.

The issuing of permits under the Air Quality Policy can be undertaken as follows:

- By notice in writing to the person to whom the permit applies; or
- By notice published on the relevant council's website and in newspapers circulating within the council area.

To achieve the objectives of this policy the following Burning Permit Policy positions are defined:

5.1 Metropolitan Adelaide (Excluding Townships)

The Air Quality Policy requires residents within Metropolitan Adelaide to obtain a permit to undertake the following burning activities. Residents outside Metropolitan Adelaide (outside Townships) do not require a permit to undertake the same burning activities.

- Burning dry wood or other dry plant material for a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity
- Burning dry wood or other dry plant material in a brazier, chiminea or fire pit for domestic heating
- Burning agriculture or forestry waste
- Burning off vegetation for fire prevention or control
- Burning vegetation for any other purpose

The nature of the environment between land within and outside Metropolitan Adelaide is similar in many characteristics including primary production zoning, high fuel loads, bushfire risk, vegetation type, large allotment sizes and low population densities.

Given the similarities of the environment between Metropolitan Adelaide and non Metropolitan Adelaide the permitted burning activities should also be similar to ensure consistency and equity between the zones. Accordingly, the following Burning Permit Policy position is adopted for land outside of Townships within Metropolitan Adelaide.

5.1.1 Metropolitan Adelaide Policy Position (Excluding Townships)

Authority is given to any person within the following areas of the Adelaide Hills Council (as defined in the Adelaide Hills Council Development Plan pursuant to the *Development Act 1993*) that are within Metropolitan Adelaide, excluding those properties within the declared Townships pursuant to the *Environment Protection (Air Quality) Policy 2016*:

- The Watershed (Primary Production) Zone
- The Hills Face Zone
- The Public Purpose Zone, excluding those areas with a Medium Bushfire Risk classification in a Bushfire Protection Area

- Tourist Accommodation Zone

to carry out any of the following burning activities in those areas, outside of the Fire Danger Season (as fixed under the *Fire and Emergency Services Act 2005*):

- Burning agriculture or forestry waste
- Burning off vegetation for fire prevention or control
- Burning vegetation comprising dry wood or other dry plant material in a brazier, chiminea or fire pit in the open for domestic heating
- Lighting or maintaining a fire in the open using vegetation comprising dry wood or other dry plant material for a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity

Authority to undertake the above burning activities will be via a Burning Permit authorised by the Chief Executive Officer and issued by notice published on Council's website and in newspapers circulating within the Council area.

The duration of the Burning Permit will be for a five year period unless revoked or resolved otherwise by Council, or should circumstances change that would warrant a review.

Prior to expiration of the Metropolitan Adelaide Burning Permit Council will review the effectiveness of the operation of the Burning Permit taking into consideration a number of factors including bushfire fuel hazard reduction requirements and the intent of the Air Quality Policy. This review will inform decision making on future Burning Permits that are to be issued, subject to Council resolution.

5.2 Townships

The Air Quality Policy requires residents within Townships to obtain a permit for:

- Burning agriculture or forestry waste; or
- Burning off vegetation for fire prevention or control; or
- Burning vegetation for any other purpose.

Given the intent of the Air Quality Policy, the higher population densities within Township areas, the generally reduced bushfire fuel load and access to kerbside green organics collection service it is appropriate that residents apply for individual Burning Permits within Townships.

To ensure assessment of permit applications for burning within Townships is undertaken consistently, recognises and considers the bushfire hazard, and takes into account the intent of the Air Quality Policy to improve air quality, the following Burning Permit Policy position is adopted for Townships within the Adelaide Hills Council area.

5.2.1 Township Policy Position

Burning Permit applications are required for any Township burning from the person whom the permit application applies. Burning Permit applications must be in writing in a manner and form determined by Council.

The assessment, and when applicable, issuing of Burning Permit applications will be undertaken by a Relevant Council Delegate outside of the Fire Danger Season (as fixed under the *Fire and Emergency Services Act 2005*).

In assessing Burning Permit applications, Relevant Council Delegates, will use their discretion, taking into account the following criteria, in determining whether a Burning Permit will be issued or not:

- Bushfire risk of the area
- Purpose of the proposed burning
- Amount of material to be burnt
- Fuel load present on property and adjoining properties
- Properties in close proximity or adjoining reserves or national parks
- Proximity and potential impact to neighbouring residents
- Availability of other reasonable means to dispose of the vegetation
- Ability of applicant to utilise other reasonable means to dispose of the vegetation
- Legitimacy of the proposed burning – i.e. is this genuine fire hazard reduction or rubbish removal
- Nature of material to be burnt
- Size of the allotment
- Terrain of the allotment and locality
- Accessibility to the allotment and area where the vegetation is to be burnt
- Is the material declared and or woody weeds
- Is the material diseased plant material
- Requirements of the Country Fire Service Broad Acre Burning Code of Practice
- Requirements of the Country Fire Service Vegetation Pile Burning Code of Practice
- Religious or cultural purposes.

5.3 Outside Metropolitan Adelaide (Excluding Townships)

The Air Quality Policy allows residents outside the Adelaide metropolitan area (excluding townships), to undertake the following burning activities without the need to obtain a permit from Council:

- Burning agriculture or forestry waste
- Burning off vegetation for fire prevention or control
- Burning charcoal, dry wood or other dry plant material in a brazier, chiminea or fire pit in the open for domestic heating
- Lighting or maintaining a fire in the open using charcoal, dry wood or other plant material for a campfire or barbeques in the course of camping, scouting or a similar outdoor recreational activity
- Burning of vegetation for any other purpose.

Application of this exemption is subject to residents complying with relevant Prescribed Burning Codes of Practice.

Given this exemption there is not a requirement to include a specific policy position for properties that are outside of the Adelaide metropolitan area, excluding townships.

5.3.1 Outside Metropolitan Adelaide Policy Position (Excluding Townships)

Provisions of the *Environment Protection (Air Quality) Policy 2016* apply in relation to burning in the open in the non-metropolitan Adelaide portion of the Council area (excluding townships).

5.4 Burning Permits

All matters relating to receiving and assessing Burning Permit applications, and the issuing of Burning Permits, will be undertaken in accordance with the requirements of the Air Quality Policy including relevant compliance with Prescribed Burning Codes of Practice.

In instances when a Burning Permit is to be issued the Relevant Council Delegate will give due consideration, in consultation with the applicant, to providing a period of time ('a window') to undertake the burning activity. Burning Permits will be issued for a maximum period of two months from date of issue.

In relation to applicants that apply for multiple permits the assessment of the first two applications will include a mandatory site assessment by the Relevant Council Delegate. Thereafter, and subject to satisfactory compliance with permit conditions, site assessments will be optional, at the discretion of Relevant Council Delegates. A permit register will be maintained for the purposes of this policy provision.

Burning Permits will not be valid for township burning on Sundays unless exceptional circumstances arise at the discretion of Council. Township burning permits will only be valid between 10.00am to 3.00pm Monday to Saturday inclusive.

6. DELEGATIONS

The Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this policy.

Delegations by the Board of the Environment Protection Authority to employees of Council.

7. AVAILABILITY OF THE POLICY

This policy will be available for inspection at Council's Offices during ordinary business hours and via 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 Council's Schedule of Fees and Charges.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
25 MAY 2021
AGENDA BUSINESS ITEM**

Item: 12.4

Responsible Officer: Matt Ahern, Team Leader Regulatory Services

Subject: Policy Review – Order Making Policy

For: Decision

SUMMARY

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

The Adelaide Hills Council is required to develop and maintain a policy pursuant to section 259 of the *Local Government Act 1999* (the Act) in relation to order making powers under section 254 of the Act. Council's existing *Order Making Policy* was last reviewed and adopted on 28 November 2017.

The *Order Making Policy* sets out criteria for which orders may be issued and the procedures, principles and penalties that may be applied are also reflected in this Policy.

The Policy has been reviewed (refer to **Appendix 1**) and some minor changes are proposed to Council's current *Order Making Policy*.

Consultation with the relevant staff was undertaken in March and April this year. However, no community consultation was required. Administration is recommending that the draft revised *Order Making Policy* as contained in **Appendix 1** be adopted.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. With an effective date of 8 June 2021, to revoke the 28 November 2017 *Order Making Policy* and to adopt the revised *Order Making Policy* in Appendix 1.
 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 25 May 2021 *Order Making Policy* prior to the effective date of adoption.
-

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 02.4 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 05.2 Make evidence-based decisions and prudently assess the risks and opportunities to our community before taking action

Having a current *Order Making Policy* in place ensures the community are fully aware of Council's order making powers. The issuing of orders is one of several mechanisms available to Council to ensure public health and safety is maintained.

➤ Legal Implications

Council is required to take reasonable steps to prepare and adopt policies in relation to order making pursuant to section 259 of the *Local Government Act 1999*.

➤ Risk Management Implications

The adoption and implementation of the draft revised *Order Making Policy* review will assist in mitigating the risk of:

Not having an updated Order Making Policy in place leading to lack of consistency in order making decision making and reduced community confidence and understanding in Council's order making action and the manner in which it is applied.

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

Adoption of the report's recommendation to endorse the draft revised *Order Making Policy* will result in reducing the level of misunderstanding within the community about Council's order making processes and practices, as well as providing a consistent approach in this regard.

➤ Financial and Resource Implications

There are no financial or resource implications associated with adoption of the draft revised *Order Making Policy* as recommended in this report.

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

The implementation of the draft revised *Order Making Policy* is aimed at ensuring community confidence in Council's compliance and enforcement responsibilities. By providing guidance and direction to Council Administration, the draft revised *Order Making Policy* will allow for procedural fairness where issues of non-compliance are identified. Adoption of the revised *Order Making Policy* will also ensure a consistent approach is taken with members of the community in regard to enforcement action undertaken.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Director Development & Regulatory Services
Executive Manager Governance & Performance
Manager Development Services
Manager Property Services
Manager Open Space
Team Leader Planning Services
Team Leader Building Services
Team Leader Environmental Health

External Agencies: Not Applicable

Community: Not Applicable as no substantial changes are being made to the Policy

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 is a review of the *Order Making Policy* that was last adopted by Council at a special meeting held on 14 November 2017 (Item 5.4), where it resolved:

5.4. Order Making Policy

Moved Cr Ian Bailey
S/- Cr Lynton Vonow

266/17

Council resolves that:

1. That the report be received and noted
2. That the proposed changes to the Order Making Policy are considered minor for the purposes of S295(5) of the *Local Government Act 1999* and public consultation is not considered necessary.
3. With an effective date of 28 November 2017, to revoke the 26 August 2014 Order Making Policy and to adopt the Order Making Policy, as contained in Appendix 1 with the inclusion of provisions relating to undertaking emergency work on private land as contemplated in the report.

Carried Unanimously

Pursuant to section 259 of the Act, all councils must take reasonable steps to prepare and adopt policies concerning the operation of part 254 of the Act in relation to order making powers. Council's *Order Making Policy* was last reviewed in August of 2017. Only minor editorial changes were required as part of this review.

3. ANALYSIS

This review has identified that there are no significant changes required to Council's current *Order Making Policy*.

No substantive changes to the Policy are proposed regarding the matters relevant to the operation of the order making provisions that are within Council's discretion. Minor grammatical changes have been made and the revised Policy has utilised the new policy template which differs slightly from the existing Policy.

Section 259(5) of the Act requires Council to conduct public consultation before adopting an amendment to its *Order Making Policy* unless the Council determines that the amendments are of only minor significance.

In this instance, the proposed changes to the *Order Making Policy* are considered minor in nature and therefore do not trigger the Council's obligation to carry out public consultation under section 259(5) of the Act. Administration is therefore recommending that the revised *Order Making Policy* as contained in **Appendix 1** be adopted.

4. OPTIONS

Council has the following options:

- I. To adopt the revised draft revised *Order Making Policy* as contained in **Appendix 1** and to revoke the existing *Order Making Policy* (Recommended).
- II. To amend the revised draft *Order Making Policy* as contained in **Appendix 1**. Should Council resolve to make further amendments to the revised draft *Order Making Policy*, it is recommended that any substantive changes be referred back to Administration for analysis before doing so (Not Recommended).


5. APPENDIX

- (1) Draft Revised Order Making Policy (with tracked changes) – May 2021

Appendix 1

Draft Revised Order Making Policy (with tracked changes) - May 2021

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p> <p>Adelaide Hills COUNCIL</p>	<h3>ORDER MAKING</h3>
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Policy Number:	GOV-05
Responsible Department(s):	Waste, Health & Regulatory Services <u>Development & Regulatory Services</u>
Relevant Delegations:	None
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:	December 2007, Item 10.2, B326 Order Making 26 August 2014, Item14.4,176
Adoption Authority:	Council
Date of Adoption:	
Effective From:	
Minute Reference for Adoption:	

Next Review:

No later than ~~April~~ **May 2024-2025** or as required by legislation or changed circumstances, including as result of Legislative change.

Draft

ORDER MAKING

1. PURPOSE

The Adelaide Hills Council is responsible for ~~the provision of government to managing~~ its area at a local level *in accordance with Local Government Act, 1999*. In particular it is the function of the Council to provide for the welfare, well-being and interests of the members of its community and, where necessary, to take measures to protect its area from hazards.

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To fulfil its functions, the Council has a range of statutory powers. These powers enable Council to exercise its regulatory functions by formulating policies and by-laws, and issuing orders. The Council has resolved to develop an Order-Making Policy in relation to exercising its powers pursuant to Part 2 of Chapter 12 of the Local Government Act 1999 *(the Act)*, to promote the health, safety and well-being of our community. This Policy sets out the matters for which orders may be issued. The relevant principles, procedures and penalties that will be applied are also reflected in the Policy.

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This Order Making Policy is prepared and adopted pursuant to section 259 of the Act and sets out the steps Council will take in the making of orders.

2. SCOPE

Section 259 of the Act requires each Council to take reasonable steps to prepare and adopt policies concerning the operation of Part 2 of Chapter 12 of the Act. Part 2 deals with the making of orders.

This Policy will apply to those circumstances listed in section 254 which states that Council may order a person to do or refrain from doing a thing under certain circumstances, as specified in the table included within that section of the Act (refer **Attachment 1** of this Policy).

In accordance with the requirements of the Act, this Policy also applies in respect of orders issued by Council pursuant to section 216 (power to order the owner of private road to carry out specified roadwork's), section 218 and section 217 (power to order owner of infrastructure on road to carry out specified maintenance or repair work).

3. GUIDING PRINCIPLES

When considering making an order within the scope of this policy, the Adelaide Hills Council will consider the following principles, which are considered central to the effective resolution of local nuisances on private land. Each case for the possible use of the order making powers will be considered on its individual merits. Factors that Council will consider include:

- Severity of the incident
- Hazard/danger posed to the community
- Risk to health/safety of the community
- Detraction from the amenity of the locality
- Repeated occurrence of the activity/incident (e.g. duration, previous offences)
- Impact of any previous actions to overcome the problem

- Is the breach significant/substantial?
- Would an informal warning letter be sufficient?
- Are there any public interest issues?
- Whether there is sufficient evidence upon which Council may rely to exercise its order making powers
- The offender's [response and attitude](#) and number of complaints received in respect of the matter (if any).

4. MATTERS TO WHICH THE POLICY APPLIES

The matters to which this Policy applies are set out in **Attachment 1**. The matters are stated in general terms with particular examples provided for illustration purposes. These examples are not intended to be an exhaustive list of the circumstances in which the Policy will apply. However, they are provided to assist the community in understanding the purpose and intent of this Policy and the way in which it will be applied.

5. PROCESS AND PROCEDURE

Except in the case of an emergency described below, Council will take reasonable steps, within available resources, to resolve cases of local nuisance and/or low risk hazards by negotiation and agreement before issuing an order.

Except in the case of an emergency, before making an order the Council will give notice of its intention to make an order in accordance with section 255 of the Act by:

- Giving the person to whom an order is intended to be directed a notice in writing stating the:
 - proposed action [required to rectify the matter](#)
 - terms of the proposed order (i.e. what it requires the person to do or refrain from doing)
 - period within which compliance with the order will be required
 - penalties for non-compliance; and
 - reasons for the proposed action; and
- Inviting the person notified of the opportunity to give reason/s, within a specified time, why the proposed action should not be taken.

Council will proceed to make an order without negotiation or notice, in accordance with section 255(12) where Council considers the circumstance or activity constitutes, or is likely to constitute:

- a threat to life; or
- an immediate threat to public health or public safety; or
- an emergency situation [requiring immediate action](#).

6. REVIEW RIGHTS

Pursuant to section 256 [of the Act](#), any person to whom an order is issued (including an order issued under sections 254, 216, 217 or 218 of the Act) has a right to appeal against the order. Any such appeal must be lodged within 14 days of that person's receipt of the order. The Council will ensure that reference to this right of review is included in any order issued.

7. NON-COMPLIANCE WITH AN ORDER

If an order issued under section 254, 216 or 218 of the Act is not complied with within the time fixed for compliance (or if there is an application for review, within 14 days after the determination of the review), the Council may (subject to the outcome of any review) take the action required by the order.

The reasonable costs and expenses incurred by Council in taking action under this section may be recovered by Council as a debt from the person who failed to comply with the requirements of the order.

Where an amount is recoverable by Council, Council may, by notice in writing to the person:

1. fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid, and;
2. if the amount is not paid by the person within that period, the person is liable to pay interest and Council may impose a charge over the land for the unpaid amount, together with interest, in accordance with section 257(5) of the Act.

Non-compliance with an order of Council is an offence for which a person may incur a statutory penalty provided for in the Act. Section 258 of the Act provides for a maximum penalty of \$2,500 and an expiation fee of \$210 for failure to comply with an order issued under the Act.

Where an order is issued under section 217, if the order is not complied with within the time specified in the order:

- Council may carry out the action required by the order and recover the cost of doing so as a debt for the owner; and
- The owner is guilty of an offence and liable to a maximum penalty not exceeding \$5,000.

8. RESPONSIBILITIES & DELEGATIONS

This policy will be enforced by Authorised Persons who have been appointed (in writing) by the Council under section 260 of the Act¹.

Council may also choose to delegate the power to issue orders under sections 254, 216, 217 and 218 of the Act to Council staff, in which case, Council will ensure appropriate delegations are in place.

¹ Authorised Persons have powers under section 261 of the Act to enforce breach of orders by way of expiation.

9. REVIEW AND EVALUATION

The effectiveness of the policy will be reviewed on an as needs basis, including where necessary as a result of [any](#) legislative change.

The Chief Executive Officer will report to Council on the outcome of the evaluation, and make recommendations for amendment, alteration or substitution [by way](#) of a new Policy.

10. AVAILABILITY OF THE ORDER MAKING POLICY

This policy will be available for inspection at Council's principal office during ordinary business hours and published on the Council's website www.ahc.sa.gov.au . Copies will be provided to interested parties upon request.

Draft

Appendix 1

Extracts from the *Local Government Act 1999*

Attachment 1 - Local Government Act 1999**254—Power to make orders**

- (1) A council may order a person to do or to refrain from doing a thing specified in Column 1 of the following table if in the opinion of the council the circumstances specified opposite it in Column 2 of the table exist and the person comes within the description opposite it in Column 3 of the table.

Column 1 To do or to refrain from doing what?	Column 2 In what circumstances?	Column 3 To whom?
2. Hazards on lands adjoining a public place		
(1) To fence, empty, drain, fill or cover land (including land on which there is a building or other structure).	(1) A hazard exists that is, or is likely to become, a danger to the public.	(1) The owner or occupier of the land.
(2) To remove overgrown vegetation, cut back overhanging branches, or to remove a tree.	(2) The vegetation, branches or tree create, or are likely to create, danger or difficulty to persons using a public place.	(2) The owner or occupier of the land.
(3) To remove or modify a flag or banner, a flagpole or sign, or similar object or structure that intrudes into a public place.	(3) The relevant object or structure creates, or is likely to create, danger or difficulty to persons using a public place.	(3) The owner or occupier of the land.
(4) Where the public place is a road—to take action necessary to protect the road or to remove a hazard to road users.	(4) A situation exists that is causing, or is likely to cause, damage to the road or a hazard to road users.	(4) The owner or occupier of the land.
Examples—		
· To fill an excavation, or to prevent drainage of water across the road.		
· To construct a retaining wall or to remove or modify a fence.		
· To fence land to prevent the escape of animals.		
· To remove a structure or vegetation near an intersection.		
·		
·		

Column 1 To do or to refrain from doing what?	Column 2 In what circumstances?	Column 3 To whom?
4. Inappropriate use of vehicle To refrain from using a caravan or vehicle as a place of habitation.	A person is using a caravan or vehicle as a place of habitation in circumstances that— (a) present a risk to the health or safety of an occupant; or (b) cause a threat of damage to the environment; or (c) detract significantly from the amenity of the locality.	The owner or occupier of the land or a person apparently occupying the caravan or vehicle.

(2) A reference in the table to an animal or animals includes birds and insects.

216—Power to order owner of private road to carry out specified roadwork

- (1) A council may, by order in writing to the owner of a private road, require the owner to carry out specified roadwork to repair or improve the road.

217 – Power to order owner of infrastructure on road to carry out specified maintenance or repair work

- (1) A council may, by order in writing to the owner of a structure or equipment (including pipes, wires, cables, fittings and other objects) installed in, or, across, under or over a road, require the owner –
- (a) to carry out any proposal to make an order; any specified work by way of maintenance or repair; or
 - (b) to cover the structure or equipment in order to allow the council to carry out roadwork
- (2) If the order is not complied with within a reasonable time fixed in the order –
- (a) Council may itself take the action required by the order and recover the cost of doing so as a debt from the owner; and
 - (b) the owner is guilty of an offence and liable to a penalty not exceeding \$5,000.
- (3) Subsection (1) and (2) do not apply to the owner of electricity infrastructure, public lighting infrastructure or gas infrastructure if the Commission has determined, on application by the owner, that there are reasonable grounds for not requiring the owner to take the action specified in the order.
- (4) In this section –

Commission means the Essential Services Commission established under the Essential Services Commission Act 2002;

Electricity infrastructure has the same meaning as the Electricity Act 1996;

Gas infrastructure has the same meaning as in the Gas Act 1997, but does not include a transmission pipeline within the meaning of the Petroleum Act 2000;

Owner of a structure or equipment includes a lessee or licensee;

Public lighting infrastructure has the same meaning as in the Electricity Corporations (restructuring and Disposal) Act 1999.

218—Power to require owner of adjoining land to carry out specified work

- (1) A council may, by order in writing to the owner of land adjoining a road, require the owner to carry out specified work to construct, remove or repair a crossing place from the road to the land.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 May 2021
AGENDA BUSINESS ITEM**

Item:	12.5
Responsible Officer:	Natalie Westover Manager Property Services Corporate Services
Subject:	Properties with Outstanding Rates - S210 conversion to Public Road - Declaration of Public Road
For:	Decision

SUMMARY

The purpose of this report is to seek a resolution to commence a process pursuant to Section 210 of the *Local Government Act 1999* ("Act") to convert privately owned roads to public road and as a result of that process formally write-off the related rate debts.

There are currently six (6) privately owned land parcels (**Appendix 1**) which form a part of the road network within the Adelaide Hills Council. This conversion of private road to public road will ensure the land is legally accessible by the community for use as public road and for Council to maintain.

Pursuant to Section 210 of the Act Council may declare private road to be public road and if declared, must cause a copy of the declaration to be published in the Government Gazette. As a result of the declaration process being undertaken, it would be appropriate to formally write off the rates debt as there would then be no likelihood of the relevant debts being recovered.

In relation to formally writing off the rate debts, there is a delegation condition for debts > \$5,000 to be submitted to the Audit Committee prior to consideration by Council. Given the timing of the Audit Committee meeting being the day before the presentation of this report, any feedback from the Audit Committee in relation to the write-offs will be provided by the Audit Committee Presiding Member and / or relevant staff member prior to the adoption of resolutions emanating from this report to Council.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
- 2. To undertake a process pursuant to Section 210 of the *Local Government Act 1999* 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.**
3. **To authorise the publication of the resolution in the Government Gazette as required by Section 210 of the *Local Government Act 1999* to declare the road to be public road.**
4. **To delegate to the Chief Executive Officer to execute the necessary documentation to give effect to this resolution.**
5. **To formally approve the write-off of \$98,025.08 for the outstanding rates on the Land identified for conversion of private road to public road.**
-

1. **GOVERNANCE**

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

Strategic Plan 2020-24 – A brighter future

Goal	A Prosperous Economy
Objective E2	Provide Local Infrastructure to drive growth and productivity
Priority E2.4	Manage and maintain Council assets to maximise their utilisation and benefit to the community.

Strategic Plan 2020-24 – A brighter future

Goal	A Progressive Organisation
Objective O3	Our organisation is financially sustainable for both current and future generations
Priority O3.2	Ensure that renewal of assets and the associated maintenance is based on current asset management plans which consider reviewed services levels and whole of life costings.
Priority O3.4	Assess the range and level of services undertaken to ensure they fulfil Council's legislative and strategic intent.

To ensure that risk is appropriately managed for the land and that the land is legally accessible by the Council to maintain, and to the general community to use for access purposes, the land should be in the ownership of Council.

➤ **Legal Implications**

Section 210 of the Act permits the Council to declare private road, being a road in private ownership, to be public road. At least 3 months prior to a declaration being made under this section of the Act, the Council must first attempt to identify the whereabouts of the owner, serve notice on the owner and give public notice of the proposed declaration.

A resolution to declare the Land as public road will not take effect until the publication in the Government Gazette.

Section 143 of Act allows Council to write-off debts if the council has no reasonable prospect of recovering the debts after the Chief Executive Officer or delegate has certified that either

- (a) reasonable attempts have been made to recover the debt; or
- (b) the costs of recovery are likely to equal or exceed the amount to be recovered.

Section 143(3) states that If a council delegates the power to write off debts under this section, the council must set an amount above which the delegation will not apply.

➤ **Risk Management Implications**

The declaration to convert private road to public road will assist in mitigating the risk of:

Council maintaining and permitting access to, land it does not own or have legal rights to maintain or enter upon leading to unacceptable risk to the Council and community members.

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

The risk management assessment does not require the creation of a new mitigation action.

Acquisition and transfer of the parcels of land identified in this report would ensure that land that already appears to be a community or Council asset, is formalised as such and remains an asset for the future benefit of the community.

➤ **Financial and Resource Implications**

The Land is currently maintained by Council and included within existing resource allocations.

The process to declare the Land as public road and the subsequent publication in the Government Gazette will be managed within existing resource allocations.

No claims for compensation from any beneficiaries have been received however a beneficiary has 5 years from the date of the declaration as public road to make a claim with the Land and Valuation Court.

As highlighted in the Debtors report to the Audit Committee in August 2020 and February 2021, Council identified a number of properties relating to either deceased estates or where rate notices had been unable to be delivered for many years to determine what further action should be undertaken to resolve the ongoing rateability of the land. This included the

identification of a number of properties to be considered for conversion to public roads under Section 210 of the Act. This report is now dealing specifically with 6 parcels of land identified under that earlier review.

The rate debts for the parcels of land identified in this report were fully provided for in Council's 2019-20 financial statements with an additional budget allocation for the 2021-22 financial year also determined.

As such, there are no financial implications in relation to the transfer of these parcels to public roads, notwithstanding that the current outstanding rates of \$98k on the land should be formally written off under Section 143 of the Act following the declaration as public road.

In accordance with Section 143(3) of the Act and Council's sub delegation from the Chief Executive Officer, the Manager, Financial Services has certified that reasonable attempts have been made to recover the debts.

Further, as a result of the conditions and limitations under Council's Section 143 delegation, there is a requirement for those debts > \$5,000 in respect of any one debt to be submitted to the Audit Committee prior to consideration by Council. As such, a report covering the write-off of the rates relating to the 6 parcels of land proposed for Section 210 declaration as public roads is to be presented to the Audit Committee on 24 May 2021.

Given the timing of the Audit Committee meeting, being the day before the presentation of this report, any feedback from the Audit Committee in relation to the write-offs will be provided by the Audit Committee Presiding Member and / or relevant staff member prior to the adoption of resolutions emanating from this report to Council.

➤ **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 write-off of outstanding debts in relation to Section 210 conversions to public roads will be considered by the Audit Committee on 24 May 2021

Council Workshops: Not applicable

Advisory Groups: Property Advisory Group

Administration: Manager, Financial Services
Senior Rates Officer

Community: Community Consultation has taken place in accordance with the requirements of the *Local Government Act, 1999*.

2. BACKGROUND

There are currently six (6) privately owned land parcels (**Appendix 1**) which form a part of the road network within the Adelaide Hills Council district. This conversion of private road to public road will ensure the land is legally accessible by Council to maintain and for general community use.

Pursuant to Section 210 of the Act Council may declare private road to be public road and if declared, must cause a copy of the declaration to be published in the Government Gazette.

The following information is provided in relation to each land parcel:

Land Owned by Bridgewater Park Ltd (In Liquidation)

Russell Terrace, Bridgewater is the land contained in Certificate of Title 5411/603, in the ownership of Bridgewater Park Ltd (in Liquidation). Bridgewater Park Limited purchased the land being Section 87 in the Hundred of Noarlunga, County of Adelaide on 25 September 1925. This area of land was laid out as Bridgewater Park. Bridgewater Park Ltd (In Liquidation) was deregistered as an Australian Public Company on 10 June 1949.

This land provides approximately 1,494m² of road that is currently utilised by the public and the community. This road provides property access and egress for the properties located at 7 Russell Terrace and 53 Cave Avenue, Bridgewater.

This land currently has a capital value of \$225,000, and outstanding rates to 11 May 2021 of \$48,279.72, including fines and interest.

Land Owned By MD Dearman, EW Dearman & BS Dearman

Allotment 82 in Filed Plan 155697, located on Western Branch Road, Lobethal is the land contained in Limited Certificate of Title 5696/27. Margaret Dixon Dearman, Ernest William Dearman and Burton Stirling Dearman are the registered proprietors as Tenants in Common. The Dearman's acquired the land on 8 May 1959.

This land provides approximately 106m² of road that is currently utilised by the public and the community. This road parcel currently sits within the formed and sealed section of Western Branch Road.

This land currently has a capital value of \$2,500, and outstanding rates to 11 May 2021 of \$13,565.08, including fines and interest.

Land Owned by J Johnston & W Johnston

1 Robert Street, Woodside is Allotment 14 in Filed Plan 2859 is the land contained in Limited Certificate of Title 5695/342, in the ownership of James Johnston and William Johnston as Tenants in Common. The Johnston's acquired the land on 29 September 1977.

This land provides approximately 58m² of road reserve that is currently utilised by the public and the community. This road parcel currently forms the road reserve/footpath adjacent to the Woodside Retirement Village off Robert Street.

This land currently has a capital value of \$3,600, and outstanding rates to 11 May 2021 of \$8,614.23, including fines and interest.

Land Owned by South Australian Company

Pieces 29 and 30 in Filed Plan 156206, located on Western Branch Road, Lobethal is the land contained in Limited Certificate of Title 5696/31, in the ownership of South Australian Co. The land was acquired by South Australian Company on 22 April 1959. South Australian Company was deregistered as an Australian Public Company on 17 March 1950.

Piece 29 provides approximately 446m² and Piece 30 provides 337m² of road is currently utilised by the public and the community. These road parcels currently form the road reserve adjacent to Western Branch Road.

This land currently has a capital value of \$17,000, and outstanding rates to 11 May 2021 of \$14,621.22, including fines and interest.

Land Owned by DF Canham & EA Canham

Norman Road/Shannon Road, and the unnamed private road, Bridgewater is the land contained in Certificate of Title 5890/905, in the ownership of Donald Frederick Canham and Eileen Agnes Canham. The Canhams acquired the land on 12 February 1965.

This land provides approximately 2,003m² of road that is currently utilised by the public and the community. This road provides property access and egress for the property located at 14 Fielding Road, and the residents of Norman Road, Bridgewater.

This land currently has a capital value of \$16,000, and outstanding rates to 11 May 2021 of \$12,944.83, including fines and interest.

A report was previously presented to Council on 22 September 2020 to commence the Section 210 Conversion of Private Road to Public Roads.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 22 SEPTEMBER 2020
63 MT BARKER ROAD STIRLING**

12.4 S210 Conversion to Public Road

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge

207/20

Council resolves:

1. That the report be received and noted.
2. To undertake a process pursuant to Section 210 of the *Local Government Act 1999* 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.
3. That the Mayor and the Chief Executive be authorised to finalise the above matter including signing all necessary documentation to complete all transactions.
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.

Carried Unanimously

3. ANALYSIS

Council commenced the process under Section 210 of the Act by advertising for beneficiaries or successors to interests in the Land parcels on 1 October 2020.

Several relatives of the Dearman's and the Johnston's made contact with Council as they believed they were a descendent of the deceased proprietor however they did not wish to undertake a process to obtain probate to prove their claim as a beneficiary.

Council gazetted its intention to declare the parcels of Land to be public road by way of notice in the Government Gazette dated 4 February 2021.

Following the public notification, no claims have been made to the estate and interests of the owners of the Land parcels, and no other possible beneficiaries have come forward.

Whilst a party can lodge a claim for compensation with the Land and Valuation Court for up to 5 years following the declaration as public road, given that no claims have been made as a result of the public notification, it is considered a low risk. A claim for compensation would require the party to prove they are legitimate beneficiary of the deceased proprietor.

4. OPTIONS

Council has the following options:

- I. Resolve to declare the Land to be public road and formally write-off the related rate debts relating to the identified parcels of land (Recommended)
- II. Not resolve to declare the Land as public road resulting in the Land remaining in private ownerships (to which there are no successors or beneficiaries), which said Land is being assessed for rates (Not Recommended)

5. APPENDIX

- (1) Map identifying location of the land

Appendix 1

Map Identifying Location of Land Parcels

Russell Terrace, Bridgewater – Bridgewater Park Ltd (in Liquidation)



Western Branch Rd, Lobethal – MD Dearman, EW Dearman, & BS Dearman



1 Robert Street, Woodside – J Johnston & W Johnston



Western Branch Road, Lobethal – South Australian Company

Lot 29



Lot 30



Norman Road/Private Road, Bridgewater =- DF Canham & EA Canham



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 May 2021
AGENDA BUSINESS ITEM**

Item:	12.6
Responsible Officer:	Lachlan Miller Executive Manager Governance & Performance Office of the Chief Executive
Subject:	Draft Eastern Waste Management Authority 2021-22 Annual Plan
For:	Decision

SUMMARY

At its 25 February 2021 Board meeting, the Eastern Waste Management Authority (East Waste) endorsed its draft 2021-22 Annual Plan (refer to **Appendix 1**) for review and comment to each of its Constituent Councils.

Under its Charter, East Waste has a 10-year Business Plan and for each financial year, have an Annual Plan which supports and informs its budget. East Waste must prepare its draft Annual Plan and consult with its Constituent Councils to obtain consent on or before 31 May of each year. Upon obtaining consent East Waste is able to adopt its Annual Plan.

The adopted Annual Plan binds East Waste and is the basis upon which the budget is developed.

The purpose of this report is to seek Council's consideration of, and consent to the draft East Waste 2021-22 Annual Plan.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. To provide consent to the Eastern Waste Management Authority *Draft Annual Plan 2021-22*.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 4 A valued natural environment

Objective N4 Reduce the impact of waste to landfill by maintaining a robust waste and resource management framework

Priority N4.4 Implement new or improved waste service opportunities whilst continuing to provide ongoing resource recovery and waste service to our community

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

Adoption of the report recommendation will ensure Council continues to be a responsive and diligent partner in fulfilling its obligations as a Constituent Member council of the East Waste Regional Subsidiary.

Consideration and consent of the East Waste draft Annual Plan 2021-22 contributes to fulfilling a number of strategies in Council's Waste and Resource Management Strategy 2016-2021. The most relevant example is Strategy 5.6.2.1 as follows:

"Contribute to the review of East Waste strategic and business plans to ensure that the business is professionally managed with regular review of achievement against performance expectations"

➤ Legal Implications

The Eastern Waste Management Authority (East Waste) is a Regional Subsidiary established under Section 43 and Schedule 2 of the Local Government Act 1999.

Schedule 2 requires that a regional subsidiary must prepare and adopt a business plan. The plan must set out the performance targets, a statement of the financial and other resources, and the performance measures to be used to monitor and assess performance against the performance targets. The plan can be a multi-year plan but the regional subsidiary must review its business plan on an annual basis in consultation with its Constituent Councils. In accordance with Clause 52.3 of the Charter the Annual Plan must be provided Constituent Councils for the purpose of obtaining consent.

The Authority must, for each financial year, have an Annual Plan which supports and informs its Budget. The Annual Plan must:

- 51.1 include an outline of the Authority's objectives for the financial year, the activities that the Authority intends to undertake to achieve those objectives and the measures that the Authority intends to use to assess its performance against its objectives over the financial year;
- 51.2 assess the financial requirements of the Authority for the financial year and, taking those requirements into account, set out a summary of the Authority's proposed operating expenditure, capital expenditure and sources of revenue;
- 51.3 take into account the objectives set out in the Business Plan and, in particular, the Long Term Financial Plan and issues relevant to the management of assets and resources by the Authority;
- 51.4 set out proposals for the recovery of overheads over the financial year from the Constituent Councils; and
- 51.5 address or include any other matter prescribed by the Constituent Councils or determined to be relevant by the Board.

➤ **Risk Management Implications**

Review and consent of the East Waste Annual Business Plan will assist in mitigating the risk of:

Failure to approve the East Waste Annual Plan 2021-22 leading to the reduced ability of the East Waste to discharge its role as set out in its Charter.

Inherent Risk	Residual Risk	Target Risk
High (3B)	Low (2D)	Low (2D)

The report recommendation does not result in a new mitigating action. The CEO will however need to formally advise the East Waste General Manager of the outcome of Council's consideration of this matter.

➤ **Financial and Resource Implications**

In regard to kerbside and street litter collection undertaken by East Waste, fees for Adelaide Hills Council have increased by \$34,146 from \$2.640m in 2020-21 to \$2.674m proposed for 2021-22. The proposed collection fee of \$2.674m for 2021-22 is for collection only and does not include landfill disposal or processing fees. Landfill disposal is contained within a separate budget line and is undertaken by the Adelaide Hills Region Waste Management Authority. The collections increase for Adelaide Hills Council at 1.29% is lower than the East Waste average due to a small reduction in the common fleet percentage. The common fleet percentage for 2021-22 will be 21.12% compared to 21.34% for the current financial year. East Waste operates almost entirely on a common fleet costing methodology, whereby member councils are charged directly against the time it takes to undertake their services.

In regard to indicative processing fees for green organics, hard waste and recycling there has been a decrease of \$43,000 from \$669k to \$626k between 2020-21 and 2021-22. These savings are associated with receiving and processing of recycling through undertaking a body of work with the Environmental Protection Authority (EPA). This has resulted in an anticipated saving of ~6.4% of the overall processing fees. Whilst savings have been achieved with recycling, green organics and hard waste costs have risen. This is due to an increased collection volume of green organics and high demand for hard waste services with higher volumes and increased mattress disposal.

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

There are no direct customer service or community/cultural implications relating to this report. Indirectly, adoption of the report recommendation will ensure ongoing efficient and effective waste collection services.

➤ **Sustainability Implications**

The services provided by East Waste have a strong connection to improved environmental outcomes. Therefore, a sound and well considered annual business plan is necessary to maximise environmental benefits through the services provided by East Waste.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: A workshop on the draft East Waste was conducted on 19 May 2021 including a presentation from the General Manager.

Advisory Groups: Not Applicable

Administration: Manager Sustainability, Waste and Emergency Management
Acting Manager Sustainability, Waste and Emergency Management
Manager Financial Services

External Agencies: Eastern Waste Management Authority

Community: Not Applicable

2. BACKGROUND

The Authority is a regional subsidiary established pursuant to Section 43 of the Local Government Act 1999 to undertake the collection and disposal of waste and recycling in an environmentally responsible, effective, efficient, economic and competitive manner.

The Constituent Councils which comprise East Waste are Adelaide Hills Council, City of Burnside, City of Campbelltown, City of Norwood Payneham and St Peters, City of Mitcham, Corporation of the Town of Walkerville and the City of Prospect.

East Waste's Board approved the draft Annual Plan 2021-22 at its ordinary meeting held on 25 February 2021 for referral to Constituent Councils.

3. ANALYSIS

The 2021-22 Annual Plan is the first Annual Plan developed under the *East Waste 2030 Strategic Plan* which was endorsed by the Board in September 2020. The East Waste 2030 Strategic Plan sets out a series of ambitious targets (Key Performance Indicators) which East Waste aspire to meet through five Key Objectives and a series of Strategies. Central to the majority of actions is the focus on reducing the amount of material sent to landfill.

The Objectives include:

- Deliver cost-effective and efficient services – through new services and/or new councils, single contract, economies of scale in service delivery, new technologies and innovation and consistent high standard customer service.
- Maximise source separation and recycling – more service choice and flexibility, tailored 3-stream service and business precinct models.
- Provide leading and innovative behaviour change and education – research and projects to increase behaviour change, long-term community behaviour change and education program, trial programs, encourage and support the introduction of an incentive(s) scheme and engage schools.
- Help develop a local circular economy – support local reprocessing and procurement, procure and use recycled content product, sharing economy and reuse initiatives and investigate highest value from collected resources.
- Provide leadership – best practise safety standards, advocate for member councils, invest in people and quality and transparent Corporate activities.

The budget to deliver the Annual Plan and the Strategic Plan is detailed in *Appendix 1 - Draft 2021-22 East Waste Annual Plan and Budget*. Note that while the Budget is provided for Council's information the East Waste Charter does not require the Constituent Council's approval for budget adoption.

4. OPTIONS

Council has the following options:

- I. Consent to the draft Annual Plan for the 2021-22 financial year (recommended).

This option is recommended as it will allow East Waste to continue to provide efficient and cost effective waste collection services to the Constituent Councils.

- II. Not consent to the draft Annual Plan for the 2021-22 financial year.

This option is not recommended as it may lead to delays East Waste adopting their budget and in turn potentially effecting service delivery either short or long term.

- III. Note the draft ABP&B for the 2021-22 with suggested amendments.

This option is not recommended as any suggested amendments to the Annual Plan will need the endorsement of the other Constituent Councils and the Board before they can be accepted. This outcome would delay the adoption of the Annual Plan by the Board and potentially may not result in any changes being agreed to by the other Constituent Councils or the Board. The Staff are therefore recommending that Council endorse Option 1 above in order for East Waste to continue to provide waste collection services for Constituent Councils.

5. APPENDICES

- (1) Correspondence - Draft 2021-22 East Waste Annual Plan and Budget
- (2) Draft 2021-22 East Waste Annual Plan and Budget

Appendix 1

*Correspondence - Draft 2021-22 East Waste Annual
Plan and Budget*

3 March 2021

Mr Andrew Aitken
Chief Executive Officer
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

Dear Andrew,

Re: East Waste Draft 2021/22 Annual Plan and Budget

I am pleased to provide to you the *East Waste Draft 2021/22 Annual Plan* (refer attached), inclusive of a draft budget and the Adelaide Hills Council proposed fees for the 2021/22 financial year.

As you are aware, *Clause 51* of the *East Waste Charter* mandates that East Waste must have an Annual Plan which supports and informs the Budget and additionally *Clause 52.3*, notes that the Plan must be presented to Member Councils for the purpose of obtaining their consent prior to 31 May.

The 2021/22 Annual Plan is the first Annual Plan developed under the *East Waste 2030 Strategic Plan* which was endorsed by the Board in September 2020. The East Waste 2030 Strategic Plan sets out a series of bold and ambitious targets (Key Performance Indicators) which we aspire to meet through five Key Objectives and a series of Strategies. Central to the majority of actions is the focus on reducing the amount of material sent to landfill. Diverting material away from landfill, particularly food waste provides the greatest economic, environmental and social benefit to our Member councils. Consistent with the requirements of the Charter the draft *East Waste 2021/22 Annual Plan* sets out the key activities to be undertaken over the period of the Plan and through a new presentation style, provides easy reference as to how these link back to the Strategic Plan.

Highlights of the Draft Annual Plan include the continuation of East Waste's strong behavior change and educational work (following a revision of current reviews being undertaken), development of an "off the shelf" Choice & Flexibility collection model, a repeat of the highly informative 2019 kerbside audit, a hard waste reuse trial and a crushed glass recycling options investigation. These works are in addition to the ongoing advocacy, efficiency identification and implementation and industry engagement work which is undertaken through a business as usual approach.

The 2021/22 draft budget has been endorsed by the Board and sees overall waste collection charges increasing by 2.35%. Through a zero-based budgeting approach each line of the budget has been heavily scrutinised to ensure its relevance and accuracy for the year ahead.

The collections increase for Adelaide Hills Council at 1.29% is lower than the East Waste average due to a small reduction in your common fleet percentage. Your common fleet percentage for the FY2022 will be 21.12% compared to 21.34% for the current financial year.

East Waste has implemented several savings over the past 12 months which have had a tangible financial saving in excess of \$100,000. These efficiencies are only those generated within the past 12 months and don't include historical efficiencies which continue to flow through and be realised. For Adelaide Hills Council we were able to also provide additional savings associated with the receipt and processing of your recycling through undertaking a body of work with the EPA. This has resulted in an anticipated saving of ~6.4% of your overall processing fees.

Importantly despite all the challenges that COVID-19 and 2020 presented, East Waste was able to maintain successfully delivering a full suite of services on time while safe-guarding our staff and the community. I am not aware of any other waste collection company in Adelaide that can make the same claim.

Largely due to these, East Waste has a recent history of returning operating surpluses and this will again occur in the upcoming Q4 invoices which will see \$44,000 of the FY2020 operating surplus returned across Member Councils.

With respect to the indicative processing costs, Green Organics has risen due to the increased collection volume experienced last calendar year through COVID and is expected to continue. Similarly, for hard waste, rising demand for the service, higher volumes and increased mattress presentation has pushed this figure higher. Again, we expect this to remain high in the coming year (acknowledging the Adelaide Hills Council model is currently under review).

On a positive note, we believe we will see a small reduction in recycling costs which given the market over the past three years is very encouraging. The market as a whole still remains unstable and with the commencement of the National Waste bans and international volatility, a high level of uncertainty around the market remains.

A breakdown of the projected fees to be charged to Adelaide Hills Council is detailed in Table 1 below. To protect our commercial integrity, we respectfully request that these are kept confidential and only the high-level figures (bold) are used for your budgeting and publicly accessible documents.

Table 1: Adelaide Hills Council Projected Fees for FY2022

DRAFT Member Council Fees 2021/22				
Adelaide Hills Council	Adopted 2020/21 Fees	Draft Budget 2021/22	Movement	Comments
Administration Fee Fixed	\$ 33,557	\$ 34,229	\$ 672	
Collection Fees	\$ 2,640,185	\$ 2,674,331	\$ 34,146	
Waste	\$ 1,365,407	\$ 1,385,724	\$ 20,317	
Recycling	\$ 702,741	\$ 691,775	-\$ 10,966	
Green Organics	\$ 317,259	\$ 338,759	\$ 21,500	
Street/Reserve Litter	\$ 174,268	\$ 167,051	-\$ 7,217	
Hard Rubbish	\$ 80,510	\$ 91,022	\$ 10,512	
Indicative Processing Fees	\$ 668,790	\$ 625,896	-\$ 42,894	Charged at-cost - Projected tonnes
Green Organics	\$ 130,513	\$ 159,045	\$ 28,532	
Hard Waste	\$ 70,672	\$ 83,923	\$ 13,251	Includes mattress disposal cost
Recyclables	\$ 467,605	\$ 382,928	-\$ 84,677	
Total Waste Costs	\$ 3,342,532	\$ 3,334,456	-\$ 8,076	

Please note that the above figures do not include your landfill disposal costs which are charged directly to you under your waste disposal contract.

Shane Raymond, Manager Corporate Services and myself are available to brief yourself, other Executive, staff and/or Elected Members on the contents of the Draft Annual Plan and budget if required, so please do not hesitate to contact me on mobile, 0417 466 929, or email robq@eastwaste.com, if you wish to take up this offer. Otherwise I look forward to receiving your written consent to the East Waste Draft 2021/22 Annual Plan prior to Monday 31 May 2021. Please note there is no requirement for Council to approve/consent to the Draft Budget. The Plan will then be presented to the East Waste Board for endorsement in late June, with a final copy sent to Member Councils following this.

While there are many challenges still facing us in the waste sector East Waste is excited about the year ahead, the opportunities that we have identified to date and the other opportunities that will no doubt present themselves. Through all of this, our ongoing commitment is to continue to further identify savings, whilst maintaining and improving community service levels.

East Waste looks forward to continuing our long and successful partnership with Adelaide Hills Council and providing tailored collections to suit your geographical and demographical needs. Should you wish to explore further waste options, bespoke programs, or believe there are opportunities for efficiencies, please don't hesitate to contact me.

Yours sincerely,



ROB GREGORY
GENERAL MANAGER

Appendix 2

Draft 2021-22 East Waste Annual Plan and Budget

EastWaste



2021/22
Annual Plan

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VISION

The Destination

To be the leading waste logistics company in Australia through the delivery of innovative collection and resource management services.

MISSION

The Vehicle

Delivering leading-edge solutions and services for a cleaner and sustainable future.

Introduction

East Waste is the trading name of Eastern Waste Management Authority, which was established in 1928. The Authority is a regional subsidiary of the Adelaide Hills Council, City of Burnside, Campbelltown City Council, City of Norwood, Payneham & St Peters, City of Mitcham, City of Prospect and Town of Walkerville.

Through the servicing of kerbside waste, recycling and organics bins and street and reserve litter bins, East Waste undertakes approximately 9 million bin lifts and 30,000 hard waste collections each year for the Member Councils. East Waste however is far more than a waste logistics Company and has been a driving force in the waste education space in recent years.

East Waste is governed by a Charter (the Charter) pursuant to *Section 43* of the *Local Government Act 1999* and administered by a Board, which includes a director appointed by each Council and an Independent Chair. Clause 51 of the Charter requires the Authority each year to have an Annual Plan which supports and informs the budget. Specifically, it is to include an outline of East Waste's objectives, the activities intended to be pursued, and the measurement tools defined to assess performance. It must also assess and summarise the financial requirements of East Waste and set out the proposals to recover overheads and costs from the Member Councils.

The *2021/22 Annual Plan* is the first Annual Plan developed under the *East Waste 2030 Strategic Plan* which was endorsed by the Board in September 2020. The *East Waste 2030 Strategic Plan* sets out a series of bold and ambitious targets (Key Performance Indicators) which we aspire to met through five Key Objectives and a series of Strategies. The Strategic Plan is summarised on the following page.

For full context this Plan should be read in conjunction with East Waste's broader strategic planning framework including the *Strategic Plan 2030*, Long-Term Financial Plan, and Risk Management Planning Framework.

As a regional subsidiary East Waste recognises that success from this Annual Plan is not possible without the continued support, integration and active working partnership of all our Member Councils and key Strategic Partners. As noted on page eight, East Waste is committed to developing and continuing partnerships which ultimately drive value back to the communities we serve.

East Waste Draft Strategic Plan Vision, Objectives & Strategies

VISION

To be the leading waste logistics company in Australia through the delivery of innovative collection and resource management services to our Member Councils & their Communities.

OBJECTIVES

1. Deliver cost-effective and efficient services facilities

2. Maximise source separation and recycling

3. Provide leading and innovative behaviour change and education

4. Help develop a local circular economy

5. Provide leadership

STRATEGIES

- 1.1 Attract additional services and/or new councils where further economies of-scale can be achieved
- 1.2 Offer a single contract for the management of the residual waste to all member councils
- 1.3 Partner with other councils and organisations to achieve greater synergies and economies of scale in service delivery
- 1.4 Investigate and implement collection technologies and innovation
- 1.5 Provide a consistently high standard of Customer Service

- 2.1 Provide more service choice and flexibility to residents on kerbside services to support them to increase their recycling levels
- 2.2 Provide a tailored 3-stream service to Multi-Unit Dwellings (MUDs) to support waste reduction and increased recycling
- 2.3 Pilot a tailored service delivery model across a business precinct(s) to support waste reduction and increased recycling

- 3.1 Engage in research and projects delivering evidence-based data which increases behaviour change decision making
- 3.2 Develop an integrated and tailored long-term community behaviour change and education program
- 3.3 Identify and trial behaviour change programs aimed at reducing contamination
- 3.4 Encourage and support councils to introduce an incentive(s) to households to reduce their landfill volumes
- 3.5 Engage schools in behaviour change & waste education

- 4.1 Support local reprocessing and procurement of recycled content products
- 4.2 Encourage and support councils to procure and use recycled content products
- 4.3 Support councils to implement sharing economy and reuse initiatives
- 4.4 Investigate options to process and extract the highest value from collected resources

- 5.1 Implement best practice safety standards
- 5.2 Advocate on behalf of our Member Councils
- 5.3 Invest in our people
- 5.4 Quality and transparent Corporate (Governance & Financial) Activities

KPIs

We will measure our success in reaching our objectives through the following KPIs...

At least 75 percent (by weight) of total kerbside materials are separately collected and recycled by 2030

54% 60% 66% 75%

100 percent (by weight) of total food waste is separately collected and recycled by 2030

13% 40% 75% 100%

At least 60 percent (by weight) of kerbside materials from MUDs are separately collected and recycled by 2030

- 45% 50% 60%

At least 60 percent (by weight) of materials from businesses serviced are separately collected and recycled by 2030

- 45% 50% 60%

Reduce average contamination of kerbside commingled recycling stream to less than 7 percent (by weight)

12.5% <11% <9% <7%

BASELINE 2023 2027 2030

2021/22 Objectives & Activities

At a high level, progression towards the Vision and 2030 Key Performance Indicators will be the key Objective and sit behind all the activities that East Waste undertake.

While the following is not a prescriptive list the key projects East Waste intend to undertake over the 2021/22 year are detailed below. While these will be the key focus, East Waste will remain a a fluent and adaptable Organisation that is able to pivot and respond as required to maximise funding, partnerships, opportunities and projects that will fast-track the pursuit of our KPIs.

NO.	ACTIVITY/PROJECT	OVERVIEW	STRATEGY	MAIN KPI TARGET
DELIVER COST EFFECTIVE AND EFFICIENT SERVICES AND FACILITIES				
1	Continue & Expand Core services	East Waste optimisation will come from providing a full suite of services to Member Councils. Where this doesn't occur, East Waste will work with the respective Councils in a bid to secure these services.	1.1	Vision Target
2	Investigate opportunities outside of existing Member Councils.	East Waste will actively pursue service provision to non-member Councils where value to existing Members can be realised.	1.3	Vision Target
3	Upgrade to Waste Trak II	East Waste utilises a high-quality software system known as Waste Track to manage all elements of collections. An upgraded package is available which will streamline several workflows and improve data reporting, among several other operational benefits. To utilise the system the collection vehicles, require an upgrade of 'in cab' hardware. This will be undertaken in conjunction with the Fleet Replacement Program.	1.4	Vision Target
MAXIMISE SOURCE SEPARATION & RECYCLING				
4	Investigate a broadscale 'Choice & Flexibility model.'	Some small positive steps have been taken across metropolitan Adelaide in recent times to investigate alternate collection options. This program will draw together the latest research and findings to develop an "off-the-shelf" framework which will drive reduced material to landfill, particularly food waste.	2.1	At least 75% of kerbside material separately collected & recycled 100% of food waste separately collected and recycled.

PROVIDE LEADING AND INNOVATIVE BEHAVIOUR CHANGE AND EDUCATION

5	Undertake Audits of businesses and Multi Unit Dwellings to provide baseline data	Business waste serviced by our Member Councils and Multi Unit Dwellings contribute to the total tonnes collected, yet little is known about the make- up of the waste. The audit will identify this and provide baseline diversion targets for the Strategic Plan	2.1	60% by weight of kerbside waste is separately collected and recycled 60% of materials from businesses serviced are separately collected and recycled
6	Undertake the biennial East Waste kerbside bin audit.	Undertake an East Waste-wide audit, to understand up-to-date disposal behaviours and progress towards targets	2.1	At least 75% of kerbside material separately collected & recycled 100% of food waste separately collected and recycled. Reduce average contamination of kerbside commingled recycling to less than 7%.
7	Delivery of the “Why Waste It?” behaviour change program and associated social media.	Utilising the results of the reviews and audits undertaken over the past 12 months, refine and deliver the ongoing successful “Why Waste It?” program.	3.2	Continue to develop long term integrated education and behaviour change programs.

HELP DRIVE A LOCAL CIRCULAR ECONOMY

8	Identify opportunities amongst Member Councils for the uptake of crushed glass.	A feature by our current recycling provider is the possibility of separating glass fines from the Material Recovery Facility waste stream, for reuse rather than the current practice of landfilling. Should this materialise, East Waste will work with the required parties to provide and encourage Member Councils to utilise this material in asset renewal programs.	4.2	Encourage & support Councils to procure and use recycled content products.
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9	Hard waste Reuse trial	<p>East Waste currently diverts over 95% of all material collected through our hard waste service away from landfill by sending the material to ResourceCo (Wingfield) who transform it into Process Engineered Fuel (PEF).</p> <p>A strategic principle of East Waste is to ensure where possible that collected material is retained/processed at is highest value. Referring to the waste hierarchy, Reuse sits higher than Waste to Energy and as such East Waste will investigate solutions and implement trials where possible for increasing the life (reuse) of the many items currently presented for hard waste collection.</p>	4.4	Investigate options to process and extract the highest value from collected resources
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PROVIDE LEADERSHIP

10	Fleet Replacement	In line with the Long Term Financial Plan, undertake the replacement of five (5) collection vehicles.	5.4	Quality & transparent Corporate Activities.
11	IT and Cyber Security Enhancement	<p>The reports of Cyber Security attacks across all levels of government and private enterprise over the past 12 months has heightened the awareness of the local government sector and its response to it. Identified as a possible risk, East Waste has commenced actions and tasks to strengthen its protection against a potential cyber security attack. In response, East Waste is moving to hosting its IT requirements on an external server, which provides for enhanced protection of our systems and data. In support of this, staff will all be undertaking cyber security training and East Waste's recently upgraded records management system also provides greater security and protection of all East Waste data.</p>	5.1	Risk mitigation is integrated into all activities.

“ We will continue to work closely with our member Councils, Government Agencies and like-minded organisations to ultimately drive value back to the communities we serve.

I encourage you to engage in conversation with us if you see opportunity for partnership. ”

Fraser Bell
East Waste Chair 2020

Budget Management

East Waste operates almost entirely on a Common Fleet Costing methodology, whereby Member Councils are charged directly against the time it takes to undertake their services. This is achieved through the utilisation of a specialised, highly accurate and powerful cloud-based, real-time GPS based system, supported by detailed reporting capabilities. As a result of this minor variations in the common fleet percentages (and therefore apportioning of Common Fleet costs) occur from year to year in response to efficiencies and increased collection costs (e.g. increase in developments, Fire Ban days and events). Specific costs (and rebates where applicable) such as waste disposal and resource processing are directly on-charged, to Member Councils.

The budget to deliver this Annual Plan, along with all East Waste's Services and legislative requirements is detailed in the following proposed 2020/21 Financial Papers (refer Attachment 1 – 5).

EAST WASTE**PROJECTED STATEMENT OF COMPREHENSIVE INCOME (BUDGET)**

for the Financial Year Ending 30 June 2022

FY2020		FY2021	FY2022
Audited Actuals		Proposed Budget (BR2)	Proposed Budget
\$'000		\$'000	\$'000
	INCOME		
16,756	User Charges	17,655	18,241
21	Investment income	3	2
-	Grants, subsidies and contributions	-	-
677	Other	788	1,171
17,454	TOTAL INCOME	18,446	19,414
	EXPENSES		
5,851	Employee Costs	6,130	5,730
9,120	Materials, contracts & other expenses	9,865	11,265
2,069	Depreciation, amortisation & impairment	2,009	2,122
281	Finance costs	275	281
17,321	TOTAL EXPENSES	18,279	19,398
133	OPERATING SURPLUS / (DEFICIT)	167	16
60	Asset disposals & fair value adjustments	125	115
193	NET SURPLUS / (DEFICIT)	292	131
-	Other Comprehensive Income	-	-
193	TOTAL COMPREHENSIVE INCOME	292	131

EAST WASTE**PROJECTED BALANCE SHEET (BUDGET)**

for the Financial Year Ending 30 June 2022

FY2020		FY2021	FY2022
Audited Actuals		Proposed Budget (BR2)	Proposed Budget
\$'000		\$'000	\$'000
	ASSETS		
	CURRENT ASSETS		
2,322	Cash & Cash Equivalents	2,232	2,231
1,019	Trade & Other Receivables	1,019	1,019
-	Other Financial Assets	-	-
3,341	TOTAL CURRENT ASSETS	3,251	3,250
	NON-CURRENT ASSETS		
7,652	Infrastructure, Property, Plant & Equipment	8,317	8,576
7,652	TOTAL NON-CURRENT ASSETS	8,317	8,576
10,993	TOTAL ASSETS	11,568	11,825
	LIABILITIES		
	CURRENT LIABILITIES		
1,205	Trade & Other Payables	1,224	1,224
1,929	Borrowings	2,287	2,176
597	Provisions	642	642
3,731	TOTAL CURRENT LIABILITIES	4,153	4,042
	NON-CURRENT LIABILITIES		
6,221	Borrowings	6,037	6,273
77	Provisions	122	123
6,298	TOTAL NON-CURRENT LIABILITIES	6,159	6,396
10,029	TOTAL LIABILITIES	10,312	10,438
964	NET ASSETS	1,256	1,387
	EQUITY		
964	Accumulated Surplus	1,256	1,387
964	TOTAL EQUITY	1,256	1,387

EAST WASTE**PROJECTED STATEMENT OF CASH FLOWS (BUDGET)**

for the Financial Year Ending 30 June 2022

FY2020		FY2021	FY2022
Audited Actuals		Proposed Budget (BR2)	Proposed Budget
\$'000		\$'000	\$'000
CASH FLOWS FROM OPERATING ACTIVITIES			
RECEIPTS			
17,136	Operating Receipts	18,444	19,412
16	Investment Receipts	3	2
PAYMENTS			
(5,795)	Employee costs	(6,040)	(5,730)
(8,677)	Materials, contracts & other expenses	(9,865)	(11,265)
(291)	Interest Payments	(275)	(281)
2,389	NET CASH PROVIDED BY (OR USED IN) OPERATING ACTIVITIES	2,267	2,138
CASH FLOWS FROM INVESTING ACTIVITIES			
RECEIPTS			
81	Sale of Replaced Assets	145	115
PAYMENTS			
(2,297)	Expenditure on Renewal/Replaced Assets	(2,675)	(2,381)
-	Expenditure of New/Upgraded Assets	-	-
(2,216)	NET CASH PROVIDED BY (OR USED IN) INVESTING ACTIVITIES	(2,530)	(2,266)
CASH FLOWS FROM FINANCING ACTIVITIES			
RECEIPTS			
65	Capital Contributed by Member Councils	-	-
2,171	Proceeds from Borrowings	2,284	2,200
PAYMENTS			
(1,834)	Repayment of Borrowings	(1,845)	(1,810)
(220)	Repayment of Lease Liability	(265)	(265)
-	Distribution - Member Councils	-	-
182	NET CASH PROVIDED BY (OR USED IN) FINANCING ACTIVITIES	174	125
355	NET INCREASE (DECREASE) IN CASH HELD	(89)	(2)
1,967	CASH & CASH EQUIVALENTS AT BEGINNING OF PERIOD	2,322	2,233
2,322	CASH & CASH EQUIVALENTS AT END OF PERIOD	2,233	2,231

EAST WASTE**PROJECTED STATEMENT OF CHANGES IN EQUITY (BUDGET)**

for the Financial Year Ending 30 June 2022

FY2020		FY2021	FY2022
Audited Actuals		Proposed Budget (BR2)	Proposed Budget
\$		\$'000	\$'000
706	BALANCE AT END OF PREVIOUS REPORTING PERIOD	964	1,256
193	Net Surplus / (Deficit) for Year	292	131
65	Contributed Equity	-	-
-	Distribution to Councils	-	-
964	BALANCE AT END OF REPORTING PERIOD	1,256	1,387

EAST WASTE**PROJECTED UNIFORM PRESENTATION OF FINANCES STATEMENT (BUDGET)**

for the Financial Year Ending 30 June 2022

FY2020		FY2021	FY2022
Audited Actuals		Proposed Budget (BR2)	Proposed Budget
\$'000		\$'000	\$'000
17,454	Income	18,446	19,414
(17,321)	Expenses	(18,279)	(19,398)
133	Operating Surplus / (Deficit)	167	16
Net Outlays on Existing Assets			
(2,297)	Capital Expenditure on Renewal and Replacement of Existing Assets	(2,675)	(2,381)
2,069	Depreciation, Amortisation and Impairment	2,009	2,122
81	Proceeds from Sale of Replaced Assets	145	115
(147)		(521)	(144)
Net Outlays on New and Upgraded Assets			
-	Capital Expenditure on New and Upgraded Assets	-	-
-	Amounts Specifically for New and Upgraded Assets	-	-
-	Proceeds from Sale of Surplus Assets	-	-
-		-	-
(14)	Net Lending / (Borrowing) for Financial Year	(354)	(127)

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 May 2021
AGENDA BUSINESS ITEM**

Item:	12.7
Responsible Officer:	Lachlan Miller Executive Manager Governance & Performance Office of the Chief Executive
Subject:	Southern & Hills Local Government Association - Governance Arrangements
For:	Decision

SUMMARY

The Southern & Hills Local Government Association (SHLGA) is a Regional Subsidiary created under s43 of the *Local Government Act 1999* (the Act) to which the Adelaide Hills Council is a constituent council.

The SHLGA Board has been progressively reviewing a number of its governance arrangements and these are to a stage whereby the constituent councils will be consulted in accordance with the provisions of the SHLGA Charter and the Act.

The three matters considered in this report are as follows:

- The SHLGA has held an exemption from the requirement to have an audit committee since 2016. At its April 2021 meeting the SHLGA Board resolved to seek a further exemption and Constituent Councils must now resolve whether to support the exemption request to the Minister for Local Government.
- The SHLGA Board has been working on revisions to its current Charter (**Appendix 1**) and resolved in February 2021 for a draft version (**Appendix 2**) to be considered by its Constituent Councils for unanimous resolution. However, some councils identified areas of concern and the SHLGA Executive Officer seeking AHC's position on a number of proposed clauses within the draft Charter to enable the SHLGA to consider the feedback from each council with a view to revising the draft Charter.
- The SHLGA Board has developed a draft 2021-22 Key Action Plan (**Appendix 3**) derived from the rolling 4 year Business Plan and draft Budget (**Appendix 4**) and Member Contributions (**Appendix 5**). The SHLGA Charter requires the Board to review its Business Plan in conjunction with the Constituent Councils prior to adopting the draft budget.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
2. To approve the Southern & Hills Local Government Association Board seeking an exemption from the Minister for Local Government from the requirement to have an audit committee under Regulation 18 of the *Local Government (Financial Management) Regulations 2011*.
3. To endorse the draft Southern & Hills Local Government Association Charter as contained in Appendix 2 with the following options and clarifications:
 - a. AHC supports the proposed clause 5.1.1 regarding Board Membership in the draft Charter
 - b. AHC supports the proposed clause 5.1.4 regarding Board Observers in the draft Charter
 - c. AHC supports either amending proposed clause 5.1.5 in the draft Charter to be for expenses only or to remove proposed clause 5.1.5 in its entirety
 - d. AHC supports the proposed clauses regarding officer bearers being Elected Members in the draft Charter
 - e. AHC supports amending clause 10.1 in the draft Charter to require the unanimous resolution of Constituent Councils
4. That the Southern & Hills Local Government Association's draft 2021-22 Key Action Plan and proposed budget 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 O4 We actively represent our 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

Section 43 of the *Local Government Act 1999* (the Act) sets out the processes for the establishment of regional subsidiaries. Regional subsidiaries can be established to provide a specific service or services to carry out a specified activity or to perform a function of the councils.

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

The current S&HLGA Charter (**Appendix 1**) was gazetted on 11 August 2011. The Charter prescribes (clause 21) that any amendments must be by unanimous resolution of the Constituent Councils.

Council's appointees to the S&HLGA Board are Mayor Wisdom and CEO Andrew Aitken with Executive Manager Governance & Performance, Lachlan Miller, as the Deputy Board Member. As such, for the purposes of s120(3) of the *Local Government Act 1999*, Lachlan Miller, as the author of this report, is required to advise Council of the interest.

Clause 8, Schedule 2 requires that a regional subsidiary must prepare and adopt a business plan. The plan must set out the performance targets, a statement of the financial and other resources, and the performance measures to be used to monitor and assess performance against the performance targets.

Clause 30(2), Schedule 2, of the Act requires regional subsidiaries to establish and maintain an audit committee unless exempted by regulation. Regulation 18 of the *Local Government (Financial Management) Regulations 2011* provides for the process by which this exemption can be sought.

The following framework is used to inform Ministerial decisions regarding applications from regional subsidiaries seeking an exemption. It is expected that a regional subsidiary should satisfy most of the criteria:

1. the regional subsidiary has in place relevant internal control policies and procedures and these are periodically reviewed and updated;
2. the regional subsidiary's external auditor has provided an audit opinion to the regional subsidiary that its internal controls are sufficient to provide a reasonable assurance that its financial transactions are being conducted properly and lawfully;
3. all reports by the regional subsidiary's auditor are circulated to each constituent council;
4. no evidence has come to light which strongly suggests that the regional subsidiary is not complying with its obligations under the Local Government Act 1999 and associated Regulations in all material respects;
5. the value of assets owned by the regional subsidiary does not appear unduly high for one not subject to audit committee requirements;
6. the level of annual operating expenses of the regional subsidiary does not appear unduly high for one not subject to audit committee requirements; and
7. the predominant source of income of the regional subsidiary does not involve rates or charges levied directly on Council ratepayers.

➤ **Risk Management Implications**

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

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

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Low (3E)	Low (3E)

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

➤ **Financial and Resource Implications**

The proposed 2021-22 SHLGA Member Contributions are greater than included in the draft 2021-22 AHC ABP and Budget however this can be adjusted prior to ABP adoption in June 2021.

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

There are no direct end-user customer service implications regarding this report.

➤ **Sustainability Implications**

Not directly 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 Audit Committee will receive an information report at its 24 May 2021 meeting regarding the SHLGA audit committee exemption submission.
<i>Council Workshops:</i>	A presentation on the proposed changes to the SHLGA Charter was made at the 16 February 2021 Council Workshop by the SHLGA Executive Officer.
<i>Advisory Groups:</i>	Not Applicable
<i>Administration:</i>	Chief Executive Officer Governance & Risk Coordinator
<i>External Agencies:</i>	SHLGA
<i>Community:</i>	Not Applicable

2. BACKGROUND

Establishment and Purpose

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

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

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

Charter Review

It is a requirement under Schedule 2, Part 2, 19 (4) of the Local Government Act 1999, that the Constituent Councils of a regional subsidiary are obligated to review the Charter at least once every four years.

The SHLGA undertook a review of the Charter in 2017 which resulted in no amendments to the gazetted Charter in August 2011.

In 2020, the SHLGA Advisory Group, were formed by the SHLGA Board to review the Charter and make a recommendation to the Board for their consideration. The Board considered the proposed Charter (**Appendix 2**) at its 11 December 2020 meeting and resolved to refer the proposed Charter to the Constituent Councils for discussion and approval. The SHLGA Executive Officer visits all Constituent Councils over the subsequent two months to present to the elected bodies.

Over the course of February – April 2021, each of the Constituent Councils considered the proposed Charter. The District Council of Yankalilla, City of Victor Harbor and Alexandrina Council all approved the proposed Charter as presented.

Kangaroo Island Council endorsed the proposed Charter with amendments to:

1. the provision for the payment of board allowances and expenses (clause 5.1) to be removed; and
2. the provision for a 2/3 majority of Constituent Councils to change the Charter (clause 10.1) be amended to require the unanimous agreement of the Constituent Councils.

Mt Barker District Council endorsed the proposed Charter with amendments to:

1. the provision for the membership of each council one to be an Elected Member and the other to be an Elected Member or Officer (clause 5.1.1) to enable the second member to be an Elected Member or Officer or another (non-council) person;
2. the provision for non-voting observers to be appointed to the Board (clause 5.1.4) to be removed;
3. the provision for the payment of board allowances and expenses (clause 5.1) to be amended to remove the word allowances;
4. the various provisions (6.1.1, 6.1.2, 6.3.1, 6.3.2, 6.5, 6.5.1, 6.5.2 and 6.5.3) be deleted which restrict Council Officers on the Board being appointed to the President and Deputy President roles; and
5. the provision for a 2/3 majority of Constituent Councils to change the Charter (clause 10.1) be amended to require the unanimous agreement of the Constituent Councils.

At its 15 April 2021 meeting, the SHLGA Board received a report on the status of the Charter Review noting the various positions of the Constituent Councils and that AHC had not yet considered the matter in the Chamber. The Board resolved for the Executive Officer to contact each of the Councils to explore a mutually acceptable way forward.

Audit Committee Exemption

As identified in the Legal Implications section above, there are a number of criteria that are considered by the Minister when determining whether to grant an exemption from the requirement to have an audit committee.

S&HLGA satisfied all the exemption criteria when it last applied in 2016 and was granted the exemption by the Minister

The current status against the criteria is as follows:

Exemption Criteria	Comment
1. The regional subsidiary has in place relevant internal controls and procedures and these are periodically reviews and updated	<ol style="list-style-type: none"> a) S&HLGA has a board endorsed Banking and Administration Policy in place b) Full suite of Financial reports presented to the S&HLGA Board at each bi-monthly Board meeting as well as a formal mid-year Budget review. An External Audit is conducted annually
2. The regional subsidiary's external auditor has provided an audit opinion to the regional subsidiary that its internal controls are sufficient to provide a reasonable assurance that its financial transactions are being conducted properly and lawfully	<ol style="list-style-type: none"> a) External Audit and compliance check undertaken annually. b) Auditors opinion from most recent Audit 2019-2020 : In our opinion: Opinion We have audited the financial report of Southern & Hills Local Government Association ("the Entity") which comprises the Balance Sheet as at 30 June 2020, the

Exemption Criteria	Comment
	<p>statement of comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.</p> <p>In our opinion, the accompanying financial report presents fairly, in all material aspects, the financial position of the Entity as at 30 June 2020, and its financial performance and its cash flow for the year then ended in accordance with Australian Accounting Standards.</p> <p>HLB Mann Judd Audit (SA) Pty Ltd Chartered Accountants Signed Jon Colquhoun Director 31 August 2020</p>
3. all reports by the regional subsidiary's auditor are (or will be in the future) circulated to each constituent council	The S&HLGA External Audit is published in each S&HLGA Annual report, web site and circulated to each constituent member Council
4. no evidence has come to light which strongly suggests that the regional subsidiary is not complying with its obligations under the Local Government Act 1999 and associated Regulations in all material respects	<p>a) No evidence of any non-compliance by S&HLGA under the Local Government Act and associated regulations.</p> <p>b) S&HLGA is not subject to any current investigations or litigation</p>
5. the value of assets owned by the regional subsidiary does not appear unduly high for one not subject to audit committee requirements	<p>a) Has no fixed assets with the only assets being cash deposits</p> <p>b) Employs only one staff member being the Executive Officer Employment contract has an annual performance review clause.</p>
6. the level of annual operating expenses of the regional subsidiary does not appear unduly high for one not subject to audit committee requirements	<p>a) Normalised Annual operating revenue of less than \$200,000</p> <p>b) Normalised Annual operating expenses of less than \$200,000</p>
7. the predominant source of income of the regional subsidiary does not involve rates or charges levied directly on Council ratepayers	<p>a) Does not raise funds directly from ratepayers</p> <p>b) Does not provide any direct services to ratepayers</p>

At its 15 April 2021 meeting, the SHLGA Board resolved to seek its Constituent Council's support for the exemption request.

Key Action Plan and Budget

Clause 13 of the S&HLGA's Charter states that the Association shall have a rolling Business Plan and that prior to setting the draft budget the S&HLGA must review the Business Plan in conjunction with the Constituent Councils.

The plan can be a multi-year plan but the regional subsidiary must review its business plan on an annual basis in consultation with its Constituent Councils.

Clause 14 of the S&HLGA's Charter states that the Association must prepare a budget for the forthcoming financial year and the budget must be consistent with the business plan but the budget must not be adopted prior to 31 May for the ensuing financial year. Further, this annual budget must be submitted to the CEO of each Constituent Council within 5 business days after adoption.

At its 15 April 2021 meeting, the SHLGA Board resolved to consult with its Constituent Councils in relation to the draft 2021-22 Key Action Plan (**Appendix 3**). While not specifically required under the Charter, the SHLGA Board also provides the draft Budget (including member contributions) to the Constituent Councils in conjunction with the Key Action Plan. The Administration has reviewed the draft Key Action Plan and considers that it is a reasonable and appropriate schedule of actions in pursuit of the Association's purpose. The majority of actions will be undertaken by the Executive Officer and, as such, wages is the key element of expenditure in the draft Budget.

The draft 2021-22 Budget (**Appendix 4**) proposes a modest surplus of \$3,493 achieved through a significant increase in income largely from increased Member Contributions and a project levy while expenditure has been reduced through a number of projects being completed in 2020-21.

Member Contributions (**Appendix 5**) for 2021-22 are proposed to increase by \$6,333 per member (or 46%) on the 2020-21 contributions.

3. ANALYSIS

Charter Review

During the AHC Workshop on the proposed SHLGA Charter the issue of the appropriateness of the proposed Board allowances was discussed however no strong views either way were expressed.

It was intended to bring the proposed Charter to AHC's 24 April 2021 meeting however once the differing positions of the other Constituent Councils became known (via the SHLGA Board report) and therefore the inability for the proposed Charter to be adopted in its current form, the item was deferred in the meeting schedule.

The SHLGA Executive Officer has requested that the AHC consider the proposed Charter and the various positions on the disputed clauses with a view to establishing a position(s) on these matters to further the Association-wide resolution of the Charter wording.

In relation to each of the clauses of contention, the Administration recommends the following:

- **Membership** – *AHC supports the proposed clause 5.1.1 in the draft Charter* – while the flexibility for a Constituent Council to appoint an independent member as its representative is beneficial for some regional subsidiaries, the nature of the work of SHLGA is not appropriate for an external party to represent a council.
- **Observers to the Board** – *AHC supports the proposed clause 5.1.4 in the draft Charter* – as long as the observers do not hold voting rights nor interfere with or obstruct the business of the Board meeting.
- **Board allowances and expenses** – *AHC supports either amending proposed clause 5.1.5 to be for expenses only or to remove proposed clause 5.1.5 in its entirety.* – as the draft Charter does not contemplate an independent chair there appears to be no rationale for the payment of board allowances although payment of expenses is reasonable.
- **Office bearers** – *AHC supports the proposed clauses regarding officer bearers in the draft Charter* – this is in recognition of the governance arrangements for SAROC (i.e. elected members only) and that it is preferable that those holding the President and Deputy President roles are best positioned to represent SHLGA at SAROC.
- **Changes to the Charter** – *AHC supports amending clause 10.1 to require the unanimous resolution of Constituent Councils* – unanimous support of the Constituent Council is a reasonable requirement for changes to the Charter.

Audit Committee Exemption

The Council is a member of three other regional subsidiaries (East Waste, AHRWMA and GRFMA) and all of these have an audit committee. The governance and financial arrangements of each of these regional subsidiaries are different from the SHLGA with the commonality being large fixed asset holdings and, for the former two, large operating budgets also.

The Administration considers the exemption request to be practical and reasonable given the nature of SHLGA.

The Council's Audit Committee will receive an information report on the exemption request at its 24 May 2021 meeting and the Chair may have commentary from the Committee's deliberations to provide to Council.

Key Action Plan and Budget

The Administration has reviewed the draft Key Action Plan and considers that it is a reasonable and appropriate schedule of actions in pursuit of the Association's purpose. The majority of actions will be undertaken by the Executive Officer.

In the consultation and adoption of the SHLGA 2020-21 Budget, it was clearly stated that the Association would be operating a significant deficit (-\$128,885) which would consume the bulk of the SHLGA's reserves and that this would not be sustainable in the longer term. For the draft 2021-22 Budget (**Appendix 4**), a modest surplus of \$3,493 is proposed achieved through a significant increase in income largely from increased Member Contributions and a project levy while expenditure has been reduced through a number of projects-related expenditure being completed in 2020-21.

The Board, assisted by the Advisory Group, has reviewed opportunities for further reductions in expenditure however with Wages and Salaries constituting 60% of expenditure, the only further material change would be a reduction in the Executive Officer's contracted hours which will directly impact on the achievement of the Key Action Plan actions.

The reduction in other forms of base funding (i.e. non-project) available to regional LGA organisations over time has resulted in a greater reliance on member contributions. The 46% increase (which equates to a \$6,333 increase) in contributions proposed for 2021-22 is significant however is generally consistent with the contributions for other regional LGA bodies.

4. OPTIONS

Council has the following options:

- I. To resolve as recommended in relation to the SHLGA audit committee exemption request, the draft Charter and the draft 2021-22 Key Action Plan (Recommended)
- II. To determine alternate resolutions in relation to the SHLGA audit committee exemption request, the draft Charter and the actions in the draft 2021-22 Key Action Plan (Not Recommended)

5. APPENDICES

- (1) SHLGA Charter – August 2011 (current)
- (2) SHLGA proposed Charter – February 2021
- (3) Draft 2021-22 SHLGA Key Action Plan
- (4) Draft 2021-22 SHLGA Budget
- (5) Draft 2021-22 SHLGA Member Contributions

Appendix 1

SHLGA Charter – August 2011 (current)

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

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

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

1. INTERPRETATION

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

‘Act’ means the Local Government Act 1999.

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

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

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

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

2. ESTABLISHMENT

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

This Charter governs the affairs of the S&HLGA.

3. CONSTITUENT COUNCILS

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

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

4. PURPOSE OF THE ASSOCIATION

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

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

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

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

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

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

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

5. POWERS

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

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

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

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

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

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

6. SOURCES OF REVENUE

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

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

7. THE BOARD—ROLE AND MEMBERSHIP

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

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

8. TERM OF OFFICE—THE BOARD

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

9. PROCEEDINGS OF THE BOARD

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

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

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

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

10. OFFICES OF THE BOARD

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

11. PROPRIETY OF MEMBERS OF THE BOARD

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

12. ADMINISTRATIVE MATTERS

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

13. BUSINESS PLAN

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

14. BUDGET

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

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

15. ACCOUNTING

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

16. FINANCIAL MANAGEMENT

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

17. AUDIT

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

18. REPORTS AND INFORMATION

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

19. THE SEAL

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

20. DISPUTES

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

21. ALTERATION TO THE CHARTER

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

22. ADDITION OF NEW MEMBER

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

23. WITHDRAWAL OF A CONSTITUENT COUNCIL

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

24. CIRCUMSTANCES NOT PROVIDED FOR

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

25. WINDING UP

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

26. INSOLVENCY

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

F. PEDLER, Executive Officer

Appendix 2

SHLGA proposed Charter – February 2021

**CHARTER
OF THE
SOUTHERN & HILLS
LOCAL GOVERNMENT ASSOCIATION (REGIONAL
SUBSIDIARY)**

Under the provisions of the Local Government Act 1999.

SOUTHERN & HILLS LOCAL GOVERNMENT ASSOCIATION

LOCAL GOVERNMENT ACT 1999

CHARTER

1. INTRODUCTION

1.1 Name

The name of the subsidiary is the Southern & Hills Local Government Association (referred to as 'the Subsidiary' in this Charter).

1.2 Definitions

'absolute majority' means a majority of the whole number of the Board Members;

'Act' means the *Local Government Act 1999* and includes all regulations made thereunder;

'Affiliate' has the meaning given by clauses 11.10 to 11.13 (inclusive);

'Board Member' means at any time a member of the Board and, where the context so admits, includes a Deputy Board Member;

'Board' means the board of management of the Subsidiary;

'Budget' means a budget that conforms to Clause 25 of Schedule 2 to the Act and last adopted by the Board;

'Business Plan' means a business plan that conforms to Clause 24 of Schedule 2 to the Act and last adopted by the Board;

'Constituent Council' means the Councils listed in clause 1.4, minus any such Council which ceases to be a Constituent Council and plus any Council which becomes a Constituent Council in accordance with clause 11;

'Council' means a council as constituted under the Act;

'Deputy Board Member' means at any time a person appointed and holding office as a Deputy to a Board Member;

'Deputy President' means the person elected as Deputy President of the Board;

'Elected Member' means a Mayor, Chairperson or Councillor of a Council;

'Financial year' means a year beginning on 1 July in each year and ending on 30 June of the following year;

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

‘Minister’ means the Minister for the time being responsible for the administration of the Act;

‘President’ means the person elected as President of the Board and includes a person authorised by this Charter to act in place of the President;

‘Principal Officer’ means at any time the person appointed and holding office as Principal Officer of the Subsidiary under clause 8.1.1 (which office may be given a different title by resolution of the Board) and includes a person acting in that position;

‘Subsidiary’ means the Southern & Hills Local Government Association constituted under this Charter;

1.3 Interpretation

In this Charter, unless the context otherwise requires:

- 1.3.1 the term ‘person’ shall include a body corporate;
- 1.3.2 the singular includes the plural and vice versa;
- 1.3.3 a reference to the masculine includes the feminine and vice versa;
- 1.3.4 the headings to the Charter are for convenience only and do not form part of the Charter;
- 1.3.5 references to clauses are to clauses of the Charter.

1.4 Constituent Councils

At the time of the adoption of this Charter (as most recently amended), the Constituent Councils of the Subsidiary are:

- 1.4.1 District Council of Mount Barker;
- 1.4.2 City of Victor Harbor;
- 1.4.3 District Council of Yankalilla;
- 1.4.4 Adelaide Hills Council;
- 1.4.5 Alexandrina Council;
- 1.4.6 Kangaroo Island Council; and

1.5 Establishment

- 1.5.1 The Subsidiary is established by the Constituent Councils as a regional subsidiary pursuant to Section 43 and Schedule 2 of the Act.
- 1.5.2 this Charter governs the affairs of the Subsidiary.

1.6 Approvals and directions by two thirds of Constituent Councils

- 1.6.1 In any case where the Act or this Charter refers to the 'Constituent Councils' granting any approval or consent, or making any request, or taking any other step, it will be sufficient if two thirds of the Constituent Councils (rounding up to the nearest whole number) take such step by resolution expressed in the same or similar terms. The Constituent Councils agree that the taking of any such step by two thirds of Constituent Councils will constitute the taking of that step on behalf of all Constituent Councils. The step is deemed to be taken at the time that there are resolutions in effect from two thirds of Constituent Councils for the taking of such step.
- 1.6.2 Clause 1.6.1 is subject to any contrary requirement expressed in this Charter, the Act, or any other law.
- 1.6.3 The Constituent Councils may issue directions to the Subsidiary by resolution of two thirds of the Constituent Councils (rounding up to the nearest whole number) expressed in the same or similar terms. The Constituent Councils agree that the issuing of a direction by two thirds of Constituent Councils will constitute the issuing of a direction on behalf of all Constituent Councils.
- 1.6.4 Whenever a Constituent Council resolves to take any step under this Charter or the Act, or to issue any direction to the Subsidiary, the chief executive officer of that Constituent Council must ensure that a copy of that resolution is provided to the Principal Officer as soon as practicable.

1.7 Local Government Act 1999

- 1.7.1 This Charter must be read in conjunction with the Act.
- 1.7.2 The Subsidiary must conduct its affairs in accordance with the Act and this Charter.
- 1.7.3 In the event of any inconsistency between the Act and this Charter, the Act prevails to the extent of the inconsistency.

1.8 Objects and Purposes

The objects and purposes of the Subsidiary are:

- 1.8.1 to work collaboratively with the LGA for the benefit of Constituent Councils and Affiliates;
- 1.8.2 to encourage, promote, protect and foster an efficient and effective autonomous, democratic system of local government elected by and responsible to local communities;
- 1.8.3 to identify available resources within the region of Constituent Councils and Affiliates and to co-ordinate or assist in co-ordinating the management of these resources for the betterment of the region's community;

- 1.8.4 to encourage, assist, seek out, determine, assess and respond to the needs and aspirations of the region's constituents;
- 1.8.5 to develop, encourage, promote, foster and maintain consultation and co-operation between local government authorities, State and Commonwealth Governments and their instrumentalities;
- 1.8.6 to develop, encourage, promote, foster and maintain the financial and economic well-being and advancement of the region and if desirable for such purpose to undertake, establish, acquire, conduct or dispose of any business, enterprise, undertaking or venture which in the opinion of the Subsidiary is necessary, desirable or convenient;
- 1.8.7 to effectively liaise and work with the State and Commonwealth Governments and their instrumentalities on a regional basis for the general enhancement of the region;
- 1.8.8 to act as a forum for discussion and consideration of matters relating to the powers, functions and duties of the Constituent Councils and Affiliates under the Act and other statutory provisions in relation to the region.

2. POWER AND FUNCTIONS

- 2.1 The Subsidiary will have all the powers of a natural person, including the following powers (in addition to and without prejudice to any other powers herein expressed or implied or by virtue of any other legislation applicable):
 - 2.1.1 to subscribe to, become a member of and/or co-operate with any other association or organisation whose objects are altogether or in part similar or complementary to those of the Subsidiary and on such terms as the Subsidiary deems appropriate;
 - 2.1.2 to enter into any arrangements with any government or authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Subsidiary;
 - 2.1.3 to appoint, employ, remunerate, manage, dismiss, remove or suspend employees, contractors and advisors;
 - 2.1.4 to raise revenue through subscriptions collected from Constituent Councils and Affiliates;
 - 2.1.5 to open, close and maintain bank accounts;
 - 2.1.6 to apply for grants from government authorities and to seek sponsorship from business enterprises;
 - 2.1.7 to print or publish any newspapers, periodicals, books, leaflets, treatises, websites or other writing that the Subsidiary may think desirable for the promotion of its objects;

- 2.1.8 to acquire, deal with and dispose of assets including real and personal property (wherever situated) and rights in relation to real and personal property;
- 2.1.9 to enter into any kind of contract or arrangement;
- 2.1.10 to invest any of the funds of the Subsidiary in any investment, provided that the Subsidiary must avoid investments that are speculative or hazardous in nature;
- 2.1.11 to establish committees for the following purposes:
 - 2.1.11.1 inquiring into and reporting on any matter within the terms of reference determined by the Board;
 - 2.1.11.2 exercising, performing and discharging delegated powers, functions or duties;
 - 2.1.11.3 investigating opportunities for resource sharing within the region and implementing strategies to take advantage of any such opportunities;
- 2.1.12 to determine the terms of reference and membership of any committee which the Subsidiary may establish (and members of any committee shall hold office at the pleasure of the Subsidiary);
- 2.1.13 to delegate or (where permitted) subdelegate any function or duty in accordance with the Act;
- 2.1.14 to commence and maintain legal proceedings of any nature;
- 2.1.15 to do anything else necessary or convenient for, or incidental to, the exercise, performance or discharge of its powers, functions or duties;
- 2.1.16 to exercise or perform any functions, powers or duties delegated to the Subsidiary by a Constituent Council;
- 2.1.17 to carry out any lawful direction of the Constituent Councils.

3. SOURCE OF REVENUE

- 3.1 The sources of revenue of the subsidiary include:
 - 3.1.1 subscriptions to be applied equitably to Constituent Councils under such terms and conditions determined by the Board (and the Constituent Councils agree to pay such subscriptions);
 - 3.1.2 service charges for services to Constituent Councils under such terms and conditions determined by the Board;
 - 3.1.3 grants from government authorities and the LGA;
 - 3.1.4 sponsorship from business enterprises;

- 3.1.5 interest from the investment of funds;
- 3.1.6 loan funds or overdrafts on such conditions as the Subsidiary sees fit for the purposes of the Subsidiary, provided that:
 - 3.1.6.1 a proposal for borrowing by the Subsidiary must be provided to each Constituent Council;
 - 3.1.6.2 the proposal to borrow must be approved by the Constituent Councils in writing before it can be considered by the Board;
 - 3.1.6.3 a decision to borrow must be approved by an absolute majority of the Board.
- 3.2 Each Constituent Council shall be liable to contribute funds to the Subsidiary each financial year in accordance with the amount specified in the Budget adopted by the Subsidiary for that year (including a revised Budget). Any unpaid amounts may be recovered by the Subsidiary from a Constituent Council as a debt.

4. THE BOARD ROLE AND FUNCTION

- 4.1 The Board is responsible for the administration of the affairs of the Subsidiary.
- 4.2 The functions of the Board include the following:
 - 4.2.1 the formulation of strategic plans and strategies aimed at improving the activities of the Subsidiary;
 - 4.2.2 providing input and policy direction to the Subsidiary;
 - 4.2.3 appointing and managing (including suspending and removing) the Principal Officer;
 - 4.2.4 ensuring that ethical behaviour and integrity is followed in all activities undertaken by the Subsidiary;
 - 4.2.5 subject to this Charter, ensuring that the activities of the Subsidiary are undertaken in an open and transparent manner;
 - 4.2.6 assisting in the development of Business Plans;
 - 4.2.7 exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons;
 - 4.2.8 ensuring, insofar as it is practicable, that the Subsidiary observes the objectives set out in this Charter, that information provided to the Constituent Councils is accurate and that Constituent Councils are kept informed of the solvency of the Subsidiary as well as any material developments which may

affect the operating capacity and financial affairs of the
Subsidiary.

5. MEMBERSHIP

5.1 Membership of the Board

- 5.1.1 Each of the Constituent Councils will appoint two persons to the Board, one of whom must be an Elected Member of the Constituent Council and the other of whom may be an Elected Member or an employee of the Constituent Council.
- 5.1.2 Each of the Constituent Councils may appoint one Deputy Board Member for each of that Constituent Council's Board Members. A Deputy Board Member may attend Board Meetings in the place of the Board Member for whom they are deputy, whenever that Board Member is absent.
- 5.1.3 If a Board Member and their Deputy Board Member are unable to attend a Board meeting, the relevant Constituent Council may appoint through its Mayor and CEO a representative with voting powers to attend that Board meeting (and such person will be considered to be a Board Member for the purposes of that meeting).
- 5.1.4 The Board may appoint observers to the Board. Such observers will not be entitled to vote at meetings.
- 5.1.5 Subject to any requirement or limitations imposed under the Act or any other law, the Board may pay allowances and expenses to Board Members on terms and conditions determined by the Board.
- 5.1.6 A formal notification signed by the chief executive officer of the appointing Constituent Council will be sufficient evidence of appointment to the Board.

5.2 Term of Office – The Board

- 5.2.1 A Board member shall be appointed for a term expiring at the conclusion of the next periodic Local Government Election (for the Constituent Council which appointed them) following their appointment.
- 5.2.2 the Board may by a two-thirds majority vote of the members present (excluding the member subject to this Clause) make a recommendation to the relevant Constituent Council requesting that the Constituent Council terminate the appointment of a Board Member in the event of:
 - 5.2.2.1 any behaviour of the Board Member which in the opinion of the Board amounts to impropriety;

- 5.2.2.2 serious neglect of duty in attending to the responsibilities of a Board Member;
 - 5.2.2.3 breach of fiduciary duty to the Subsidiary or the Constituent Council(s);
 - 5.2.2.4 breach of the duty of confidentiality to the Subsidiary or the Constituent Council(s);
 - 5.2.2.5 breach of the conflict of interest provisions of the Act; or
 - 5.2.2.6 any other behaviour that may, in the opinion of the Board, discredit the Subsidiary or the Constituent Councils.
- 5.2.3 if the Constituent Council affected does not accept the recommendation of the Board in relation to the termination of the appointment of the member concerned then the matter is able to be dealt with in accordance with Clause 9;
- 5.2.4 The appointment of a Board Member shall terminate prior to the expiry of the term described in clause 5.2.1 in any of the following circumstances:
- 5.2.4.1 upon the death of the Board Member;
 - 5.2.4.2 upon the Board Member ceasing to be an Elected Member or employee (as the case may be) of the Council which appointed the Board Member;
 - 5.2.4.3 upon the Board Member's appointment being revoked by the Council which appointed the Board Member;
 - 5.2.4.4 upon the Board Member resigning his/her position as Board Member by notice in writing to the Principal Officer;
 - 5.2.4.5 upon the occurrence of any of the other circumstances described in clause 20(3) of Schedule 2 to the Act.
- 5.2.5 Where a vacancy occurs in the office of Board Member, the Constituent Council which appointed the person occupying that office may appoint a replacement Board Member by whatever method the Constituent Council sees fit, for the balance of the term of office.
- 5.2.6 Nothing in this Charter prevents a person from being appointed to any number of consecutive or non-consecutive terms as Board Member.

5.3 Propriety of members of the Board

- 5.3.1 The principles regarding conflict of interest prescribed in the Act extend to the Subsidiary and Board Members as if the Subsidiary were a Council and as if Board Members were Elected Members.
- 5.3.2 The Board Members will not be required to comply with Division 2 of Part 4 of Chapter 5 (Register of Interests) of the Act.
- 5.3.3 Board Members will at all times act in accordance with their statutory duties including duties honesty and the exercise of reasonable care and diligence with respect to the Board as required by Clauses 23 and 34 of Schedule 2 of the Act.

6. OFFICES OF THE BOARD

- 6.1 The Board shall, at the first meeting of the Subsidiary following the conclusion of local government periodic elections for all Constituent Councils:
 - 6.1.1 appoint a Board Member (who must be an Elected Member of a Constituent Council) as President, who shall be the chairperson of the Board;
 - 6.1.2 appoint a different Board Member (who must be an Elected Member of a Constituent Council) as Deputy President, who shall be the deputy chairperson of the Board.
- 6.2 A Board Member appointed as President or Deputy President will hold such office for a term of two years.
- 6.3 At the next meeting of the Board after the expiry of two years from the conclusion of local government periodic elections for all Constituent Councils, the Board shall again:
 - 6.3.1 appoint a Board Member (who must be an Elected Member of a Constituent Council) as President, who shall be the chairperson of the Board;
 - 6.3.2 appoint a different Board Member (who must be an Elected Member of a Constituent Council) as Deputy President, who shall be the deputy chairperson of the Board.
- 6.4 Where there is more than one nomination for the position of President or Deputy President under this clause, there will be an election decided by ballot in a manner determined by the Board.
- 6.5 Nothing in this Charter prevents a Board Member (who is also an Elected Member of a Constituent Council) from being appointed to any number of consecutive or non-consecutive terms as President or Deputy President. In the event that:

- 6.5.1 the President resigns in writing (addressed to the Principal Officer) from that office or ceases to be a Board Member for any reason whatsoever, the Deputy President will be appointed to the role of President for the balance of the term of office and the Board Members will appoint a different Board Member (who must be an Elected Member of a Constituent Council) to hold the office of Deputy President for the balance of the term of office ;
- 6.5.2 the Deputy President resigns in writing (addressed to the Principal Officer) from that office or ceases to be a Board Member for any reason whatsoever, the Board Members will appoint a different Board Member (who must be an Elected Member of a Constituent Council) to hold the office of Deputy President for the balance of the term of office;
- 6.5.3 both the President and Deputy President resign in writing (addressed to the Principal Officer) from office and/or cease to be a Board Member for any reason whatsoever, the Board Members will appoint different Board Members (who must be Elected Members of any Constituent Council) to hold the offices of President and Deputy President for the balance of the term of office.

7. PROCEEDINGS OF THE BOARD

7.1 General power to determine procedures

The Board may determine its own meeting procedures which must be fair and contribute to free and open decision making, provided such procedures are consistent with the Act and the provisions of this Charter.

7.2 Chairing of meetings

- 7.2.1 The President, when present at a meeting of the Board, will chair the meeting.
- 7.2.2 If the President is absent from a meeting of the Board, the Deputy President will chair the meeting for so long as the President remains absent.
- 7.2.3 If both the President and Deputy President are absent from a meeting, the Board Members present will appoint one of their number (by any means determined by the Board) to chair the meeting for so long as the President and Deputy President remain absent. The Principal Officer will preside for the purposes of determining this question.

7.3 Quorum

- 7.3.1 A quorum of the Board is half of the total number of Board Members (ignoring any fraction) plus 1.

- 7.3.2 No meeting of the Board will commence until a quorum of members is present and no formal transaction of business may continue unless there is a quorum of members present.
- 7.3.3 If at any time during a meeting of the Board there is no quorum the Board Members may decide to continue informal discussions and any outstanding business shall be deferred until a quorum is again obtained, or to a future meeting. The meeting will be adjourned to a place and time to be determined by the person chairing the meeting.

7.4 Telecommunications

- 7.4.1 For the purpose of this Clause the contemporary linking together by telephone, audio-visual or other instantaneous means ("telecommunications meeting") of a number of the Board Members is deemed to constitute a meeting of the Board, provided that there is collectively a quorum and provided that notice of the meeting is given to all Board Members in accordance with this Charter.
- 7.4.2 Each of the Board Members taking part in the telecommunications meeting must at all times during the meeting be able to hear and be heard by each of the Board Members present. At the commencement of a telecommunications meeting, each Board Member must announce his/her presence to all of the Board Members taking part in the meeting.
- 7.4.3 A Board Member must not leave a telecommunications meeting by disconnecting his/her audio-visual or other communication equipment, unless that Board Member has previously notified the chairperson of the meeting.

7.5 Voting

Subject only to any specific requirement of this Charter, all matters for decision at a meeting of the Board will be decided by a simple majority of the members present and entitled to vote on the matter. Board Members are entitled only to a deliberative vote. Board Members may not vote by proxy.

7.6 No Casting Vote

In the event of equality of votes, the chair will not have a casting vote and the matter will be deemed to have lapsed and may at some later time be reconsidered.

7.7 Timing and calling of Meetings

- 7.7.1 The Board will endeavour to meet at least four times per year, at times and places to be determined the Board.
- 7.7.2 The Principal Officer (or, if there is no Principal Officer, the chief executive officers of the Constituent Councils) will determine the time and place of the first meeting of the Board after the

conclusion of local government periodic elections for all Constituent Councils (which will not be until at least two thirds of the Constituent Councils have appointed Board Members).

- 7.7.3 A special meeting of the Board may be called by the Principal Officer at any time at the request of the President (or in the President's absence, the Deputy President), or at the request of two thirds of the Board Members (rounding up to the nearest whole number), provided that any request will be in writing addressed to the Principal Officer and will be accompanied by an agenda and any written reports or other material to be considered at the meeting (and if an agenda is not provided, the request is of no effect).

7.8 Notice of Meetings

Notice of all meetings will be given to Board Members and to the public in a manner determined by the Board (or, in the absence of any determination by the Board, in a manner determined by the Principal Officer).

7.9 Public Access

- 7.9.1 Meetings of the Board will be open to the public unless the Board resolves to exclude the public (on whatever basis the Board sees fit).
- 7.9.2 Part 3 of Chapter 6 of the Act does not extend to the Subsidiary.
- 7.9.3 The Subsidiary will not exclude observers appointed by any Constituent Council under clause 21(8) of Schedule 2 to the Act.

7.10 Confidentiality

- 7.10.1 where the Board has considered any information or a matter in the absence of the public, all documents (including reports and minutes) relating to that matter will not be made available to the public unless the Board specifically resolves that any document(s) be made public.
- 7.10.2 all Board Members must at all times keep confidential all documents and any information provided to them on a confidential basis.

7.11 Minutes

- 7.11.1 The Board must ensure that accurate written minutes of its proceedings are kept and are produced for verification at the subsequent meeting of the Board.
- 7.11.2 The Principal Officer will ensure that all minutes, and any documents or reports supplied to the Board for consideration at a meeting of the Board, are available for inspection by members of the public at the principal office of the subsidiary or on a website determined by the Principal Officer unless the document

or report is confidential in nature or the Board or the Principal Officer considers there is other good reason that the report should not be made available to the public.

7.12 Circular resolution

The Board may determine procedures by which a resolution may be made without a meeting of the Board, in accordance with and subject to clause 21(6) of Schedule 2 to the Act.

8. ADMINISTRATION

8.1 Principal Officer

- 8.1.1 There will be a Principal Officer of the Subsidiary appointed by the Board on such terms and conditions as may be determined by the Board.
- 8.1.2 The Principal Officer may, but need not, be an employee of the Subsidiary.
- 8.1.3 The Principal Officer:
 - 8.1.3.1 is responsible for the appointing, employing, remunerating, managing, dismissing, removing or suspending subordinate employees of the Subsidiary (on behalf of the Subsidiary);
 - 8.1.3.2 is responsible for determining the conditions of employment and organisational structure with respect to subordinate employees;
 - 8.1.3.3 will give effect to the principles of human resource management generally applicable within the local government industry;
 - 8.1.3.4 will ensure that the policies and lawful decisions of the Board are implemented in a timely manner;
 - 8.1.3.5 is responsible for the efficient and effective day-to-day management of the operations and affairs of the Subsidiary;
 - 8.1.3.6 shall cause records to be kept of all activities and financial affairs of the Subsidiary in accordance with this Charter;
 - 8.1.3.7 shall provide advice and reports to the Board on the exercise and performance of the Subsidiary's powers and functions;
 - 8.1.3.8 may on behalf of the Subsidiary engage any professional advisors or other contractors to provide any services which are necessary or

convenient to assist in the exercise or fulfilment of the powers, functions or duties of the Principal Officer and/or the Subsidiary.

- 8.1.4 The Principal Officer has such powers, functions and duties prescribed by this Clause and such additional, powers, functions and duties as may be determined by the Board from time to time to ensure the efficient and effective management of the operations and affairs of the Subsidiary.
- 8.1.5 In any case where the Subsidiary delegates a power, function or duty to the Principal Officer under clause 36 of Schedule 2 to the Act, such delegation includes (unless the Subsidiary expressly determines to the contrary) the power for the Principal Officer to subdelegate that power, function or duty to any of the persons or bodies listed in clause 36 of Schedule 2 to the Act.

8.2 The Business Plan

- 8.2.1 The Subsidiary shall have a rolling Business Plan in respect of the forthcoming four years.
- 8.2.2 The Business Plan must:
 - 8.2.2.1 state the services to be provided by the Subsidiary;
 - 8.2.2.2 identify how the Subsidiary intends to manage service delivery;
 - 8.2.2.3 identify the performance targets which the Subsidiary is to pursue;
 - 8.2.2.4 provide a statement of financial and other resources and internal processes that will be required to achieve the performance targets and purposes of the Subsidiary; and
 - 8.2.2.5 specify the performance measures that are to be used to monitor and assess performance against targets.
- 8.2.3 Prior to setting the draft budget each year, the Subsidiary must review the Business Plan in conjunction with the Constituent Councils;
- 8.2.4 The Board shall:
 - 8.2.4.1 compare the Business Plan against performance targets at least twice every Financial Year;
 - 8.2.4.2 review the contents of the Business Plan annually; and

- 8.2.4.3 undertake reasonable consultation with the Constituent Councils prior to adopting or amending the Business Plan.

8.3 **Budget**

- 8.3.1 The Subsidiary must prepare and adopt an annual Budget for the forthcoming financial year. The Budget must:
 - 8.3.1.1 deal with each principal activity of the Subsidiary on a separate basis;
 - 8.3.1.2 be consistent with and account for activities and circumstances referred to in the Subsidiary's Business Plan;
 - 8.3.1.3 identify the amount of surplus (deficit) brought forward from the previous year;
 - 8.3.1.4 identify the amount of subscriptions to be made by each Constituent Council;
 - 8.3.1.5 be submitted in draft form to each Constituent Council before 30 April for information of its proposed contribution for the ensuing year;
 - 8.3.1.6 be adopted by the Subsidiary after 31 May but before 31 July.
- 8.3.2 The adoption of the budget requires a two-thirds majority of the Board Members present.
- 8.3.3 The Subsidiary must provide a copy of its budget to each Constituent Council within five business days after adoption.
- 8.3.4 The Subsidiary must review its budget in accordance with the *Local Government (Financial Management) Regulations 2011*.
- 8.3.5 The Subsidiary must submit to each Constituent Council for approval any proposed amendment to the Budget. Any amendment to the Budget will not be approved unless it is approved by all Constituent Councils which would be required to contribute more funds under the proposed amended budget than they would under the Budget as originally adopted for that year (as well as there needing to be a two-thirds majority of Constituent Councils approving the amendment as per clause 1.6.1).
- 8.3.6 The Subsidiary may incur spending in accordance with clauses 25(4) and (5) of Schedule 2 to the Act.

8.4 **Accounting**

The Subsidiary must ensure that its accounting records, accounts and financial statements are prepared and maintained

in accordance with all relevant Australian Accounting Standards and the *Local Government (Financial Management) Regulations 2011*.

8.5 Financial Management

- 8.5.1 The Subsidiary shall maintain an operations bank account and such other accounts as it may determine from time to time.
- 8.5.2 The Principal Officer shall cause adequate and proper books of account to be kept in relation to all affairs of the Subsidiary;
- 8.5.3 the financial year for the Subsidiary is from 1 July to 30 June;
- 8.5.4 the Subsidiary shall appoint no less than two Board Members, the Principal Officer, the President and Deputy President as authorised operators of the bank accounts. A minimum of two authorised operators must be required to sign cheques and deal with the bank account;
- 8.5.5 any payments made by Electronic Funds Transfer must be made in accordance with procedures set by the Board and approved by the Auditor;
- 8.5.6 the Subsidiary may distribute to the Constituent Councils (in equitable proportions determined by the Subsidiary) any surplus revenue as determined by the Board, having regard to estimated future expenditure that the Business Plan or Budget envisages in any financial year;
- 8.5.7 the Principal Officer must act prudently in the handling of all financial transactions for the Subsidiary and must provide quarterly financial and corporate reports to the Board and, if requested, the Constituent Councils.

8.6 Audit

- 8.6.1 the Subsidiary must appoint an Auditor in accordance with the *Local Government (Financial Management) Regulations 2011*.
- 8.6.2 the Subsidiary is exempt from the requirement to establish an audit committee. However, should the Subsidiary become not so exempt, an audit committee will be appointed in accordance with the *Local Government (Financial Management) Regulations 2011*.

8.7 Reports & Information

- 8.7.1 the Subsidiary must submit its annual report on its work and operations including its audited financial statements, to each Constituent Council before 30 September;
- 8.7.2 the Board shall report at any other time at the written request of a Constituent Council on matters being undertaken by the

Subsidiary. Any such report shall be provided to all Constituent Councils.

8.8 Common Seal

- 8.8.1 The Subsidiary will have a common seal which may be affixed to documents requiring execution under common seal and its affixation must be witnessed by the President and one other Board Member (or, if the President is not available, any two Board Members).
- 8.8.2 The common seal must not be affixed to a document except to give effect to a resolution of the Board. The Principal Officer will maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with particulars of the persons who witnessed the fixing of the seal and the date.
- 8.8.3 The Board may by instrument under common seal authorise a person to execute documents on behalf of the Subsidiary. The Principal Officer will maintain a register of such resolutions and details of any documents executed in this way, together with particulars of the person executing the document.
- 8.8.4 The common seal shall be kept in the custody of the Principal Officer or such other person as the Board may from time to time decide.

8.9 Indemnity Schemes

The subsidiary shall register with the Local Government Mutual Liability scheme and Local Government Workers compensation scheme where applicable and comply with the rules of those schemes.

9. DISPUTES

In the event of any dispute or difference between one or more Constituent Councils and/or the Subsidiary concerning the operations or affairs of the Subsidiary, the following process will apply:

- 9.1 a Constituent Council will serve a notice of dispute on the Subsidiary with a contemporaneous copy being served on all other Constituent Councils.
- 9.2 the Constituent Councils will attempt to settle the dispute or difference by negotiating in good faith;
- 9.3 if good faith negotiations do not settle the dispute or difference within one month of the dispute arising, then the dispute shall be referred to an expert for determination. The expert shall be a person with the skills and expertise necessary to resolve the dispute and shall be nominated by the President of the LGA. The expert is an expert and not an arbitrator. The expert's determination shall be final and binding on the

Constituent Councils. The costs of the expert will be apportioned and payable in accordance with the expert's determination;

- 9.4 if the dispute is unable to be resolved by the expert within six months of the dispute arising, then any Constituent Council may request the Minister to wind up the Subsidiary (and such request will be taken to be a request made on behalf of the Constituent Councils for the purposes of clause 33(1)(a) to Schedule 2 to the Act); and
- 9.5 notwithstanding the existence of a dispute or difference, the Constituent Councils will continue to meet any and all of their obligations to the Subsidiary including all obligations arising under this Charter.

10. ALTERATION TO THE CHARTER

- 10.1 The Constituent Councils may amend this Charter at any time in accordance with clause 1.6.1. The amended Charter must be ratified at the next meeting of the Board after two thirds of the Constituent Councils have resolved to adopt the amended Charter. The amended Charter comes into effect upon ratification by the Board (or a later time if two thirds of the Constituent Councils resolve that the amended Charter shall come into effect at such later time).
- 10.2 Before the Constituent Councils vote on a proposal to alter this Charter they will take into account any recommendations of the Board.
- 10.3 The Principal Officer must, on behalf of the Constituent Councils, ensure that:
 - 10.3.1 the amended Charter is published on a website (or websites) determined by the chief executive officers of the Constituent Councils;
 - 10.3.2 a copy of the amended Charter is provided to the Minister; and
 - 10.3.3 a notice of the fact of the amendment and a website address at which the amended Charter is available for inspection is published in the Gazette.

11. CONSTITUENT COUNCILS

Addition of a Constituent Council

- 11.1 A Council which is not a Constituent Council may write to the President seeking to become a Constituent Council.
- 11.2 If a Council writes to the President under clause 11.1, the Board will consider whether the Council should be admitted as a Constituent Council and will communicate its views to the Constituent Councils.
- 11.3 A Council will not be admitted as a Constituent Council unless the Constituent Councils and the Minister approve the addition of the new Constituent Council (and the admission of the Council as a Constituent Council takes effect upon the last such approval being obtained).

- 11.4 If a new Constituent Council is admitted, the Charter shall be amended in accordance with the procedure for amendment of the Charter set out in clause 10 to make reference to the new Constituent Council.

Withdrawal of a Constituent Council

- 11.5 Subject to the approval of the Minister under the Act, a Constituent Council may withdraw as a Constituent Council of the Subsidiary by giving not less than 6 months' notice of its intention to do so to all other Constituent Councils and the Principal Officer, provided that its subscription of the current year and other monies outstanding prior to the date of its giving notice of withdrawal have been paid to the Subsidiary.
- 11.6 In any event a withdrawal cannot become effective until 30 June following the expiry of the six months in the preceding subclause. Until withdrawal becomes effective, the Constituent Council proposing withdrawal from the Subsidiary will remain liable for all financial contributions in the remaining period and, through its members on the Board, the responsibility of ensuring the continued proper conduct of the affairs of the Subsidiary.
- 11.7 A withdrawing Constituent Council is not entitled to any refunds of any contributions made.
- 11.8 The withdrawal of any Constituent Council does not extinguish liability of that Constituent Council to contribute to any loss or liability incurred by the Subsidiary at any time before or after such withdrawal in respect of any act or omission by the Subsidiary prior to such withdrawal.
- 11.9 A Constituent Council may not withdraw from the Subsidiary except with the approval of the Minister and subject to the Act and this Charter.

Affiliates

- 11.10 A Council which is not a Constituent Council may write to the President seeking to become an Affiliate.
- 11.11 An Affiliate is not a Constituent Council.
- 11.12 The Subsidiary may exercise functions and powers for the benefit of an Affiliate (or for a particular region within the area of the Affiliate) in exchange for contributions from the Affiliate.
- 11.13 The Subsidiary may agree to admit an Affiliate on whatever terms and subject to whatever conditions the Subsidiary and the Affiliate may agree (subject to any applicable laws).

12. CIRCUMSTANCES NOT PROVIDED FOR

If any circumstances arise in respect of which this Charter is silent or is incapable of taking effect or being implemented according to its strict provisions, the Subsidiary will have the power to determine what action

may be taken to ensure the effective administration and objectives of the Subsidiary provided that such action will be determined at a meeting of the Subsidiary.

13. WINDING UP

- 13.1 If the Subsidiary is wound up in accordance with clause 33 of Schedule 2 to the Act, then, after payment of all debts and expenses of the Subsidiary, any surplus assets shall be returned to Constituent Councils in proportion to the subscription paid in the financial year prior to the winding up (or otherwise in such manner as all of the Constituent Councils may agree).
- 13.2 In the event that the Subsidiary is wound up and there are insufficient funds to pay all debts and expenses of the Subsidiary, the Constituent Councils will pay all such debts and expenses in proportion to the subscription payable in the financial year prior to the winding up.
- 13.3 To avoid doubt, a request made to the Minister pursuant to clause 1.6.1 or pursuant to clause 9.4 to wind up the Subsidiary will be taken to be a request made on behalf of the Constituent Councils for the purposes of clause 33(1)(a) to Schedule 2 to the Act.

14. INSOLVENCY

In the event of the insolvency of the Subsidiary, each Constituent Council shall be responsible for the liabilities of the Subsidiary in proportion to the subscription payable in the financial year prior to its insolvency.

Appendix 3

Draft 2021-22 SHLGA Key Action Plan



SOUTHERN & HILLS LOCAL GOVERNMENT ASSOCIATION

Constituent Councils

Adelaide Hills Council
Alexandrina Council
Kangaroo Island Council
Mount Barker District Council
City of Victor Harbor
District Council of Yankalilla

S&HLGA KEY ACTION PLAN

2021 - 2022

Address: 13 Ringmer Dr. Burnside, South Australia 5066
Telephone: 0418 502 311
Email: graeme@shlga.sa.gov.au
Web Site: www.shlga.sa.gov.au

CONTEXT

The Business Plan 2017 – 2021 has been prepared in accordance with Clause 18 of the Charter, and to comply with Clause 24 of Schedule 2 of the Local Government Act 1999, was adopted on 1 September 2017.

The Business Plan should be read in conjunction with the **Budget** of each of the Financial Years covered by the plan. These provide the resources for the Plan.

An Annual Key Action Plan is prepared based on a framework of the Business Plan that incorporates the Key Issues identified by the Councils and the Executive Officer in various Board meetings and forums during the preceding period.

The Key Action Plan is the framework for review and reporting against the Business Plan.

This report format will facilitate the reviews required by Clause 18.3 of the Charter to be conducted by the Board during the course of the year.

The Executive Officer will report to Ordinary Board meetings against the following criteria:

1. To keep maintained the business office of the Authority
2. To prepare the Business Plan, Budgets and reports in a timely manner
3. To liaise with Councils, and Stakeholders to foster the outcomes of the Business Plan and subsequent annual Key Action Plans
4. To attend all meetings of the Authority, to prepare agendas, minutes and correspondence as required.

AND against recognised and documented success indicators.

Notes on the 2017-2021 S&HLGA Business Plan:

Major issues:

The major issues looming ahead for the region are identified as:

- *Community capacity to pay in the face of very tough economic conditions and growing household cost pressures*
- *Restricted Mobile Communications due to geography and the very slow rollout of new towers into the region*
- *The continuing importance of the Adelaide Hills Watershed region and Murray Darling Basin future particularly for irrigators and the environment*
- *Energy security and supply in the transitioning state market and the drive to clean/alternative energy*
- *The growing impact of Climate change and the implementation of the regional Adaptation Plan*
- *Infrastructure development and maintenance and the provision of public transport*
- *Health facilities and service provision in an aging population base*
- *Regional Development against the headwind of very constrained State and Commonwealth Government expenditure Budgets*
- *Member Council's heavy reliance on Rates as the primary source of Council Revenue (85%) in the face of restrained rate growth.*
- *Sustainable agriculture in a sea change/tree change environment*

Key focus/project areas have been identified as:

- *Sustainability of rate revenue dependent Councils and the continuing work with the LGA and other key stakeholders focusing on improving Local Government long term sustainability with consideration given to benchmark and productivity participation measures.*
- *Review and Rewriting, implementing and monitoring the S&HLGA regional Health Plan in accordance with the State Health Plan*
- *Consider Climate change effects and risks on the region and continue to implement and monitor the regional Climate change adaptation plan and identified 2020-25 priorities plan with an emphasis on data and evidence collection*
- *Adopt and implement the regional 2030 Transport Plan and continue advocating for the key recommendations around freight routes, The Hills SE freeway transport corridor project and regional public transport initiatives.*
- *Continue the progress on the development of the S&HLGA regional infrastructure plan.*
- *Research and Evaluate opportunities in regional CWMS and Waste/circular economy.*
- *Liaise with the SA Grants Commission so as to influence Grant funding and methodology to ensure adequate resource allocation.*
- *Maximising the regional opportunities in Regional Planning and Boundary reform*

KEY CATEGORIES & THEMES

THE 2017-2021 S&HLGA BUSINESS PLAN

OBJECTIVE
1. To provide leadership and advocacy for Member Councils on regional issues.
2. To market & promote the Southern & Hills Local Government Association
3. To support sustainable economic, environmental and social development in the region
4. To improve infrastructure to meet the community's needs.
5. To strengthen the capacity of the Association to meet its service obligations.

THE 2021-2022 S&HLGA ANNUAL KEY ACTION PLAN

Theme	Items & Actions
General Administration (sound financial and compliance management)	Budget, Complete Charter Review, Board meetings, Subscriptions and Levies, Key Actions, Audit, Annual Report, Grant reporting & acquittals.
Projects and support (sustainability and development)	New Regional Public Health Plan, Resilient Hills & Coast Climate adaptation Plan, ILC Accessibility and Destinations projects, Implement new 2030 Transport Plan and SLRP applications.
Leadership, advocacy and marketing	LG reform, Continue relationship building with Government MPs, Website information & maintenance, Peri-Urban grouping Overabundant species (Little Corella) Strategy and Management, SLRP review
Opportunities (capacity and infrastructure)	CWMS, Waste, Regional Infrastructure Plan, Membership and External Funding, Regional Development Assessment Panel, Telecommunications and 5G

2017-2021 Business Plan	Action Plan 2021 - 2022					Progress & Achievements
Objective	Item	Key Actions	Description	Role & Responsibility	Key Outputs & Outcomes	
1. <i>To provide leadership and advocacy for Member Councils on regional issues.</i>	S&HLGA Board Meetings	Bi-Monthly Meetings to focus on Local Government issues that support Councils to achieve their Business Plan outcomes by: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Meetings to include presentations, workshops and forums on Key Issues <input checked="" type="checkbox"/> Optional video link for all meetings <input checked="" type="checkbox"/> Respond as necessary to State and Federal Government Policies which impact on the region 	To maintain a vibrant responsive format for the S&HLGA Board	<i>Leader:</i> Key issues are addressed and format of meetings constantly meet the needs of the Association's members.	Annual Board meeting program (date and location) developed and agreed Strategies that give priority to S&HLGA issues Feedback data on the meeting format, speakers Number of policy responses	
2. <i>To promote & market the Southern & Hills Local Government Association</i>	S&HLGA Website	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Ensure the new website is current and marketed appropriately <input checked="" type="checkbox"/> Update the website as required and review 	Maintain an informative, current and appealing S&HLGA website	<i>Leader:</i> EO responsibility	all licences and registrations are current and compliant Website has up to date & current information	

2017-2021 Business Plan	Action Plan 2021 - 2022					Progress & Achievements
Objective	Item	Key Actions	Description	Role & Responsibility	Key Outputs & Outcomes	
	To provide sound financial management and manage resources effectively	<input checked="" type="checkbox"/> To prepare annual Budget and review as required <input checked="" type="checkbox"/> To prepare the annual Key Action Plan <input checked="" type="checkbox"/> To prepare the 2021-2025 Business Plan <input checked="" type="checkbox"/> Oversee Annual Audit <input checked="" type="checkbox"/> Produce Annual Report	To manage the financial affairs within budget and to prepare reporting within the required timeframes. Business Plan objectives and actions are addressed.	<i>Leader:</i> EO responsibility	Budget is maintained and reports meet timelines. Key Action Plan adopted and monitored Audit completed by end of August 2021 Mid Year Budget review undertaken in Feb 2022 Annual Report adopted & published	
	Regular S&HLGA Advisory Group meetings	<input checked="" type="checkbox"/> Set schedule for S&HLGA AG forum meetings <input checked="" type="checkbox"/> Group members to inform EO of issues for each meeting	Regular S&HLGA AG meeting as necessary with the objective of working through key issues in more depth for presentation to the Board.	<i>Facilitator /Initiator</i>	S&HLGA AG meeting recommendations and feedback. Enable deep dive on key issues Improved information flow to S&HLGA Board	

2017-2021 Business Plan	Action Plan 2021 - 2022					Progress & Achievements
Objective	Item	Key Actions	Description	Role & Responsibility	Key Outputs & Outcomes	
	Strengthen interaction with State government and opposition MP's and all regional Stakeholders	<input checked="" type="checkbox"/> Meet regularly and as necessary with key MPs, <input checked="" type="checkbox"/> Ensure each regional MP is invited to S&HLGA meetings <input checked="" type="checkbox"/> Allocate key Stakeholders presentation spots at S&HLGA Board meetings	Management of key stakeholder relationships and regional MPs with the S&HLGA Board	<i>Facilitator /Initiator</i>	Key Stakeholder feedback and Board satisfaction	
	Regional issues to be raised with LGA directly or through SAROC/GAROC	<input checked="" type="checkbox"/> Attend SAROC meetings <input checked="" type="checkbox"/> Attend LGA Forums and Meetings <input checked="" type="checkbox"/> Develop SAROC and LGA reports as necessary	The S&HLGA EO will maintain regular attendance at SAROC and LGA meetings and events	<i>Advocate</i>	Regular SAROC attendance. Regular LGA Forums attended Number of issues raised with LGA / SAROC / Agencies Number of LGA/SAROC Task groups and Committees involved in Improved prominence of S&HLGA region & issues with LGA	

2017-2021 Business Plan	Action Plan 2021 - 2022					Progress & Achievements
Objective	Item	Key Actions	Description	Role & Responsibility	Key Outputs & Outcomes	
3. To support sustainable economic, environmental ,& social development in the region	Environment S&HLGA regional Climate Change adaptation plan implementation	<div><div><input checked="" type="checkbox"/></div><div>Liaise with the regions environment organisations</div></div> <div><div><input checked="" type="checkbox"/></div><div>Continue actions in the S&HLGA regional Climate Change Adaptation report implementation program.</div></div> <div><div><input checked="" type="checkbox"/></div><div>Continue membership, secretarial duties and attendance of the Regional Climate change Working Group</div></div> <div><div><input checked="" type="checkbox"/></div><div>Advocate extension of Climate Change implementation officer position</div></div> <div><div><input checked="" type="checkbox"/></div><div>Continue relationship with the regional Landscapes Boards</div></div>		<div>Strategic (Working Group member)</div> <div>Advocate Information provider</div>	<div>Region better positioned to manage and adapt to Climate Change impacts.</div> <div>Achieve External funding for Project Officer position</div> <div>Region to have greater influence on activities & expenditure of the Landscapes Boards.</div>	

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2017-2021 Business Plan	Action Plan 2021 - 2022					Progress & Achievements
Objective	Item	Key Actions	Description	Role & Responsibility	Key Outputs & Outcomes	
	research Explore (with the LGA) research and /or pilot programs for the Region.	<input checked="" type="checkbox"/> Complete LGA R&D applications as necessary <input checked="" type="checkbox"/> Undertake Regional issues review and identify potential sources of grants		<i>Advocate/Influence</i>	Successful Research or funding applications or projects facilitated in the region	
	Public Health Complete all compliance requirements of the regional Health Plan in accordance with the State Public Health Plan	<input checked="" type="checkbox"/> Completed review and re-write of the Regional Health Plan <input checked="" type="checkbox"/> Maintain Working Group membership and provision of administrative services <input checked="" type="checkbox"/> Administration & supervision ILC projects	Report progress of the new S&HLGA Regional Public Health Plan	<i>Leader/Control</i>	SA Health receive and accept the S&HLGA Public Health Plan 2021-25. Individual Council Action Plans monitored and evaluated through the S&HLGA PH Working Group Compliance reporting successfully completed ILC projects completed, acquitted & reported	

2017-2021 Business Plan	Action Plan 2021 - 2022					Progress & Achievements
Objective	Item	Key Actions	Description	Role & Responsibility	Key Outputs & Outcomes	
	Planning Regional Planning Reform	<input checked="" type="checkbox"/> Successful S&HLGA/LGA working partnership	S&HLGA to monitor and receive feedback on the new Planning and design code	<i>Partner/Influence</i>	To obtain feedback of constituent Councils on the Planning and design code and whether they support a Regional DAP	
	Regional Development Support the RDA in all regional economic issues and projects	<input checked="" type="checkbox"/> Regular meetings with the RDA <input checked="" type="checkbox"/> Assist the RDA in reporting to the S&HLGA Board against the agreed KPIs <input checked="" type="checkbox"/> Maintain membership of RDA Economic Development Officers forum	Continue to foster the relationship with the primary regional Economic Development agency	<i>Partner/Influence</i>	Improved economic outcomes for the region Stronger Regional RDA Successful rollout of projects from the Regional Priority Infrastructure list	

2017-2021 Business Plan	Action Plan 2021 - 2022					Progress & Achievements
Objective	Item	Key Actions	Description	Role & Responsibility	Key Outputs & Outcomes	
4. To improve infrastructure to meet the region's needs	Infrastructure Partner with RDA and regional Economic Development Officers	<input checked="" type="checkbox"/> Continued Development of the Regional Infrastructure Plan via membership of the Regional Economic Development Officers Forum	The constituent Councils Economic Development Officers in conjunction with the RDA & S&HLGA have created a Working Group to assess economic opportunities and develop a Regional Infrastructure priority list	Partner/Influence	Regional Priority Infrastructure Plan updated and successful project funding & commencement	
	Telecommunication	<input checked="" type="checkbox"/> Liaise with the regional NBN co-ordinator <input checked="" type="checkbox"/> Advocate to the LGA on regional Mobile issues	Monitor regional NBN rollout & continue to lobby for equitable access for the region for digital technology including Broadband upgrades and extended mobile telephone coverage	Partner/Influence	Completed Mobile Blackspot submissions and NBN requests Improved regional telecommunications	

2017-2021 Business Plan	Action Plan 2021 - 2022					Progress & Achievements
Objective	Item	Key Actions	Description	Role & Responsibility	Key Outputs & Outcomes	
	Transport S&HLGA 2030 Regional Transport Plan	<input checked="" type="checkbox"/> Maintain working relationship with RDA on Public Transport advocacy <input checked="" type="checkbox"/> Advocate and drive the key Freight and Public transport priorities of the Plan <input checked="" type="checkbox"/> Apply to SLRP for Regional Funding	Continue to work with HDS and the S&HLGA Roads Works Party to implement the new S&HLGA 2030 Transport Plan Partner with LGA in the review of the SLRP	<i>Partner/Control</i>	Improved Road infrastructure in the region New 2030 S&HLGA Transport plan rollout Successful annual SLRP funding and levy implementation Successful SLRP review with LGA Agreement and recognition by State Government of the key regional Freight Routes and staged upgrade development commenced Agreement and recognition by State Government of the key regional Public Transport recommendations and initiatives and implementation commenced	

2017-2021 Business Plan	Action Plan 2021 - 2022					Progress & Achievements
Objective	Item	Key Actions	Description	Role & Responsibility	Key Outputs & Outcomes	
	South Coast Freight Corridor project	<input checked="" type="checkbox"/> Continue to work with Alexandrina to resolve Middleton Bypass issues <input checked="" type="checkbox"/> Report to S&HLGA Board on progress <input checked="" type="checkbox"/> Advocate with the State Government on the next steps <input checked="" type="checkbox"/> Seek external funding	Partner with regional key Stakeholders to review, agree and implement the South Coast Freight corridor	<i>Lead/Partner/Influence</i>	Finalise agreed concept and route Review Timetable & identified & allocated resources for implementation Improved freight outcomes for the region	
	CWMS	<input checked="" type="checkbox"/> Liaise with Member Councils and key Stakeholders <input checked="" type="checkbox"/> Continue to activate S&HLGA CWMS User Group.	In conjunction with experts in the field develop a plan for the regional CWMS reviewing options around critical mass and efficient operations as well as modelling future demand and supply	<i>Partner/Influence</i>	Sustainable regional CWMS Optimal CWMS strategy adopted for each member Council	

2017-2021 Business Plan	Action Plan 2021 - 2022					Progress & Achievements
Objective	Item	Key Actions	Description	Role & Responsibility	Key Outputs & Outcomes	
5. To strengthen the capacity of the Association to meet its service obligations.	LGA Grants	<input checked="" type="checkbox"/> Acquit and apply for the LGA Regional Capacity Building Grant <input checked="" type="checkbox"/> Acquit and apply for any other potential external Grant funding	The Executive Officer to work with the Council CEO's, LGA and Key Stakeholders to explore identified opportunities to share resources that will build capacity in the region and its networks	Advocate/Control	LGA Regional Capacity Building Grant successfully applied for in 21-22 Identified external Grants successfully applied for	
	Revenue & Membership	<input checked="" type="checkbox"/> S&HLGA future Membership negotiations with LGA around best fit for S&HLGA – SAROC /GAROC	Continue to Review the membership base of the S&HLGA and explore the possibility of a Peri Urban Region or identify additional members	Information Provider/Concern		

2017-2021 Business Plan	Action Plan 2021 - 2022					Progress & Achievements
Objective	Item	Key Actions	Description	Role & Responsibility	Key Outputs & Outcomes	
	Sustainability	<input checked="" type="checkbox"/> Participate in any LGA Benchmarking project	<p>Benchmark and review the Long term financial sustainability of Councils including future growth trends, alternative revenue options and optimal size and boundaries</p> <p>Assist member Councils navigate through 2021 – 22 revenue and cost issues due to the impact of COVID-19</p>	Information /influence	Improved financial performance by member Councils	
	State Government & opposition Policies	<input checked="" type="checkbox"/> Participate in SAROC/LGA task groups, reports and negotiations <input checked="" type="checkbox"/> Keep the S&HLGA Board fully informed via EO reports	Partner LGA in efforts to progress action on LG reform, SAROC and LGA annual Business Plans and SA Road funding	Partner/Concern	State Government policies reflect the wishes of the region	

2017-2021 Business Plan	Action Plan 2021 - 2022					Progress & Achievements
Objective	Item	Key Actions	Description	Role & Responsibility	Key Outputs & Outcomes	
	Grants Commission	<input checked="" type="checkbox"/> Participate and/or lead presentations, workshops and submissions	Lead the Region in action on a review of FAGs methodology to better incorporate temporary population impact and other identified anomalies	<i>Information /Concern</i>		
	Waste	<input checked="" type="checkbox"/> Liaise with Regional Waste Management Authorities to develop regional plan	Lead the region in action on waste management and participation in the circular economy	<i>Partner/Influence</i>	Regional Waste Management Plans developed and presented to the S&HLGA Board	
		<input checked="" type="checkbox"/>				

Appendix 4

Draft 2021-22 SHLGA Budget

Profit & Loss					Budget			
Southern & Hills Local Government Association								
For the month ended March 2021								
	YTD Actual	YTD Budget	Var AUD	Var %	Comment	2020-2021 Budget	2021-2022 Budget	Note
Income								
Annual Levy	\$9,214.00	\$9,214.00	\$0.00	0.0%		\$9,214.00	\$9,423.00	1
Annual Subscriptions	\$82,000.00	\$82,000.00	\$0.00	0.0%		\$82,000.00	\$120,000.00	2
Grants - LGA	\$0.00	\$0.00	\$0.00			\$0.00	\$0.00	
Grants - LGA Capacity	\$42,151.00	\$41,900.00	\$251.00	0.6%		\$41,900.00	\$41,900.00	3
Grants - Other	\$0.00		\$0.00			\$0.00	\$0.00	
Grants - LGA R&D	\$0.00		\$0.00			\$0.00	\$0.00	4
Interest Income	\$1,050.00	\$770.00	\$280.00	36.4%		\$1,000.00	\$850.00	5
Misc Revenue	\$19,731.00	\$0.00	\$19,731.00		RH&C transfer from Alexandrina	\$0.00	\$0.00	6
Project Levies (Transport)	\$20,100.00	\$22,010.00	-\$1,910.00	-8.7%	SLRP management fee	\$22,010.00	\$20,000.00	7
Project Levies (other)	\$0.00	\$0.00	\$0.00			0	\$20,000.00	8
Total Income	\$174,246.00	\$155,894.00	\$18,352.00	11.8%		\$156,124.00	\$212,173.00	
Gross Profit	\$174,246.00	\$155,894.00	\$18,352.00	11.8%		\$156,124.00	\$212,173.00	
Less Operating Expenses								
Accounting	\$406.00	\$540.00	-\$134.00	-24.8%		\$700.00	\$700.00	
Audit	\$4,037.00	\$4,000.00	\$37.00	0.9%		\$4,000.00	\$4,000.00	
Bank Fees	\$0.00	\$25.00	-\$25.00	-100.0%		\$25.00	\$25.00	
Board & Meeting Expenses	\$1,329.00	\$1,502.00	-\$173.00	-11.5%		\$2,000.00	\$2,000.00	
Computer expenses	\$624.00	\$1,125.00	-\$501.00	-44.5%		\$1,500.00	\$1,500.00	
Consulting - Contract	\$0.00	\$0.00	\$0.00			\$38,559.00	\$0.00	9
General Expenses	\$4,000.00	\$369.00	\$3,631.00	984.0%	McArthurs EO performance review	\$500.00	\$250.00	
Insurance	\$4,692.00	\$5,160.00	-\$468.00	-9.1%		\$6,750.00	\$6,750.00	
Legal	\$5,000.00	\$0.00	\$5,000.00		Charter review	\$0.00	\$0.00	
Marketing - website & promotion Expenses	\$3,929.00	\$4,500.00	-\$571.00	-12.7%	LGA squiz contract	\$4,500.00	\$4,500.00	10
Travel Expenses	\$1,174.00	\$900.00	\$274.00	30.4%		\$1,200.00	\$1,200.00	
Office Expenses	\$0.00	\$180.00	-\$180.00	-100%		\$250.00	\$250.00	
Postage, Printing & Stationery	\$414.00	\$1,125.00	-\$711.00	-63.2%		\$1,500.00	\$1,500.00	
Project General	\$28,996.00	\$0.00	\$28,996.00		ILC projects	\$0.00	\$0.00	
Project 1 (Public Health)Expenses	\$15,426.00	\$19,578.00	-\$4,152.00	-21.2%		\$500.00	\$21,000.00	11
Project 2 (Transport)Expenses	\$21,175.00	\$61,500.00	-\$40,325.00	-65.6%		\$61,500.00	\$3,000.00	12
Project 3 Resilient Regions Coordinator	\$17,500.00	\$0.00	\$17,500.00		final payment from 2019-2020	\$0.00	\$500.00	13
Project 4 Rubble Royalties	\$0.00	\$0.00	\$0.00			\$0.00	\$0.00	14
Subscriptions	\$550.00	\$0.00	\$550.00			\$0.00	\$1,000.00	
Project 6 VVWVWB	\$0.00	\$0.00	\$0.00	-100.0%		\$0.00	\$0.00	
Training & Development - Seminars & Conferences	\$0.00	\$500.00	-\$500.00	-100.0%		\$3,000.00	\$2,000.00	15
Telephone & Internet	\$1,482.00	\$1,665.00	-\$183.00	-11.0%		\$2,220.00	\$2,200.00	
Wages & salaries	\$95,385.00	\$94,392.00	\$993.00	1.1%		\$125,860.00	\$125,860.00	16
Vehicle allowance/expenses	\$13,518.00	\$12,600.00	\$918.00	7.3%		\$16,800.00	\$16,800.00	
Superannuation	\$9,062.00	\$8,964.00	-\$282.00	-22.3%		\$11,956.70	\$11,957.00	
Workers compensation	\$984.00	\$1,266.00	\$0.00			\$1,688.00	\$1,688.00	
Total Operating Expenses	\$229,683.00	\$219,891.00	\$9,792.00	4.5%		\$285,008.70	\$208,680.00	
Net Profit	-\$55,437.00	-\$63,997.00	\$8,560.00	13.4%		-\$128,884.70	\$3,493.00	
Notes								
1. 2020 official elector numbers confirmed from 2020-21 LGA Directory								
2. Potential new members for 2022-2023 to be identified. Total Subs up by \$38,000								
3. S&HLGA should receive only one grant in 2021-22 - Capacity Building Grant from the LGA								
4. No obvious new R&D projects are on the radar								
5. S&HLGA estimated carried forward Bank will be approx \$70k net of contingent liabilities but LGFA investment interest rate is low and likely to remain unchanged								
6. Nothing anticipated								
7. S&HLGA have a 1% management fee on successful SLRP applications to build reserve fund for future Regional Transport Plan. We expect successful total funding of \$2,001,000 for 2021-2022.								
8. S&HLGA compelled to produce new Public Health Plan. Project formula applied to 6 member Councils								
9. No new grants or projects anticipated during 2021-2022								
10. LGA hosting fees for S&HLGA website on new Squiz platform								
11. Minor general S&HLGA regional public health committee meeting expenses plus estimated \$20,000 Regional Public Health Plan update								
12. RWP meeting costs with HDS to discuss the next round of SLRP funding and the region's applications as well as general strategy meeting								
13. RR program has ceased.								
14 Program has ceased								
15. Estimate for annual LGA conferences and ALGA plus Eco Development forum								
16. EO remuneration frozen								

Appendix 5

Draft 2021-22 SHLGA Member Contributions

council	Xero Invoice No.	No. Electors - 2018	\$ special levy	subscription	Total S&HLGA contribution	GST	Total S&HLGA contribution Incl GST
Adelaide Hills	0100	29807	\$ 2,980.70	\$ 20,000.00	\$ 22,980.70	\$ 2,298.07	\$ 25,278.77
Alexandrina Council	0101	20866	\$ 2,086.60	\$ 20,000.00	\$ 22,086.60	\$ 2,208.66	\$ 24,295.26
Kangaroo Island	0102	3477	\$ 347.70	\$ 20,000.00	\$ 20,347.70	\$ 2,034.77	\$ 22,382.47
Mt Barker	0103	23429	\$ 2,342.90	\$ 20,000.00	\$ 22,342.90	\$ 2,234.29	\$ 24,577.19
Victor Harbor	0104	12555	\$ 1,255.50	\$ 20,000.00	\$ 21,255.50	\$ 2,125.55	\$ 23,381.05
Yankalilla	0105	4094	\$ 409.40	\$ 20,000.00	\$ 20,409.40	\$ 2,040.94	\$ 22,450.34
		94228	\$ 9,422.80	\$ 120,000.00	\$ 129,422.80	\$ 12,942.28	\$ 142,365.08

Xero Sales Inventory Item	10	Annual Membership subscription
	20	Annual Service Charge

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 May 2021
AGENDA BUSINESS ITEM**

Item: 12.8

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

Subject: Delegations Review May 2021

For: Decision

SUMMARY

Section 44 of the *Local Government Act 1999* provides that the Council may delegate a power or function vested or conferred under this or another Act. Some other Acts also contain a specific power of delegation. The Council may at any time, and must within 12 months after the conclusion of each periodic election, review the delegations.

This report addresses Instruments of Delegations under the following Acts:

- *Instrument of Delegation under the Burial and Cremation Regulations 2014*
- *Instrument of Delegation under the Expiation of Offences Act 1996*
- *Instrument of Delegation under the Food Act 2001*
- *Instrument of Delegation under the Freedom of Information Act 1991*
- *Instrument of Delegation under the Freedom of Information (Fees and Charges) Regulations 2018*
- *Instrument of Delegation under the Landscape South Australia Act 2019*
- *Instrument of Delegation under the Liquor Licensing Act 1997*
- *Instrument of Delegation under the Local Nuisance and Litter Control Act 2016*
- *Instrument of Delegation under the Local Nuisance and Litter Control Regulations 2017*
- *Instrument of Delegation under the Roads (Opening and Closing) Act 1991*
- *Instrument of Delegation under the Safe Drinking Water Act 2011*
- *Instrument of Delegation under the State Records Act 1997*

RECOMMENDATION

Council resolves:

1. That the report be received and noted

2. That, having considered a review of Council’s Delegations as presented, the Council hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts:

Instrument of Delegation
<i>Instrument of Delegation under the Burial and Cremation Regulations 2014</i>
<i>Instrument of Delegation under the Expiation of Offences Act 1996</i>
<i>Instrument of Delegation under the Food Act 2001</i>
<i>Instrument of Delegation under the Freedom of Information Act 1991</i>
<i>Instrument of Delegation under the Freedom of Information (Fees and Charges) Regulations 2018</i>
<i>Instrument of Delegation under the Landscape South Australia Act 2019</i>
<i>Instrument of Delegation under the Liquor Licensing Act 1997</i>
<i>Instrument of Delegation under the Local Nuisance and Litter Control Act 2016</i>
<i>Instrument of Delegation under the Local Nuisance and Litter Control Regulations 2017</i>
<i>Instrument of Delegation under the Roads (Opening and Closing) Act 1991</i>
<i>Instrument of Delegation under the Safe Drinking Water Act 2011</i>
<i>Instrument of Delegation under the State Records Act 1997</i>

3. That, having considered a review of Council’s Delegations as presented, in exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Acts and statutory instruments made thereunder contained in the proposed Instrument of Delegation attached to the Report dated 25th day of May 2021 and entitled as detailed in the table below are hereby delegated this 25th day of May 2021 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

Combined Instrument of Delegation May 2021 – Appendix 2	Page Number
<i>Instrument of Delegation under the Burial and Cremation Regulations 2014</i>	17
<i>Instrument of Delegation under the Expiation of Offences Act 1996</i>	22
<i>Instrument of Delegation under the Food Act 2001</i>	33

Combined Instrument of Delegation May 2021 – Appendix 2	Page Number
<i>Instrument of Delegation under the Freedom of Information Act 1991</i>	44
<i>Instrument of Delegation under the Freedom of Information (Fees and Charges) Regulations 2018</i>	45
<i>Instrument of Delegation under the Landscape South Australia Act 2019</i>	61
<i>Instrument of Delegation under the Liquor Licensing Act 1997</i>	73
<i>Instrument of Delegation under the Local Nuisance and Litter Control Act 2016</i>	81
<i>Instrument of Delegation under the Local Nuisance and Litter Control Regulations 2017</i>	106
<i>Instrument of Delegation under the Roads (Opening and Closing) Act 1991</i>	111
<i>Instrument of Delegation under the Safe Drinking Water Act 2011</i>	125
<i>Instrument of Delegation under the State Records Act 1997</i>	143

- a. Such powers and functions may be `further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation’.
4. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Instruments during the period of currency.

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

Local Government Act 1999

Section 44 of the *Local Government Act 1999* provides that the Council may delegate a power or function vested or conferred under this or another Act. Some other Acts also contain a specific power of delegation.

Delegations made by the Council under Section 44 of the *Local Government Act 1999* can be made to a Council committee, a subsidiary of the Council, an employee of the Council, the employee of the Council for the time being occupying a particular office or position or, an authorised person. Other Acts may specify different delegates than the *Local Government Act 1999*.

A delegation made pursuant to Section 44 of the *Local Government Act 1999* is revocable at will and does not prevent the Council from acting in a matter.

There are a number of powers and functions of the *Local Government Act 1999* which the Council cannot delegate. These are set out in Section 44(3) of the *Local Government Act 1999*. If the Council purports to delegate any of these powers or functions, that delegation would be ineffective with any action undertaken in reliance on that delegation being unauthorised. This may cause legal and administrative problems for the Council.

Pursuant to Section 44(3) of the *Local Government Act 1999* there are a number of matters which Councils cannot delegate. They include the following:

- (a) power to make a by-law;
- (b) power to declare rates or a charge with the character of a rate;
- (c) power to borrow money or to obtain other forms of financial accommodation;
- (d) power to adopt or revise a strategic management plan or budget of the council;
- (e) power to approve expenditure of money on works, services or operations of the council not contained in a budget approved by the council;
- (f) power to determine annual allowances under Chapter 5;
- (g) power to approve payment or reimbursement of expenses that may be paid at the discretion of the council and for which the council has not adopted a formal policy or made specific financial provision;
- (h) power to establish a subsidiary, or to participate in the establishment of a regional subsidiary;
- (i) power to make an application or recommendation, or to report or to give a notice, to the Governor or the Minister, being an application, recommendation, report or notice for which provision is made by or under this or another Act;
- (j) power to fix, vary or revoke a fee under section 188(1)(d) to (h);
- (k) a power or function excluded from delegation by the regulations.

Section 44 of the *Local Government Act 1999* sets out various other matters in relation to delegations. For example:

Section 44(6) of the *Local Government Act 1999* provides that the Council must cause a separate record to be kept of all delegations made under Section 44, and the Council may at any time, and must within 12 months after the conclusion of each periodic election, review the delegations.

Section 44(7) of the *Local Government Act 1999* provides that a person is entitled to inspect (without charge) the record of delegations under Section 44(6) at the principal office of the Council during ordinary office hours.

Section 101 of the *Local Government Act 1999* provides that the Chief Executive Officer may delegate (or sub-delegate) a power or function vested or conferred in or on the Chief Executive Officer under the *Local Government Act 1999*. Section 101 sets out various other matters in relation to delegations (or sub-delegations) by the Chief Executive Officer.

A delegation by the Chief Executive Officer made under Section 101 of the *Local Government Act 1999* may be made to an employee of the Council, or to the employee for the time being occupying a particular office or position, a committee comprising employees of the Council, or an authorised person.

➤ **Risk Management Implications**

The maintenance of a robust legislative delegation regime is an important control in managing the risk of:

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

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Low (3E)	Low

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

➤ **Financial and Resource Implications**

One of the primary duties of the Governance & Risk Coordinator's (GRC) role is to review and update the council delegations. The GRC utilises a proprietary software package which imports updated Instruments from the Local Government Association. The GRC then liaises with the Chief Executive Officer and People Leaders to review the Instruments before making recommendations back to the Chief Executive Officer for ultimately Council's consideration. The costs for the GRC, the software and the LGA Membership are considered and allowed for in the Annual Business Plan process.

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

Delegations allow Council's legislative obligations to be discharged in an effective and efficient manner and enable the administration to provide more timely service.

➤ **Sustainability Implications**

There are no direct sustainability implications from this report.

➤ **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: The following officers are to be consulted following Council's consideration:

- Chief Executive Officer
- Director Corporate Services and Directorate Officers
- Director Community Capacity and Directorate Officers
- Director Infrastructure & Operations and Directorate Officers
- Director Development & Regulatory Services and Directorate Officers
- Executive Manager Governance & Performance and Directorate Officers

External Agencies: Local Government Association of South Australia
Norman Waterhouse Lawyers

Community: Not Applicable

2. BACKGROUND

Legislation is constantly changing and a review is required to ensure Council and staff are working with the updated legislation and have the appropriate delegations to carry out the various legislative functions. Model Delegations are prepared by Norman Waterhouse Lawyers on behalf of the Local Government Association (LGA) and have been used as a basis for this review.

Delegations can be revoked by the Council at any time and Council retains the right to act on any matter even if it has been delegated.

A schedule of reviews (**Appendix 1**) has been developed to ensure delegations under all Acts/Regulations are reviewed over the course of the Council Term.

3. ANALYSIS

The following Instruments are being reviewed at this time:

- *Instrument of Delegation under the Burial and Cremation Regulations 2014*
- *Instrument of Delegation under the Expiation of Offences Act 1996*
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- *Instrument of Delegation under the Safe Drinking Water Act 2011*
- *Instrument of Delegation under the State Records Act 1997*

There have been no changes to the other delegations in this review.

If the powers contained in the attached instruments were not delegated all decisions must come to Council for its consideration and the Chief Executive Officer will not be empowered to act in relation to such matters.

As with all Council delegations, delegating a power under these Acts does not transfer that power from the Council to the delegate, it merely replicates it. As such, where the situation requires, matters will be brought to Council for decision.

4. OPTIONS

Council has the following options:

- I. To determine to delegate to the Chief Executive Officer some or all of the powers and functions contained in the appendices. The previous delegations must be revoked and replaced with the new delegations (Recommended).
- II. To determine not to delegate to the Chief Executive Officer some or all of the powers and functions contained in the appendices. (Not Recommended).

Should the Council wish to make substantial changes or not delegate the suggested powers and functions contained in the appendices, it is recommended the matter referred to staff for review to allow for analysis of the implications of the amendments, prior to the matter being brought back to the Council for further consideration.

5. APPENDICES

- (1) Delegations Review Schedule -**Appendix 1**
- (2) Combined Instruments of Delegation May 2021 – **Appendix 2 (per table below)**

Combined Instrument of Delegation May 2021 – Appendix 2	Page Number
<i>Instrument of Delegation under the Burial and Cremation Regulations 2014</i>	17
<i>Instrument of Delegation under the Expiation of Offences Act 1996</i>	22
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<i>Instrument of Delegation under the State Records Act 1997</i>	143

Appendix 1

Delegations Review Schedule

Delegations Review Schedule

Legislation	Last Reviewed	Included in this Review 25 May 2021
Burial and Cremation Act 2013	23-Mar-21	NIL
Burial and Cremation Regulations 2014	23-Mar-21	YES
Community Titles Act 1996	27-Jan-21	NIL
Cost of Living Concessions Act 1986	27-Jan-21	NIL
Crown Land Management Act 2009	27-Jan-21	NIL
Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019	27-Jan-21	NIL
Disability Inclusion Act 2018	23-Feb-21	NIL
Disability Inclusion Regulations 2019	23-Feb-21	NIL
Dog and Cat Management Act 1995	23-Mar-21	NIL
Dog and Cat Management Regulations 2017	23-Mar-21	NIL
Electricity Act 1996	27-Jan-21	NIL
Electricity (Principles of Vegetation Clearance) Regulations 2010	27-Jan-21	NIL
Electronic Conveyancing National Law (South Australia) Act 2013	24-Sep-19	No Longer an Instrument - delegation of power under section 36(1) of the Local Government Act, which lawyers have advised is a more certain, comprehensive and practical means of delegating council statutory powers vested in any person.
Environment Protection Act 1993	23-Apr-19	YES
Environment Protection Regulations 2009	23-Mar-21	NIL
Environment Protection (Air Quality) Policy 2016	23-Mar-21	NIL
Environment Protection (Noise) Policy 2007	23-Mar-21	NIL
Environment Protection (Used Packaging Materials) Policy 2012	23-Mar-21	NIL
Environment Protection (Waste to Resources) Policy 2010	23-Mar-21	NIL
Expiation of Offences Act 1996	23-Apr-19	YES
Fences Act 1974	23-Apr-19	No Longer an Instrument - delegation of power under section 36(1) of the Local Government Act, which lawyers have advised is a more certain, comprehensive and practical means of delegating council statutory powers vested in any person.
Fines Enforcement and Debt Recovery Act 2017	23-Mar-21	NIL
Fire and Emergency Services Act 2005	23-Mar-21	NIL
Fire and Emergency Services Regulations 2005	23-Mar-21	NIL
Food Act 2001	23-Apr-19	YES
Food Regulations 2017	23-Mar-21	NIL
Freedom of Information Act 1991	25-Jun-19	YES
Freedom of Information (Fees and Charges) Regulations 2018	25-Jun-19	YES
Gas Act 1997	27-Jan-21	NIL
Heavy Vehicle National Law (schedule to the Heavy Vehicle National Law (South Australia) Act 2013)	27-Jan-21	NIL
Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)	27-Jan-21	NIL
Independent Commissioner Against Corruption Act 2012	27-Jan-21	NIL
Labour Hire Licensing Act 2017	27-Jan-21	NIL
Land and Business (Sale and Conveyancing) Act 1994	27-Jan-21	NIL
Landscape South Australia Act 2019	27-Jan-21	YES
Landscape South Australia (General) Regulations 2020	27-Jan-21	NIL
Landscape South Australia (Water Management) Regulations 2020	27-Jan-21	NIL
Liquor Licensing Act 1997	17-Dec-19	YES
Local Government Act 1999	23-Jun-20	NIL
Local Government (Building Upgrade Agreements) Regulations 2017	23-Mar-21	NIL
Local Government (Elections) Act 1999	23-Mar-21	NIL
Local Government (Financial Management) Regulations 2011	27-Jan-21	NIL
Local Government (General) Regulations 2013	27-Jan-21	NIL
Local Government (Members Allowances and Benefits) Regulations 2010	27-Jan-21	NIL
Local Government (Procedures at Meetings) Regulations 2013	27-Jan-21	NIL

Delegations Review Schedule

Legislation	Last Reviewed	Included in this Review 25 May 2021
Local Government (Forestry Reserves) Act 1944	23-Mar-21	NIL
Local Nuisance and Litter Control Act 2016	23-Apr-19	YES
Local Nuisance and Litter Control Regulations 2017	23-Apr-19	YES
Magistrates Court Rules 1992	23-Feb-21	NIL
Mining Act 1971	23-Mar-21	NIL
Mining Regulations 2020	23-Mar-21	NIL
Natural Resources Management Act 2004	23-Mar-21	NIL
Natural Resources Management (Financial Provisions) Regulations 2005	23-Mar-21	NIL
Ombudsman Act 1972	23-Feb-21	NIL
Planning, Development and Infrastructure Act 2016 of Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)	23-Mar-21	NIL
Planning Development and Infrastructure Act 2016 – Instrument A1 Powers of the Council as a Council, Designated Authority and Designated Entity	23-Mar-21	NIL
Planning Development and Infrastructure Act 2016 - Instrument B1, Powers of the Council as a Relevant Authority	23-Mar-21	NIL
Planning, Development and Infrastructure Act 2016 - Instrument C1 Powers of an Assessment Panel	10/06/2020 CAP Meeting	Instrument by CAP
Planning Development and Infrastructure Act 2016 - Instrument D1 Powers of an Assessment Manager	25-Jun-20	Instrument by Assessment Manager following appointment by CEO
Private Parking Areas Act 1986	27-Jan-21	NIL
Real Property Act 1886	23-Mar-21	NIL
Roads (Opening and Closing) Act 1991	27-Jan-21	YES
Road Traffic Act 1961	23-Mar-21	NIL
Road Traffic (Miscellaneous) Regulations 2014	23-Mar-21	NIL
Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014	23-Mar-21	NIL
Safe Drinking Water Act 2011	23-Apr-19	YES
Safe Drinking Water Regulations 2012	23-Mar-21	NIL
South Australian Public Health Act 2011	23-Mar-21	NIL
South Australian Public Health (General) Regulations 2013	23-Mar-21	NIL
South Australian Public Health (Legionella) Regulations 2013	23-Mar-21	NIL
South Australian Public Health (Wastewater) Regulations 2013	23-Mar-21	NIL
State Records Act 1997	27-Jan-21	YES
Strata Titles Act 1988	27-Jan-21	NIL
Supported Residential Facilities Act 1992	23-Mar-21	NIL
Supported Residential Facilities Regulations 2009	23-Mar-21	NIL
Unclaimed Good Act 1987	23-Apr-19	No Longer an Instrument - delegation of power under section 36(1) of the Local Government Act, which lawyers have advised is a more certain, comprehensive and practical means of delegating council statutory powers vested in any person
Water Industry Act 2012	23-Feb-21	NIL
Water Industry Regulations 2012	23-Feb-21	NIL
Work Health and Safety Act 2012	17-Dec-19	No Longer an Instrument - delegation of power under section 36(1) of the Local Government Act, which lawyers have advised is a more certain, comprehensive and practical means of delegating council statutory powers vested in any person

Appendix 2

Combined Instruments of Delegation May 2021



ADELAIDE HILLS COUNCIL

COMBINED INSTRUMENT OF DELEGATION

17 MAY 2021

Instruments of Delegation in this Document

- Instrument of Delegation under the Burial and Cremation Regulations 2014
- Instrument of Delegation under the Expiation of Offences Act 1996
- Instrument of Delegation under the Food Act 2001
- Instrument of Delegation under the Freedom of Information (Fees and Charges) Regulations 2018
- Instrument of Delegation under the Freedom of Information Act 1991
- Instrument of Delegation under the Landscape South Australia Act 2019
- Instrument of Delegation under the Liquor Licensing Act 1997
- Instrument of Delegation under the Local Nuisance and Litter Control Act 2016
- Instrument of Delegation under the Local Nuisance and Litter Control Regulations 2017
- Instrument of Delegation under the Roads (Opening and Closing) Act 1991
- Instrument of Delegation under the Safe Drinking Water Act 2011
- Instrument of Delegation under the State Records Act 1997

Delegation Sources

- Burial and Cremation Regulations 2014
- Expiation of Offences Act 1996
- Food Act 2001
- Freedom of Information (Fees and Charges) Regulations 2018
- Freedom of Information Act 1991
- Landscape South Australia Act 2019
- Liquor Licensing Act 1997
- Local Nuisance and Litter Control Act 2016
- Local Nuisance and Litter Control Regulations 2017
- Roads (Opening and Closing) Act 1991
- Safe Drinking Water Act 2011
- State Records Act 1997

Positions

Abbreviation	Position
Administration Building Support Officer (418)	Administration Building Support Officer (418)
Administration Support Officer (369)	Administration Support Officer (369)
Administration Support Officer (76)	Administration Support Officer (76)
Administrative Officer (216)	Administrative Officer (216)

Abbreviation	Position
Adult Collections Officer (226)	Adult Collections Officer (226)
Adult Collections Officer (266)	Adult Collections Officer (266)
Arboriculture and Horticulture Officer (120)	Arboriculture and Horticulture Officer (120)
Assessment Manager (72)	Assessment Manager (72)
Asset and GIS Officer (232)	Asset and GIS Officer (232)
Asset Management System Analyst (455)	Asset Management System Analyst (455)
Biodiversity Officer (327)	Biodiversity Officer (327)
Biodiversity Officer (85)	Biodiversity Officer (85)
Biodiversity Project Officer (447)	Biodiversity Project Officer (447)
Building Fire Safety Committee	Building Fire Safety Committee
Building Management Coordinator (297)	Building Management Coordinator (297)
Building Management Officer (108)	Building Management Officer (108)
Building Officer (380)	Building Officer (380)
Building Officer (453)	Building Officer (453)
Building Officer (463)	Building Officer (463)
Building Officer (73)	Building Officer (73)
CAP (Council's Assessment Panel)	CAP (Council's Assessment Panel)

Abbreviation	Position
Cemeteries Officer (370)	Cemeteries Officer (370)
Chief Executive Officer (95)	Chief Executive Officer (95)
Children's Program Support Officer (231)	Children's Program Support Officer (231)
Collaborative Project Officer (210)	Collaborative Project Officer (210)
Collections Development Coordinator (14)	Collections Development Coordinator (14)
Collections Support Officer (301)	Collections Support Officer (301)
Communications Officer (377)	Communications Officer (377)
Community and Cultural Development Officer (393)	Community and Cultural Development Officer (393)
Community and Social Planning Officer (465)	Community and Social Planning Officer (465)
Community Centre Operations Officer TSCC (406)	Community Centre Operations Officer TSCC (406)
Community Centre Operations Officer TVCC (407)	Community Centre Operations Officer TVCC (407)
Community Centre Support Officer (432)	Community Centre Support Officer (432)
Community Dev and Admin Support Officer (404)	Community Dev and Admin Support Officer (404)
Community Development Administration Officer (325)	Community Development Administration Officer (325)
Community Development Officer TSCC (405)	Community Development Officer TSCC (405)
Community Development Officer TVCC (401)	Community Development Officer TVCC (401)

Abbreviation	Position
Community Development Officer Y&R (205)	Community Development Officer Y&R (205)
Community Engagement Coordinator (445)	Community Engagement Coordinator (445)
Community Support and Programs Officer (428)	Community Support and Programs Officer (428)
Community Support and Volunteer Officer (427)	Community Support and Volunteer Officer (427)
Community Support Officer (328)	Community Support Officer (328)
Community Support Officer (4)	Community Support Officer (4)
Community Support Officer (438)	Community Support Officer (438)
Coordinator Civil Operations (117)	Coordinator Civil Operations (117)
Coordinator Civil Projects (109)	Coordinator Civil Projects (109)
Coordinator Service Strategy and Innovation (362)	Coordinator Service Strategy and Innovation (362)
Corporate Planning & Performance Coordinator (413)	Corporate Planning & Performance Coordinator (413)
Customer Service Officer (11)	Customer Service Officer (11)
Customer Service Officer (18)	Customer Service Officer (18)
Customer Service Officer (23)	Customer Service Officer (23)
Customer Service Officer (365)	Customer Service Officer (365)
Customer Service Officer (382)	Customer Service Officer (382)

Abbreviation	Position
Customer Service Officer (59)	Customer Service Officer (59)
Customer Service Officer (62)	Customer Service Officer (62)
Customer Service Officer (66)	Customer Service Officer (66)
Customer Service Officer (68a)	Customer Service Officer (68a)
Customer Service Officer (68b)	Customer Service Officer (68b)
Customer Service Officer (8)	Customer Service Officer (8)
Customer Service Officer Casual (197)	Customer Service Officer Casual (197)
Customer Service Officer Casual (20)	Customer Service Officer Casual (20)
Customer Service Officer Casual (21)	Customer Service Officer Casual (21)
Customer Service Officer Casual (267)	Customer Service Officer Casual (267)
Customer Service Officer Casual (281)	Customer Service Officer Casual (281)
Customer Service Officer Casual (359)	Customer Service Officer Casual (359)
Customer Service Officer Casual (60)	Customer Service Officer Casual (60)
CWMS Technical Officer (423)	CWMS Technical Officer (423)
Depot Supervisor (443)	Depot Supervisor (443)
Development Compliance Officer (211)	Development Compliance Officer (211)
Digital Learning Officer (440)	Digital Learning Officer (440)

Abbreviation	Position
Digital Services Officer (390)	Digital Services Officer (390)
Director Community Capacity (350)	Director Community Capacity (350)
Director Corporate Services (41)	Director Corporate Services (41)
Director Development and Regulatory Services (70)	Director Development and Regulatory Services (70)
Director Fabrik (437)	Director Fabrik (437)
Director Infrastructure and Operations (114)	Director Infrastructure and Operations (114)
Duty Planner (265a)	Duty Planner (265a)
Duty Planner (265b)	Duty Planner (265b)
E-Development Officer (417)	E-Development Officer (417)
Elected Body	Elected Body
Elected Body	Council Members 2018 - 2022
Environmental Health Officer (241)	Environmental Health Officer (241)
Environmental Health Officer (294)	Environmental Health Officer (294)
Environmental Health Officer (91)	Environmental Health Officer (91)
Environmental Health Project Officer (97)	Environmental Health Project Officer (97)
Events Officer (444)	Events Officer (444)

Abbreviation	Position
Executive Assistant - Mayor and CEO (1)	Executive Assistant - Mayor and CEO (1)
Executive Assistant Community Capacity (354)	Executive Assistant Community Capacity (354)
Executive Assistant Corporate Services (39)	Executive Assistant Corporate Services (39)
Executive Assistant Development and Regulatory Services (69)	Executive Assistant Development and Regulatory Services (69)
Executive Assistant Infrastructure & Ops (118)	Executive Assistant Infrastructure & Ops (118)
Executive Manager Governance and Performance (349)	Executive Manager Governance and Performance (349)
Executive Manager Organisational Development (310)	Executive Manager Organisational Development (310)
Field Supervisor (381)	Field Supervisor (381)
Field Supervisor (388)	Field Supervisor (388)
Finance Officer - Accounts Payable (46)	Finance Officer - Accounts Payable (46)
Finance Officer - Accounts Receivables & Treasury (399)	Finance Officer - Accounts Receivables & Treasury (399)
Finance Officer (346)	Finance Officer (346)
Governance & Performance	Governance & Performance
Governance and Risk Coordinator (414)	Governance and Risk Coordinator (414)
Home Services Support Officer (25)	Home Services Support Officer (25)

Abbreviation	Position
ICT Coordinator (353)	ICT Coordinator (353)
ICT Support Officer (224)	ICT Support Officer (224)
ICT Technical Services Coordinator (385)	ICT Technical Services Coordinator (385)
Information Management Admin Officer (436)	Information Management Admin Officer (436)
Information Management Officer (457)	Information Management Officer (457)
Information Management Officer (466)	Information Management Officer (466)
Information Management Officer Tech Records (434)	Information Management Officer Tech Records (434)
Leading Hand Arboriculture (142)	Leading Hand Arboriculture (142)
Leading Hand Drainage (235)	Leading Hand Drainage (235)
Leading Hand Grading (132)	Leading Hand Grading (132)
Leading Hand Grading (315)	Leading Hand Grading (315)
Leading Hand Grading (450)	Leading Hand Grading (450)
Leading Hand Horticulture (165)	Leading Hand Horticulture (165)
Leading Hand Program Maintenance (178)	Leading Hand Program Maintenance (178)
Leading Hand Sealed Roads North (156)	Leading Hand Sealed Roads North (156)
Leading Worker Civil Services (135)	Leading Worker Civil Services (135)

Abbreviation	Position
Leading Worker Civil Services QR North (137)	Leading Worker Civil Services QR North (137)
Leading Worker Civil Services QR South (153)	Leading Worker Civil Services QR South (153)
Leading Worker Open Space (Playgrounds and Cemeteries) (471)	Leading Worker Open Space (Playgrounds and Cemeteries) (471)
Library Acquisitions Officer (181)	Library Acquisitions Officer (181)
Library Youth Collections Officer (227)	Library Youth Collections Officer (227)
Management Accountant (48)	Management Accountant (48)
Manager Civil Services (402)	Manager Civil Services (402)
Manager Communications Engagement and Events (439)	Manager Communications Engagement and Events (439)
Manager Community Development (187)	Manager Community Development (187)
Manager Development Services (72)	Manager Development Services (72)
Manager Economic Development (386)	Manager Economic Development (386)
Manager Financial Services (214)	Manager Financial Services (214)
Manager ICT (312)	Manager ICT (312)
Manager Libraries and Customer Service (12)	Manager Libraries and Customer Service (12)
Manager Open Space (409)	Manager Open Space (409)
Manager Property Services (394)	Manager Property Services (394)

Abbreviation	Position
Manager Strategic Assets (403)	Manager Strategic Assets (403)
Manager Sustainability Waste & Emergency Management (93)	Manager Sustainability Waste & Emergency Management (93)
Mobile Library Officer (32)	Mobile Library Officer (32)
Organisational Development Advisor (375)	Organisational Development Advisor (375)
Organisational Development Officer (334)	Organisational Development Officer (334)
Parks and Reserves Technical Officer (431)	Parks and Reserves Technical Officer (431)
Payroll Officer (50)	Payroll Officer (50)
Procurement Coordinator (412)	Procurement Coordinator (412)
Project Coordinator AHBTC Divestment Strategy (410)	Project Coordinator AHBTC Divestment Strategy (410)
Project Coordinator Business Analyst (456)	Project Coordinator Business Analyst (456)
Project Officer (421)	Project Officer (421)
Project Officer (422)	Project Officer (422)
Property Officer (113)	Property Officer (113)
Public Programs Officer Fabrik (446)	Public Programs Officer Fabrik (446)
Ranger (333)	Ranger (333)
Ranger (357)	Ranger (357)

Abbreviation	Position
Ranger (358)	Ranger (358)
Ranger (99)	Ranger (99)
Rates Officer (43)	Rates Officer (43)
Regulatory Support Officer (101)	Regulatory Support Officer (101)
Roads Officer (416)	Roads Officer (416)
Senior Civil Engineer (184)	Senior Civil Engineer (184)
Senior Customer Service Officer (307)	Senior Customer Service Officer (307)
Senior Customer Service Officer (34)	Senior Customer Service Officer (34)
Senior ICT Officer (458)	Senior ICT Officer (458)
Senior Information Management Officer (470)	Senior Information Management Officer (470)
Senior Infrastructure Planning Engineer (264)	Senior Infrastructure Planning Engineer (264)
Senior Rates Officer (45)	Senior Rates Officer (45)
Senior Statutory Planner (80)	Senior Statutory Planner (80)
Senior Strategic and Policy Planner (200)	Senior Strategic and Policy Planner (200)
Services Coordinator (35)	Services Coordinator (35)
SkyTrust Project Coordinator (442)	SkyTrust Project Coordinator (442)
Sport and Recreation Officer (451)	Sport and Recreation Officer (451)

Abbreviation	Position
Sport and Recreation Planner (391)	Sport and Recreation Planner (391)
Statutory Planner (195)	Statutory Planner (195)
Statutory Planner (215)	Statutory Planner (215)
Statutory Planner (230)	Statutory Planner (230)
Statutory Planner (462)	Statutory Planner (462)
Statutory Planner (82)	Statutory Planner (82)
Statutory Planning Cadet (355)	Statutory Planning Cadet (355)
Supervisor Parks and Reserves (115)	Supervisor Parks and Reserves (115)
Sustainability Officer (306)	Sustainability Officer (306)
System Analyst (384)	System Analyst (384)
Team Leader Administration (77)	Team Leader Administration (77)
Team Leader Building Services (286)	Team Leader Building Services (286)
Team Leader Customer Service (389)	Team Leader Customer Service (389)
Team Leader Digital Services (344a)	Team Leader Digital Services (344a)
Team Leader Digital Services (344b)	Team Leader Digital Services (344b)
Team Leader Environmental Health (96)	Team Leader Environmental Health (96)
Team Leader Information Management (433)	Team Leader Information Management (433)

Abbreviation	Position
Team Leader Outreach Services (203)	Team Leader Outreach Services (203)
Team Leader Positive Ageing (208)	Team Leader Positive Ageing (208)
Team Leader Programs (273)	Team Leader Programs (273)
Team Leader Regulatory Services (196)	Team Leader Regulatory Services (196)
Team Leader Statutory Planning (326)	Team Leader Statutory Planning (326)
Team Member Biodiversity (452)	Team Member Biodiversity (452)
Team Member Open Space (472)	Team Member Open Space (472)
Technical Officer (104)	Technical Officer (104)
Technical Services Officer (383)	Technical Services Officer (383)
Trails Officer (454)	Trails Officer (454)
Volunteering Coordinator (408)	Volunteering Coordinator (408)
Waste Coordinator (299)	Waste Coordinator (299)
WHS Advisor (374)	WHS Advisor (374)
Work Group Leader Arboriculture (448)	Work Group Leader Arboriculture (448)
Work Group Leader Grading (127)	Work Group Leader Grading (127)
Work Group Leader Horticulture (449)	Work Group Leader Horticulture (449)
Work Group Leader Program Maintenance North	Work Group Leader Program Maintenance North

Abbreviation	Position
(124)	(124)
Work Group Leader Program Maintenance South (151)	Work Group Leader Program Maintenance South (151)
Work Group Leader Works Planning (430)	Work Group Leader Works Planning (430)
Work Group Leader Workshop (441)	Work Group Leader Workshop (441)
Workshop Mechanic (150)	Workshop Mechanic (150)

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Instrument of Delegation under the Burial and Cremation Regulations 2014

Burial and Cremation Regulations 2014			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
regulation 12(1)	Ensure remains are placed in labelled container and stored in ossuary	Cemeteries Officer, Cemeteries Officer (370), Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113)	NIL
regulation 12(2)	Provide notice to the Attorney-General and Registrar of removal of remains to ossuary	Cemeteries Officer, Cemeteries Officer (370), Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113)	NIL
regulation 16	Fill interment site to level of natural surface	Cemeteries Officer (370), Chief Executive Officer (95), Leading Worker Open Space (Playgrounds and Cemeteries) (471), Manager Property Services (394), Property Officer (113), Team Member Open Space (472)	NIL

Burial and Cremation Regulations 2014			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
regulation 17(2)	Approve manner of marking name plate attached to coffin or bodily remains	Cemeteries Officer (370), Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113)	NIL
regulation 18(1)(a)	Approve construction material for mausoleum or vault	Cemeteries Officer (370), Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113)	NIL
regulation 18(5)	Be satisfied that mausoleum or vault is sealed	Cemeteries Officer (370), Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113)	NIL
regulation 19(1)	Open and inspect mausoleum or vault	Cemeteries Officer (370), Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113)	NIL
regulation 19(2)	Give notice to take remedial action if mausoleum or vault does not comply with the Burial and Cremation Regulations or offensive odours or noxious gases or fluids have escaped or are escalating from the	Cemeteries Officer (370), Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113)	NIL

Burial and Cremation Regulations 2014			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	mausoleum or vault		
regulation 19(3)	Cause work to be undertaken if person fails to comply with notice provided under regulation 19(2)	Cemeteries Officer (370), Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113)	NIL
regulation 19(3)	Recover costs of undertaking work if person fails to comply with notice provided under regulation 19(2)	Cemeteries Officer (370), Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Property Officer (113)	NIL
regulation 21(1)	Dispose of name plate, metal or plastic fitting, any other object removed from the exterior of coffin or any other thing in possession due to cremation	Cemeteries Officer (370), Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394)	NIL
regulation 21(3)	Ensure nameplate is provided to person holding the relevant cremation permit or a person authorised by that person	Cemeteries Officer (370), Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394)	NIL
regulation 22	Fence the cemetery or natural burial ground	Cemeteries Officer (370), Chief Executive Officer (95), Leading Worker Open Space (Playgrounds and Cemeteries) (471), Manager Property Services (394),	NIL

Burial and Cremation Regulations 2014			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196), Team Member Open Space (472)	
regulation 24(1)	Issue direction to person in charge of a motor vehicle within a cemetery or natural burial ground as to the driving of the vehicle	Cemeteries Officer (370), Chief Executive Officer (95), Leading Worker Open Space (Playgrounds and Cemeteries) (471), Manager Property Services (394), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196), Team Member Open Space (472)	NIL
regulation 24(2)	Issue direction to person in charge of a motor vehicle within a cemetery or natural burial ground as to the parking of the vehicle	Cemeteries Officer (370), Chief Executive Officer (95), Leading Worker Open Space (Playgrounds and Cemeteries) (471), Manager Property Services (394), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196), Team Member Open Space (472)	NIL
regulation 25	Authorise removal, damage, defacement or interference of fixtures, structure or grounds within the cemetery or natural burial ground	Chief Executive Officer (95), Leading Worker Open Space (Playgrounds and Cemeteries) (471), Manager Property Services (394), Property Officer (113), Team	NIL

Burial and Cremation Regulations 2014			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Member Open Space (472)	
regulation 26(a)	Cause removal of unattached ornament, empty flower container, broken masonry, decayed or broken wreath or dead flowers from the cemetery or natural burial ground	Chief Executive Officer (95), Leading Worker Open Space (Playgrounds and Cemeteries) (471), Manager Property Services (394), Property Officer (113), Team Member Open Space (472)	NIL
regulation 26(b)	Cause pruning, cutting down or removal of plants within the cemetery or natural burial ground	Chief Executive Officer (95), Leading Worker Open Space (Playgrounds and Cemeteries) (471), Manager Property Services (394), Property Officer (113), Team Member Open Space (472)	NIL
regulation 27	Require a person to leave the cemetery or natural burial ground	Chief Executive Officer (95), Leading Worker Open Space (Playgrounds and Cemeteries) (471), Manager Property Services (394), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Regulatory Services (196), Team Member Open Space (472)	NIL

Instrument of Delegation under the Expiation of Offences Act 1996

Expiation of Offences Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 5(1)	Give an expiation notice to an alleged offender	Building Management Officer (108), Chief Executive Officer (95), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)	NIL
section 5(3)(a)	Provide that an offence against a regulation or by-law for which the Council may impose a penalty may	Building Management Officer (108), Chief Executive Officer (95), Development Compliance Officer (211), Director Corporate Services (41), Director Development and	NIL

Expiation of Offences Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	be expiated	Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)	
section 5(3)(b)	Fix an expiation fee for an offence against a regulation or by-law for which the Council may impose a penalty may be expiated	Building Management Officer (108), Chief Executive Officer (95), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Statutory	NIL

Expiation of Offences Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)	
section 8(1)	Receive notice from alleged offender electing to be prosecuted for an offence	Building Management Officer (108), Chief Executive Officer (95), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)	NIL
section 8A(1)	Receive application from person in receipt of an expiation notice seeking review on grounds that offence is trifling	Building Management Officer (108), Chief Executive Officer (95), Development Compliance Officer (211), Director Corporate Services (41), Director Development and	NIL

Expiation of Offences Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)	
section 8A(2)	Require applicant to provide further information	Building Management Officer (108), Chief Executive Officer (95), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Statutory	NIL

Expiation of Offences Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)	
section 8A(3)	Require application to be verified by a statutory declaration	Building Management Officer (108), Chief Executive Officer (95), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)	NIL
section 8A(4)	Determine application	Building Management Officer (108), Chief Executive Officer (95), Development Compliance Officer (211), Director Corporate Services (41), Director Development and	NIL

Expiation of Offences Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)	
section 8A(5)	Withdraw expiation notice if satisfied that the offence is trifling	Building Management Officer (108), Chief Executive Officer (95), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Statutory	NIL

Expiation of Offences Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)	
section 11(1)	Issue an expiation reminder notice to alleged offender	Building Management Officer (108), Chief Executive Officer (95), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)	NIL
section 11A(1)	Assess acceptability of statutory declaration or other document provided by alleged offender	Building Management Officer (108), Chief Executive Officer (95), Development Compliance Officer (211), Director Corporate Services (41), Director Development and	NIL

Expiation of Offences Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Statutory Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)	
section 12	Accept a later payment of amount due under an expiation notice	Building Management Officer (108), Chief Executive Officer (95), Development Compliance Officer (211), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Property Officer (113), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Senior Statutory	NIL

Expiation of Offences Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Planner (80), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326)	
section 16(1)	Withdraw an expiation notice in prescribed circumstances	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 16(2)	Refund expiation fee or instalment paid if expiation notice is withdrawn	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section	Prosecute offence following withdrawal of expiation	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director	

Expiation of Offences Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
16(5)	notice	Infrastructure and Operations (114), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 16(6)	Withdraw expiation notice if alleged offender has not received notice during expiation period due to error of issuing authority, postal service or email	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 16(11)	Inform Chief Recovery Officer of the withdrawal of an expiation notice	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL

Expiation of Offences Act 1996			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 17(3)	Pay half of expiation fee for offence reported by the police or another officer of the Crown into the Consolidated Account	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 18(1)	Enter an agreement with the Chief Recovery Officer in relation to the exchange of information	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Property Services (394), Manager Sustainability Waste & Emergency Management (93), Team Leader Building Services (286), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL

Instrument of Delegation under the Food Act 2001

Food Act 2001			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 29	Elect to charge a person with a summary offence	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 42(2)	Approve the removal or interference with a thing to which a seizure order relates	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section	Authorise the release of a thing seized under a seizure order	Chief Executive Officer (95), CWMS Technical	

Food Act 2001			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
42(3)(a)(i)		Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 42(3)(a)(ii)	Order that food or any other perishable thing be forfeited to the enforcement agency	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 42(3)(a)(ii)	Receive food or any other perishable thing being forfeited to the enforcement agency by order of the enforcement agency	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL

Food Act 2001			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 42(3)(b)(i)	Receive food or any other perishable thing being forfeited to the enforcement agency by court order	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 42(3)(d)	Deal with food or any other perishable thing in accordance with a determination of the Minister	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 42(3)(e)	Dispose of a thing forfeited to the enforcement agency under pursuant to section 42	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health	NIL

Food Act 2001			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		(96)	
section 52(2)	Pay compensation if there were no grounds for the council's Chief Executive Officer to make a prohibition order under section 46	Chief Executive Officer (95), Director Development and Regulatory Services (70)	NIL
section 52(3)	Send written notification of determination as to the payment of compensation to each applicant for compensation	Chief Executive Officer (95), Director Development and Regulatory Services (70)	NIL
section 79(1)(a)	Determine the priority classification of individual food businesses in its council area for the application of any requirements of the regulations relating to food safety programs	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 79(1)(b)	Determine the frequency of auditing of any food safety programs required by the regulations in relation to food businesses in the council area	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental	NIL

Food Act 2001			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	
section 79(3)	Provide written notification to the proprietor of a food business in the council area of the priority classification of its business, the food safety audit frequency and the date by which a food safety program required by the regulations must be implemented	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 79(4)	Change the priority classification of a food business in the council area	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section	Provide written notification to the proprietor of a change to the	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory	

Food Act 2001			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
79(5)	priority classification of the proprietor's food business	Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 81(1)	Receive a report from a food safety auditor of the results of any audit or assessment carried out by the food auditor for the purposes of the Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 81(6)	Receive a report from a food safety auditor recommending that the priority classification of a food business be changed	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL

Food Act 2001			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 81(7)	Provide a copy of any report received from a food safety auditor of the results of any audit or assessment carried out by the food auditor to the proprietor of the food business audited or assessed	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 86(1)	Receive written notice of information specified in the Food Safety Standards from a food business proposed to be conducted in the council area	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 86(2)	Receive written notice of information specified in the Food Safety Standards from a food business conducted in the council area	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health	NIL

Food Act 2001			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		(96)	
section 86(3)	Receive written notice of transferred ownership or a change in name or address of a food business conducted in the council area	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 88(5)	Consent in writing to the delegation of a power of the relevant authority to the enforcement agency	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 89	Undertake the functions in relation to the administration of the Act conferred or imposed upon the enforcement agency by the Act or by delegation	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental	NIL

Food Act 2001			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	
section 90	Participate in consultation with the relevant authority in regard to proposed conditions or limitation on the exercise of functions of the enforcement agency under the Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL
section 94(1)	Appoint persons with appropriate qualification or experience to be authorised officers	Chief Executive Officer (95), Director Development and Regulatory Services (70), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Team Leader Environmental Health (96)	NIL
section 94(2)	Prepare and maintain a list of authorised officers	Chief Executive Officer (95), Director Development and Regulatory Services (70), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Team Leader	NIL

Food Act 2001			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Environmental Health (96)	
section 95(1)	Provide each authorised officer with a certificate of authority	Chief Executive Officer (95), Director Development and Regulatory Services (70), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Team Leader Environmental Health (96)	NIL
section 95(2)	Limit the authority of an authorised officer	Chief Executive Officer (95), Director Development and Regulatory Services (70), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Team Leader Environmental Health (96)	NIL
section 104(1)	Send samples retained under the Act to an independent analyst in accordance with court order	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Team Leader Environmental Health (96)	NIL

Instrument of Delegation under the Freedom of Information (Fees and Charges) Regulations 2018

Freedom of Information (Fees and Charges) Regulations 2018			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
regulation 5	Waive or remit fee or charge	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Team Leader Information Management (433)	NIL

Instrument of Delegation under the Freedom of Information Act 1991

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 9(1a)	Publish an up-to-date information statement containing the information listed in section 9(2) in the manner prescribed by the regulations	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 10(1)	Cause copies of the most recent information statement and each policy document to be available for inspection and purchase by members of the public	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 15	Take reasonably practicable steps to assist the applicant to provide information to enable the document to which the application related be identified	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager	NIL

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	
section 16(1)	Transfer an application for access to a document to another agency	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 16(3)	Notify the applicant of the transfer of the application for access to a document to another agency	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 17(1)	Request the applicant to pay a reasonable amount by way of advance deposit if the cost of dealing with an application is likely to exceed the application fee	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information	NIL

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Management Officer (470), Team Leader Information Management (433)	
section 17(2)	Request the applicant to pay a reasonable amount by way of further advance deposit if the cost of dealing with an application is likely to exceed the application fee and advance deposit already paid	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 18(1)	Refuse to deal with an application if the work involved in dealing with the application would substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 18(2)	Assist an applicant to amend the application so that the work involved in dealing with the application would not substantially and unreasonably divert the council's resources from their use by the council in exercise of its functions.	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 18(2a)	Refuse to deal with an application if the application is part of a pattern of conduct that amounts to an abuse of the right of access or is made for a purpose other than to obtain access to information	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 18(3)	Refuse to deal with an application if the council has requested payment of an advance deposit and payment of the deposit has not been made within the period specified in the request	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 18(4)	Refund any amount of advance deposit which exceeds the council's costs of dealing with the application, if the council refuses to deal with the application	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 18(5)	Provide notice to the applicant that the council is refusing to deal with the application	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 19(1)	Determine:	Chief Executive Officer (95), Director Corporate Services (41)	

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	(a) whether access to a document is to be given, deferred or refused; (b) any charge payable in respect of giving access; and (c) any charge payable for dealing with the application		NIL
section 20(1)	Refuse access to a document	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 21(1)	Defer access to a document	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 22(1)	Determine the form of access to a document	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 22(2)	Determine to provide access to a document in a form other than that requested by the applicant	Chief Executive Officer (95), Director Corporate Services (41), Information	NIL

Freedom of Information Act 1991

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	
section 22(4)	Agreeing with an applicant the form of access to a document	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 22(5)	Refuse to give access to a document if a charge payable in respect of the application, or giving access to the document, has not been paid	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 23(1)	Notify an applicant to the agency's determination or, if relevant, that the agency does not hold the document	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 25(2)	Obtain the views of the government of the Commonwealth or of another State or a council (including a council constituted under the law of	Chief Executive Officer (95), Director Corporate Services (41), Information	

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	another State) as to whether a document is an exempt document	Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 25(2)	Provide view as to whether a document is an exempt document	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 25(3)	Notify the relevant government or council (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 25(3)(d)	Apply for a review of a decision to provide access to a document under section 25(3)	Chief Executive Officer (95), Director Corporate Services (41), Information	NIL

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	
section 26(2)	Notify a person that access to a document containing information concerning his or her personal affairs is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 26(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 26(4)(c)	Form the opinion that disclosure of information may have an adverse effect on the physical or mental health, or emotional state, of the	Chief Executive Officer (95), Director Corporate Services (41), Information	NIL

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	applicant	Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	
section 27(2)	Notify a person that access to a document concerning trade secrets, of a commercial value or concerning the business, professional, commercial or financial affairs of the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 27(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 28(2)	Notify a person that access to a document containing information concerning research that is being, or is intended to be, carried out by or	Chief Executive Officer (95), Director Corporate Services (41), Information	NIL

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	on behalf of the person is being sought under the Freedom of Information Act and seek that person's views on whether the document is an exempt document	Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	
section 28(3)	Notify the relevant person: (a) that the agency has determined to provide access to the document; (b) of the rights of review conferred by the Freedom of Information Act in relation to that determination; and (c) the procedures to be followed to exercise those rights of review	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 29(3)	Confirm, vary or reverse a determination under Part 3 following an application for an internal review	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 29(4)	Refund any application fee paid in respect of the internal review if the agency varies or reverses a determination so that access to a document is given	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 33	Take reasonably practicable steps to assist an applicant to provide information to enable the identification of an agency's document to which access has been given	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 34(a)	Amend records in accordance with an application under section 30	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 34(a)	Refuse to amend records in accordance with an application under section 30	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 35	Refuse an application to amend records	Chief Executive Officer (95), Director Corporate Services (41)	NIL

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 36(1)	Notify applicant of determination regarding an application to amend records or that the agency does not hold the record	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 37(2)	Add to the agency's record a notation specifying that the applicant claims that the record is incomplete, incorrect, out-of-date or misleading and including any information which the applicant claims is required to bring the record up-to-date	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 37(2)	Notify the applicant of the nature of the notation	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 37(3)(a)	Provide a statement to a person to whom the agency discloses information stating that the person to whom the information relates claims that the information is incomplete, incorrect, out-of-date or misleading and setting out the particulars of the notation added to its	Chief Executive Officer (95), Director Corporate Services (41), Information Management Officer (466), Manager ICT (312), Senior Information	NIL

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	records in compliance with section 37(2)	Management Officer (470), Team Leader Information Management (433)	
section 37(3)(b)	Provide a statement as to the reasons for the agency's refusal to amend the records in accordance with the notation	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 38(3)	Confirm, vary or reverse a determination under Division 1, Part 4 following an internal review	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 39(5)(c)(i)	Participate in a settlement between the participants to a review	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 39(5)(c)(ii)	Request a suspension of the proceedings under section 39 to allow an opportunity for a settlement to be negotiated	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 39(7)	Cooperate in a process proposed by a relevant review authority for the purposes of the conduct of an external review	Chief Executive Officer (95), Director Corporate Services (41)	NIL

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 39(9)(a)	Advise a relevant review authority for the purposes of the conduct of an external review that a determination of the agency was made on grounds of the public interest	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 40(1)	Apply to South Australian Civil and Administrative Tribunal for a review of a determination by the relevant review authority on an external review on a question of law	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 40(7)	Advise South Australian Civil and Administrative Tribunal that a determination of the agency was made on grounds of the public interest	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 41(1)	Apply to South Australian Civil and Administrative Tribunal to receive evidence and hear argument in the absence of the public, the other party to the review and the party's representative in respect of a restricted document	Chief Executive Officer (95), Director Corporate Services (41)	NIL
section 53(2a)	Waive, reduce or remit a fee or charge	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Team Leader Information Management (433)	NIL

Freedom of Information Act 1991

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 53(3)	Review a fee or charge on application of the person required to pay the fee or charge and if appropriate reduce the fee or charge	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Team Leader Information Management (433)	NIL
section 53(5)	Recover a fee or charge as a debt	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Team Leader Information Management (433)	NIL
section 54AA(a)	Furnish information to the Minister as required by notice in the Gazette	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Team Leader Information Management (433)	NIL
section 54AA(b)	Comply with requirement of the Minister regarding furnishing and keeping records	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Team Leader Information Management (433)	NIL

Freedom of Information Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
clause 3(b), Schedule 1	Provide notice that information would be protected from disclosure under a corresponding law of the Commonwealth or another State	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Team Leader Information Management (433)	NIL
clause 13(2)(b)(iii), Schedule 1	Approve a term of a contract which contains matter the disclosure of which would constitute a breach of contract or found an action for breach of confidence	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Team Leader Information Management (433)	NIL
clause 13(6), Schedule 1	Notify the Minister of the approval of a term of a contract in accordance with clause 13(2)(b)(iii)	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Team Leader Information Management (433)	NIL

Instrument of Delegation under the Landscape South Australia Act 2019

Landscape South Australia Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 17(4)(a)	Provide an up-to-date copy of the voters roll for the area of the council to the person conducting an election for the members of the regional landscape board	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL
section 25(4)	Work collaboratively with the regional landscape board	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 32(7)	Consent to the Governor making a proclamation under sections 32(1), 32(2) or 32(6) in relation to infrastructure or land vested in or under the care, control or management of the council	Chief Executive Officer (95), Manager Property Services (394)	NIL

Landscape South Australia Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 37(1)(c)	Approve the delegation by a regional landscape board of a function or power vested in the regional landscape board under any Act to the council or an officer of the council	Chief Executive Officer (95), Executive Manager Governance and Performance (349)	NIL
section 41(b)	Enter an arrangement with the regional landscape board to make use of the services of staff, equipment or facilities of the council	Chief Executive Officer (95), Director Infrastructure and Operations (114)	NIL
section 47(7)	Consider any regional landscape plan in the performing of functions or the exercise of powers under any Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 51(5)(b)	Participate in consultation with the regional landscape board in regard to a prescribed levy proposal to the extent required by regulations	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114)	NIL

Landscape South Australia Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 66(1)	Contribute to the costs of the regional landscape board performing its functions	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114)	NIL
section 67(1)	Pay contribution to the costs of the regional landscape board performing its functions	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114)	NIL
section 67(2)	Pay contribution to the costs of the regional landscape board performing its functions	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114)	NIL
section 69(10)	Apply to the regional landscape board for a refund of an amount of the regional landscape levy	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114)	NIL
section 72(6)(a)	Enter an arrangement with the regional landscape board for service of a notice to be effected as part of any other notice serviced by the council	Chief Executive Officer (95), Director Infrastructure and Operations (114)	NIL

Landscape South Australia Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 72(6)(b)	Enter an arrangement with the regional landscape board for the collection of a levy to be effected by the council	Chief Executive Officer (95), Director Corporate Services (41), Director Infrastructure and Operations (114)	NIL
section 101(6)	Make a submission to the Minister regarding proposed declaration of a prescribed water resource	Chief Executive Officer (95), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93)	NIL
section 103(3)	Appoint the Minister, a regional landscape board, a designated entity, a council or a council subsidiary in place of the council as the 'relevant authority'	Chief Executive Officer (95)	NIL
section 104(3)	Grant a person a water management authorisation or permit to undertake an activity prescribed in sections 104(3)(e) or 104(3)(f) of the Landscape South Australia Act (except in the case of the discharge of water into a watercourse for the purpose of running the water down the watercourse for storage in a reservoir or other facility)	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency	NIL

Landscape South Australia Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Management (93), Sustainability Officer (306)	
section 107(1)	Issue a notice to the owner of land in respect of an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 107(2)(b)	Enter land and take action specified in a notice issued under section 107(1) of the Landscape South Australia Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL

Landscape South Australia Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 112(1)	Approve a form of application in respect of a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 112(6)	Specify conditions on a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 112(9)	Vary, suspend or revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager	NIL

Landscape South Australia Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	
section 112(10)	Vary a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 112(11)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL

Landscape South Australia Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 112(12)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 112(13)	Revoke a permit for an activity for which the council is the relevant authority as prescribed by section 103(2)(d) of the Landscape South Australia Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 112(14)	Serve notice of the variation or revocation of a permit	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager	NIL

Landscape South Australia Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	
section 113(2)	Give notice of an application for a permit in accordance with the regulations	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 113(3)	Receive representations in relation to the granting or refusal of a permit	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL

Landscape South Australia Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 113(4)	Forward a copy of representations in relation to the granting or refusal of a permit to the applicant and allow the applicant an opportunity to respond in writing	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 113(6)	Allow a person who made a representation regarding the granting or refusal of a permit the opportunity to appear personally or by representative before the authority	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 113(7)	Allow an applicant to appear personally or by representative before the authority	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager	NIL

Landscape South Australia Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	
section 113(8)(a)	Give notice to each person who made a representation to the authority of the authority's decision and the person's appeal rights under the Landscape South Australia Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 113(8)(b)	Give notice to the Environment, Resources and Development Court of the authority's decision and the names and addresses of persons who made representations under section 113 of the Landscape south Australia Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL

Landscape South Australia Act 2019			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 113(13)	Provide for inspection and purchase written representations made under section 113 of the Landscape south Australia Act and the written response of the applicant	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Open Space (409), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Sustainability Officer (306)	NIL
section 202(4)	Agree with the Minister that an officer of the council may be appointed as an authorised officer	Chief Executive Officer (95)	NIL
section 219(3)	Receive notice from the Minister of a proposed management agreement that provides for the remission of council rates and provide submissions to the Minister on the proposed agreement	Chief Executive Officer (95)	NIL

Instrument of Delegation under the Liquor Licensing Act 1997

Liquor Licensing Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 22(1)	Apply to the Court for a review of a decision of the Commissioner in relation to an application for or in relation to a licence	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)	NIL
section 37(5)	Participate in consultation with the Minister in relation to any proposed regulations declaring an area to be a prescribed area for the purposes of section 37 of the Liquor Licensing Act	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72)	NIL
section 69(3)(e)	Approval of an application for the extension of a trading area where the relevant area is under the control of the council	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230),	NIL

Liquor Licensing Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	
section 106(2)(b)	Lodge a complaint under section 106(1) regarding unduly offensive, annoying, disturbing or inconvenient activity, noise or behaviour relating to licensed premises	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	NIL
section 106(4)	Request that the matter proceed direct to a hearing	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230),	NIL

Liquor Licensing Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	
section 106(5)	Request that the Commissioner determine the matter	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	NIL
section 106(6)(a)	Make submissions in regard to the matter to the Commissioner or Court	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230),	NIL

Liquor Licensing Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	
section 120(2)(c)	Lodge a complaint under section 120(1) alleging that proper grounds for disciplinary action exist against a specified person	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	NIL
section 128E(1)	Prepare a draft local liquor accord	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230),	NIL

Liquor Licensing Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	
section 128E(3)	Request a variation of a local liquor accord	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	NIL
section 128E(5)	Request the Commissioner to add or remove the council as a party to a local liquor accord	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230),	NIL

Liquor Licensing Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	
section 128E(6)	Request the Commissioner to terminate a local liquor accord	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	NIL
section 128E(7)	Seek the consent of the other parties to a local liquor accord prior to request the Commissioner to terminate the local liquor accord	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230),	NIL

Liquor Licensing Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	
section 131(1ab)	Prohibit the consumption or possess or both of liquor in a public place within the council area during a specified period by notice published in the Gazette	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	NIL
section 131(1ad)	Provide a copy of notice published under section 131(1ab) to the Commissioner of Police	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230),	NIL

Liquor Licensing Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	
section 131(1c)	Vary or revoke a notice published under section 131(1ab)	Assessment Manager (72), Building Management Officer (108), Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Duty Planner (265a), Duty Planner (265b), Manager Development Services (72), Manager Property Services (394), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (462), Statutory Planner (82), Team Leader Statutory Planning (326)	NIL

Instrument of Delegation under the Local Nuisance and Litter Control Act 2016

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 7(2)(a)	Take action to manage local nuisance and littering within the council area	Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 7(2)(b)	Cooperate with any other person or body in the administration of the Act	Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section	Provide, or support the provision of, educational information	Chief Executive Officer (95), Development	

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
7(2)(c)	within the council areas to help detect, prevent and manage local nuisance and littering	Compliance Officer (211), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 8	Include in the council's annual report details of the performance of the council during the year of functions conferred on it under the Act	Chief Executive Officer (95), Corporate Planning & Performance Coordinator (413), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 12(3)	Appoint authorised officers	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		(196)	
section 12(4)(a)	Determine conditions to apply to the appointment of authorised officers	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 12(6)	Revoke the appointment of an authorised officer	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section	Vary or revoke a condition applying to the appointment of an	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory	

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
12(6)	authorised officer or impose a further condition	Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 13(2)	Issue an identity card to an authorised officer	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 15(a)	Agree in writing that an authorised officer appointed by another council may exercise powers under the Act in the council area	Assessment Manager (72), Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Health (96), Team Leader Regulatory Services (196)	
section 16(1)(a)	Hold a substance, material or thing seized under Division 3, Part 3 of the Act pending proceedings	Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 16(1)(a)	Authorise the release of a substance, material or thing seized under Division 3, Part 3 of the Act	Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	
section 16(1)(d)	Receive a substance, material or thing forfeited pursuant to a court order	Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 16(1)(e)(i)	Request the person entitled to recover a substance, material or thing to collect the substance, material or thing	Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91),	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	
section 16(1)(e)(ii)	Make reasonable attempts to locate the person entitled to recover a substance, material or thing to collect the substance, material or thing	Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 16(1)(f)	Dispose of any substance, material or things forfeited to the council under section 16	Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Environmental	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	
section 19(1)	Declare a person to be exempt from the application of section 18	Chief Executive Officer (95), Community Engagement Coordinator (445), Development Compliance Officer (211), Director Community Capacity (350), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Events Officer (444), Manager Communications Engagement and Events (439), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Regulatory Services (196)	
section 19(2)	Receive an application for an exemption under section 19	Chief Executive Officer (95), Development Compliance Officer (211), Director Community Capacity (350), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Events Officer (444), Manager Communications Engagement and Events (439), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 19(2)(b)	Specify any information the council requires to be provided with an application under section 19	Chief Executive Officer (95), Development Compliance Officer (211), Director Community Capacity (350), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Health Project Officer (97), Events Officer (444), Manager Communications Engagement and Events (439), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	
section 19(4)	Determine conditions to apply to a declaration under section 19	Chief Executive Officer (95), Development Compliance Officer (211), Director Community Capacity (350), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Events Officer (444), Manager Communications Engagement and Events (439), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL

Local Nuisance and Litter Control Act 2016

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 19(5)	Vary or revoke a declaration under section 19	Chief Executive Officer (95), Development Compliance Officer (211), Director Community Capacity (350), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Events Officer (444), Manager Communications Engagement and Events (439), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 19(6)	Specify a date of expiry in a declaration under section 19	Chief Executive Officer (95), Development Compliance Officer (211), Director Community Capacity (350), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Events Officer (444), Manager Communications Engagement and	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Events (439), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	
section 19(7)	Publish a declaration under section 19 or any variations to a declaration on a website determined by the council	Chief Executive Officer (95), Development Compliance Officer (211), Director Community Capacity (350), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Events Officer (444), Manager Communications Engagement and Events (439), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 22(3)(a)(i)	Provide a bin or other receptacle for litter of a particular kind	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager	

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 22(3)(a)(ii)	Approve or authorise the disposal of litter in a manner other than in a bin or receptacle provided by the council	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 25(1)	Receive a citizen's notification from a person who reasonably suspects another person has committed an offence under Division 2, Part 4 of the Act	Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 26(3)	Issue a notice to the owner of a vehicle for an alleged offence	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91),	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Environmental Health Project Officer (97), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	
section 29	Notify the Environment Protection Authority of a belief that an offence committed under section 18 of section 22 has, or may have, resulted in material environmental harm or serious environmental harm	Chief Executive Officer (95), Development Compliance Officer (211), Director Development and Regulatory Services (70), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 30(1)(a)	Issue a nuisance abatement notice	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Leader Regulatory Services (196)	
section 30(1)(b)	Issue a litter abatement notice	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 30(7)	Issue and serve a notice confirming an emergency notice	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Leader Regulatory Services (196)	
section 30(8)	Vary or revoke a notice issued under section 30	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 31(1)	Take action required by a nuisance abatement notice or a litter abatement notice if the requirements of the notice has not been fulfilled	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Leader Regulatory Services (196)	
section 31(2)	Authorise a person to take action on behalf of the council if the requirements of a nuisance abatement notice or a litter abatement notice have not been fulfilled	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 31(3)(a)	Issue an instrument of authority to a person other than an authorised officer taking action on behalf of the council under section 31(1)	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Leader Regulatory Services (196)	
section 31(5)	Recover the reasonable costs and expenses incurred in taking action under section 31	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 31(6)	Fix a period within which an amount under section 31(5) must be paid to the council	Chief Executive Officer (95), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Leader Regulatory Services (196)	
section 32(4)	Participate as a party to any proceedings under section 32	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 33(6)(a)	Make an application to the Environment, Resources and Development Court for an order under section 33(1)	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 33(8)(a)	Serve a copy of an application under section 33 on the Minister	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Regulatory Services (196)	
section 33(9)(b)	Apply to the Environment, Resources and Development Court to join proceedings for an order under section 33(1) commenced by another person	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 33(14)	Apply to the Environment, Resources and Development Court for an interim order under section 33	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 33(19)	Apply to the Environment, Resources and Development Court to vary or revoke an order under section 33	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Regulatory Services (196)	
section 34(1)	Agree with a person who the council is satisfied has contravened the Act a civil penalty in respect of the contravention	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 34(1)	Apply to the Environment, Resources and Development Court for an order for a civil penalty in respect of a contravention of the Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 34(3)(a)	Serve a notice on a person who the council is satisfied has contravened the Act advising the person that they may elect to be prosecuted for the contravention	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Regulatory Services (196)	
section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 40	Require a person required by or under the Act to provide information to the council to verify the information by statutory declaration	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 43(1)(d)	Commence proceedings for an offence against the Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Regulatory Services (196)	
section 48(1)	Serve notice on a person who has contravened the Act requiring the person to pay the reasonable costs of the council taking prescribed action under the Act	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 48(3)(a)	Extend the time for payment of an amount payable under a notice under section 48(1)	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 48(3)(b)	Waive or reduce payment of an amount payable under a notice under section 48(1)	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Regulatory Services (196)	
section 48(6)	Recover an amount payable under a notice under section 48(1) which is unpaid as a debt	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 50(4)	Execute a certificate regarding the appointment or non-appointment of a person as an authorised officer; a delegation or authority under the Act; a notice, requirement or direction of the council; any other decision of the council; receipt or non-receipt of a notification, report or information	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
section 50(5)	Execute a certificate detailing costs and expenses and the purpose for which they were incurred for the purposes of proceedings to recover the reasonable costs of the council	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader	NIL

Local Nuisance and Litter Control Act 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Regulatory Services (196)	
section 51(9)	Participate in consultation with the Minister in regard to proposed regulations	Chief Executive Officer (95), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL

Instrument of Delegation under the Local Nuisance and Litter Control Regulations 2017

Local Nuisance and Litter Control Regulations 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
regulation 6(1)(a)(ii)(A)	Fix a lodgement period for an application under section 19(2) of the Act in relation to an activity that is to take place over a period not exceeding 24 hours	Chief Executive Officer (95), Development Compliance Officer (211), Director Community Capacity (350), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Events Officer (444), Manager Communications Engagement and Events (439), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
regulation 6(1)(a)(ii)(B)	Fix a lodgement period for an application under section 19(2) of the Act in relation to an activity that is to take place over a period of 24 hours or longer	Chief Executive Officer (95), Development Compliance Officer (211), Director Community Capacity (350), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Events Officer (444), Manager	NIL

Local Nuisance and Litter Control Regulations 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Communications Engagement and Events (439), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	
regulation 6(1)(b)	Fix a fee for an application under section 19(2) of the Act	Chief Executive Officer (95), Development Compliance Officer (211), Director Community Capacity (350), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Events Officer (444), Manager Communications Engagement and Events (439), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
regulation 6(2)	Refuse to consider an application for the purposes of section 19(2) of the Local Nuisance and Litter Control Act	Chief Executive Officer (95), Development Compliance Officer (211), Director Community Capacity (350), Director Development and Regulatory Services (70), Environmental Health Officer (241), Environmental Health Officer (294),	NIL

Local Nuisance and Litter Control Regulations 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Environmental Health Officer (91), Environmental Health Project Officer (97), Events Officer (444), Manager Communications Engagement and Events (439), Manager Development Services (72), Manager Sustainability Waste & Emergency Management (93), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	
regulation 13(2)(a)	Give notice to the Registrar-General for the purposes of creating a charge on land	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Financial Services (214), Manager Sustainability Waste & Emergency Management (93), Senior Rates Officer (45), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
regulation 13(2)(g)	Give notice to the Registrar-General for the purposes of cancelling a charge on land	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Financial Services (214), Manager Sustainability Waste & Emergency Management (93), Senior Rates Officer (45), Team Leader Environmental Health (96), Team Leader Regulatory	NIL

Local Nuisance and Litter Control Regulations 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Services (196)	
regulation 13(3)	Recover costs or expenses incurred by the council in relation to the creation or cancellation of a charge over land	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Financial Services (214), Manager Sustainability Waste & Emergency Management (93), Senior Rates Officer (45), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
regulation 15(1)	Allow a fee payment under the Local Nuisance and Litter Control Act or regulations to be paid in instalments	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Financial Services (214), Manager Sustainability Waste & Emergency Management (93), Senior Rates Officer (45), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
regulation 15(1)	Add a charge by way of interest or an administrative fee to the payment of a fee by instalments	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Financial Services (214), Manager Sustainability Waste & Emergency	NIL

Local Nuisance and Litter Control Regulations 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Management (93), Senior Rates Officer (45), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	
regulation 16	Waive or refund a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Financial Services (214), Manager Sustainability Waste & Emergency Management (93), Senior Rates Officer (45), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL
regulation 17	Recover a fee or other amount payable under the Local Nuisance and Litter Control Act or regulations	Chief Executive Officer (95), Director Corporate Services (41), Director Development and Regulatory Services (70), Manager Development Services (72), Manager Financial Services (214), Manager Sustainability Waste & Emergency Management (93), Senior Rates Officer (45), Team Leader Environmental Health (96), Team Leader Regulatory Services (196)	NIL

Instrument of Delegation under the Roads (Opening and Closing) Act 1991

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 4	Make a road process order	Elected Body	
section 5	Commence a road process in relation to a road or a proposed road	Chief Executive Officer (95), Manager Property Services (394), Roads Officer (416)	NIL
section 9(1)	Cause to be prepared: (a) a preliminary plan of the land subject to the proposed road process in a form approved by the Surveyor-General; and (b) a statement in a form approved by the Surveyor-General containing the names and addresses of those persons affected who can be identified by reasonable inquiry and such information in relation to the land subject to the proposed road process as is required by the Surveyor-General	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 9(2)	Deposit a copy of the preliminary plan and statement at the Adelaide office of the	Chief Executive Officer (95), Manager Property Services	

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Surveyor-General with the prescribed fee	(394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 10(1)(a)	Give public notice in accordance with the regulations of the proposed road process	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 10(1)(b)	Serve notice of the proposed road process on each person affected who can be identified by reasonable inquiry	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 10(2)	Deposit a copy of the notice at the Adelaide office of the Surveyor-General	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 11(a)(ii)	Lodge a caveat with the Registrar-General forbidding any dealing with the land without the consent of the council	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 11(b)(iii)	Lodge a copy of the notice of the proposed road opening at the General Registry Office	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 11(b)(iii)	Serve a notice on any person requiring the person to deliver up to the Registrar-General any instrument evidencing the person's interest in the land	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 12(1)	Make agreements for exchange or transfer in relation to land subject to a proposed road closure with the owners of land adjoining that land	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic	NIL

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Assets (403), Roads Officer (416)	
section 12(3)(a)	Endeavour to secure an agreement for exchange with a person who owns adjoining land and land subject to a proposed road opening	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 12(3)(b)	Invite offers from the owners of land adjoining the land subject to the proposed road closure	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 13(3)	Receiving an objection or application in respect of a proposed road process	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 14(1)	Notify a person who has made an objection or application in relation to a proposed road process of the time and place at which the relevant authority will meet to consider all such objections and applications	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 15(1)	Determine whether or not to make a road process order	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 15(3)	Give notice of a decision that no road process order is to be made to the Surveyor-General, any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3 and, in the case of a proposed road opening, to any person who has an interest in land over which a road was proposed to be opened	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 17	Make one or more of the orders listed in section 17 as part of a road process order dealing with land the subject of a road closure	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic	NIL

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Assets (403), Roads Officer (416)	
section 18(1)	Make an order as part of a road process order for the granting of an easement over land subject to the road closure	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 19(a)	Give notice of the making of a road process order to any person who made an objection or application in relation to the proposed road process pursuant to Division 1, Part 3	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road will be opened	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 19(b)(i)	Give notice of the making of a road process order to any person who has an interest in land over which a road was proposed to be opened, but which does not form part of the land over which the road will be opened, advising of the discontinuance of the road process in respect of that land	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 19(c)	Deliver to the Adelaide Office of the Surveyor-General a copy of the minutes of all meetings held by the authority in relation to the proposed road process certified by the chief executive officer of the council	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 20(1)	Deposit at the Adelaide Office of the Surveyor-General prescribed documents after making a road process order and any fee prescribed by regulation	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 20(3)	Give notice of the lapsing of a road process to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an interest in the land over which the road was proposed	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic	NIL

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	to be opened	Assets (403), Roads Officer (416)	
section 22(1)	Request that the Surveyor-General amend a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 22(1)	Participate in consultation with the Surveyor-General regarding the amendment of a road process order to correct an error or deficiency prior to confirmation of the order by the Minister	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 22(2)(a)	Receive notice of an amendment of a road process order from the Surveyor-General	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 22(2)(b)	Give notice of an amendment of a road process order to any person who was required to be given notice of the road process order under sections 19(a) or 19(b) and, if the road authority is not the council, the council	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 22(2)(b)	Receive notice from the relevant authority of an amendment of a road process order	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 24(2)(b)	Give notice of a decision by the Minister to decline to confirm a road process order to any person who made an objection of application in relation to the proposed road process pursuant to Division 1, Part 3 and any person who has an interest in the land over which the road was proposed to be opened	Chief Executive Officer (95), Manager Property Services (394), Manager Strategic Assets (403), Roads Officer (416)	NIL
section 31(1)(a)	Serve notice of the road process order on each person who had an interest in the land immediately before it vested in the council by virtue of the road opening and append to the notice an offer in writing stating the total amount of compensation	Chief Executive Officer (95), Manager Property Services (394), Roads Officer (416)	NIL

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	that the council proposes to pay to the person and dividing that amount so far as practicable into separate components		
section 31(1)(b)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	Chief Executive Officer (95), Manager Property Services (394), Roads Officer (416)	NIL
section 32(3)	Assess and pay compensation in respect of a road opened over land not owned by the council as prescribed	Chief Executive Officer (95), Manager Property Services (394), Roads Officer (416)	NIL
section 33(1)	Acquire additional land adjoining or near the land to which the proposed road opening relates with the approval of the Minister	Chief Executive Officer (95), Manager Property Services (394), Roads Officer (416)	NIL
section 33(4)	Sell or otherwise deal with additional land acquired under section 33	Chief Executive Officer (95), Manager Property Services (394), Roads Officer (416)	NIL
section	Apply the proceeds from the sale of additional land to defraying expenses incurred	Chief Executive Officer (95), Director Corporate Services	

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
33(4)	by the council in connection with the road opening	(41), Manager Financial Services (214), Manager Property Services (394)	NIL
section 33(5)	Comply with conditions imposed by the Minister on the manner in which additional land may be dealt with by the council	Chief Executive Officer (95), Manager Property Services (394)	NIL
section 34(1)(b)	Receive a notice of a proposal to close a road from the Surveyor-General	Chief Executive Officer (95), Manager Property Services (394)	NIL
section 34(2)	Make a representation to the Surveyor-General regarding the proposed road closure	Chief Executive Officer (95), Manager Property Services (394)	NIL
section 34B(2)(a)(i)	Receive notice of a proposal to open or close a road in an environmental impact statement	Chief Executive Officer (95), Manager Property Services (394)	NIL

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 34B(2)(c)	Make written submissions on the proposal to open or close a road	Chief Executive Officer (95), Manager Property Services (394)	NIL
section 34G(1)	Apply to the Minister to make a road wider, narrower, longer or shorter pursuant to section 6B of the Roads (Opening and Closing) Act	Elected Body	
section 34G(4)(a)	Give public notice of the proposal, in accordance with the regulations, if the Minister determines that the application under section 34G(1) should be considered	Elected Body	
section 34G(4)(b)	Give notice of the proposal to any State authority or council specified by the Minister	Elected Body	
section 34G(4)(c)	Give notice of the proposal to the Adelaide Park Lands Authority	Elected Body	
section 34G(6)	Forward to the Surveyor-General any representation in relation to the proposal made to the council within the period under section 34G(5) and any response that the council wishes to make in relation to those representations	Elected Body	

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 34G(9)	Consult with the Surveyor-General regarding survey plans and other documents to be prepared as required by the Registrar-General	Elected Body	
section 34G(9)	Submit survey plans and other documents as required by the Registrar-General to the Minister	Elected Body	
section 34G(14)	Provide any documentation required by the Registrar-General to the Registrar-General	Elected Body	
section 35(2)	Reserve any question of law for the consideration of the Supreme Court, prior to making any road process order	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Roads Officer (416)	NIL
section 36(2)(a)	Repay any amount paid to the council in pursuance of an agreement for exchange or transfer which is avoided by virtue of the operation of section 12(4)	Chief Executive Officer (95), Director Corporate Services (41), Manager Property Services (394), Roads Officer (416)	NIL

Roads (Opening and Closing) Act 1991			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 39	Fence along its boundaries a road as altered or diverted by the council with a substantial fence of the same nature as the fence previously in the boundary of the road and abutting the land	Chief Executive Officer (95), Manager Strategic Assets (403)	NIL

Instrument of Delegation under the Safe Drinking Water Act 2011

Safe Drinking Water Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 7(1)	Notify the Minister if the council ceases to be engaged in the supply of drinking water	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93)	NIL
section 8(3)	Apply to the Minister for a variation in a condition on the council's registration as a drinking water provider	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93)	NIL
section 8(5)	Comply with a condition on the council's registration as a drinking water provider	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91),	NIL

Safe Drinking Water Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	
section 9(3)	Receive notice from the Minister proposing the suspension of the council's registration as a drinking water provider	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL
section 9(5)	Lodge a written objection with the Minister regarding a proposed suspension of the council's registration as a drinking water provider	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL
section 9(6)	Make submissions to the Minister regarding a proposed suspension of the council's registration as a drinking water provider	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL
section 9(10)	Apply to the Minister for the cancellation of a suspension to the council's registration as a drinking water provider	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL

Safe Drinking Water Act 2011

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 10(1)	<p>Seek a review by the South Australian Civil and Administrative Tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 of:</p> <p>a condition imposed by the Minister in relation to a registration under Part 2 of the Act;</p> <p>a variation of a condition of registration made by the Minister on the Minister's own initiative;</p> <p>a decision of the Minister to refuse to grant an application to vary a condition of registration;</p> <p>a decision of the Minister to suspend a registration under Part 2.</p>	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL
section 11(3)	Receive a notice of registration of a drinking water provider from the Minister	Chief Executive Officer (95), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114)	NIL
section 12(1)(a)	Prepare a risk management plan in relation to the supply of drinking water	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental	NIL

Safe Drinking Water Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	
section 12(1)(b)	Keep the risk management plan in relation to the supply of drinking water under continuous review	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 12(1)(c)	Revise the risk management plan	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager	NIL

Safe Drinking Water Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	
section 12(3)	Adopt a standard risk management plan published for the purposes of section 12	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 14(2)	Furnish a copy of its monitoring program and incident identification and notification protocol to the Minister	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader	NIL

Safe Drinking Water Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Environmental Health (96)	
section 14(3)(b)	Participate in consultation with the Minister in regard to proposed alterations to the program or protocol	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93)	NIL
section 14(4)	Seek a review by the South Australian Civil and Administrative Tribunal under section 34 of the South Australian Civil and Administrative Tribunal Act 2013 of proposed alterations to the program or protocol	Chief Executive Officer (95), CWMS Technical Officer (423), Director Infrastructure and Operations (114), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93)	NIL
section 14(7)	Implement the council's risk management plan	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL

Safe Drinking Water Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 20(4)	Ensure that an audit or inspection is carried out by an approved auditor or approved inspector in accordance with a determination of the Chief Executive of the State government department administering the Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 22(6)	Receive a copy of a report provided to the Chief Executive of the State government department administering the Act under section 20(1) or 20(4)	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section	Comply with a reasonable request or requirement of an auditor or inspector in or in connection with an audit or	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services	

Safe Drinking Water Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
23(1)	inspection under Division 2, Part 4	(70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 25(1)	Ensure drinking water supplied by the council is collected and tested in accordance with prescribed requirements	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 27(1)	Make available to the public the results of any monitoring program that the drinking water provider conducts on drinking water for the purpose of the council's risk management plan	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental	NIL

Safe Drinking Water Act 2011

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	
section 34(1)	Appoint a person with appropriate qualification or experience to be an authorised officer	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93)	NIL
section 34(2)	Prepare and maintain a list of authorised officers	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93)	NIL
section	Provide each authorised officer with a certificate of	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services	

Safe Drinking Water Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
35(1)	authority	(70), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93)	NIL
section 35(2)	Determine limits on the powers of an authorised officer	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93)	NIL
section 35(4)	Receive a surrendered certificate of authority	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Executive Manager Governance and Performance (349), Governance and Risk Coordinator (414), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93)	NIL

Safe Drinking Water Act 2011

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 37(2)	Approve the removal or interference with a thing subject to a seizure order under section 37	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 37(3)(a)	Hold a thing subject to a seizure order pending proceedings	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section	Authorise the release of a thing subject to a seizure order ending proceedings subject to conditions which the council	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services	

Safe Drinking Water Act 2011

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
37(3)(a)(i)	thinks fit	(70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 37(3)(a)(ii)	Order that a thing subject to a seizure order be forfeited to the council	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 37(3)(b)(i)	Receive a thing forfeited to the council by court order	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental	NIL

Safe Drinking Water Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	
section 37(3)(d)	Dispose of a thing forfeited to the council under section 37	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 38(1)	Issue a notice to secure compliance with a requirement imposed by or under the Act or to avert, eliminate or minimise a risk, or a perceived risk, to the public in relation to drinking water	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager	NIL

Safe Drinking Water Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	
section 38(5)	Issue a notice confirming an emergency notice issued by an authorised officer	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 38(6)	Vary or revoke a notice to secure issued under section 38	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader	NIL

Safe Drinking Water Act 2011

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Environmental Health (96)	
section 39(1)	Take action required by a notice issued under Division 3, Part 7 which has not been undertaken	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 39(2)	Authorise a person to take action under section 39(1) on behalf of the council	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL

Safe Drinking Water Act 2011

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 39(3)	Enter relevant land in order to take action under section 39	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 39(4)	Recover the reasonable costs and expenses in taking action under section 39	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section	Fix a period from the date of a notice issued under section 39 within which an amount under section 39(4) must be	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services	

Safe Drinking Water Act 2011			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
39(5)	paid	(70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 40(5)	Recover the reasonable costs and expenses incurred by an authorised officer taking action under section 40	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	NIL
section 41(1)	Require a person to furnish information relating to the quality or supply of drinking water or any other matter associated with the administration or operation of the Act	Chief Executive Officer (95), CWMS Technical Officer (423), Director Development and Regulatory Services (70), Director Infrastructure and Operations (114), Environmental Health Officer (241), Environmental	NIL

Safe Drinking Water Act 2011

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Health Officer (294), Environmental Health Officer (91), Environmental Health Project Officer (97), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Team Leader Environmental Health (96)	
section 42(3)	Act as a party in proceedings under section 42	Chief Executive Officer (95)	NIL
section 52(1)	Furnish a report to the Minister on or by 30 September on the activities of the council under the Act during the financial year ending on the preceding 30 June	Chief Executive Officer (95)	NIL

Instrument of Delegation under the State Records Act 1997

State Records Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
section 13	Maintain official records in the council's custody in good order and condition	Administration Building Support Officer (418), Administration Support Officer (369), Administration Support Officer (76), Administrative Officer (216), Adult Collections Officer (226), Adult Collections Officer (266), Arboriculture and Horticulture Officer (120), Assessment Manager (72), Asset and GIS Officer (232), Asset Management System Analyst (455), Biodiversity Officer (327), Biodiversity Officer (85), Biodiversity Project Officer (447), Building Fire Safety Committee, Building Management Coordinator (297), Building Management Officer (108), Building Officer (380), Building Officer (453), Building Officer (463), Building Officer (73), CAP (Council's Assessment Panel), Cemeteries Officer (370), Chief Executive Officer (95), Children's Program Support Officer (231), Collaborative Project Officer (210), Collections Development	NIL

State Records Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Coordinator (14), Collections Support Officer (301), Communications Officer (377), Community and Cultural Development Officer (393), Community and Social Planning Officer (465), Community Centre Operations Officer TSCC (406), Community Centre Operations Officer TVCC (407), Community Centre Support Officer (432), Community Dev and Admin Support Officer (404), Community Development Administration Officer (325), Community Development Officer TSCC (405), Community Development Officer TVCC (401), Community Development Officer Y&R (205), Community Engagement Coordinator (445), Community Support and Programs Officer (428), Community Support and Volunteer Officer (427), Community Support Officer (328), Community Support Officer (4), Community Support Officer (438), Coordinator Civil Operations (117), Coordinator Civil Projects (109), Coordinator Service Strategy and Innovation (362), Corporate Planning & Performance Coordinator (413), Customer Service Officer (11), Customer Service Officer	

State Records Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		(18), Customer Service Officer (23), Customer Service Officer (365), Customer Service Officer (382), Customer Service Officer (59), Customer Service Officer (62), Customer Service Officer (66), Customer Service Officer (68a), Customer Service Officer (68b), Customer Service Officer (8), Customer Service Officer Casual (197), Customer Service Officer Casual (20), Customer Service Officer Casual (21), Customer Service Officer Casual (267), Customer Service Officer Casual (281), Customer Service Officer Casual (359), Customer Service Officer Casual (60), CWMS Technical Officer (423), Depot Supervisor (443), Development Compliance Officer (211), Digital Learning Officer (440), Digital Services Officer (390), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Fabrik (437), Director Infrastructure and Operations (114), Duty Planner (265a), Duty Planner (265b), E-Development Officer (417), Elected Body, Elected Body, Environmental Health Officer (241), Environmental Health Officer	

State Records Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		(294), Environmental Health Officer (91), Environmental Health Project Officer (97), Events Officer (444), Executive Assistant - Mayor and CEO (1), Executive Assistant Community Capacity (354), Executive Assistant Corporate Services (39), Executive Assistant Development and Regulatory Services (69), Executive Assistant Infrastructure & Ops (118), Executive Manager Governance and Performance (349), Executive Manager Organisational Development (310), Field Supervisor (381), Field Supervisor (388), Finance Officer (346), Finance Officer - Accounts Payable (46), Finance Officer - Accounts Receivables & Treasury (399), Governance & Performance, Governance and Risk Coordinator (414), Home Services Support Officer (25), ICT Coordinator (353), ICT Support Officer (224), ICT Technical Services Coordinator (385), Information Management Admin Officer (436), Information Management Officer (457), Information Management Officer (466), Information Management Officer Tech Records (434), Leading Hand Arboriculture (142), Leading Hand Drainage	

State Records Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		(235), Leading Hand Grading (132), Leading Hand Grading (315), Leading Hand Grading (450), Leading Hand Horticulture (165), Leading Hand Program Maintenance (178), Leading Hand Sealed Roads North (156), Leading Worker Civil Services (135), Leading Worker Civil Services QR North (137), Leading Worker Civil Services QR South (153), Leading Worker Open Space (Playgrounds and Cemeteries) (471), Library Acquisitions Officer (181), Library Youth Collections Officer (227), Management Accountant (48), Manager Civil Services (402), Manager Communications Engagement and Events (439), Manager Community Development (187), Manager Development Services (72), Manager Economic Development (386), Manager Financial Services (214), Manager ICT (312), Manager Libraries and Customer Service (12), Manager Open Space (409), Manager Property Services (394), Manager Strategic Assets (403), Manager Sustainability Waste & Emergency Management (93), Mobile Library Officer (32), Organisational Development Advisor (375),	

State Records Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Organisational Development Officer (334), Parks and Reserves Technical Officer (431), Payroll Officer (50), Procurement Coordinator (412), Project Coordinator AHBTC Divestment Strategy (410), Project Coordinator Business Analyst (456), Project Officer (421), Project Officer (422), Property Officer (113), Public Programs Officer Fabrik (446), Ranger (333), Ranger (357), Ranger (358), Ranger (99), Rates Officer (43), Regulatory Support Officer (101), Roads Officer (416), Senior Civil Engineer (184), Senior Customer Service Officer (307), Senior Customer Service Officer (34), Senior ICT Officer (458), Senior Information Management Officer (470), Senior Infrastructure Planning Engineer (264), Senior Rates Officer (45), Senior Statutory Planner (80), Senior Strategic and Policy Planner (200), Services Coordinator (35), SkyTrust Project Coordinator (442), Sport and Recreation Officer (451), Sport and Recreation Planner (391), Statutory Planner (195), Statutory Planner (215), Statutory Planner (230), Statutory Planner (462), Statutory Planner (82), Statutory Planning Cadet (355), Supervisor	

State Records Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Parks and Reserves (115), Sustainability Officer (306), System Analyst (384), Team Leader Administration (77), Team Leader Building Services (286), Team Leader Customer Service (389), Team Leader Digital Services (344a), Team Leader Digital Services (344b), Team Leader Environmental Health (96), Team Leader Information Management (433), Team Leader Outreach Services (203), Team Leader Positive Ageing (208), Team Leader Programs (273), Team Leader Regulatory Services (196), Team Leader Statutory Planning (326), Team Member Biodiversity (452), Team Member Open Space (472), Technical Officer (104), Technical Services Officer (383), Trails Officer (454), Volunteering Coordinator (408), Waste Coordinator (299), WHS Advisor (374), Work Group Leader Arboriculture (448), Work Group Leader Grading (127), Work Group Leader Horticulture (449), Work Group Leader Program Maintenance North (124), Work Group Leader Program Maintenance South (151), Work Group Leader Works Planning (430), Work Group Leader Workshop (441), Workshop	

State Records Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Mechanic (150)	
section 15(2)	Afford the manager of State records reasonable cooperation and assistance in conducting surveys of the official records and record management practices of agencies	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 18(1)	Deliver records voluntarily into the custody of State Records	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 19(1)	Deliver records into the custody of State Records on the earlier of the council ceasing to require access to the record for current administrative purposes or during the year occurring 15 years after the creation of the record	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 19(3)(c)	Participate in consultation with the Manager of State Records in regard to the postponement of delivery of records into the custody of State Records on the basis that the records are required for the administrative purpose of the council or should	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL

State Records Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	be retained by the council for another special reason		
section 19(5)(a)	Apply to the Manager of State Records for the variation or revocation of an exemption granted under section 19(4)	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 20(1)	Advise the Manager of State Records of any restriction on the disclosure of contents of a record delivered into the custody of State Records	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 22(2)	Determine conditions reasonably required in regard to an arrangement under section 22(1)	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 23(1)	Dispose of official records in accordance with a determination of the Manager of State Records	Chief Executive Officer (95), Director Community Capacity (350), Director Corporate Services (41), Director Development and Regulatory Services (70), Director Fabrik (437), Director Infrastructure	CEO for final approval before destruction.

State Records Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		and Operations (114), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	
section 23(2)	Request the Manager of State Records to make a determination as to the disposal of official records	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 23(4)	Apply to the Minister to determine a dispute as to a determination under section 23	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 24(3)	Consent to the disposal of a record under section 24(1)	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 24(3)	Apply to the Minister to determine a dispute as to access under section 24	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior	

State Records Act 1997

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		Information Management Officer (470), Team Leader Information Management (433)	NIL
section 26(1)	Determine in consultation with the Manager of State Records that access to a record delivered by the council into the custody of State Records is not subject to any restrictions other than those determined by the Manager	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL
section 26(2)	Determine in consultation with the Manager of State Records conditions excluding or restricting access to the record delivered by the council into the custody of State Records	Chief Executive Officer (95), Director Corporate Services (41), Manager ICT (312), Senior Information Management Officer (470), Team Leader Information Management (433)	NIL

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 May 2021
AGENDA BUSINESS ITEM**

Item: 12.9

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
24/09/2019	Ordinary Council	252/19	Kenton Valley War Memorial Park	None declared
27/10/2020	Ordinary Council	233/20	Resilient Hills and Coasts Sector Agreement	None declared
24/11/2020	Ordinary Council	278/20	Shannons Adelaide Rally 2020 proposed date changes	None declared

27/01/2021	Ordinary Council	5/21	Advisory Group Independent Members – Selection Panels	None declared
27/01/2021	Ordinary Council	9/21	Delegations Review January 21	None declared
23/02/2021	Ordinary Council	24/21	Petition - Reduction of Speed Limit Torrens Valley Road Birdwood	None declared
23/02/2021	Ordinary Council	29/21	Traffic Management Bridgewater	None declared
23/02/2021	Ordinary Council	39/21	Delegations Review Feb 2021	None declared
23/03/2021	Ordinary Council	55/21	Delegations Review	None declared
27/04/2021	Ordinary Council	71/21	2021-22 Long Term Financial Plan Adoption	None declared
27/04/2021	Ordinary Council	76/21	2021-22 GRFMA Annual Budget & Business Plan	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	April 21 - The State Dioceses has advised that they are ready to progress and have engaged a valuer to provide an updated valuation. Council has engaged a valuer to undertake a valuation. A report will be presented to Council for consideration once the valuation process is completed.
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 Forestry SA regarding infrastructure improvements for Cudlee Creek Forest Reserve.	Peter Bice	In Progress	Following a successful funding application by Forestry SA, where \$2.5M has been committed to rebuild and improve visitor facilities at Fox Creek Bike Park, via Local Economic Recovery (LER) support under the National Bushfire Recovery Fund, we are now exploring where the local road infrastructure fits into priorities moving forward. A partial re-opening of some key trails at Fox Creek took place on Sunday 11th April, and was extremely well attended, with positive commentary on the day and on Social Media.
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 March 21- Council staff have requested an update from DEW as to the status of this matter
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, AldgateHeathfield Waste Facility, 32 Scott Creed Road, HeathfieldKiley Reserve, 15 Kiley Road, AldgateShanks Reserve, 1 Shanks Road, AldgateStock Reserve, Stock Road, MylorLeslie Creek Reserve, Leslie Creek Road, MylorMi Mi Reserve, 125 Aldgate Valley Road, MylorAldgate Valley 2 Reserve, 114 Aldgate Valley Road, MylorKyle Road Nature Reserve, Kyle Road, MylorCarey Gully Water Reserve, Deviation Road, Carey GullyHeathfield Stone Reserve, 215 Longwood Road, HeathfieldMylor 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	The Heritage Applications were phased over the years in order to be accommodated within available resourcing. Heritage Agreement have been registered over: Kiley Reserve Shanks Reserve Kyle Road Nature Reserve, Leslie Creek Reserve Aldgate Valley 2 Reserve Doris Coulls Reserve Mylor Parklands Heathfield Waste Facility Heritage Assessments to be scheduled 21/22: •Reserve 26 - "Stock Rd 1" •Mi Mi Reserve •Carey Gully Water Reserve •Heathfield Stone Reserve
11/09/2018	Special Council	229/18	Road Exchange McBeath Drive, Skye Horsnell Gully	None declared	In accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, as regards the land within the Adelaide Hills Council area, enter into an Agreement for Exchange with Boral Resources (SA) Ltd and issue a Road Process Order to open as road portions of Section 906 Hundred of Adelaide numbered "1", "2" and "3" on Preliminary Plan No. 17/0066 (Appendix 1) and in exchange to close portions of McBeath Drive marked "A", "B", "C" and "D" on Preliminary Plan No. 17/0066, subject to the following: Boral Resources (SA) Ltd agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs; Boral Resources (SA) Ltd agreeing to pay all costs associated with a Council boundary adjustment between Adelaide Hills Council and the City of Burnside to rectify the resulting Council boundary anomaly from the road exchange process The closed road is excluded as Community Land pursuant to the Local Government Act 1999. Council approves the sale of the differential between the total area of closed road and the total area of opened road of approximately 1,242m2 to Boral Resources (SA) Ltd for the amount of \$6,210 as determined by an independent valuation. Subject to the successful completion of the road exchange process, Council undertakes a process in conjunction with the City of Burnside to realign the local government boundary along the new location of McBeath Drive to the south side of pieces 42, 52 and 62 of the proposed residential allotments in accordance with the provisions of the Local Government (Boundary Adjustment) Amendment Act 2017 (to commence on 1 January 2019) and/or Part 2 of Chapter 3 of the Local Government Act 1999. The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.	Terry Crackett	In Progress	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 April 21 - Boral have advised that they are in the final stages of the approval process and have requested an extension of time from SCAP.

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	<p>To commence a process to revoke the Community Land classification of the land located on the corner of Mt Barker Road and Second Avenue Bridgewater known as 511 Mt Barker Road Bridgewater contained in Certificate of Title Volume 5488 Folio 788 (Land) on which a portion of the Bridgewater Retirement Village is located by:Preparing a report as required under section 194(2)(a) of the Local Government Act 1999 and making it publicly available.Undertaking consultation in accordance with its Public Consultation Policy as required under section 194(2)(b) of the Local Government Act 1999.</p> <p>To commence a process to vary the charitable trust affecting the Land by investigating land parcels owned by the Adelaide Hills Council, including Carripool Park, Candlebark Reserve and Vincent Playground Reserve, that may be suitable for the development of a landscaped garden for the benefit of the community and for the construction of a memorial to the Ash Wednesday Bushfires of 1983 as contemplated by the charitable trust over the Land and invite community suggestions and feedback in relation to any appropriate land parcels.</p> <p>To approve a budget allocation in the amount of \$10,000 for legal expenses for the preparation of an Application to the Supreme Court to vary the charitable trust.</p> <p>That a further report be presented to Council for consideration after community consultation and further investigations have been completed</p>	Terry Crackett	In Progress	<p>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 Carripool Park as their preferred option.</p> <p>Council, at the meeting of 27 August 2019, approved Carripool Park as the location to vary the trust to.</p> <p>The Attorney-General has provided in-principle support to the proposal so a design for the landscaped garden and bushfire memorial at Carripool Park will be prepared for submission to the Supreme Court.</p> <p>March 21 - landscape designs are being developed and will undergo a community consultation process prior to being progressed</p>
11/09/2018	Special Council	238/18	Ashton Landfill – Confidential Item	None declared	<p>Until 10 September 2019.</p> <p>Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i>, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.</p> <p>Refer to confidential minute</p>	Peter Bice	In Progress	Matter continues to be progressed. Further updates will be provided when a material change occurs.
26/03/2019	Ordinary Council	77/19	Randell's Cottages, Beavis Court, Gumeracha	None declared	<p>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.</p> <p>That subject to the response from the State Commission Assessment Panel, a Development Application be lodged for a non-complying land division.</p> <p>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.</p> <p>That the CEO be delegated to prepare the necessary documentation to undertake the EOI.</p> <p>That a report be presented to Council following the EOI detailing the results of that process and providing further options.</p>	Terry Crackett	Not Started	<p>The land sits within the Environmental Food Protection Area and proposed use (land division) is not supported. An application will be made to DPI for a review once the Minister announces the review, which is expected to commence in March 2021. 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).</p> <p>Note that the implementation of the new legislation (Planning Development and Infrastructure Act 2016) has been deferred to March 2021 which has delayed the review of the EFPA.</p>
26/03/2019	Ordinary Council	78/19	Scott Creek Cemetery Reserve Fund	None declared	<p>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</p> <p>Creation/extension of driveways to facilitate expansion of the cemetery</p>	Terry Crackett	In Progress	<p>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.</p> <p>Construction of concrete plinths is progressing and plaques will be finalised for installation following cross check by the Scott Creek Progress Association.</p> <p>A fenced area is proposed for the unmarked grave area.</p> <p>These works will be completed in the 20/21FY.</p> <p>Plans for the construction of the new driveway are underway and will be completed as soon as they are able to be scheduled.</p>
7/05/2019	Special Council	94/19	Stonehenge Reserve Masterplan Update and Findings from Consultation	None declared	<p>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.</p>	Peter Bice	In Progress	<p>Variations and extensions to ORSR funding have been approved, & relevant agreements have been signed with the Department for Education for work to occur on Heathfield High School land.</p> <p>Consultants are currently undertaking a detailed design process, with a tender process for court reconstruction to occur in the near future. Associated amenity (including court lighting, club space, access & pathways) are also included in the current detailed design process, with their tender expected in mid 2021.</p>
7/05/2019	Special Council	104/19	Unsolicited Approach to Purchase Community Land – Period of Confidentiality	None declared	<p>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.</p>	Terry Crackett	In Progress	Matter not requiring action at this time.
25/06/2019	Ordinary Council	173/19	Library Services Review	None declared	<p>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.</p>	David Waters	In Progress	<p>The procurement process for the mobile library was suspended pending a review of the effectiveness of alternative service delivery models resulting from the Covid-19 pandemic restrictions and higher than expected tender prices. Matter under review and to be brought back to Council for consideration.</p> <p>Draft Library Services Strategy presented at a Council Workshop 10 November 2020 for feedback. Further consideration and development before return to Council.</p>

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
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	<p>The Public Lighting Working Group has established a sub-group to work with DIT on the transition of V Category lights on state maintained roads. Timing of any agreements between LG and DIT unknown. Council officers continue to be updated on sub-group progress.</p> <p>V Category lights identified and process to update on Council roads being developed.</p> <p>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.</p>
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	The successful tenderer has been formally engaged to undertake the work which is underway and intended to be completed in June.
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> <p>Staff continue to record purchases of recycled product through the procurement process.</p> <p>Email sent to budget holders 10 March 2021 reminding them of Circular Procurement Pilot. The intent is to provide an update to Council via a Council report on the progress of the procurement process.</p>
24/09/2019	Ordinary Council	252/19	Kenton Valley War Memorial Park	None declared	That the report be received and notedThat 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 groupA 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	Completed	Report presented to Council in April 2021
26/11/2019	Ordinary Council	277/19	MON Water Usage from Bores	None declared	1. That the CEO investigates any circumstances where Council provides water to or receives water from a person/organisation. 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	Terry Crackett	In Progress	<p>Investigations as to various arrangements is being undertaken with a report being presented to Council once further investigations are completed.</p> <p>May 21 - investigations have indicated some complexities with one of the sites which is being further investigated before a report is presented to Council.</p>
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 which are being progressed with the Surveyor-General's Office
28/01/2020	Ordinary Council	11/20	Revocation of Community Land - Bridgewater Retirement Village	None declared	That the report be received and notedSubject 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. The Attorney-General has provided in-principle support for the proposal. A detailed landscape design is being prepared, including some community consultation on the design, for submission to the Attorney-General and the Supreme Court.

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 notedThat Council endorses the Community & Recreation Facilities Framework - Community Consultation Implementation Plan, contained in <i>Appendix 1</i> .	Peter Bice	In Progress	Draft service levels & policy positions were discussed at a Council Member workshop in March. The final draft for community consultation due for endorsement at the June Council's meeting.
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 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 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 item remains in confidence under the provisions contained in the resolution and a report will be going to Council regarding the 2022 TDU once routes are confirmed.
28/07/2020	Ordinary Council	148/20	Road Closure adj Posen Road Birdwood	None declared	1. That the report be received and noted 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. 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> ; andThe 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. 4. Authorise the Chief Executive to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution.	Terry Crackett	In Progress	April 21 - documents and plans lodged with Surveyor-General. Awaiting completion and gazettal
28/07/2020	Ordinary Council	149/20	Road Widening Netherhill Road Kenton Valley	None declared	1. That the report be received and noted 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. 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. 4. The road land being acquired to be excluded as Community Land pursuant to the <i>Local Government Act 1999</i> ; and 5. That the Mayor and CEO be authorised to sign all necessary documentation, including affixing the common seal, to give effect to this resolution. 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.	Terry Crackett	In Progress	Progress has commenced in accordance with the resolution Conveyancer has been instructed to prepare boundary realignment documents
25/08/2020	Ordinary Council	165/20	Replacement LMA 3 & 5 Pomona Road Stirling	None declared	1. That the report be received and noted 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 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 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) 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 6. The costs associated with the preparation, review by Council's lawyers and registration of the new Land Management Agreement and the rescission of the existing Land Management Agreements and Variation of Land Management Agreement shall be borne by the Aldi Foods Pty Ltd.	Marc Salver	In Progress	Council approved the minor variation to the amended landscaping plan so that it aligns with the LMA on 18 January 2021. SCAP has approved the minor variation to the amended landscaping and the LMA is being executed and registered. 10/5/21 Reminder sent to have LMA executed by owners and other parties
25/08/2020	Ordinary Council	168/20	Gumeracha Court Resurfacing Project	None declared	1. That the report be received and noted. 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. 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. 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.	Peter Bice	In Progress	Detailed plans and costings are progressing.
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	The project is out for tender

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	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	This year the program will be funded from the Local Roads & Community Infrastructure program 2021-22 with an avenue planting between Lobethal & Woodside.
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, Ministerial approval is required for the lease and this is being sought. April - DA granted and tender for works being undertaken
22/09/2020	Ordinary Council	207/20	S210 Conversion to Public Road	None declared	1. That the report be received and noted. 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. 3. That the Mayor and the Chief Executive be authorised to finalise the above matter including signing all necessary documentation to complete all transactions. 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.	Terry Crackett	In Progress	Advertisements seeking land owners or beneficiaries of land owners have been undertaken. Council's intention to declare the parcels as public roads was listed in the Government Gazette on Thursday 4/2/2021. A report will be presented to Council in May 2021 following the completion of the mandatory 3 month notification period.
27/10/2020	Ordinary Council	224/20	MON Speed Limit Reduction Longwood & Red Hill Roads	None declared	That Council: 1. receives the residents' request as contained in Appendix 1 and 2. undertakes a speed limit review on sections of Longwood and Red Hill Roads in response to the submission received from local residents, and 3. communicates the outcome of the review and proposed action to Council Members via the Council and Committee Meeting Action Tracker.	Peter Bice	In Progress	Council's traffic consultant has completed the required Traffic Impact Statements for the proposed speed reduction on Longwood Rd and Red Hill Rd. A formal request for speed limit reduction on the two roads was submitted to DIT on 19/4/21
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	Seat has been ordered currently waiting delivery, working with DIT as the land owner for approval to install and have contacted family for appropriate wording for the plaque.
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	Completed	All partners have now signed the Sector Agreement.
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
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.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
					<p>1. That the report be received and noted.</p> <p>2. That the Council determines that, due to the extraordinary situation posed by the COVID-19 emergency declaration and directions, 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: It is the same event, postponed to a new date. 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 consented to by the Council. The requirement to undertake the usual process of consultation would jeopardise the ability for the organisers to reschedule the event and maintain existing entries.</p> <p>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: 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. Working in collaboration with Council staff to inform the community of the new event date and seek their feedback regarding issues, concerns or support. 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. 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>4. That subject to the requirements of item 2 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 - see minute</p>			
24/11/2020	Ordinary Council	278/20	Shannons Adelaide Rally 2020 proposed date changes	None declared		David Waters	Completed	The Shannons Adelaide Rally was postponed from 25-28 November 2020 and the rescheduled event took place from 24 - 27 March 2021. A debrief report has been prepared by staff.
15/12/2020	Ordinary Council	296/20	Youth Action Plan	None declared	That the report be received and noted. That the Youth Action Plan 2021-24 be adopted for implementation. That the Chief Executive Officer, or delegate, be authorised to make any formatting or minor changes to the Plan for publication purposes.	David Waters	In Progress	Formatting is being finalised prior to publication on the Council's website.
15/12/2020	Ordinary Council	300/20	Road Exchange Pomona Road Stirling	None declared	<p>1. That the report be received and noted. In accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, enter into an Agreement for Exchange with the owner of the land of 21 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as "Road to be opened 1" on the Preliminary Plan No 20/0038 and in exchange to close a portion of Pomona Road as identified on the Preliminary Plan No 20/0038 as "Public Road A", subject to the owner of the land at 21 Pomona Road Stirling agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs.</p> <p>3. The closed road be excluded as Community Land pursuant to the Local Government Act 1999.</p> <p>The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution</p>	Terry Crackett	In Progress	Awaiting receipt of final plans and road process documents from surveyor
27/01/2021	Ordinary Council	3/21	MON - Cemeteries	None declared	That the CEO prepares a report accompanied by a draft policy on the Council's role in regard to assuming control of church (i.e. private) cemeteries, such report and draft policy to be discussed at a workshop in April 2021 prior to consideration by Council prior to 30 June 2021.	Terry Crackett	In Progress	A workshop will be held in May and report presented to Council by 30 June. March 21 - the matter was discussed with the Council's Cemetery Advisory Group
27/01/2021	Ordinary Council	5/21	Advisory Group Independent Members – Selection Panels	None declared	<p>That the report be received and noted</p> <p>To establish Selection Panels for the recruitment of Independent/Community Members for the identified Advisory Groups with the following Council Members, assisted by the respective Executive Officers, to undertake the short-listing and interviews of the candidates with a view to making recommendations for appointment at a future Council meeting(s): Biodiversity Advisory Group – Cr Chris Grant and Cr John Kemp Cemetery Advisory Group – Cr Pauline Gill and Cr Ian Bailey Rural Land Management Advisory Group – Cr John Kemp and Cr Ian Bailey Sustainability Advisory Group – Cr Kirilee Boyd and Cr Leith Mudge</p>	Andrew Aitken	Completed	Recruitment processes completed and report considered by Council at 27 April 2021 meeting.
27/01/2021	Ordinary Council	7/21	Hard Waste Service	Material - Cr Linda Green Material - Cr Malcolm Herrmann Material - Cr Andrew Stratford	<p>1. the report be received and noted</p> <p>2. any additional budget requirements to meet service demand for the Kerbside Hard Waste Service during 2020-21 be addressed through Council's budget review process</p> <p>3. a user contribution fee equal to 50% of budgeted costs to provide the Kerbside Mattress Service be considered during the development of the 2021-22 Annual Business Plan and Budget</p> <p>4. a user contribution fee equal to 50% of budgeted costs to provide the Kerbside Hard Waste Service be considered during the development of the 2021-22 Annual Business Plan and Budget.</p>	Peter Bice	In Progress	Matter will be progressed further after completion of the community consultation on the 2021/22 Annual Business Plan and Budget.
27/01/2021	Ordinary Council	9/21	Delegations Review January 21	None declared	<p>That the report be received and noted</p> <p>That, having considered a review of Council's Delegations as presented, the Council hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts: Refer to Minutes (too long)</p>	Andrew Aitken	Completed	Item is in progress as once Council approves it creates a peak workload to update all instruments for the website and officers.
27/01/2021	Ordinary Council	22/21	CWMS Review	None declared	that the report, related attachments and the discussion and considerations of the subject matter be retained in confidence until 30 July 2021.	Peter Bice	In Progress	
23/02/2021	Ordinary Council	24/21	Petition - Reduction of Speed Limit Torrens Valley Road Birdwood	None declared	the petition signed by 47 signatories requesting the reduction of speed limit on Torrens Valley Road Birdwood, from the town boundary to Randell Road junction, be received and noted. The CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter. Council writes to the Minister for Transport with a request to change the speed limit on Torrens Valley Road Birdwood from 100kph to 80kph from the Birdwood town boundary to the Randell Road junction.	Peter Bice	Completed	A letter was sent to Hon Corey Wingard, Minister for Infrastructure and Transport on 16 March 2021.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
23/02/2021	Ordinary Council	25/21	Road Closure adjacent 9 Melrose Avenue Stirling	None declared	<ol style="list-style-type: none"> 1. That the report be received and noted 2. To make a Road Process Order pursuant to the <i>Roads (Opening & Closing) Act 1991</i> to close and merge the pieces of land identified as "A" in the Preliminary Plan No. 20/0040 attached to this report with Allotment 34 in Deposited Plan No. 4120 comprised in Certificate of Title Volume 5489 Folio 961. 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 the owners of 9 Melrose Avenue Stirling, being the owners of the property with which it is merging for the amount of \$9,000 plus GST (if applicable) and all fees and charges associated with the road closure process. 4. Authorise the Chief Executive to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution. 	Terry Crackett	In Progress	Commenced in accordance with resolution Awaiting Final Plans and documents from Surveyor to complete Road Process.
23/02/2021	Ordinary Council	28/21	Relief & Recovery Fund	None declared	<ol style="list-style-type: none"> 1. the CEO investigate the establishment of an Adelaide Hills Disaster Relief and Recovery Fund. Considerations must include but may not be limited to the following: What "triggers" would activate the Fund allowing donations to be made? How funds raised would be dispersed to alleviate the distress, suffering and personal hardships, brought about by a disaster or emergency in our region? How the activities of the fund would be overseen, for example, what type of Committee should be established and what operational rules would apply? Ensuring the structure of the Fund adheres to all relevant legislation. An analysis of the costs associated with establishing and administering the Fund. Steps required for the Fund to obtain Deductible Gift Recipient status from the Australian Taxation Office. 2. The results of the investigation be presented at a future Council Workshop for feedback, and that a report be provided for Council's consideration on this matter by 23 November 2021. 	David Waters	In Progress	Preliminary research has commenced to ascertain other municipalities which administer similar funds.
23/02/2021	Ordinary Council	29/21	Traffic Management Bridgewater	None declared	<ol style="list-style-type: none"> 1. The Mayor write to the Minister for Infrastructure and Transport, Corey Wingard MP, requesting the Department of Infrastructure and Transport consider the construction of a roundabout at the intersection of Mount Barker Road and Carey Gully Road in Bridgewater as part of their 2021/22 capital works program in order to improve community safety and traffic management. That a copy of the letter also be forwarded to Member for Heysen, Josh Teague MP. 2. The CEO determine what traffic calming works are appropriate for Mill Road (Bridgewater) and, if necessary, include any works which cannot be addressed within existing resources for consideration as part of the 2021/22 budget process. 	Peter Bice	Completed	The Minister responded to Council's letter, indicating he did not support a roundabout at this location. Council has provided additional signage to reduce the incidence of shortcuts through adjoining car park, utilising existing operational resources.
23/02/2021	Ordinary Council	31/21	Tree Management	None declared	Council resolves that the report be received and noted. That Council acknowledges the significant impact that climate change is having on our ability to manage and fund tree related fire and emergency events. That Council acknowledges the increasing importance, costs and growing community expectation relating to tree management. That Council acknowledges the funding and related support provided by the State and Federal Governments for Council and our community following the Cudlee Creek Bushfire. That the Mayor write to the State and Federal Governments to thank them for the support provided to our Council and our community following the Cudlee Creek Bushfire and that we seek to continue working with them to further reduce the financial and related impact of this bushfire (and the more recent Cherry Gardens Bushfire) and future emergency events on Council and affected members of our community.	David Waters	In Progress	In regard to Point 4 of the resolution, the correspondence has been finalised and is expected to be sent prior to the May Council Meeting.
23/02/2021	Ordinary Council	39/21	Delegations Review Feb 2021	None declared	<p>That the report be received and noted</p> <p>That, having considered a review of Council's Delegations as presented, the Council hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts: Instrument of Delegation <i>Disability Inclusion Act 2018</i> <i>Disability Inclusion Regulations 2019</i> <i>Fines Enforcement and Debt Recovery Act 2017</i> <i>Magistrates Court Rules 1992</i> <i>Ombudsman Act 1972</i> <i>Water Industry Act 2012</i> <i>Water Industry Regulations 2012</i></p> <p>3. That, having considered a review of Council's Delegations as presented, in exercise of the power contained in Section 44 of the <i>Local Government Act 1999</i> the powers and functions under the following Acts and statutory instruments made thereunder contained in the proposed Instrument of Delegation attached to the Report dated 23rd day of February 2021 and entitled as detailed in the table below are hereby delegated this 23rd Day of February 2021 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation. Instrument of Delegation Appendix Number <i>Disability Inclusion Act 2018</i> Appendix 2 <i>Disability Inclusion Regulations 2019</i> Appendix 3 <i>Fines Enforcement and Debt Recovery Act 2017</i> Appendix 4 <i>Magistrates Court Rules 1992</i> Appendix 5 <i>Ombudsman Act 1972</i> Appendix 6 <i>Water Industry Act 2012</i> Appendix 7 <i>Water Industry Regulations 2012</i> Appendix 8</p> <p>a. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the <i>Local Government Act 1999</i> as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.</p> <p>4. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Instruments during the period of currency.</p>	Andrew Aitken	Completed	Item is in progress as once Council approves it creates a peak workload to update all instruments for the website and officers.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
23/03/2021	Ordinary Council	48/21	MON Single-use Plastics	None declared	<p>A report be provided to the Council before 31 October 2021 on the feasibility and cost implications for reducing and or eliminating the use of single-use plastics in Council operations, being replaced with compostable or reusable alternatives as necessary. The report need not address those plastics already banned by State Legislation in March 2021, those proposed to be banned under the same legislation in March 2022, nor single use-plastics required for medical or disability uses. The report should consider but not be limited to:</p> <p>Council ceasing to purchase single use plastics; Council stipulating to contractors, event organisers, sponsorship seekers, caterers, food vans and so on, that single-use plastics are not supported by Council and alternatives such as compostable or reusable alternatives be utilised as necessary; As leases expire, update leases to include a clause that single use plastics are not supported by Council and alternatives such as compostable or reusable alternatives be utilised as necessary; The CEO, Directors, Senior Officers and Staff be trained and educated to support and implement appropriate processes to ensure operation and compliance of associated procedures. Green bins be made available at Council run events for the collection of compostable waste to ensure compostable materials are diverted from landfill. A program of community education and promotion, including approaching business owners and operators throughout the AHC area, in order to encourage a change from single-use plastics to alternatives such as compostable or reusable alternatives as necessary.</p>	Peter Bice	In Progress	Planning has been completed to deliver the outcomes required by the MON and collection of data of Council's use of single use plastics has begun. Initial findings were presented on 6 May 2021 to the Sustainability Advisory Group.
23/03/2021	Ordinary Council	47/21	MON Bushfire Safer Places	None declared	That Council engages with the South Australian Country Fire Service (CFS) to produce a report for the information of the Elected body on designated Bushfire Safer Places, both in the Adelaide Hills and across South Australia. This report should be presented to Council at the May 2021 meeting.	Peter Bice	In Progress	Letter sent to Chief Officer of the CFS seeking assistance to obtain information relating to Bushfire Safer Places.
23/03/2021	Ordinary Council	49/21	Local Heritage Grant Fund Project 2020 - 2021	Material - Cr Linda Green Perceived - Cr Leith Mudge	<p>1. That the report be received and noted</p> <p>2. To approve the eight shortlisted projects to receive grant funding as detailed in the body of this report to contribute to the works as detailed in <i>Appendix 1</i> of this report and listed below:</p> <p>Our Lady of the Rosary Church, Aldgate - \$2,500 Old Post Office, Crafers - \$1,417 Crataegus Cottage, Crafers - \$2,500 Circa 1850's Cottage, Mount George - \$2,500 Shop, Stirling - \$2,500 Stone Cottage, Stirling - \$2,500 Former Aldgate Valley Church of Christ, Aldgate - \$2,500 Cudlee Creek Uniting Church, Cudlee Creek - \$2,500</p> <p>3. To delegate to the Chief Executive Officer to determine whether any changes to grant recipient's proposed works maintain grant eligibility.</p>	Marc Salver	In Progress	All successful applicants have been advised of the outcome of their grant applications. Where required, development applications will be lodged and assessed. On completion of the approved works, the grant payments will then be made.
23/03/2021	Ordinary Council	52/21	Crown Land Revocation	None declared	<p>1. That the report be received and noted</p> <p>2. That the consultation report (<i>Appendix 1</i>) be received and noted</p> <p>3. To apply to the Minister for Planning to revoke the Community Land classification of the following parcels of land:-</p> <p>i. CR 5752/186, Lot 32 Fullgrave Road, Crafers</p> <p>ii. CR 5753/725, Section 1609 Illert Road, Mylor</p> <p>iii. CR 5753/729, Section 1657 Scott Creek Road, Scott Creek</p> <p>iv. CR 5753/741, Sections 53 and 54 Sandy Waterhole Road, Woodside</p> <p>v. CR 5753/742, Section 547 Schuberts Road, Lobethal</p> <p>vi. CR 5753/744, Section 553 Pedare Park Road, Woodside</p> <p>vii. CR 5753/745, Section 556 Tiers Road, Woodside</p> <p>viii. CR 5753/746, Section 565 Old Carey Gully Road, Stirling</p> <p>ix. CR 5753/754, Section 511 North East Road, Inglewood</p> <p>x. CR 5753/758, Section 262 Reserve Road, Forrestone</p> <p>xi. CR 5763/631, Section 1591 Silver Road, Bridgewater</p> <p>xii. CR 5763/634, Section 71 Magarey Road, Mount Torrens</p> <p>xiii. CR 5763/635, Section 72 Magarey Road, Mount Torrens</p> <p>xiv. CR 5763/636, Section 84 Forrestone Road, Forrestone</p> <p>xv. CR 6142/329, Lot 501 Greenhill Road, Balhannah</p> <p>xvi. CR 5926/487, Lot 20 Bell Springs Road Charleston (for rededication to the Department of Environment & Water)</p> <p>xvii. CR 5753/718, Section 1544 Reserve Terrace Aldgate (for rededication to Meals on Wheels)</p> <p>xviii. CR 5753/753, Section 495 off Kersbrook Road Kersbrook (for rededication to Forestry SA)</p> <p>4. That a further report be presented to Council once a response from the Minister for Planning is received.</p>	Terry Crackett	In Progress	Being progressed in accordance with resolution

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
23/03/2021	Ordinary Council	54/21	Local Roads and Community Infrastructure Program Projects Phase 2	None declared	<p>That the report be received and noted.</p> <p>To authorise the applications for the following projects, totalling \$1,572,000, to be submitted as the Adelaide Hills Council Local Roads and Infrastructure Program Phase 2 Projects for delivery in 2021-22 and the estimated associated expenditure to undertake those works: Mill Road, Lobethal, School Crossing - \$30,000 Heathfield Waste and Resource Recovery Centre Upgrades - \$155,000 Public Toilet Upgrades Stirling, Aldgate and Bridgewater - \$560,000 Crafters Village Mainstreet Traffic Calming & Amenity upgrade - \$300,000 Birdwood Footpath, Kindergarten to Playground - \$25,000 Lobethal Avenue of Trees, Woodside Road - \$100,000 Lobethal Bushland Park Lookout Tower - \$45,000 Merchants Road, Slip Repair - \$60,000 Mylor Pump Track - \$50,000 Bus Shelter Replacement (Stirling Main Street) - \$20,000 Mount Lofty Gardens, Lampert Road safety upgrade - \$110,000 Mount Barker Road, Aldgate 'Park and Ride' - \$20,000 Aldgate Main Street amenity upgrade - \$38,000 Upper Sturt Road walking path - \$15,000 Bridgewater Court Resurfacing - \$22,000 Strathalbyn Road, Service Road Sealing - \$12,000 Hunters Road, Amenity Upgrade Concrete Blocks - \$10,000</p> <p>3. Subject to approval, and in line with the above estimated costs, that the CEO or his delegate be authorised to enter into a necessary grant agreement with the Department for Infrastructure, Transport and Regional Development, commit expenditure to undertake the above works with any adjustments to income and expenditure be incorporated in an upcoming budget review.</p> <p>4. That should any projects be unsuccessful, or significant savings achieved, alternative projects will be recommended to Council for consideration</p>	Peter Bice	In Progress	Project Schedule for Phase 2 submitted to department for assessment
23/03/2021	Ordinary Council	55/21	Delegations Review	None declared	Refer to minute	Andrew Aitken	Completed	Item is in progress as once Council approves it creates a peak workload to update all instruments for the website and officers.
23/03/2021	Ordinary Council	63/21	Sale of Land for Recovery of Debt, Lenswood - Confidential Item	None declared	As per confidential minute	Marc Salver	In Progress	Staff have notified the lawyers who have since registered the Warrant of Sale notice on the titles. The lawyers have commenced the sale of land process and further updates will be provided as this progresses
23/03/2021	Ordinary Council	64/21	Sale of Land for Recovery of Debt, Lenswood - 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 either the Warrant of Sale process for the land in question is completed and a settlement reached or until legal proceedings have concluded, but no longer than 12 months.	Marc Salver	In Progress	The lawyers have since registered the warrant of sale process against the titles and commenced the sale of land process. Further updates will be provided as the land sale process progresses
27/04/2021	Ordinary Council	67/21	White Rock Quarry Proposed Mine Expansion	None declared	<p>that the Mayor, on behalf of Council, writes to the Minister for Energy and Mining, the Honourable Dan van Holst Pellekaan, together with the Honourable Vickie Chapman, Member for Bragg, advising that Council:</p> <p>1. Acknowledges the Minister's letter, dated 14 April 2021 (refer to <i>Appendix 1</i> for a copy), in response to the Mayor's letter, on behalf of Council, dated 17 March 2021 (refer to <i>Appendix 2</i> for a copy).</p> <p>2. Notes that the Minister, has not specifically addressed several important matters that were raised by Council, that requested action on the part of the Minister, and or State Government, in relation to the Hanson White Rock Quarry proposed expansion plan, and that Council respectfully requests, once again, that these matters be addressed by the Minister; namely: [2.2] That Council "is concerned that with any expansion of the mine's current operation, that such expansion is likely to have an adverse impact on traffic management for the area. Noting that traffic management / impact has not been addressed in the MOP, Council requests that this issue be addressed by Hanson Construction Materials Pty Ltd, as a priority, in consultation with Council, prior to any approval being granted."</p> <p>[2.3] That Council "notes that separation distances do not apply to 'existing' private mines. However, notwithstanding this, Council's firm view is that given the sensitive nature of the MOP, and, importantly, the fact that the current Mining Act 1971 stipulates a 400-metre separation distance for mining operations, that no approval be granted unless a minimum 400 metre [preferably 500-metre] separation distance is adopted [noting that the EPA suggests a 500-metre separation distance for mining operations, involving blasting]. Should this require legislation to achieve this desired outcome, given that this is a private mine, seeking to expand, that legislative change be pursued, in the absence of agreement from Hanson Construction Materials Pty Ltd, in order to achieve this desired outcome." [2.6] That Council "notes that the current mine operation generates, amongst other dust materials, Crystalline Silica dust. Council notes that Crystalline Silica dust is harmful to human health. Council requests that the State Government, as a priority, initiate an investigation into the dust generated by the mine's current operations [with the</p>	Marc Salver	In Progress	Letters have been drafted for the Mayor
27/04/2021	Ordinary Council	68/21	GAROC Business Item - Boundary Reform Legislation Change	None declared	<p>I move that Council resolves to submit an Item of Business for the Greater Adelaide Region of Council's consideration as follows:</p> <p>The Local Government Association advocates to the Minister of Local Government for changes to the provisions of Chapter 3, Part 2, Division 4 of the <i>Local Government Act 1999</i> and/or the Boundary Commission's Guidelines to require the results of community consultation on a proposed boundary change proposal to form part of a Stage 1 – General proposal submission. Further, where substantial opposition exists to the proposal from the affected community, it should not be permitted to proceed to Stage 2.</p>	Andrew Aitken	In Progress	Resolution being converted to GAROC format for submission.
27/04/2021	Ordinary Council	69/21	Lobethal Bushland Park Draft Masterplan	None declared	<p>Council resolves:</p> <p>1. That the report be received and noted.</p> <p>2. To receive and accept the Lobethal Bushland Park Draft Masterplan and Play Space Design Brief Consultation Outcomes Report.</p> <p>3. To adopt the Draft Masterplan and implement Stage 2 of Engagement.</p> <p>4. That the results of Stage 2 Engagement and the final draft Masterplan be presented to Council for its consideration in June 2021.</p> <p>5. That the CEO be authorised to: Make any formatting, nomenclature or other minor changes to the Draft Masterplan prior to being released for public consultation and determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's <i>Public Consultation Policy</i>.</p>	Peter Bice	In Progress	Stage 2 consultation has begun.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
27/04/2021	Ordinary Council	70/21	Green Organic Service Options	None declared	Council resolves that:The report be received and notedThe budget for free green organic drop off days be increased to \$138,600 as part of the Draft 2021/22 Annual Business Plan and BudgetFunding for a detailed analysis of Option 2 be included in the budget development for 2022/23.	Peter Bice	Not Started	Matter will be progressed further after community consultation outcomes on the 2021/22 Annual Business Plan and Budget.
27/04/2021	Ordinary Council	71/21	2021-22 Long Term Financial Plan Adoption	None declared	That the report be received and noted.To adopt the 2021-22 Long Term Financial Plan, as contained in Appendix 1 to this report, in accordance with Section 122 of the Local Government Act 1999. That the CEO be authorised to make any formatting, nomenclature or other minor changes to the Long Term Financial Plan prior to being released for publication.	Terry Crackett	Completed	Plan adopted on 27 April 2021 and subsequently published on Council website.
27/04/2021	Ordinary Council	72/21	2021-22 Annual Business Plan & Budget Consultation	None declared	1. That the report be received and noted 2. To endorse the draft <i>Annual Business Plan 2021-22 (ABP)</i> , as contained in Appendix 1 (including commentary and budgetary amendments arising from the resolution for item 12.2 in the 27 April 2021 agenda) for community consultation in accordance with Section 123 of the <i>Local Government Act 1999</i> . 3. That, notwithstanding the terms of Council's <i>Public Consultation Policy</i> (as modified on account of the making of the Public Access and Public Consultation Notice (No 2) 2020), Council determines that it will hold a public meeting as part of its consultation activities with respect to the draft annual business plan and budget for 2021-22. 4. That the CEO be authorised to:arrange for the holding of such a meeting;provide notice to the public of the meeting in such manner and form as they see fit; andcancel entirely or defer the holding of the meeting in the event it cannot be accommodated in line with relevant State Government public health/emergency directions, regulations or legislation related to COVID-19 5. That the CEO be authorised to:Make any formatting, nomenclature or other minor changes to the Plan prior to being released for public consultation andDetermine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's <i>Public Consultation Policy</i> .	Andrew Aitken	In Progress	Draft ABP has been published for community consultation which will conclude on 26 May 2021. An hour will be set aside at the 25 May 2021 meeting to receive feedback on the draft ABP.
27/04/2021	Ordinary Council	73/21	Grant Giving Policy Review	None declared	That the report be received and noted.With an effective date of 31 May 2021, to revoke the Grant Giving Policy 23 July 2019 and to adopt the 27 April 2021 Grant Giving Policy, as contained in Appendix 2.That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 27 April 2021 Grant Giving Policy prior to the effective date of adoption.	David Waters	In Progress	
27/04/2021	Ordinary Council	75/21	Road Closure & Opening adjacent 36 Pioneer Ave Lobethal	None declared	1. That the report be received and noted 2. In accordance with sections 12 and 15 of the <i>Roads (Opening and Closing) Act 1991</i> , enter into an Agreement for Exchange with the owner of the land of 36 Pioneer Avenue Lobethal and issue a Road Process Order to open as public road the area identified as "1" on Preliminary Plan No. 21/0010 and in exchange to close a portion of Pioneer Avenue as identified as "A" on Preliminary Plan No 21/0010 as "A" and merge with Allotment 19 in Deposited Plan No. 4789 comprised in Certificate of Title Volume 5548 Folio 780. 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> ; andThe piece marked "A" be sold to the owners of 36 Pioneer Avenue Lobethal, being the owners of the property with which it is merging for the amount of \$9,200 plus GST (if applicable) and responsible for all fees and charges associated with the road closure process. 4. Authorise the Chief Executive to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution.	Terry Crackett	In Progress	Commenced in accordance with resolution
27/04/2021	Ordinary Council	76/21	2021-22 GRFMA Annual Budget & Business Plan	None declared	That the report be received and notedTo advise the Board of the Gawler River Floodplain Management Authority that it has reviewed its 2021-22 Annual Business Plan and approves the Adelaide Hills Council's contribution of \$30,816 as set out in the draft 2021-22 Budget.	Andrew Aitken	Completed	GRFMA advised of Council's resolution to approve the proposed contribution.
27/04/2021	Ordinary Council	77/21	2020-21 CEO Performance Review Process & Schedule	None declared	That the report be received and notedTo undertake the 2021 CEO Performance Review using an internal process and utilise a consultant to undertake the remuneration package review.To adopt the 2021 CEO Performance Review Panel Internal Process and Meeting Schedule as contained in Appendix 1 as it relates to Council meetings and workshops.	Terry Crackett	In Progress	Action is progressing in line with the adopted schedule of work.
27/04/2021	Ordinary Council	78/21	Public Interest Disclosure Policy Review	None declared	That the report be received and noted.With an effective date of 12 May 2021, to revoke the 25 June 2019 Public Interest Disclosure Policy and to adopt the 27 April 2021 Public Interest Disclosure Policy as per Appendix 1.That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Instruments during the period of currency.	Andrew Aitken	In Progress	Policy being finalised for publication.
27/04/2021	Ordinary Council	84/21	Advisory Group Independent Members - CONFIDENTIAL	None declared	See Confidential Minute	Andrew Aitken	In Progress	Council approved the independent member appointments at its 27 April 2021 meeting. Executive Officers are currently informing applicants of the outcome.
27/04/2021	Ordinary Council	86/21	Advisory Group Independent Members Period of Confidentiality	None declared	that the report and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the candidates have been advised of Council's decision but no later than 30 June 2021.	Andrew Aitken	In Progress	The new independent members will be inducted prior to/at their first meeting.
27/04/2021	Ordinary Council	73/21	Grant Giving Policy Review	None declared	Implement Policy and communicate to staff	David Waters	In Progress	Order will continue until release trigger achieved or conclusion date reached.
27/04/2021	Ordinary Council	78/21	Public Interest Disclosure Policy Review	None declared	Implement Policy and communicate to staff	Andrew Aitken	In Progress	Policy being finalised for publication.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 May 2021
AGENDA BUSINESS ITEM**

Item: 13.1

Responsible Officer: Kira-marie Laverty
Corporate Planning & Performance Coordinator
Office of the Chief Executive

Subject: Quarterly Council Performance Report – Q3 2020-21

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 Q3 (**Appendix 1**) covers the period 1 January to 31 March 2021, 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 (3E)	Low (3E)

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:

<i>Council Committees:</i>	The report is scheduled to be received and noted by the Audit Committee at the 24 May 2021 meeting.
<i>Council Workshops:</i>	Not applicable
<i>Advisory Groups:</i>	Not applicable
<i>Administration:</i>	Council's Executive Leadership Team, relevant Managers, and Officers were consulted during preparation of the quarterly performance report.
<i>External Agencies:</i>	Not applicable
<i>Community:</i>	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.

This is the third quarter where these 2020-21 indicators and targets have been used, with the first report received and noted at the 25 November 2020 Council Meeting.

13 OFFICER REPORTS - INFORMATION ITEMS

13.1 Quarterly Performance Report

Moved Cr Pauline Gill
S/- Cr Nathan Daniell

287/20

Council resolves that the report be received and noted.

Carried Unanimously

The Audit Committee will consider the Quarterly Performance Report Q3 at its 24 May 2021 meeting.

3. ANALYSIS

To reflect the alignment to the *Strategic Plan 2020-24 – A brighter future* the format of the Quarterly Council Performance Report is formatted to show Council's performance against the 5 strategic goals:

- Built Environment
- Community Wellbeing
- Economy
- Natural Environment
- Organisation

The report also includes the Customer Service Standards, Capital works performance, and Quarterly Financial Performance.

Overall performance results for Quarter 3 include:

- 71 of Strategic initiatives on track or completed, 13 behind schedule and 4 deferred.
- 10 of the 19 corporate performance indicators were met or exceeded, 8 were not met and 1 could not be assessed this quarter.
- 10 of the 17 customer service standards were met or exceeded, 2 were not met and 5 had no instances reported.

Comments within the report provide additional information on the strategic initiatives that are listed as "behind schedule" and "deferred". Where an initiative was expected to be delivered this financial year but will now need to extend past 30 June, this will be captured as part of the BR4 (budget review for the 4th quarter) process and/or the Annual Business Plan process.

See the attached Quarterly Council Performance Report – Quarter 3 (**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 3 2020-21*

Appendix 1

*Quarterly Council Performance Report – Quarter 3
2020-21*

Quarterly Council Performance Report

Quarter 3 – 1 January to 31 March 2021



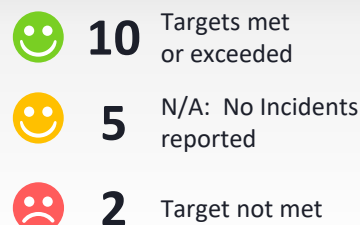
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1. Executive Summary

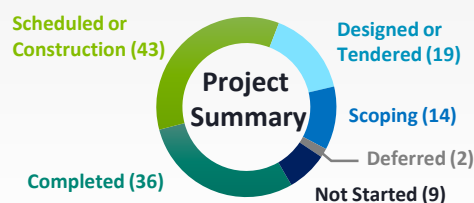


Customer Service Standards



Capital Performance

- \$2.8m of infrastructure delivered
- \$2.5m of works ordered
- Focus has been on commencing new projects, as well as continuing projects that were commenced in Q1 & Q2.



Highlights

- Commencement of the federally funded Community Resilience Program, which is focused on helping people (particularly young people and families) in bushfire risk areas prepare mentally for future disasters. The program runs to June 2022.
- Council supported a revised cycling event in January in place of the cancelled Tour Down Under.
- Fabrik received joint State/Federal Government funding of \$3.0m.
- Council's Incident Management Team successfully organised the response to the Cherry Gardens bush fire and the prompt tree assessment and maintenance that occurred thereafter.
- Successfully facilitated an emergency management exercise titled "Pomona" involving a theoretical major crash and chemical leak on the South Eastern Freeway.
- State's new Planning & Design Code went live on 19 March. 70 Development Applications in the new online system were received with the first two weeks, almost double what is normally received.
- The development of the draft 2021-22 Annual Business Plan and Budget has been a key initiative for Q3.
- Consultation on the draft Long term financial Plan was completed on 31 March 2021 with a high than anticipated response from the community.

Risk and Challenges

- The Cherry Gardens Bushfire resulted in some staff being diverted to supporting the affected community in the initial stages of recovery. The State Government did not deem the event to require a formalised State-led recovery response.
- A high amount of volatility and variability in the availability of contractors has been observed, as well as pricing in response to tenders. This is presenting challenges for project delivery.
- Higher than average volumes of Development Applications are being received which are being processed as efficiently as possible.
- High volumes of Section 7 Searches for property sales being received with added complexities as a result of the new Planning System.
- While the Planning and Local Government Reform processes have received considerable attention, there has been many changes to other pieces of legislation requiring additional resources to be dedicated to delegation and authorisation management.



2. Performance by Strategic Goal

A functional Built Environment

Highlights

-  **Road Safety Program including co-contribution to Road Blackspot**
 - Key Black Spot projects in Forreston, along Checkers Hill Rd and Martin Hill Rd, were completed significantly improving safety for motorists.
-  **Integration of Development Assessment Systems**
 - As a result of negotiations with State Planning, extra inspection functionality has been built into the on-line system which was implemented on 19 March 2021. This functionality is limited to building inspections, with enforcement and inspections of current Development Act buildings still required to be recorded in the Council system.
 - Commencement of software development has been deferred for 3 months to allow further trialing of the new system. A decision will be made in 3 months time on whether the software integration is still required.
 - The State government funding provided for this initiative is only for the scoping work and not implementation as originally intended.
-  **Water reuse for Woodside recreation ground irrigation**
 - Council was successful in obtaining the *Local Government Infrastructure Program* grant funding to assist with the reuse water infrastructure. The draft report, grant funding information, delivery approach and draft Memorandum of Understanding with SA Water is to be presented to Council for approval in June 2021.
-  **Cemeteries Upgrades**
 - Houghton cemetery has had an area of the lawn burial section extended to provide additional capacity
 - Mt Torrens cemetery has had a shelter installed and landscaping upgrade undertaken
-  **Transition to the Planning, Development & Infrastructure (PDI) Act**
 - The new system, including the Planning & Design Code were implemented by the State Government on 19 March 2021 and are now all operational. In the lead up to the Go Live date all the administrative adjustments were made to templates, conditions, fee distributions etc. to reflect the new legislation and changes.
 - There was a large influx of development applications received in the two weeks before Go Live. In addition to this, Council has already received 81 applications within first 2 weeks, with 16 applications determined within the statutory timeframes. An extra temporary resource has been engaged to assist with workloads.
 - The team and the development industry are all on a steep learning curve to understand the new Planning and Design Code. To date the majority of applications received are to be determined by the Council Assessment Manager or CAP as the relevant authority.
-  **Upgrading of Woodside Library/Service Centre**
 - Original Business Case has been reviewed, with new project scope and deliverables being developed by the Library Team.
 - Tender currently open with responses from 4 suppliers for the design and fit out works.
-  **Local Heritage Fund**
 - The second round of Grants were awarded to 8 recipients in accordance with Council's decision on 23 March 2021. All recipients have been advised and will now undertake the various works to their local heritage places, some of which will require prior approval before this occurs

Risks & Challenges

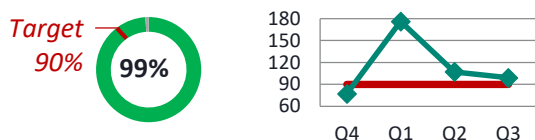
-  **Gumeracha Main Street Project**
 - *PLOT Works* have been engaged as contractor for the streetscape upgrade. Construction to commence next August/September and project proposed to be carried forward into 2021-22 FY.
-  **Gumeracha Main Street Stormwater**
 - SA power network works slower than expected. Works rescheduled for early July commencement.

Risks & Challenges *cont...*

- ✗ **Energy Upgrades, Battery & Efficiency Actions from new Carbon Management Plan**
 - Summit Community Centre is out for tender to undertake these works.
 - Further investigation into lighting changes for the Stirling Library and Office underway. Air-conditioning replacement not viable under current budget and will be rolled into 2021-22.
- ✗ **Stirling library lawns - Rotunda Replacement**
 - Design Services to develop design concept to construction drawing stage (Jan-Mar 2021).
 - Further community consultation is required once a design has been finalised and costed, there will need to be a carry forward of the project and funding to the 2021-22 FY.
- ➔ **Implement irrigation systems (renewal / upgrades)**
 - Irrigation designer engaged however installation delayed due to Birdwood Oval addition of extra playground equipment.
- ✗ **Installation of further EV charging stations**
 - Council has been approached by Evie charging station installers to install ultra-fast charging stations. Legal advice has been received on the lease arrangements and follow up is required with Evie to change the lease conditions.
 - Waiting on outcomes of State Government Return on investment for charging stations. Project delayed due to recent available funding and the potential that this project could be implemented and paid for by others.
- ✗ **LED Public Lighting Installation - investigate transition of main road street lighting**
 - Council continues to stay in the loop with the working group for main street lighting transition. Project delivery delayed until 2021-22, once agreements are reached.

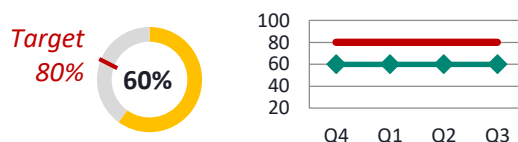
Performance Indicators

Delivery of capital works program



The quarter three result indicates that expenditure is tracking very close to forecast at a program level, noting some variance amongst individual asset classes.

Operational tasks completed within the Civil Zone Maintenance Program



The quarter three result indicates that 60% of operational activities are planned, compared to 40% reactive. This result is considered a best estimate based on available information from Council's customer relations management system. Accuracy of result 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



This quarter has seen a 21% increase in meeting the target. Of the 24 completion notifications received by Council in the quarter, 20 were completed within the 5 day timeframe.

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, 11 were completed within the 5 business days of receipt of the notification, but the target was close to being achieved for the remaining cases.

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 power lines (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

✓ Council's Incident Management Team

- Council's Incident Management Team successfully organised the response to the Cherry Gardens bush fire and the prompt tree assessment and maintenance that occurred.
- Successfully facilitated an emergency management exercise titled "Pomona". The scenario looked at a theoretical major crash and chemical leak on the South Eastern Freeway, and involved all areas of Council, as well as observers from Rural City of Murray Bridge.

✓ Support for Events

- The Event Support Program is live and provides assistance for approximately 5 past and future events. Uptake of the program has been impacted by the continuing Covid-19 restrictions and uncertainty, however work continues with a number of local groups on upcoming opportunities.
- Festival of the Hills was a fun, free, family-friendly series of events that celebrated and connected our communities - Friday 19 Feb to Sunday 21 Feb. The event supported local performers, artists, community groups, and local businesses and included:
 - Friday 19 Feb: Opening night party Stirling Library Lawn
 - Sat 20 Feb: Strum & Stroll Lobethal Main Street and Fabrik
 - Sun 21 Feb: Discover, play, bikeway on Amy Gillett Bikeway

✓ Fabrik Arts & Heritage Hub

- \$3m funding from the *Local Economic Recovery Program* was received, which will enable the *Facilities Design Plan* to be implemented in full. A call for tenders for the development of detailed plans has been released, with a view to architects being appointed in May.
- Income in this quarter was received from retail sales and workshop fees during Fabrik's Fringe exhibition and venue hire from the Recovery Centre. Total year to date income exceeds year to date budget by \$31,536.
- An exhibition showing 90 artworks, created during Covid lockdown and submitted by artists from 12 different countries, was shown as part of the Adelaide Fringe Festival.
- A series of workshops were held during the Fringe Festival, while Fabrik's creative recovery workshops continued throughout the quarter.

✓ Emergency Management Bushfire Preparedness Consultancy

- Council continues to utilise the Council Ready Program for development of Emergency Management Plan. The Council Ready Program is also being utilised to prepare an Emergency Recovery Plan.

✓ Support for Aboriginal Cultural Centre

- First Nations artists have been personally invited to be a part of several community engagement projects at Fabrik, as a means of building relationships with individual traditional custodians.

✓ Norton Summit Community Centre Facility Upgrades

- Preliminary design work has commenced on proposed upgrades.

✓ Accessibility planning

- The Access and Inclusion Plan has been endorsed by Council following significant consultation. Community members interested in being consulted on future activities have been identified.
- *Scope AU* have been engaged to produce an Easy English version of the plan and is now available on Council's website.

✓ Community Wellbeing indicators

- The collaborative wellbeing indicators project was recommenced this quarter with broad consultation undertaken with key stakeholders.
- Next steps are developing and refining the draft Framework with input from LG Professionals Community Managers Network, local government staff across the state, and external stakeholders. By June the CWI Framework will be tested with a range of stakeholders and ready to populate with data and the final product developed.

✓ Regional Health Planning Initiatives

- Development of the new Regional Public Health Plan will commence in late Q4 or Q1 in 21/22 as agreed with State Government and S&HLGA who oversee the collaboration.

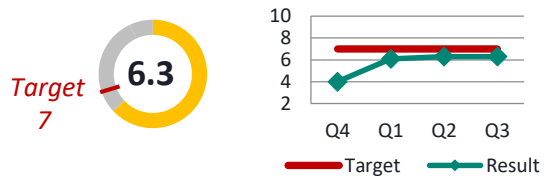
Risks & Challenges

- ✓ **Implement the Bushfire Recovery Action Plan**
 - Recovery activities continue in line with the endorsed Bushfire Recovery Action Plan. Key focus areas this quarter were continuing to expedite rebuilding development applications and liaison with the State Government around transitioning away from formal recovery
- ✗ **Court Resurfacing – Office for Recreation, Sport & Racing Grant Funding**
 - Heathfield School Courts Upgrade - Design work to be completed and tendered in quarter 4.
 - Site complexity with the access (school construction) and native vegetation has delayed getting a practical and suitable design for the site. Proposed to be carried forward into 21/22. Construction to be completed before December 2021 to meet grant requirements
- ✗ **Gumeracha Court Resurfacing**
 - Design works underway and will tender for construction in quarter 4.
 - Proposed to be carried forward into 2021-22. Construction to be completed before December 2021 to meet grant requirements
- ✓ **Women's Tour Down Under**
 - The Santos Tour Down Under was cancelled due to Covid-19 and an alternative event replaced it in 2021 - The Santos Festival of Cycling. The domestic event included a Women's race on 22 January from Birdwood to Lobethal.
- ✗ **Heathfield Oval - Masterplan Implementation**
 - Design work to be completed and tendered for construction in quarter 4.
 - Significant design consideration for site accessibility for DDA compliance delayed a final design for tendering. Proposed to be carried forward into 21/22. Construction to be completed before December 2021 to meet grant requirements.
- ✗ **Play Space - Asset Audit**
 - Audits currently underway, with 3/4 of the playground reports to be completed prior to end of June. Remaining playground reports to be completed July/August 2021.

Performance Indicators

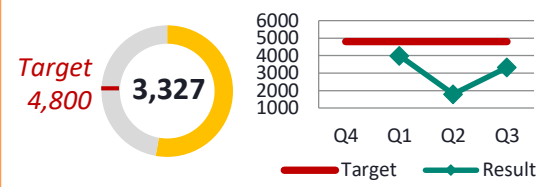
Positive ageing wellbeing score

Average level of self-determined wellbeing of program participants reviewed in the quarter.



The wellbeing score has improved slightly, but people's sense of wellbeing is continuing to be impacted by the past 18 months of stressful, significant life events: The Cudlee Creek Bushfires & The COVID-19 Pandemic which is still causing concern to many. Social events are continuing to resume (in a COVID safe manner) which is helping people reconnect socially - a comment from one of the clients reflects this "I have gone back to doing more and this makes me feel better, more positive than last time".

Number of volunteer hours contributed to AHC programs each year



Results appear lower than the quarterly target due from the continuing impact of COVID-19, however this number is starting to move back towards the desired targets as compared to previous 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 Change room 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

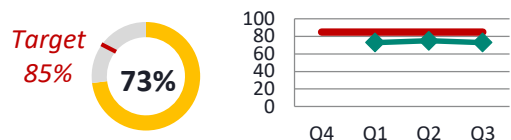
- ✓ **Recovery support for fires and Covid-19 (including rates)**
 - The Council allocated \$120,000 in its 2020-21 operating budget for “Financial support to assist the business and community to recover from bushfires and COVID-19 (incl. rates)”.
 - Together with fines waived for the 3rd quarter instalment due 1 March 2021, the total amount of rate fines and interest remitted for the 2020-21 financial year to March 2021 totals \$17,628.
 - In addition, an amount of \$13,426 relating to outdoor dining permits for businesses within the Council area were also waived in the 2020-21 financial year resulting in an a total balance of \$31,054 allocated to the Financial Support Operating Initiative to the end of March 2021.
- ✓ **UNESCO World Heritage Bid**
 - Progressing the joint bid with the City of Adelaide continues. The two Expert Reviews undertaken were presented to staff from the Federal Department for Environment & Heritage occurred this quarter whose support for the project is critical.
- ✓ **Economic Development Planning**
 - The Economic Development Plan 2020 to 2024 has been endorsed by Council following significant consultation with the business community, industry groups and other levels of Government.
 - The Plan outlines actions to address the key objectives for Goal 3 and is available on the Council website
- ✓ **Wellness Tourism Project**
 - Local Economic Recovery grant funding was confirmed and a project to develop an Adelaide Hills Wellness Tourism Strategy started
 - Wellness tourism has been strongly identified as an opportunity for the Adelaide Hills.
- ✓ **Review and upgrade Council signage and branding**
 - Fabrik signage is in production
 - Designs are being finalised for service centre signage
 - Conducted a social media campaign 'Spot the sign' to engage our community in finding signs with AHC logo on them that might need updating.
- **Initiative to shape, activate and coordinate community place making**
 - Discussions have commenced with the Image Uraidla group to explore a place making initiative for the main street of Uraidla. Further, a BBRF Grant application was submitted for additional works to the main street of Woodside, the results of which will be known next quarter.
- ✓ **Agricultural Town of the Year**
 - Coordinated and hosted the final judging in the Agricultural Town of the Year awards. Woodside was one of five finalists.
- ✓ **Tourism Industry Networking Event**
 - Through Adelaide Hills Tourism, an industry networking function at the Adelaide Hills Convention Centre on Wednesday 10 February was held for 96 attendees
- ✓ **Regional Freight Movement**
 - Regional Freight Issues Forum was held by the South Australian Freight Council to understand the current and future multimodal (road, rail, sea and air) freight needs of the region.

Risks & Challenges

- COVID-19 and bushfire impacts continue to pose challenges to our business community

Performance Indicators

Percentage of planning consents completed within statutory timeframes



Of the 239 applications determined this quarter, 174 met the statutory timeframes. In this quarter there were 8 Non-complying developments determined which have longer processing times than merit applications. These 8 distorted the performance for the quarter, noting that there were 36 more applications in this quarter that met the statutory timeframe than quarter 2.

Average number of days for applications to be approved - building consent



Out of 43 Building Rules Consent Only Applications received prior to 19 March 2021 (Date of Implementation of New Plan SA Portal), 38 days was the average processing time and 79% were processed within the 20 day target. The average was distorted by 4 applications where further information was provided in stages over a number of months and the stop the clock was not activated.

Percentage of new development application decisions upheld in Council/CAPs favour under appeal









There was one matter in the ERD Court (from earlier quarters) where the Court upheld the decision of the CAP. There are no decisions in the ERD Court in relation to Council staff decisions.


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	✓
N1002	Social, Economic and Environmental Recovery	😊

Highlights

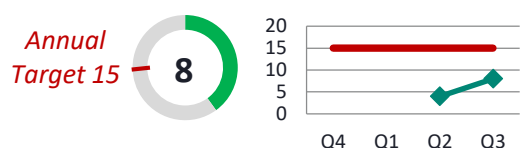
-  **Kerbside Waste Audit and Education Program**
 - Results of all audits undertaken since 2019 have been collated and analysed to identify common themes. Results have been discussed with East Waste and the Adelaide Hills Region Waste Management Authority to inform and reshape current education program.
 - Outcome of audit and review of education program planned to be presented to Council Members at May 2021 Workshop.
-  **Feral cat study and implementation of an action plan**
 - The Feral Cat Study has been tendered and a suitable consultant will be engaged shortly to undertake this work in the coming months.
-  **Heritage Agreements for land under Council's care and control**
 - Heritage Agreements now exist over Lobethal Bushland Park; Camp Gooden; Bradwood Park; Lenswood Recreation Reserve; Woorabinda Reserve; Stirling Park; Madurta Reserve; Hender Reserve; Kersbrook Conservation Reserve; Yanagin Reserve; Red Hill Rd, Bradbury; Aldgate Valley Reserve (aka AVR 2, Reserve 28); Leslie Creek Reserve (aka Leslie Creek Rd, Reserve 24); Kyle Nature Reserve (aka Reserve 3, Kyle Road Nature Reserve); Shanks Reserve; Kiley Reserve; and Doris Coulls Reserve.
-  **Local Climate Adaptations for landscape conservation**
 - Council has invested in a project looking into the significant dieback in the Adelaide Hills which is replicated in the Red Stringybark community in the mid-north. Trees For Life and the University of Adelaide have developed a proposal to look into the impact of climate change on the Stringybark communities of the Mount Lofty Ranges.
-  **Roadside Marker Program to protect and manage roadside vegetation**
 - 165 Native Vegetation Marker System sites were managed as part of 2020-21 AHC/Landscapes H&F Board Roadside Weed Control Work Plan
-  **Develop and review Council Management Plans for high value reserves**
 - Four Management plans have been developed for Aldgate Valley Reserve, Bradwood Park, Heathfield Stone Reserve, Lobethal Bushland Park.

Risks & Challenges

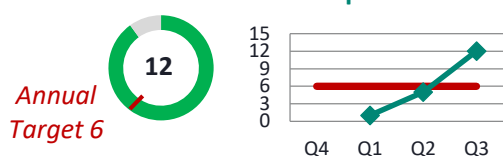
-  **Wastewater Aerobic Irrigation Inspections**
 - Inspection of aerobic systems continues at reduced rate due to reduced staff capacity with a greater emphasis on processing of the increased volume of wastewater applications as a result of the Cudlee Creek Bushfire.

Performance Indicators

No of sites completed in the Woody Weed Program

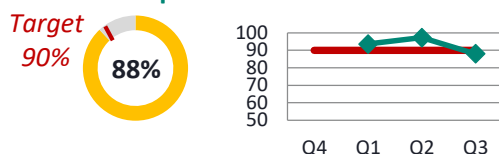


Number of community education actions delivered – actioned vs planned



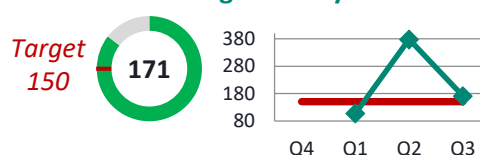
Waste education stall sessions were undertaken at Festival of the Hills and the Uraidla Sustainability Fair. School waste education sessions were undertaken at Gumeracha Primary School, Birdwood Primary School, Hills Christian and St Catherines Schools. Two bees wax wrap workshops were provided. Waste education was also provided at the Mylor Forum.

Percentage of nuisance and litter queries resolved



Target of 90% was not achieved (2% shortfall) this quarter due to ongoing open actions in Open Space and Environmental Health. However, all requests were responded to within 24 hours.

Tonnes of green organics collected on Green organics days



Two free organic drop off days have been held collecting a total of 171 tonnes of organics.

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
N1001	Tree Population Data Collection	😊
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



Building & swimming pool compliance inspections

- Improvements have been made to the Council's website notification form and increased building notifications are being received, allowing for a more streamlined inspection process.
- 83% of building inspections have been completed within the required timeframe.
- New State-wide building inspection policy is now live with implementation of the new State Planning System.



Service Review Framework Development

- Initial planning of framework conducted and discussed with Council at 26 March Workshop.
- During Annual Business Plan development session with Council, efficiency opportunities identified through the first stage of "high level" service analysis.
- Due to complexities and competing priorities, the framework may need to be delivered to Council August/September meetings.



Corporate Planning

- The development of the draft 2021-22 Annual Business Plan and Budget has been a key initiative for Q3. The draft ABP is scheduled for consideration by Council for public consultation at the April 2021 Council meeting.



Long term financial plan

- Public consultation commenced during quarter with results showing a much higher interest from community than previous years.



Customer Experience Training

Training scheduled for approximately 70 staff in late May and early June in both fundamentals of complaint handling and managing unreasonable complainant conduct



Equipment to broadcast Council Meetings

- Workshop held with Council Members to refine desired broadcasting configuration.
- Quotes on revised scope being obtained from suppliers.



Two Factor Authentication - Software Subscription

- Configuration of Multi Factor Authentication has been completed and a number of pilot test users migrated to the solution.



Application Whitelisting - Software Subscription

- Implementation and configuration of Airlock Digital is now 100% completed for Servers and testing has commenced with a group of test users.



Cybersecurity

- A Cyber Security Plan has been developed and submitted to Audit Committee for review prior to reporting to Council for adoption.

Risks & Challenges



Update of Business Continuity Plan and Implementation

- Local Government Risk Services engaged to undertake Business Continuity Plan development. Fieldwork anticipated to commence in May or June 2021.



Governance

- While the Planning and Local Government Reform processes have received considerable attention, there has been many changes to other pieces of legislation requiring additional resources to be dedicated to delegation and authorisations management.



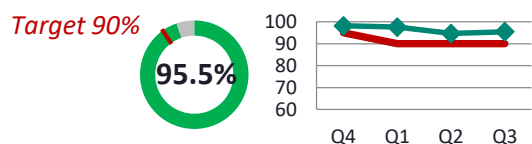
Corporate Plan Review

- Further scoping required as there are many complex interdependencies of this project which will delay our delivery until next financial year.
- The strategic plan goal – A progressive organisation will continue to provide guidance on organisational capacity and capability until the corporate plan is delivered.



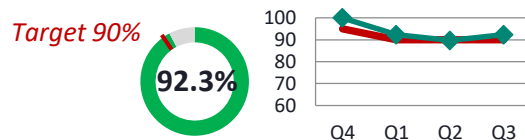
Performance Indicators

Decisions (Council resolutions) considered in open ordinary and special Council meetings during the period



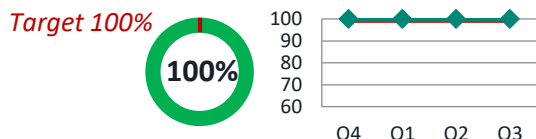
Council considered three items in confidence in Q3

Council member attendance at ordinary and special meetings for the period

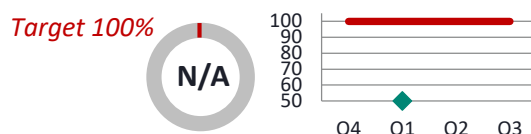


Council granted three leaves of absence and had one apology in Q2

Freedom of Information (FOI) requests completed within the legislated timeframe



Percentage of Ombudsman investigations upholding Council's decisions



Ombudsman decision is still outstanding for this quarter on an open case.

Number of lost time injuries

Annual Target **0** Actual **1** One lost time injury reported for quarter

Employee Turnover

Annual Target **7-15%** Actual **8.53%** The assessment against the target figure will only be realised at the end of financial year. Across the year a rolling update is provided.

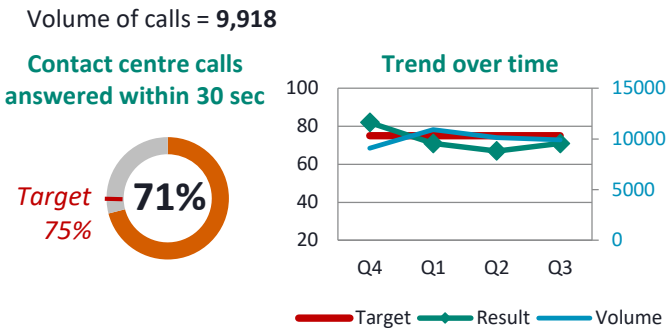
Progress on Strategic Initiatives from the Annual Business Plan

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

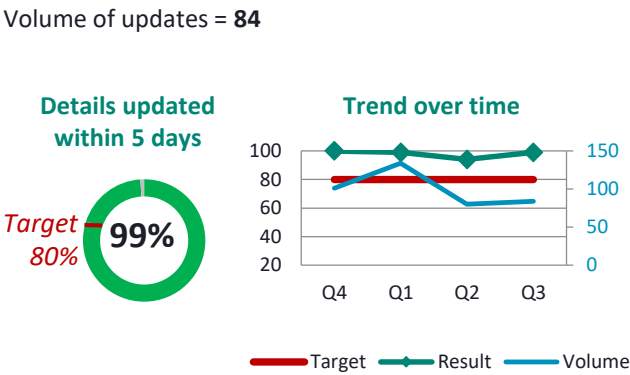
5.1 General Customer Standards

Answering Incoming Phone Calls



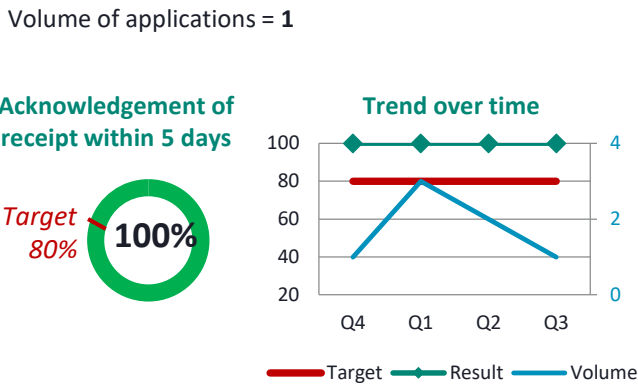
As part of our ongoing improvement to the customer experience, we are focusing on resolving queries at the first point of contact. This can result in a longer call with a customer service officer, which can increase call waiting times. Data from 2018 to 2020 shows that we have increased the number of calls that are resolved at the time of the call. While the target was not met, 75.5% of calls were still answered within 45 seconds

Updating Customer Details

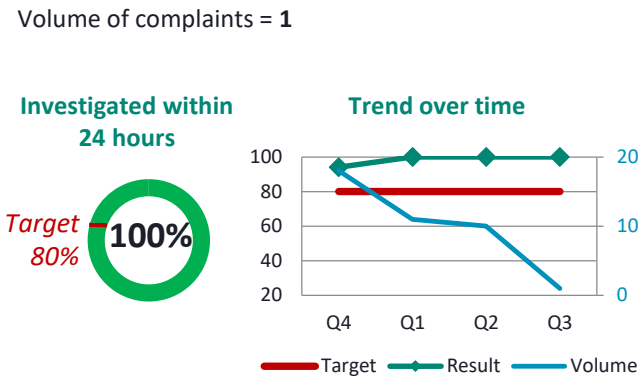


5.2 Service Specific Standards – Time Based Indicators

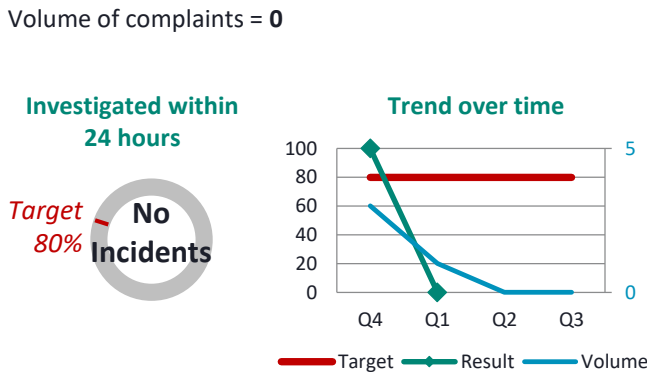
New Event Applications



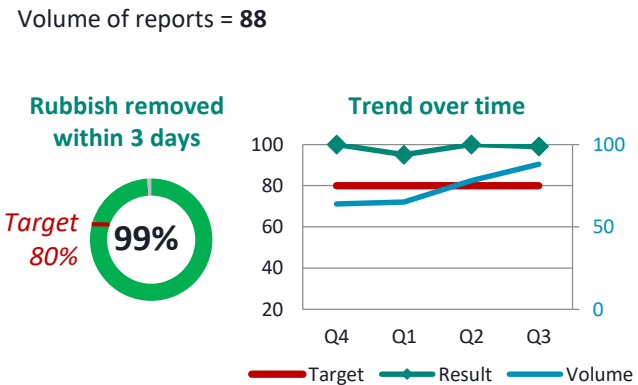
Illegal Burning Complaints



Health Complaints



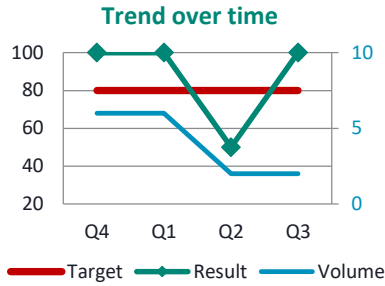
Illegally Dumped Rubbish



Library Services

Volume of requests = 2

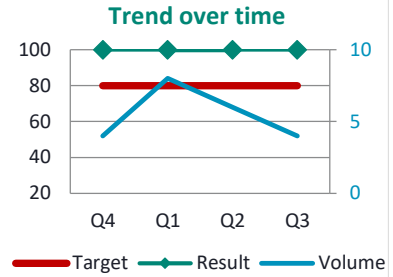
Response to requests to purchase materials within 10 days



Dog Attacks

Volume of attack reports = 4

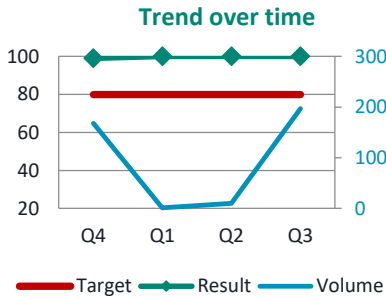
Response within 24 hours



Wasps

Volume of reports = 197

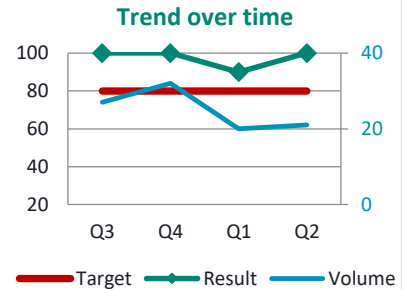
Investigate and action within 7 days



Development Applications

Volume of applications = 21

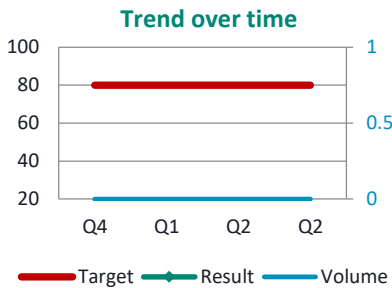
Approval of fast track development applications within 28 days



Missed Bins

Volume of requests = 0

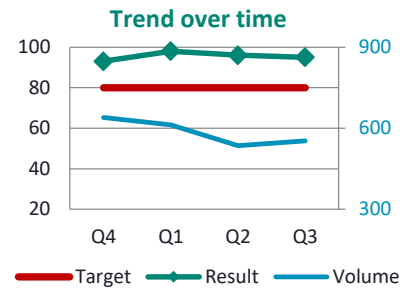
Missed bins collected within 2 days



Request for Bin Repair or Replacement

Volume of requests = 553

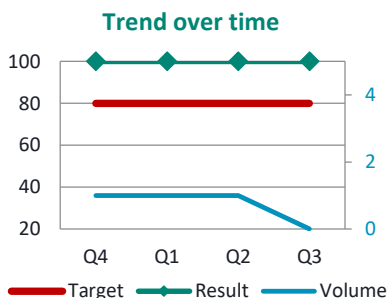
Requests actioned within 7 days



Footpath Repairs - Hazardous

Volume of repairs = 0

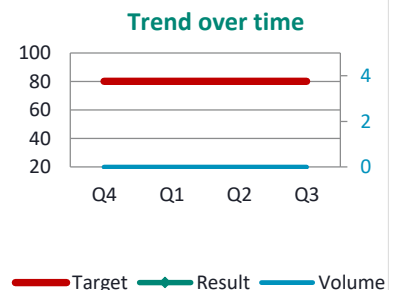
Responded and made safe within 24 hours



Road Repairs - Hazardous

Volume of repairs = 0

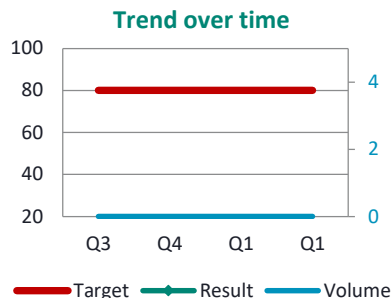
Responded and made safe within 24 hours



Stormwater Repairs - Hazardous

Volume of reports = 0

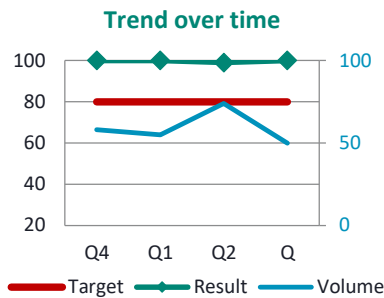
Responded and made safe within 24 hours



Trees - Hazardous

Volume of reports = 50

Responded and made safe within 24 hours

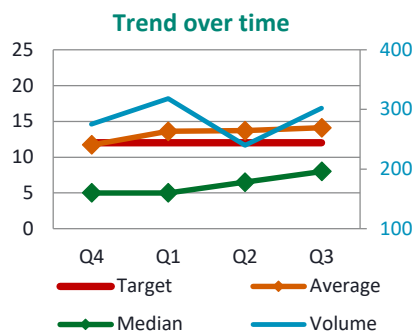
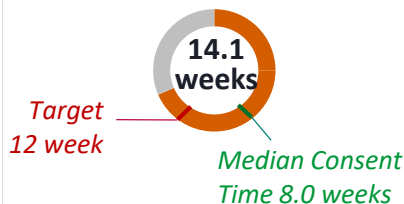


5.3 Service Specific Standards – Other Indicators

Development Applications

Volume of applications = 302

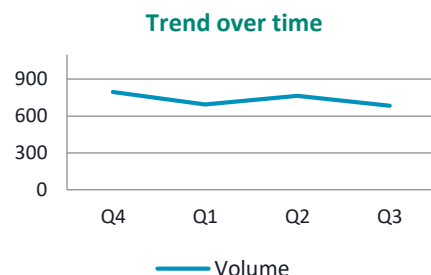
Average consent time from date of receipt



Three long-standing applications were approved, that were lodged in August 2013, November 2015 and May 2018 which has increased the overall average. If these applications were removed, the result would be an average of 11.6 weeks across a total of 299 applications. The 302 applications received is the second highest volume in the last 11 quarters

Low Risk Infrastructure Requests – Number of New Requests

Volume of new requests = 683



Low Risk Infrastructure Requests – Average Time to Resolve

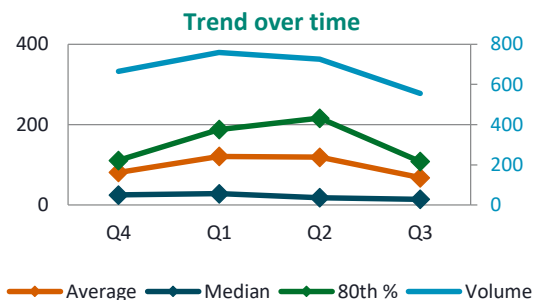
Volume of Requests = 555

Resolution time of requests

Average = 68 days

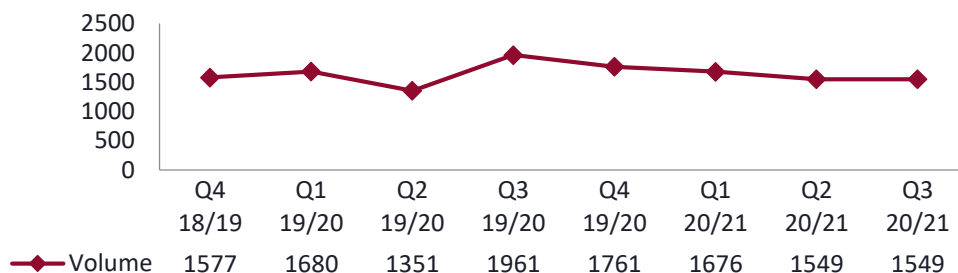
Median = 14 days

80th Percentile = 108 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 3 of 2020-21 FY represents the continuation of the 2020-21 Capital Works Program, with \$2.8M of infrastructure delivered during this period and another \$2.5M of works ordered. The primary focus of this quarter has been on continuing construction on renewal programs and larger projects, as well as completing projects started in Q1 and Q2. Pressures experienced in this quarter arise from higher than expected market responses, arising from an over-stimulated construction market.

Highlights

- Stormwater upgrades at Woodland Way, Teringie were completed, substantially increasing flood protection for downstream properties.
- The nature play Kersbrook Oval Playspace was opened to the community, and has received very positive feedback.
- Construction of new footpath linking Dunnfield Estate housing development with the Main Street.
- The Mill Rd, Lobethal, Pocket Forest was completed, demonstrating bush fire sensitive gardening.

What's Next








- Works will commence on the Crafrers to Stirling Bikeway.
- The nature play Charleston oval Playspace is due to open.
- Works will commence at the Heathfield Netball Courts.












Financial Performance by Asset Category

Asset Category	YTD Actuals \$'000	YTD Budget \$'000	YTD Var Fav / (unfav) \$'000	Annual Budget \$'000
Bridges	19	55	36	155
Buildings	497	1055	559	2066
Cemeteries	94	143	49	170
CWMS	403	384	(19)	450
Footpaths	437	648	212	806
Kerbing	114	200	86	247
Local Roads & Community Infrastructure Program (LRCIP)	122	424	302	781
Other - Ret Walls, Street Furniture & Bus Stops	862	1363	501	2138
Roads - Pavements	2200	2059	(142)	2364
Roads - Seals	830	650	(180)	1096
Roads - Shoulders	256	200	(56)	250
Roads - Unsealed	1017	880	(138)	1243
Sport & Recreation	274	1037	763	2865
Stormwater	473	759	287	1071
Fleet	558	580	22	2188
ICT	119	138	19	743
Library	5	63	58	68
Plant & Equipment	17	39	22	60
	5,448	7,594	2,146	21,488

4. Financial Performance

Overall Funding Statement as at 31 March 2021

	YTD Actual	YTD Budget	YTD Variance	Revised Budget
	\$'000	\$'000	\$'000	\$'000
Total Operating Income	48,155	47,944	 211	50,871
Total Operating Expenditure	29,234	29,841	 606	48,974
Funding surplus before Capital	18,921	18,103	 818	1,897
Capital Expenditure	8,296	10,677	 2,381	20,084
Capital Income	2,118	1,346	 773	5,098
Net expenditure - Capital projects	6,178	9,332	 3,154	14,986
Net Lending / (Borrowing) Result for Year	12,743	8,771	 3,972	(3,852)

Adelaide Hills Council Operating Summary By Directorate as at March 2021				
	YTD Actuals \$'000s	YTD Budget \$'000s	YTD Var fav / (unfav) \$'000s	Revised Budget \$'000s
Income				
Community Capacity	4,155	4,157	 (3)	4,686
Corporate Services	39,508	39,498	 9	40,411
Development & Regulatory Services	1,217	1,093	 124	1,364
Infrastructure & Operations	3,275	3,195	 80	4,411
Income Total	48,155	47,944	 211	50,871
Expenditure				
Community Capacity	6,575	6,763	 188	9,431
Corporate Services	6,518	6,631	 113	7,835
Development & Regulatory Services	2,797	2,790	 (7)	3,735
Infrastructure & Operations	12,827	13,154	 328	27,393
Expenditure Total	28,717	29,339	 620	48,395
Operating Surplus (Deficit)	19,437	18,605	 832	2,476

Operating summary by Function (Income)

Adelaide Hills Council Quarterly Financial Performance										
as at March 2021	Income by Function				Expenditure by Function				Net Position	
	YTD	YTD	YTD Var	Annual	YTD	YTD	YTD Var	Annual		
	Actuals	Budget	fav / (unfav)	Revised	Actuals	Budget	fav / (unfav)	Revised	Variance	
	\$'000s	\$'000s	\$'000s	\$'000s	\$'000s	\$'000s	\$'000s	\$'000s	\$'000s	
Bushfire Recovery	2,614	2,657	<div></div> (43)	2,657	1,367	1,390	<div></div> 23	1,955	<div></div> (20)	
CC Director's Office	-	-	<div></div> -	-	238	231	<div></div> (6)	301	<div></div> (6)	
Communications, Engagement & Events	23	21	<div></div> 2	21	482	488	<div></div> 5	652	<div></div> 7	
Economic Development	160	160	<div></div> -	160	415	454	<div></div> 38	567	<div></div> 39	
FABRIK Arts and Heritage Hub	95	66	<div></div> 28	87	288	278	<div></div> (10)	380	<div></div> 18	
Community Development (Management)	-	-	<div></div> -	-	257	264	<div></div> 7	361	<div></div> 7	
Community Resilience	90	90	<div></div> -	90	20	10	<div></div> (10)	90	<div></div> (10)	
Cultural Development	-	-	<div></div> -	-	90	111	<div></div> 22	149	<div></div> 22	
Grants & Partnerships	-	-	<div></div> -	-	188	191	<div></div> 3	237	<div></div> 3	
Hills Connected Communities Projects	67	59	<div></div> 8	75	55	62	<div></div> 7	80	<div></div> 15	
Positive Ageing (Home and Social Support)	793	782	<div></div> 11	1,060	705	796	<div></div> 91	1,098	<div></div> 103	
Positive Ageing Project (Collaborative)	113	110	<div></div> 2	128	81	79	<div></div> (2)	128	<div></div> 1	
Service Strategy & Innovation	-	-	<div></div> -	-	83	116	<div></div> 33	171	<div></div> 33	
The Summit Community Centre	9	15	<div></div> (6)	21	116	136	<div></div> 20	181	<div></div> 14	
Torrens Valley Community Centre	20	26	<div></div> (6)	36	135	132	<div></div> (3)	173	<div></div> (10)	
Volunteering	-	-	<div></div> -	-	61	63	<div></div> 3	84	<div></div> 3	
Youth Development	7	1	<div></div> 6	2	110	110	<div></div> ()	158	<div></div> 6	
Library Services	163	169	<div></div> (6)	349	1,303	1,277	<div></div> (25)	1,614	<div></div> (31)	
Customer Service	-	-	<div></div> -	-	584	576	<div></div> (8)	1,054	<div></div> (8)	
Community Capacity	4,155	4,157	<div></div> (3)	4,686	6,575	6,763	<div></div> 188	9,431	<div></div> 185	
AHBTC	227	280	<div></div> (53)	366	164	182	<div></div> 17	253	<div></div> (36)	
Cemeteries	224	197	<div></div> 27	245	166	214	<div></div> 49	268	<div></div> 76	
CS Director's Office	3	2	<div></div> 1	3	234	248	<div></div> 14	322	<div></div> 15	
COVID 19	-	-	<div></div> -	-	173	50	<div></div> (123)	50	<div></div> (123)	
Financial Services	38,765	38,753	<div></div> 13	39,481	734	780	<div></div> 47	561	<div></div> 59	
Governance & CEO Office	78	62	<div></div> 16	90	1,511	1,569	<div></div> 58	2,038	<div></div> 74	
Information Services	-	-	<div></div> -	-	1,567	1,537	<div></div> (30)	1,954	<div></div> (30)	
OD & WHS	-	-	<div></div> -	-	432	450	<div></div> 18	597	<div></div> 18	
Property Management	184	176	<div></div> 8	189	1,514	1,582	<div></div> 67	1,767	<div></div> 75	
Retirement Villages	26	28	<div></div> (2)	37	23	19	<div></div> (4)	25	<div></div> (5)	
Corporate Services	39,508	39,498	<div></div> 9	40,411	6,518	6,631	<div></div> 113	7,835	<div></div> 123	
Animal Management	433	408	<div></div> 25	416	333	304	<div></div> (29)	414	<div></div> (4)	
DRS Director's Office	-	-	<div></div> -	-	246	248	<div></div> 1	328	<div></div> 1	
Fire Prevention	9	3	<div></div> 5	14	63	80	<div></div> 17	99	<div></div> 22	
Mt Lofty Waste Control Project	-	-	<div></div> -	50	-	7	<div></div> 7	51	<div></div> 7	
Parking and By-Laws	21	34	<div></div> (13)	46	160	148	<div></div> (12)	193	<div></div> (25)	
Planning & Development	619	537	<div></div> 82	673	1,546	1,524	<div></div> (22)	1,976	<div></div> 60	
Policy Planning	-	-	<div></div> -	-	106	108	<div></div> 2	166	<div></div> 2	
Public Health	135	110	<div></div> 24	166	343	371	<div></div> 28	508	<div></div> 52	
Development & Regulatory Services	1,217	1,093	<div></div> 124	1,364	2,797	2,790	<div></div> (7)	3,735	<div></div> 117	
Civil Services	1,257	1,255	<div></div> 2	2,225	3,769	3,882	<div></div> 113	5,327	<div></div> 115	
Community Wastewater Management System	1,886	1,847	<div></div> 39	1,854	465	502	<div></div> 38	1,183	<div></div> 76	
Depreciation	-	-	<div></div> -	-	-	-	<div></div> -	8,824	<div></div> -	
Emergency Management	-	-	<div></div> -	-	42	72	<div></div> 30	92	<div></div> 30	
IO Director's Office	-	-	<div></div> -	-	261	240	<div></div> (20)	326	<div></div> (20)	
Open Space - Biodiversity	45	15	<div></div> 30	30	397	420	<div></div> 23	583	<div></div> 53	
Open Space Operations	7	-	<div></div> 7	-	3,327	3,418	<div></div> 91	4,834	<div></div> 98	
Open Space - Sport & Rec Planning	9	9	<div></div> -	230	489	508	<div></div> 20	606	<div></div> 20	
Sustainability	-	-	<div></div> -	-	121	166	<div></div> 45	250	<div></div> 45	
Strategic Assets	-	-	<div></div> -	-	379	427	<div></div> 48	548	<div></div> 48	
Waste	72	69	<div></div> 2	72	3,578	3,519	<div></div> (59)	4,819	<div></div> (56)	
Infrastructure & Operations	3,275	3,195	<div></div> 80	4,411	12,827	13,154	<div></div> 328	27,393	<div></div> 408	
Total	48,155	47,944	<div></div> 211	50,871	28,717	29,339	<div></div> 620	48,395	<div></div> 832	



Adelaide Hills
COUNCIL

MORE INFORMATION



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**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 May 2021
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 18.1

Responsible Officer: Jennifer Blake
Manager Communications, Engagement and Events
Community Capacity

Subject: Multi-Year Road Rally Proposal

For: Decision

1. Multi-Year Road Rally Proposal – Exclusion of the Public

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

- Chief Executive Officer, Andrew Aitken
- Director Infrastructure & Operations, Peter Bice
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Governance & Risk Coordinator, Steven Watson
- Manager Communication, Engagement & Events, Jennifer Blake
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.1 (Multi-Year Road Rally Proposal) in confidence.

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

Section 90(3)(d) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the business who supplied the information by disclosing specific financial and sponsorship information.

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

3. Multi-Year Road Rally Proposal – Period of Confidentiality

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 18.1 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 and related attachments of Council and the discussion and considerations of the subject matter be retained in confidence until 31 December 2023.

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.
