



NOTICE OF SPECIAL COUNCIL 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 hereby given pursuant to the provisions under Section 82 of the *Local Government Act 1999* that a Special meeting of the Council will be held on:

Tuesday 20 September 2022
6.30pm
63 Mt Barker Road Stirling

Business of the meeting:

1. Election of East Regional Grouping Representatives to GAROC
2. Election of LGA President 2022
3. Election for Local Government Financial Authority Board of Trustees
4. Use of Boundary Change Committee delegation
5. Appointment of Acting CEO – Confidential Item

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.

David Waters
Acting Chief Executive Officer



AGENDA FOR SPECIAL COUNCIL MEETING

**Tuesday 20 September 2022
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

3.2. Leave of Absence

- Cr Chris Grant - 29 July 2022 to 26 September 2022, approved at Council 26 July 2022
- Mayor Jan-Claire Wisdom – 22 September to 14 October 2022, approved at Council 23 August 2022

4. DECLARATION OF INTEREST BY MEMBERS OF COUNCIL



5. PRESIDING MEMBER'S OPENING REMARKS

5.1 Condolence Motion – Death of Her Majesty Queen Elizabeth II

Adelaide Hills Council records its sorrow at the death of Her Majesty Queen Elizabeth II, expresses gratitude for her life of exceptional public service and extends our sincere condolences to the Royal Family, the people of the United Kingdom and the Commonwealth, at home and abroad.

5.2 Accession of King Charles III

Council acknowledges the accession to the throne of King Charles III and wishes His Majesty a long and peaceful reign.

6. PUBLIC FORUM

7. BUSINESS OF THE MEETING

7.1. Election of East Regional Grouping Representatives to GAROC

- 1. That the report be received and noted.*
- 2. To cast its vote for for LGA President.*
- 3. To authorise the Mayor to mark the ballot paper reflecting the Council's determination and authorise the CEO (or their delegate) to lodge Council's nomination in accordance with the process set out in Appendix 1.*

7.2. Election of LGA President 2022

- 1. That the report be received and noted.*
- 2. To cast its vote for for LGA President.*
- 3. To authorise the Mayor to mark the ballot paper reflecting the Council's determination and authorise the CEO (or their delegate) to lodge Council's nomination in accordance with the process set out in Appendix 1.*

7.3. Elections for Local Government Finance Authority Board of Trustees

- 1. That the report be received and noted*
- 2. To vote for and as Representative Members of the Board of Trustees of the Local Government Finance Authority.*
- 3. To authorise the Mayor to mark the ballot paper reflecting Council's determination and authorise the CEO (or their delegate) to lodge the ballot paper in accordance with the process set out in Appendix 1.*

7.4 Use of Boundary Change Committee delegation

- 1. That the report be received and noted.*
- 2. To note the Boundary Change Committee's use of the delegation under clause 4.3.1 of the Committee's Terms of Reference to lodge the Inquiry Plan Submission directly to the Boundaries Commission.*
- 3. To retrospectively endorse the Inquiry Plan Submission contained in Appendix 4.*



8. CONFIDENTIAL ITEM

8.1 Appointment of Acting Chief Executive Officer

9. NEXT MEETING (TO BE RESOLVED)

Tuesday 27 September 2022, 6.00pm, 63 Mt Barker Road, Stirling

10. CLOSE SPECIAL COUNCIL MEETING

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 20 September 2022
AGENDA BUSINESS ITEM**

Item:	7.1
Responsible Officer:	Steven Watson Governance and Risk Coordinator Office of the Chief Executive
Subject:	Election of East Regional Grouping Representatives to GAROC
For:	Decision

SUMMARY

Voting for the Election for the Greater Adelaide Region Organisation of Councils (GAROC) membership will occur on Tuesday 18 October 2022.

In July 2022, nominations for positions on the East Regional Grouping Representatives to GAROC were requested from Member Councils and at the close of nominations (5.00pm on 19 August 2022) five (5) nominations for two (2) positions on GAROC were received. Prior to the ballot draw being conducted Mayor David O'Loughlin (City of Prospect) advised he wished to withdraw his nomination.

The four (4) candidates for election as the GAROC East Regional Grouping representatives are listed below (in the order of the ballot draw):

- * Mayor Elizabeth FRICKER, Town of Walkerville
- * Mayor Jan-Claire WISDOM, Adelaide Hills Council
- * Councillor Anna LEOMBRUNO, Campbelltown City Council
- * Councillor Don PALMER, City of Unley

Candidate profiles are at **Appendix 1**.

There are two (2) positions available for the East Regional Grouping Representatives to GAROC. As a Member Council of the LGA, Adelaide Hills Council may consider voting up to two (2) candidates or Council may consider not voting a candidate for East Regional Grouping Representatives to GAROC.

Following Council's consideration the Mayor will mark or not mark the ballot paper and complete the voting process as set out in **Appendix 1**. The completed ballot paper must be received in hardcopy by the Returning Officer no later than 5.00pm, Monday 17 October 2022.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. To vote forand..... as GAROC East Regional Grouping representatives.
 3. To authorise the Mayor to mark the ballot paper reflecting Council's determination and authorise the CEO (or their delegate) to lodge Council's ballot paper in accordance with the process set out in *Appendix 1*.
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1. BACKGROUND

The Local Government Association (LGA) governance structures includes its two constituent bodies being the South Australian Regions of Councils (SAROC) representing the regional councils and the Greater Adelaide Region Organisation of Councils (GAROC) representing the metropolitan councils.

The role of GAROC is regional advocacy, policy initiation and review, leadership, engagement and capacity building in the regions.

The GAROC Regional Groupings consists of:

GAROC Regional Grouping	Members	Nominee
Adelaide	Adelaide City Council	Lord Mayor – Standing Member
North	Town of Gawler	2x Positions
	City of Playford	
	City of Salisbury	
	City of Tea Tree Gully	
West	City of Charles Sturt	2x Positions
	City of Holdfast Bay	
	City of Port Adelaide Enfield	
	City of West Torrens	
South	City of Marion	2x Positions
	City of Mitcham	
	City of Onkaparinga	
East	Adelaide Hills Council	2x Positions
	City of Burnside	
	City of Campbelltown	
	City of Norwood Payneham & St Peters	
	City of Prospect	
	City of Unley	
	City of Walkerville	

On 26 July 2022, Council nominated Mayor Jan-Claire Wisdom for GAROC:

12.6.1 Nomination for GAROC Members - Nomination

Moved Cr Ian Bailey
S/- Cr Linda Green

188/22

Council resolves to endorse the nomination of Mayor Jan-Claire Wisdom for the Greater Adelaide Regional Organisation of Councils and authorise the Chief Executive Officer to lodge the completed nomination form to the Local Government Association by COB 19 August 2022.

Carried unanimously

As a Member Council of the LGA, Adelaide Hills Council has an entitlement to complete the Ballot Paper and cast a vote for two (2) of the candidates that it wishes to be elected.

Candidate profiles are at **Appendix 1**.

2. ANALYSIS

➤ **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 O4.2	Attract and develop a diverse and capable elected body that represents, promotes and reflects the composition of the community
Priority O4.3	Advocate to, and exert influence with, our stakeholders on behalf of our community to promote the needs and ambitions of the region
Objective O5	We are accountable, informed, and make decisions in the best interests of the whole community
Priority O5.1	Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations
Priority O5.2	Make evidence-based decisions and prudently assess the risks and opportunities to our community before taking action.

The nomination of suitable candidate(s) to the Authority is an important element of Council's commitment to open and transparent decision making which facilitates public accountability.

➤ **Legal Implications**

The position, role and function of GAROC are set out in the GAROC Terms of Reference.

➤ **Risk Management Implications**

Notwithstanding that Council is only one of the regional group of councils voting for members to GAROC, given the role of the GAROC, it is in Council's (and the sectors) interest to support the candidates that will assist in mitigating the risk of:

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

<i>Inherent Risk</i>	<i>Residual Risk</i>	<i>Target Risk</i>
<i>Extreme (5C)</i>	<i>Medium (3D)</i>	<i>Low (3E)</i>

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

➤ **Financial and Resource Implications**

GAROC does not pay sitting fees, although GAROC funds travel and related expenses for its membership through its GP02 Board and Committee Member Allowances and Expenses Policy.

As such, there is no support provided via the AHC Council Member Allowance & Support Policy.

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

There are no direct end-user customer service implications regarding the nomination of members to GAROC.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Local Government Association

Community: Not Applicable

➤ **Additional Analysis**

Role of GAROC Members

The role of GAROC is regional advocacy, policy initiation and review, leadership, engagement and capacity building in the GAROC Region. As such, members do not represent their individual council in a similar manner to membership of Southern & Hills LGA (noting that S&HLGA is a member of the South Australian Regional Grouping of Councils – SAROC).

Voting

In accordance with Clause 4.4.5(d) of the GAROC Terms of Reference, Council may consider voting for two (2) candidates that they wish to be elected. Alternatively Council may consider not to vote for any candidates for the East Regional Grouping Representatives of GAROC.

Following Council's consideration the Mayor will mark or not mark the ballot paper and complete the voting process as set out in **Appendix 1**. The completed ballot paper must be received in hardcopy by the Returning Officer no later than 5.00pm, Monday 17 October 2022.

3. OPTIONS

Council has the following options:

- I. To determine the two (2) preferred candidates for Election to the East Regional Grouping Representatives of GAROC and resolve accordingly (Recommended).
- II. To determine not to vote in the Election for GAROC (Not Recommended).

4. APPENDIX

- (1) LGA Correspondence, Voting Instructions and Voting Papers

Appendix 1

*LGA Correspondence, Voting Instructions
and Voting Papers*



In reply please quote our reference: ECM 780944 TN/AL

2 September 2022

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

Dear Mr Aitken

Election of East Regional Grouping Representatives to GAROC

On 4 July 2022, I wrote to Member Councils of the Greater Adelaide Regional Organisation of Councils (GAROC) calling for nominations to fill two (2) positions allocated to each Regional Grouping of Members on GAROC.

I wish to advise that at the close of nominations (5.00pm on 19 August 2022) I received nominations for five (5) eligible candidates. Prior to the ballot draw being conducted Mayor David O'Loughlin (City of Prospect) advised this he wished to withdraw his nomination. The four (4) candidates for election as the GAROC East Regional Grouping representatives are listed below (in the order of the ballot draw):

- Mayor Elizabeth FRICKER (Town of Walkerville)
- Mayor Jan-Claire WISDOM (Adelaide Hills Council)
- Councillor Anna LEOMBRUNO (Campbelltown City Council)
- Councillor Don PALMER (City of Unley)

As a result of receiving more nominations than available positions, I hereby advise that in accordance with clause 4.4.4 of the GAROC Terms of Reference an election for the two (2) positions on the East Regional Grouping of Members of GAROC will take place.

I have attached a copy of each candidate's information together with a Ballot paper and voting envelopes for your council's completion in accordance with the instructions below. **I require the ballot paper to be received by me in hard-copy no later than 5.00pm Monday 17 October 2022.**

Voting Instructions

Pursuant to clause 4.4.5 of the GAROC Terms of Reference, the election process must be conducted as follows:

- each Member council shall determine by resolution the two (2) candidates it wishes to elect;
- the chair of the meeting for that Member shall mark the ballot paper with an "X" next to the two (2) candidates that the Member council wishes elected and seal the ballot paper in the envelope marked "Ballot Paper" and then place this envelope inside the envelope marked "Returning Officer". Before sealing the second envelope marked "Returning Officer" the chair must indicate the Member council's name on the inside flap of the envelope. The second envelope may then be sealed and delivered to the Returning Officer;

- on receipt of the envelopes the Returning Officer must:
 - open the outer envelope addressed to the “Returning Officer” and record the name of the Member council which appears on the inside flap of the envelope on the roll of Member council’s eligible to vote; and
 - place the envelope marked “Ballot Paper” unopened into the ballot box.
- the Returning Officer shall nominate the date, time and place for the counting of votes and shall invite each candidate and a person nominated as the candidate’s scrutineer to be present;
- at the counting of the votes the Returning Officer shall produce the unopened envelopes marked “Ballot Paper” and if satisfied that all votes are valid, count the number of votes received by each candidate;
- the two (2) candidates with the most votes shall be deemed elected in respect of your Regional Grouping of Members and the Returning Officer shall declare the candidates elected at the Annual General Meeting; and
- in the case of candidates receiving the same number of votes, the Returning Officer shall draw lots at the counting of the votes and the lot drawn will be the candidate elected.

I am the Returning Officer for this election and I may appoint a Deputy Returning Officer to perform any of the powers, functions or duties described above.

The counting of votes will take place via Zoom on Tuesday 18 October 2022 commencing at 9.30am.

The successful candidate will take office from the conclusion of the LGA’s 2022 Annual General Meeting for a term ending at the conclusion of the 2024 LGA Annual General Meeting.

If you have any queries please contact me or Program Leader Governance Tami Norman on 8224 2037 or tami.norman@lga.sa.gov.au.

Yours sincerely



Clinton Jury
Chief Executive Officer

Telephone: (08) 8224 2039

Email: cjury@lga.sa.gov.au

Attach: ECM 780945 – LGA Election 2022 – GAROC East - Combined Candidate Information
GAROC East Ballot Paper
Ballot Paper envelope
Reply envelope addressed to Returning Officer

Candidate Information Sheet – GAROC East

Name	Mayor Elizabeth Fricker
Council	Corporation of the Town of Walkerville
Local Government Experience & Knowledge	<p>As a long-term Councillor of the Town of Walkerville – and with an extensive background in relation to business, boards and financial management – I would bring a raft of experience to the table at GAROC through both my Local Government involvement and private career endeavours.</p> <p>I have learnt that a leader must be adaptable, collaborative, innovative and prepared to give both their time and determination to the cause. A leader does not shy away from conflict, but is prepared to make tough decisions for the overarching benefit of the community. It is essential to take risks and embrace change as opportunity presents. I see this as no different to being a member of a board such as GAROC, where I would bring my Local Government knowledge and wealth of various past experience to represent the eastern region.</p> <p>Local Government has been the epitome of adaptive in delivering information, services, programs and events in order to cater for our communities – particularly with limited resources. Town of Walkerville – being the smallest Council in metropolitan Adelaide – is case in point. In the past six months alone, we have been recognised by the community for our innovative methods to increase eco-friendly products, praised by our peers for our quirky out-of-the-box public educational signage and we have been featured in national publication Government News for our ability to use predictive technology to monitor infrastructure, resulting in less costly and more efficient asset management. I am proud to lead both an Elected Body and Administrative team, who echo the values of adaptability, responsibility and creativity.</p> <p>As Mayor of the Town of Walkerville, I understand the importance of being able to quickly adapt to specific situations and circumstances in order to meet the needs of residents and businesses. This has been relevant since I was elected to Council in November 2014. In November 2016, I was appointed Deputy Mayor by the Council and in 2018, I was elected unopposed by the community as Mayor.</p> <p>As part of my role, I regularly attend meetings with my fellow Eastern Region Alliance (ERA) Mayors on a monthly basis to discuss broader issues across the district. I also attend the quarterly meeting of the ERA Mayors and CEOs. This is paramount for collaboration, staying engaged with our neighbouring communities and keeping abreast with the issues that not only affect our region, but the wider sector.</p>

Name	Mayor Elizabeth Fricker
Council	Corporation of the Town of Walkerville
Local Government Experience & Knowledge cont.	<p>Furthermore, I have been a member of Council's Audit Committee since 2014, Strategic Planning and Development Policy Committee (2014 to 2018) and CEO Performance Review Committee (November 2016 to present). I am the Presiding Member of the Women of Walkerville Foundation Committee, which was formed in order to raise funds for the betterment of the community. My role on these committees has provided me with a greater insight and knowledge across Local Government, all the while allowing me to cast my thoughts and decisions to make an impact on the future of our Township.</p> <p>I have attended a number of training forums run by the Local Government Association (LGA) for Elected Members. I have also actively involved myself in almost every consultative forum run by the LGA and the Office of Local Government in relation to planning reform and rates capping, including the South Australian Productivity Commission inquiry into Local Government costs and efficiency.</p> <p>Prior to my time in Local Government, I gained high-end strategic skills in my experience on a private board, managing a dealership in regional SA and completing a Master of Business Administration. This has allowed me to understand investment and the importance of financial management, which is always in the back of my mind as part of a sound decision-making process.</p>
Local Government Policy Views & Interests	<p>I am passionate about the below key areas:</p> <ul style="list-style-type: none"> • Environmental sustainability and introducing eco-friendly methods into Local Government; • Indigenous affairs; • Public safety; • Affordable housing; • Planning reforms; • Open and transparent governance; • Waste management; • Active ageing and wellbeing; • Social inclusion and diversity; • Genuine community engagement; • Financial sustainability; • Appropriate management of assets; • Open spaces.

Name	Mayor Elizabeth Fricker
Council	Corporation of the Town of Walkerville
Local Government Policy Views & Interests <i>cont</i>	<p>I am a strong advocate for providing diverse services and programs to our community, with a focus on the most vulnerable groups in the district.</p> <p>I firmly believe in the protection of heritage areas and the retention of trees, particularly in areas of infill development.</p> <p>I have also taken great interest in waste management and the impact of land infill.</p> <p>In addition, I have an interest in finding the most responsible and effective ways to not only promote, but enact environmental sustainability and eco-friendly methods into everyday use. In Walkerville, we have recently stopped the use of corflute material and replaced it with a 100% cellulose fibre product that is fully recyclable. We are also using 100% recycled plastic bottle materials to manufacture our new street sign covers.</p>
Other Information	<ul style="list-style-type: none"> • Bachelor of Arts with a Major in Economics and Politics; • Master of Business Administration; • Fellow of Australian Institute of Company Directors; • Board Member of RA Jordan, a private plumbing company operating in South Australia and the Northern Territory; • Previously filled casual vacancies on Women's and Children's Hospital Board; • Previously managed large Agricultural Dealership in country South Australia.

Candidate Information Sheet – GAROC East

Name	Mayor Dr Jan-Claire Wisdom
Council	Adelaide Hills Council (AHC)
Local Government Experience & Knowledge	<ul style="list-style-type: none"> • 2018-Elected Mayor of Adelaide Hills Council • 2010-2018 Elected Member AHC (Deputy Mayor for 5 years) • 2018-2020 Board Member LGASA • 2017-current Member of GAROC (and previously MLGG) • 2017-current Board Member of Southern & Hills LGA • 2012-current Member of AHC CEO Performance Review Panel since 2012 (Chair 2 years) and previously CEO Selection Panel • 2012-2019 State Libraries Board Member (Ministerial appointment) • 2018-Member Selection Panel for Director of State Library of SA • Member of many AHC Committees and Advisory Groups • Key knowledge/skills: Strategic Planning, Leadership, Collaboration and Partnerships, Advocacy, Public Speaking, Policy Development and Review, Communications, Community Development
Local Government Policy Views & Interests	<p>Support</p> <ul style="list-style-type: none"> • Local Government enhanced role in disaster preparedness, recovery and community resilience building • Establishment of State-Local Government Climate Change Partnership for practical action on adaptation and mitigation • Renewing Regional Climate Partnership sector agreements • Making standardised and accessible climate-related data for use by Local Government to improve planning • Making 50% of Councils' contributions to the Green Industry Fund available to Local Government to aid transition to circular economy • LG partnerships to alleviate housing supply and affordable housing crisis • Benchmarking • Performance Review of GAROC's effectiveness (I have proposed this to LGASA)

Name	Mayor Dr Jan-Claire Wisdom
Council	Adelaide Hills Council (AHC)
Local Government Policy Views & Interests cont	<p>Interests</p> <ul style="list-style-type: none"> Increased action by Local Government on climate change initiatives (including cross-Council partnerships) to: transition to renewables, achieve carbon zero, develop carbon credit markets across LG sector Advocacy for increased Heritage Protection Advocacy for measures to increase tree canopy coverage across metropolitan areas Sustainable Public Library funding and minimising cost shifting Building local government, university and industry sector collaboration Greater role for local government in tourism development <p>Developing improved community engagement processes</p>
Other Information	<ul style="list-style-type: none"> Fellow of the Governor's Leadership Foundation (2015) Excellence in Local Government Leadership Award (2014) Governor, Glenunga International High School (2009-13) Qualifications: <ul style="list-style-type: none"> Doctor of Philosophy (PhD) in Sociolinguistics/Policy Analysis Masters in Communications Degree in English Language and Philosophy Post-graduate degrees in both Library and Information Studies, and also Journalism Currently Adjunct Research Fellow in Business School of UniSA Previously: Chartered Librarian, Systems and Business Analyst, Journalist, Management Consultant, small business owner/operator, Academic (lecturer and researcher), and served 10 years as Defence Force reservist in Army Intelligence Corps (British and Australian forces).

Candidate Information Sheet – GAROC East

Name	Councillor Anna Leombruno
Council	Campbelltown City Council
Local Government Experience & Knowledge	<ul style="list-style-type: none"> • 2022 to present President, Campbelltown Historical Society Inc • 2022 to present Climate Solutions Advisory Committee • 2021 to present Chair, Service Clubs Advisory Committee • 2018 to 2020 Deputy Mayor Campbelltown Council • 2017 to present Member of Council Assessment Panel • 2014 to 2017 Member of Development Assessment Panel • 2105 to 2016 Campbelltown Child Friendly Committee • 2014 to 2016 CEO Panel Review Committee • 2014 to 2018 Sesquicentennial Advisory Committee • 2011 to present Community Rep, Charles Campbell College Governing Council • 2011 to 2013 (Chair 2013) St Francis of Assisi School Governing Council • 2010 to 2016 (Chair from 2014) Campbelltown Leisure Centre Redevelopment Committee • 2010 to 2014 Outlook Publication Committee • 2010 to 2014 Campbelltown Service Club Advisory Committee • 2010 to 2014 Strategic Planning and Policy Development Committee • 2010 to 2014 Sister City Committee • 2010 to present Councillor, Campbelltown City Council
Local Government Policy Views & Interests	<p>Gone are the days were Councils are merely responsible for roads, rates and rubbish....</p> <ul style="list-style-type: none"> • Local Government has an important responsibility to our constituents to provide and maintain its many services such as waste management, roads, footpaths, libraries, assets, infrastructure, sports and arts facilities and to also deliver various programs that assist and are of interest to both our young, elderly, disabled and vulnerable. • It is vital that Local Government continues to build strong relationships with other Councils and both the State and Federal Governments. Strong relationships will lead to stronger voices and better outcomes.

Name	Councillor Anna Leombruno
Council	Campbelltown City Council
Local Government Policy Views & Interests cont	<ul style="list-style-type: none"> • We should encourage Councils to work collaboratively together in sharing knowledge and resources with the intent to reducing our running costs and to benefit our communities which includes our many volunteers and local community groups. • In recent times Local Government has come under increased scrutiny in regards to development, in particular what has been viewed as the over development and urban infill and the impact it has had on the community. The most notable impact has been the loss of tree canopy and the flow on effect has lead to environmental issues such as heat mapping. • When it comes to matters relating to commitment to climate change issues, environmental issues and significant tree protection, all these weigh heavily on Councils and it is imperative that Local Government are making decisions that best serve the community. • Environment issues and sustainability: Covid has definitely brought it's fair share of challenges for everyone, both personally and professionally. Many families and businesses have felt the impact of Covid and Council's were not immune to this either. This, along with other recent world events, has seen the escalating costs to many of our goods and services. The increase in building materials has been particularly noticeable as Council's look to balance the need to continue providing vital services to our residents along with maintaining our current assets and delivering on new initiatives. In light of these and other recent changes seen around the world, it is important that we are also prepared and have policies in place to cope with the current changes in climate and the ongoing challenges faced around the world. <p>My commitment as a GAROC member will be to explore and consider all issues so that decisions are based on best case scenarios for our Councils and the community.</p>
Other Information	<ul style="list-style-type: none"> • With over 20 years in the Insurance industry I am well versed in matters pertaining to Liability and Negligence. • 2017 Diploma Local Government Association (LGA50712EM) • 2011 ALGWA Inaugural Metropolitan Winner Grace Benny Award (recognising females in LG) • 2010 Certificate IV Community Services • 2009 Certificate III Community Services

Name	Councillor Anna Leombruno
Council	Campbelltown City Council
Other Information <i>cont</i>	<ul style="list-style-type: none"> • 2008 Certificate IV Business (Frontline management) BSB41004 • 2005 Certificate III Financial Services (FNB30199) • 2003 People's Choice Award Regional Winner South Australia – Insurance Australia Group • 1987 General Insurance Principals A & B (Business Law, Communications)

Candidate Information Sheet – GAROC East

Name	Deputy Mayor Don Palmer
Council	City of Unley
Local Government Experience & Knowledge	<p>I have been a member of the City of Unley since the 2010 periodic elections. During this time, I have participated in and held the following positions:</p> <p>Deputy Mayor 2017 & 2022</p> <p>As Deputy Mayor in 2017 I participated in the Metropolitan Local Government Group and the Eastern Regional Alliance.</p> <p>Presiding Member</p> <p>Development, Planning and Strategy Committee 2015-16. This committee managed the biggest development plan changes in the history of Unley.</p> <p>Strategic Property Committee 2018-2022</p> <p>Member</p> <p>Development, Planning & Strategy Committee 2013-14</p> <p>Development Assessment Panel 2011-2014</p> <p>Unley Business and Economic Development Committee 2012-2018</p> <p>CEO Performance Review Committee 2017-18</p> <p>I also note my extensive leadership experience outside of Local Government.</p> <p>I have managed and/or owned several building industry businesses. As a member of the MBA and HIA I have served on various committees. I have been an Area Co-ordinator for Neighbourhood Watch, Secretary for a Caravan Club, President for a brief stint of the Association of Caravan Clubs SA.</p> <p>I have also served on the Parish Councils of two Anglican Parishes and as Warden for some fifteen years at St Augustine's Anglican Church at Unley. Likewise, I have served on the Diocesan Administration and Resources Executive at the Adelaide Anglican Diocese. I am currently also both a member of Diocesan Council of the Adelaide Diocese of the Anglican Church of Australia and their Community Engagement Missionary Unit.</p>

Name	Deputy Mayor Don Palmer
Council	City of Unley
Local Government Policy Views & Interests	<p>Leadership</p> <p>As I did in my business career, I have always taken an interest in the industry in which I am participating, at this time the local government industry. I am a firm believer that the strength of an association is in the participation of its members.</p> <p>I am also a firm believer in aiming to be part of the solution rather than the problem. To be someone seeking answers to issues rather than sitting back and criticising those taking the responsibility to seek the answers.</p> <p>The LGA needs people willing to take on this responsibility. I stand ready to take on this role of leadership on your behalf. As new blood I will also bring a fresh perspective to a fresh executive structure.</p> <p>Reform</p> <p>As Unley's representative previously on the MLGG and ERA I have participated in the debate on the LGA's new structure. I back the new structure and look forward to advancing the reforms that the LGA executive have identified.</p> <p>The local government industry needs to seek change and reform. We need to be the driver of change. This will require us to recognise where change is needed, and work with the Government to effect purposeful change. We need to be proactive to drive the reform and not be reactive to third parties.</p> <p>Image</p> <p>The local government industry needs also to work on changing the image of the industry to our ratepayers. It will not be enough to speak of the need for change. It is another to push the change and be the driver of change. We need mostly to be seen to be driving the change.</p> <p>To achieve this, we need to be seen as a sector responsive to our ratepayers needs. Once again this requires us to be proactive, to undertake to understand what our ratepayers are seeking, and demonstrate that we do understand and that we are responsive.</p> <p>Membership Participation</p> <p>If the LGA is to be strong we need the LGA membership to be engaged.</p> <p>GAROC will certainly need to provide the leadership to achieve the above aims. The general industry membership however needs to step up to the plate as well. As an association is only as strong as its membership, we all need to participate.</p>

Name	Deputy Mayor Don Palmer
Council	City of Unley
Local Government Policy Views & Interests <i>cont.</i>	<p>We all need to work toward bridging the gap that exists between some of us and the LGA.</p> <p>I look forward to having the opportunity to provide a positive contribution to the local government industry to the betterment of the South Australian local government community.</p> <p>The South Australian local government industry needs to continually re-invent itself and to present as relevant to today's communities. We need to leave a legacy for the future. I stand ready to contribute.</p>



Ballot Paper

Election for GAROC Regional Grouping Metro East 2022-2024

2 Persons Required

Ballot closes 5:00pm Monday 17 October 2022

Important Note: In accordance with Clause 4.4.5(d) of the GAROC Terms of Reference, the chair of the meeting for that Member Council shall mark the ballot paper with an "X" next to the two (2) candidates that the Member Council wishes elected, then seal the ballot paper in the envelope marked "Ballot Paper" and place it inside the envelope marked "Returning Officer". The name of the Member Council must be indicated on the inside flap of the envelope marked "Returning Officer" and the envelope then sealed and delivered to the Returning Officer.

☐

FRICKER, Elizabeth

Mayor

Town of Walkerville

☐

WISDOM, Jan-Claire

Mayor

Adelaide Hills Council

☐

LEOMBRUNO, Anna

Councillor

Campbelltown City Council

☐

PALMER, Don

Councillor

City of Unley



Issuing Officer
Initial

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 20 September 2022
AGENDA BUSINESS ITEM**

Item:	7.2
Responsible Officer:	Steven Watson Governance and Risk Coordinator Office of the Chief Executive
Subject:	Election of LGA President 2022
For:	Decision

SUMMARY

Voting for the election for the Local Government Association (LGA) President is scheduled to occur on Tuesday 18 October 2022.

In July 2022, nominations for the position of President were requested for eligible candidates from Member Councils with five (5) nominations received. The nominations are as follows:

- * Mayor Keith PARKES (Alexandrina Council)
- * Mayor Caroline PHILLIPS (District Council of Karoonda East Murray)
- * Mayor Brett BENBOW (Port August City Council)
- * Mayor Bill O'BRIEN (Light Regional Council)
- * Mayor Ericka VICKERY OAM (Naracoorte Lucindale Council)

Candidate profiles are included in **Appendix 1**. Candidate correspondence received is included in **Appendix 3** and **Appendix 4**.

It should be noted due to an error, further LGA Correspondence and updated Voting Papers were received and is included in **Appendix 2**.

As a Member Council of the LGA, Adelaide Hills Council has an entitlement to cast one vote for the candidate that it wishes elected or Council may consider not voting for any candidate.

Following Council's consideration the Mayor will mark or not mark the ballot paper and complete the voting process as set out in **Appendix 1**. The completed ballot paper must be received in hardcopy by the Returning Officer no later than 5.00pm, Monday 17 October 2022.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. To cast its vote for for LGA President.
 3. To authorise the Mayor to mark the ballot paper reflecting the Council's determination and authorise the CEO (or their delegate) to lodge Council's nomination in accordance with the process set out in *Appendix 1*.
-

1. BACKGROUND

Under the LGA Constitution, the term of office for the LGA President is two years.

To be eligible for nomination the person must be a Council Member and must also be a current member of the South Australian Regional Organisation of Councils (SAROC) or the Greater Adelaide Region Organisation of Councils (GAROC) and have undertaken that role for a period of not less than one year.

The eligibility for Office of President rotates each term between a person who is a Council Member of a Member within Regional Groupings of Members in SAROC and a Council Member of a Member within Regional Groupings of Members in GAROC.

The next term of President is to be a candidate from the SAROC Grouping.

In July 2022, nominations for the position of President were requested for eligible candidates from Member Councils with five (5) nominations received by the 19 August 2022 deadline. The nominations are as follows:

- * Mayor Keith PARKES (Alexandrina Council)
- * Mayor Caroline PHILLIPS (District Council of Karoonda East Murray)
- * Mayor Brett BENBOW (Port August City Council)
- * Mayor Bill O'BRIEN (Light Regional Council)
- * Mayor Ericka VICKERY OAM (Naracoorte Lucindale Council)

Candidate profiles are included in *Appendix 1*. Candidate correspondence received is included in *Appendix 3* and *Appendix 4*.

Key (indicative) timings and relevant LGA Constitution provisions are outlined in the table below:

Indicative Timing	Headline	LGA Constitution Provision
	Office of President	Position of President – rotated between SAROC and GAROC (Clause 28.6).
	Returning Officer	Returning Officer for any election for the office of President is the Chief Executive Officer (Clause 29.1)
18 July 2022	Nominations Called	CEO to write to members calling for nominations for position of President at least 3 months before AGM (Clause 28.2)
19 August 2022	Nominations Close	Nominations, in the form of a resolution of a member, <u>must</u> be received by the CEO no later than 5pm on the day specified for the close of nominations, being 19 August 2022 (Clause 28.7)

Indicative Timing	Headline	LGA Constitution Provision
	Nominations equal to vacancies	If only 1 nomination is received for President, the Chief Executive shall declare such person duly elected (Clause 29.3). If the number of persons nominated for the office of President exceeds 1 person then an election must be held (Clause 29.4).
5 September 2022	Ballot papers prepared and posted	CEO shall deliver ballot papers to each member at least 6 weeks before AGM (last date 15 September) (Clause 29.5.1)
17 October 2022	Voting closes	The CEO as returning officer will determine when voting closes, being 17 October 2022
18 October 2022	Counting of votes	The CEO shall nominate the date, time and place for the counting of votes (Clause 29.5.6)
28 October 2022	Final declaration of result	CEO shall declare the candidate with the most votes elected at the AGM (Clause 29.5.8)
28 October 2022	President takes office	President takes office at the conclusion of the AGM (Clause 30.1)

2. ANALYSIS

➤ 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 O4.2	Attract and develop a diverse and capable elected body that represents, promotes and reflects the composition of the community
Priority O4.3	Advocate to, and exert influence with, our stakeholders on behalf of our community to promote the needs and ambitions of the region
Objective O5	We are accountable, informed, and make decisions in the best interests of the whole community

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

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

The nomination of suitable candidate(s) to the Authority is an important element of Council's commitment to open and transparent decision making which facilitates public accountability.

➤ **Legal Implications**

The position, role and function of President are set out in the LGA Constitution. The Administration has not identified any legal implications arising in respect to any particular candidate's appointment over another.

➤ **Risk Management Implications**

Notwithstanding that Council is only one of the 68 councils voting for the LGA President, given the role of the LGA, it is in Council's (and the sector's) interest to support a candidate that will assist in mitigating the risk of:

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

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

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

➤ **Financial and Resource Implications**

The LGA President is provided with administrative support, an annual allowance and is reimbursed travel and related expenses through the *LGA GP02 Board and Committee Member Allowances and Expenses Policy by the LGA*.

As such, the LGA President's Member Council is not required to provide administrative support, nor reimbursement of any expenses relating to the LGA President's role.

The Council makes an annual financial contribution to the operations of the LGA, but there are no specific financial or resource implications arising from voting for President, nor in relation to voting for any one candidate over another.

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

There are no direct end-user customer service implications regarding the election of the LGA President however given the prominence of the role in the community, there is the potential for the incumbent to shape the community's perception of local government and, by extension, the Council.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Local Government Association

Community: Not Applicable

➤ **Additional Analysis**

Role of LGA President

The LGA Constitution does not specifically articulate the role of the President however anecdotally the role involves the following key functions:

- Presiding over LGA Board Meetings
- Presiding over LGA Ordinary and Annual General Meetings
- Principal spokesperson for the LGA (and therefore the LG sector)
- Meetings with the State Government Ministers and bureaucrats
- Work with the LGA CEO and staff on matters of LGA business

Again the Constitution does not set out specific qualifications, skills or experience for the President's position however Council may wish to consider general suitability factors including (but not limited to):

- Sound understanding of the key issues, trends, challenges, and operating contexts of the 68 South Australian councils
- Good understanding of the legislative environment and reform provisions (as these will be a key topic for the incoming President)
- Expertise in chairing small and large meetings
- Expertise in public speaking
- Expertise in media relations and the availability/ability to speak confidently/competently on behalf of the sector with short notice
- Current and future time commitments

Voting

As there is only one position, Council only needs to consider voting for one candidate that they wish to be elected. The candidate with the most votes will be deemed elected (i.e. first-past-the-post or simple majority voting system).

Alternatively Council may consider not to vote for a candidate for LGA President.

Following Council's consideration the Mayor will mark or not mark as the case may be the ballot paper and complete the voting process as set out in **Appendix 1**. The completed ballot paper must be lodged with the Returning Officer by 5.00pm, Monday 18 October 2022.

3. OPTIONS

Council has the following options:

- I. To determine its preferred candidate for LGA President and resolve accordingly (Recommended).
- II. To determine not to vote for a candidate for LGA President (Not Recommended).

4. APPENDICES

- (1) LGA Correspondence, Voting Instructions and Voting Papers
- (2) LGA Correspondence and Updated Voting Papers
- (3) Correspondence from Mayor Ericka Vickery, Naracoorte Lucindale Council
- (4) Correspondence from Mayor Bill O'Brien, Light Regional Council

Appendix 1

*LGA Correspondence, Voting Instructions and
Voting Papers*

In reply please quote our reference: ECM 780927 TN/AL

2 September 2022

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

Dear Mr Aitken

Election of LGA President

On 4 July 2022, I wrote to councils calling for nominations for the position of LGA President. I wish to advise that at the close of nominations (5.00pm on 19 August 2022) I received nominations for the following five (5) eligible candidates (listed in the order of the ballot draw):

- Mayor Keith PARKES (Alexandrina Council)
- Mayor Caroline PHILLIPS (District Council of Karoonda East Murray)
- Mayor Brett BENBOW (Port Augusta City Council)
- Mayor Bill O'BRIEN (Adelaide Plains Council)
- Mayor Erika VICKERY OAM (Naracoorte Lucindale Council)

I hereby advise that in accordance with clause 29.4 of the LGA Constitution an election for the position of LGA President will take place.

I have attached a copy of each candidate's information together with a Ballot paper and voting envelopes for your council's completion in accordance with the instructions below. **I require the ballot paper to be received by me in hard-copy no later than 5.00pm Monday 17 October 2022.**

Voting Instructions

Pursuant to clause 29 of the LGA Constitution, the casting of the vote by your council must be conducted as follows:

- each Member council shall determine by resolution the candidate it wishes to elect;
- the Delegate of a Member council or in the Delegate's absence, the chair of the meeting for that Member shall mark the ballot paper with an "X" next to the candidate that the Member council wishes elected and seal the ballot paper in the envelope marked "Ballot Paper" and then place this envelope inside the envelope marked "Returning Officer". Before sealing the second envelope marked "Returning Officer" the Delegate must indicate the member council's name on the inside flap of the envelope. The second envelope may then be sealed and delivered to the Returning Officer;
- on receipt of the envelopes the Returning Officer must:

- open the outer envelope addressed to the “Returning Officer” and record the name of the Member council which appears on the inside flap of the envelope on the roll of Member council’s eligible to vote; and
- place the envelope marked “Ballot Paper” unopened into the ballot box;
- the Returning Officer shall nominate the date, time and place for the counting of votes and shall invite each candidate and a person nominated as the candidate’s scrutineer to be present;
- at the counting of the votes the Returning Officer shall produce the unopened envelopes marked “Ballot Paper” and if satisfied that all votes are valid, count the number of votes received by each candidate;
- the candidate with the most votes shall be deemed elected and the Returning Officer shall declare the candidate elected at the Annual General Meeting; and
- in the case of candidates receiving the same number of votes, the Returning Officer shall draw lots at the counting of the votes and the lot drawn will be the candidate elected.

I am the Returning Officer for this election, and I may appoint a Deputy Returning Officer to perform any of the powers, functions or duties described above.

The counting of votes will take place via Zoom on Tuesday 18 October 2022 commencing at 9.30am.

The successful candidate will take office from the conclusion of the LGA’s 2022 Annual General Meeting for a term ending at the conclusion of the 2024 LGA Annual General Meeting.

If you have any queries, please contact me or Program Leader Governance Tami Norman on 8224 2037 or tami.norman@lga.sa.gov.au.

Yours sincerely



Clinton Jury

Returning Officer | Chief Executive Officer

Telephone: (08) 8224 2039

Email: cjury@lga.sa.gov.au

Attach: ECM 780926 – LGA President Election 2022 – Combined Candidate Information
LGA President Ballot Paper
Ballot Paper envelope
Reply envelope addressed to Returning Officer

LGA President Candidate Information Sheet

Name	Mayor Keith Parkes
Council	Alexandrina Council
Local Government Experience & Knowledge	<ul style="list-style-type: none"> • Current Mayor Alexandrina Council since 2014 • Elected member Alexandrina Council 2010-2014 • LGA of SA Board director 2016 - current. Deputy Board Member 2014-2016 • SAROC Committee member 2016 - current. Deputy Committee member 2014-2016 • Southern & Hills LGA President 2016 - current. Member since 2014 • Chair Local Government Transport Advisory Panel (Special Local roads) • Board Director LGA of SA Audit & Risk Committee • Member LGA of SA Nominations Committee • Chair South Australian Coastal Council's Alliance
Local Government Policy Views & Interests	<p>Strong and effective local government has never been more important to the communities of South Australia. I bring to the role of President of the LGA of SA the skill and experience to help drive the LGA's current Strategic Plan and its emphasis on providing evidence-based advocacy for our members and their respective communities in what has become challenging socioeconomic times.</p> <p>South Australian communities face a broad range of new and emerging challenges that require sound local government leadership. These include water and energy management issues, the undeniable impact of climate change, the rising cost of living, homelessness, our ageing population and much more. Climate change is of particular concern to me and I would relish the opportunity to help drive the urgent and sustained action required to reduce emissions and manage the impacts of climate change as identified in the LGA Climate Commitment Action Plan 2021- 23.</p> <p>I am a firm believer in harnessing the collective energy of all levels of government including advocacy on the reinstatement of financial assistance grants to the appropriate share of GDP. Now is the time to build a strong, collaborative relationship with our new State Government. I have good existing relationships but also have the capacity and means to build new relationships to strengthen the bond between the LGA and the new regime to address the challenges we face and fully explore, inter alia, innovative approaches such as the diversification of revenue options for local government or the procurement of support for councils around the impacts of climate change.</p>

Name	Mayor Keith Parkes
Council	Alexandrina Council
Local Government Policy Views & Interests cont.	<p>Our relationship with the State Government needs to be dedicated and proactive to contribute meaningfully to policy and legislative development through the State-Local Government Relations Agreement and I am well disposed to deliver on the President's role in this. My extensive experience in local government and my comprehensive knowledge of the challenges faced by both metro and regional councils will allow me to drive initiatives to improve council sustainability, enhance the quality of life of South Australians through shaping better neighbourhood development and by improving infrastructure and access to infrastructure and public services. I am also passionate about enabling economic development through the implementation of programs that produce positive local outcomes and will advocate enthusiastically for this. I have a strong understanding of the issues facing SA councils and am particularly au fait with the impacts of seasonal and mobile populations and their connection with financial assistance and other grant opportunities. I will also continue to firmly oppose rate capping now more than ever.</p> <p>I am also a firm believer in looking inward as an organisation and am committed to fostering effective local government innovation as a collaboration between elected bodies and administrations.</p> <p>I believe I have the leadership experience in local government, as well as strong business acumen through my many years as a business owner, to inform such a role and have demonstrated such in my commitment and work ethic to the role of Mayor of Alexandrina Council and the LGA of SA as a board director.</p>
Other Information	<ul style="list-style-type: none"> • Extensive commercial business experience as an Owner /Director of my own business until 2014 • Member Australian Institute of Company Directors (course completed 2018) • Chair Goolwa to Wellington Local Action Planning Association • SA representative Australian Coastal Councils Association

LGA President Candidate Information Sheet

Name	Mayor Caroline Phillips
Council	District Council of Karoonda East Murray
Local Government Experience & Knowledge	<p>Caroline Phillips is a Murraylands resident and is the currently the Mayor of the District Council of Karoonda East Murray (DCKEM)</p> <ul style="list-style-type: none"> • DCKEM Elected Member Appointed 2010 • DCKEM – Deputy Mayor 2014-2018 • DCKEM Mayor 2019-2022 • MRLGA Vice President – Appointed 2021 • SAROC Committee Member – Appointed 2021 <p>Current Board Director Experience</p> <ul style="list-style-type: none"> • Netball South Australia - Appointed 2018 • Tourism industry Council of South Australia – Appointed 2019 • Landscapes SA Murraylands Riverland – Appointed 2021
Local Government Policy Views & Interests	<p>Caroline is an active leader in her community and the broader district with a focus on building capacity, capability and resilience. In one of the smallest councils in the State, Caroline's leadership has delivered short, medium and long term strategies that are equally applicable across the entire sector – something which she is keen to share. In each case these have delivered positive outcomes to her community in times of extreme challenge.</p> <p>An energetic, positive leader who thrives on collaboration and considered change management, Caroline has fostered and developed strategic connections across State and Federal Governments and private enterprise and is well respected within each of these environments.</p> <p>Caroline is a strong advocate for youth opportunities, early childhood and intervention programs and childcare accessibility.</p> <p>Caroline interests in local government policy focusses on what is reasonable, achievable and sustainable within the sector. She is a hands on leader and learner who actively shares knowledge across the sector.</p>

Name	Mayor Caroline Phillips
Council	District Council of Karoonda East Murray
Other Information	<p>Caroline has worked in marketing and communications in the public and private sectors for more than twenty years. She holds professional qualifications in Marketing and a Bachelor of International Business.</p> <p>She is passionate about building and develop local communities, and has extensive experience working with the South Australian Tourism Commission, including holding the position of Regional Tourism Manager in the Murraylands and Riverland regions of SA.</p> <p>Caroline is currently a board member of the Tourism Industry Council of South Australia, Netball South Australia and Murraylands Riverland Local Government Association.</p> <p>Mayor Phillips also works as an independent marketing consultant servicing small business clients across regional South Australia and is a partner in a dryland farming venture with her husband.</p> <p>She lives at Wynarka on her family property with husband Troy and daughters Ruby (12) and Lucy (10)</p> <p>Personal mission statement:</p> <p><i>To inspire and develop the next generation of change makers so that communities can thrive.</i></p>

LGA President Candidate Information Sheet

Name	Mayor Brett Benbow
Council	Port Augusta City Council
Local Government Experience & Knowledge	<ul style="list-style-type: none"> • 2018 (Nov) — current — Mayor — Port Augusta City Council • 2014 — 2018 (Nov) — Deputy Mayor - Port Augusta City Council • 2010 — 2018 — Councillor — Port Augusta City Council <p>Mayor Benbow is now in his third term representing the Port Augusta Community and has gained significant local government experience during this time as Council has undertaken major projects whilst delivering a wide range of services to the community</p>
Local Government Policy Views & Interests	<p>Mayor Benbow is a long-term resident of Port Augusta, having lived in the town his entire life 60 years, raised a family of 3 and happily married to his wife Kristen who is a long-term resident and is the Manager of a prominent local Hotel. Mayor Benbow is dedicated to serve for the betterment of the City and giving back to the Community and eager to support growth of the youth of the City and to ensure renewable sector continues to flourish within the City and region.</p> <p>Mayor Benbow is passionate about the local government policy framework providing a consistent structure for matters to be resolved. Local Government provides an opportunity for local decision making and change to occur in a structured and informed manner. The Elected body can shape and develop policy to create positive outcomes and provide clarity and strategic direction for the Community.</p> <p>Mayor Benbow has seen the City evolve in the past, and can see the potential the City has as it continues to reinvent itself as a regional hub. There are many great opportunities for Port Augusta and the Upper Spencer Gulf region in the near future, and Mayor Benbow is eager to see these evolve into great things for our Community and City. It is an amazing and fulfilling experience to be able to promote these opportunities and develop the relationships to occur.</p>
Other Information	<p>Mayor Benbow's working career excess of 39 years within the Railway Industry in various senior roles. Mayor Benbow has been active within Community Sporting Groups throughout his life, taking on a variety of roles for sports including Basketball, Football, Golf, Soccer, Cricket, Darts and the Port Augusta Racing Club</p>

LGA President Candidate Information Sheet

Name	Mayor Bill O'Brien
Council	Light Regional Council
Local Government Experience & Knowledge	<ul style="list-style-type: none"> • Mayor, Light Regional Council, 2010 to 2022 • General Manager (CEO), Central Darling Shire, NSW, 2001 to 2008 • Various Tourism and Economic Development roles at DC Kapunda 1992 to 1996 (SA) and DC Kapunda & Light 1996 to 1999 SA; and Central Darling Shire in 2000 (NSW)
Local Government Policy Views & Interests	<ul style="list-style-type: none"> • Community representation, and Youth representation. • Strong and inclusive leadership. • Supports regional representation through Legatus Group, SAROC and LGA. • Ensuring that local government has sound financial management, economic, tourism and community development. • First Nations Reconciliation engagement and programs.
Other Information	<ul style="list-style-type: none"> • Current Committee member of Kapunda Meals on Wheels. • Current Board Member Kapunda and Eudunda Health Advisory Council. • Current Committee Member the Pines Recreational Park Committee. • Current President U3A Kapunda and District. • Past President Kapunda Rotary Club. • Past Board Member Barossa Tourism Incorporated. • While at Central Darling Shire (NSW) the Council was winner of the AR Bluett Award for excellence in Local Government (regional councils), in addition to being awarded the Premier's Gold Award for contribution to Regional NSW (Western Division). • Early career included 6 years serving as a member of the RAAF at various postings across Australia.

LGA President Candidate Information Sheet

Name	Mayor Erika Vickery OAM
Council	Naracoorte Lucindale Council
Local Government Experience & Knowledge	<ul style="list-style-type: none"> • Elected Member of Naracoorte Lucindale Council since 2000 and Mayor since 2010 • President of the Limestone Coast Local Government Association since 2014 • Chairperson of the South Australia Regional Organisation of Council since 2015 • Board Member of the Local Government Association SA • Board Member of the Australian Local Government Association
Local Government Policy Views & Interests	<p>Clear and open communication with member councils, strong and positive advocacy for local government across all levels of government, assist member councils to implement local government reforms, development of capacity building to ensure future sustainability for local government, ongoing accountability and transparency through pursuit of best practice and continuous improvement.</p> <p>Interests include: economic development and regional growth, community wellbeing, community engagement and communication, and the arts and culture.</p>
Other Information	<ul style="list-style-type: none"> • Board Member of Regional Development Australia Limestone Coast • Board Member Country Arts SA (and member of Governance & Finance Committee) • Board Member of Australian Migrant Resource Centre • Board Member of the SA Local Government Grants Commission and Boundaries Commission • Awarded OAM in 2017 for services to Local Government and the community • Partner in family farming enterprise



Ballot Paper

Election for LGA President 2022-2024

1 Person Required

Ballot closes 5:00pm Monday 17 October 2022

Important Note: In accordance with Clause 29.5.4 of the LGA Constitution, the Delegate of a Member Council (or in the Delegate's absence, the chair of the meeting for that Member Council) shall mark the ballot paper with an "X" next to the candidate that the Member Council wishes elected, then seal the ballot paper in the envelope marked "Ballot Paper" and place it inside the envelope marked "Returning Officer". The name of the Member council must be indicated on the inside flap of the envelope marked "Returning Officer" and the envelope must then be sealed and delivered to the Returning Officer.

☐

PARKES, Keith
Alexandrina Council

Mayor

☐

PHILLIPS, Caroline
District Council of Karoonda East Murray

Mayor

☐

BENBOW, Brett
Port Augusta City Council

Mayor

☐

O'BRIEN, Bill
Adelaide Plains Council

Mayor

☐

VICKERY, Erika
Naracoorte Lucindale Council

Mayor



Issuing Officer
Initial

Appendix 2

LGA Correspondence and Updated Voting Papers



In reply please quote our reference: ECM 781919 TN/AL

5 September 2022

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

Dear Mr Aitken

RE-ISSUE – Election of LGA President (corrected Ballot Paper)

Please find enclosed a corrected ballot paper for completion by your council in relation to the election of the LGA President. The correction relates to nominee Mayor Bill O'Brien, with the previous ballot paper incorrectly listing Adelaide Plains Council against his name. The new ballot paper correctly shows Light Regional Council. The enclosed ballot paper (orange) must replace the previous version (purple). Please retain and use the combined candidate information, ballot paper envelope and returning officer envelope provided originally.

For ease of reference, I have replicated the instructions for the voting process below. I apologise for any inconvenience or confusion caused.

I wish to advise that at the close of nominations (5.00pm on 19 August 2022) I received nominations for the following five (5) eligible candidates (listed in the order of the ballot draw):

- Mayor Keith PARKES (Alexandrina Council)
- Mayor Caroline PHILLIPS (District Council of Karoonda East Murray)
- Mayor Brett BENBOW (Port Augusta City Council)
- Mayor Bill O'BRIEN (Light Regional Council)
- Mayor Erika VICKERY OAM (Naracoorte Lucindale Council)

I hereby advise that in accordance with clause 29.4 of the LGA Constitution an election for the position of LGA President will take place.

I have attached a copy of each candidate's information together with a Ballot paper and voting envelopes for your council's completion in accordance with the instructions below. **I require the ballot paper to be received by me in hard-copy no later than 5.00pm Monday 17 October 2022.**

Voting Instructions

Pursuant to clause 29 of the LGA Constitution, the casting of the vote by your council must be conducted as follows:

- each Member council shall determine by resolution the candidate it wishes to elect;
- the Delegate of a Member council or in the Delegate's absence, the chair of the meeting for that Member shall mark the ballot paper with an "X" next to the candidate that the Member council wishes elected and seal the ballot paper in the envelope marked "Ballot Paper" and then place this envelope inside the envelope marked "Returning Officer". Before sealing the second

envelope marked "Returning Officer" the Delegate must indicate the member council's name on the inside flap of the envelope. The second envelope may then be sealed and delivered to the Returning Officer;

- on receipt of the envelopes the Returning Officer must:
 - open the outer envelope addressed to the "Returning Officer" and record the name of the Member council which appears on the inside flap of the envelope on the roll of Member council's eligible to vote; and
 - place the envelope marked "Ballot Paper" unopened into the ballot box;
- the Returning Officer shall nominate the date, time and place for the counting of votes and shall invite each candidate and a person nominated as the candidate's scrutineer to be present;
- at the counting of the votes the Returning Officer shall produce the unopened envelopes marked "Ballot Paper" and if satisfied that all votes are valid, count the number of votes received by each candidate;
- the candidate with the most votes shall be deemed elected and the Returning Officer shall declare the candidate elected at the Annual General Meeting; and
- in the case of candidates receiving the same number of votes, the Returning Officer shall draw lots at the counting of the votes and the lot drawn will be the candidate elected.

I am the Returning Officer for this election, and I may appoint a Deputy Returning Officer to perform any of the powers, functions or duties described above.

The counting of votes will take place via Zoom on Tuesday 18 October 2022 commencing at 9.30am.

The successful candidate will take office from the conclusion of the LGA's 2022 Annual General Meeting for a term ending at the conclusion of the 2024 LGA Annual General Meeting.

If you have any queries, please contact me or Program Leader Governance Tami Norman on 8224 2037 or tami.norman@lga.sa.gov.au.

Yours sincerely



Clinton Jury
Chief Executive Officer

Telephone: (08) 8224 2039

Email: cjury@lga.sa.gov.au

Attach: Re-issued LGA President Ballot Paper

Re-issued Ballot Paper

Election for LGA President 2022-2024

1 Person Required

Ballot closes 5:00pm Monday 17 October 2022

Important Note: In accordance with Clause 29.5.4 of the LGA Constitution, the Delegate of a Member Council (or in the Delegate's absence, the chair of the meeting for that Member Council) shall mark the ballot paper with an "X" next to the candidate that the Member Council wishes elected, then seal the ballot paper in the envelope marked "Ballot Paper" and place it inside the envelope marked "Returning Officer". The name of the Member council must be indicated on the inside flap of the envelope marked "Returning Officer" and the envelope must then be sealed and delivered to the Returning Officer.

☐

PARKES, Keith
Alexandrina Council

Mayor

☐

PHILLIPS, Caroline
District Council of Karoonda East Murray

Mayor

☐

BENBOW, Brett
Port Augusta City Council

Mayor

☐

O'BRIEN, Bill
Light Regional Council

Mayor

☐

VICKERY, Erika
Naracoorte Lucindale Council

Mayor



Issuing Officer
Initial

Appendix 3

*Correspondence from Mayor Ericka Vickery
Naracoorte Lucindale Council*



Naracoorte Lucindale Council
Better by Nature

6 September 2022

Dear Mayor and Elected Members,

I am writing to ask for your support for my nomination for the position of LGA President.

I am the Mayor of the Naracoorte Lucindale Council and the President of the Limestone Coast Local Government Association. Through these roles I am a board member of the LGA and ALGA, and Chairman of SAROC and the LGA Research and Development Advisory Committee. I also hold the positions as LGA nominee for the Country Arts SA Board and the SA Grants and Boundaries Commissions. I have held an elected position on Council for 22 years and been involved directly in the LGA for 7 years.

I recognise that the LGA needs strong, consultative, and accountable leadership, and I believe that I am the best candidate to help deliver that outcome as I have the skills and experience gained through Council and in my roles at the LGA, SAROC and ALGA. I have the knowledge, strength and determination to ensure projects that assist councils (such as housing, workforce, planning, coastal management, climate adaption) are undertaken for the benefit of the local government sector.

I am abreast of the depth of the reform process and legislative changes that are currently in front of local government and will make sure that Councils are fully informed and able to implement the myriad of changes progressively being introduced.

The LGA needs to continually be focused on representing the needs of its member Councils and it must keep its performance in this regard under constant review. I recognise and acknowledge that the LGA is a member organisation, and those members need to be the drivers of the future direction for the organisation. This always means constructive communication. Through my roles I know the importance of sound communication and have demonstrated the ability to deliver.

As President of the LGA, I will provide strong, accountable and energetic leadership, driving the opportunities for change while balancing the strengths which we already have as an organisation. I would appreciate your support in my bid to do so.

I welcome anyone who would like to talk to me further to please contact me on 0427622133 or erika.vickery@nlc.sa.gov.au, should you wish to discuss any aspect of the information I have provided.

Yours Sincerely,

Mayor Erika Vickery OAM

DeGaris Place (PO Box 555) Naracoorte SA 5271
Telephone (08) 8760 1100
Email council@nlc.sa.gov.au
www.naracoortelucindale.sa.gov.au



Appendix 4

*Correspondence from Mayor Bill O'Brien
Light Regional Council*



Dear Mayor & Councillors,

I feel both honoured and humbled to be nominated for the position as South Australian Local Government Association - President to be decided at the forthcoming election in October 2022 and write seeking your Council's support for my nomination.

My involvement and career in Local Government spans over a 25-year period and includes being CEO (General Manager) of Central Darling Shire Council, in Western NSW and being the largest Shire in the State, living in Wilcannia for 8 years. In that time the Council came from being almost dysfunctional to winning the A.R Bluett Award for Excellence in Local Government. I was also a recipient of a NSW Premiers Award for my contribution to Regional NSW. My working life has included 6 years in the RAAF and owning a number of small businesses.

My wife and I returned to our home town Kapunda in 2008 and I was privileged to be elected Mayor of Light Regional Council in 2010. It has been a remarkable journey leading this Council to become one of the most progressive in the state. I am most grateful for the support and encouragement I have received from Council members and staff, and our State and Federal MPs.

Local Government will continue to need a strong presence as part of a 'collective' government into the future including Local Government Reforms and Planning legislation. Should I be elected, I would endeavour to lead the organisation in an inclusive and straight forward manner, always ensuring the members are listened to and action taken when required. I would also continue to build on the excellent working relationship with staff that currently exists.

My values include respect, honesty, integrity, building strong relationships and taking an inclusive approach and empowering those around me. Most importantly I care and would demonstrate a firm commitment to addressing the many challenges faced by both the business sector and our communities.

I know in my heart I have always acted with honesty and integrity and a sense of fairness, I enjoy communicating and engaging with members of the community at all levels and others who I meet with an open mind and friendly manner in order to make things happen. In doing so I have enjoyed incredible support throughout my time in Local Government and beyond.

Thank you for taking time to read this letter and I do hope you will consider my application as worthy of your support and please feel free to contact me should you have any questions on Mobile 0488 025 862.

Kind regards

Bill O'Brien JP
Mayor
12 September 2022

Email light@light.sa.gov.au
Post PO Box 72, Kapunda SA 5373
Phone 08 8525 3200
Web light.sa.gov.au

Principal Office
93 Main Street
Kapunda SA 5373

**Kapunda Public Library
and Visitor Information Centre**
51-53 Main Street
Kapunda SA 5373

**Freeling Public Library
and Customer Service Centre**
7 Hanson Street
Freeling SA 5372

**Planning and
Development Services**
12 Hanson Street
Freeling SA 5372

Operations Centre
11 Stephenson Street
Freeling SA 5372

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 20 September 2022
AGENDA BUSINESS ITEM**

Item:	7.3
Responsible Officer:	Steven Watson Governance and Risk Coordinator Office of the Chief Executive
Subject:	Election for Local Government Finance Authority Board of Trustees
For:	Decision

SUMMARY

The Local Government Finance Authority recently called for nominations to fill the two (2) representative board member positions (provided by Section 7(1)(a) of the *Local Government Finance Authority Act 1983*) and at the close of nominations, six (6) nominations were received for two (2) positions.

The six (6) candidates for election as the Local Government Finance Authority Board of Trustees are listed below (in the order of the ballot draw):

- Nathan CUNNINGHAM
- Nigel GRAVES
- Mark GRAY
- Annette MARTIN
- Michael SEDGMAN
- John SMEDLEY

Candidate profiles are at **Appendix 1**.

There are two (2) positions available for the Local Government Finance Authority Board of Trustees. As a Member Council of the Local Government Finance Authority, Adelaide Hills Council may consider voting up to two (2) candidates or Council may consider not voting a candidate for the Local Government Finance Authority Board of Trustees.

Following Council's consideration the Mayor will mark or not mark the ballot paper and complete the voting process as set out in **Appendix 1**. The completed ballot paper must be received in hardcopy by the Returning Officer no later than 5.00pm, Friday 14 October 2022.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
2. To vote for and as Representative Members of the Board of Trustees of the Local Government Finance Authority.
3. To authorise the Mayor to mark the ballot paper reflecting Council's determination and authorise the CEO (or their delegate) to lodge the ballot paper in accordance with the process set out in *Appendix 1*.

1. BACKGROUND

The Local Government Finance Authority called for nominations to fill the two representative board member positions (provided by Section 7(1)(a) of the *Local Government Finance Authority Act 1983*) currently held by Ms Annette Martin (City of Charles Sturt) and by Mr Michael Sedgman (The Rural City of Murray Bridge).

The election is being conducted by postal ballot and Council must, by resolution, determine which two candidates it wishes to elect. Details of the six (6) nominations are included in *Appendix 1* to this report.

2. ANALYSIS

➤ 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 O4.2	Attract and develop a diverse and capable elected body that represents, promotes and reflects the composition of the community
Priority O4.3	Advocate to, and exert influence with, our stakeholders on behalf of our community to promote the needs and ambitions of the region
Objective O5	We are accountable, informed, and make decisions in the best interests of the whole community
Priority O5.1	Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations
Priority O5.2	Make evidence-based decisions and prudently assess the risks and opportunities to our community before taking action.

The nomination of suitable candidate(s) to the Authority is an important element of Council's commitment to open and transparent decision making which facilitates public accountability.

➤ **Legal Implications**

The Local Government Finance Authority of South Australia (LGFA) exclusively serves South Australian Councils and Local Government Bodies. It has done this since being established under the *Local Government Finance Authority Act 1983* as a body corporate.

The LGFA is administered by a Board of Trustees, and works for the benefit of councils and other local government bodies within South Australia. It is not part of the Crown, nor is it an agency or instrumentality of the Crown.

➤ **Risk Management Implications**

The availability of Local Government Finance Authority funding is of considerable assistance in managing Council's financial risks. Participation in the election process provides council with the opportunity to influence the selection of experienced Board Members to the Local Government Finance Authority and so protect the Adelaide Hills Council's interests. It assists in managing the risk of:

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

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

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

➤ **Financial and Resource Implications**

The continuing existence of the LGFA provides South Australian Local Government with a sector leading capacity for financial self-management. Adelaide Hills Council relies upon the LGFA to ensure that its ongoing funding requirements are cost effectively and efficiently met, and therefore has a significant interest in the continued success and good management of the LGFA.

The LGFA Board meets approximately 6 times per year. Members receive an annual income of \$7,813 for attendance at meetings. Reimbursement of travel expenses is offered for regional members. These fees are paid by the LGFA.

There is no direct financial or resource implications to Council from this decision.

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

There are no direct end-user customer service implications regarding the nomination of members to the Local Government Finance Authority.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Local Government Finance Authority

Community: Not Applicable

➤ **Additional Analysis**

The six (6) candidates for the two (2) available vacancies all demonstrate a background in finance or strategic planning and performance. All are actively involved in Local Government at present, five (5) as senior officers employed by councils and one (1) as a Council Member. Their experience in local government ranges from 8 years to 30 years.

Council members should note that appointment to the two positions will result in a board allowance of up to \$7,813 per annum paid by the LGFA for each successful nominee.

An information sheet about each nominee is provided at **Appendix 1**. Once Council has selected its two preferred nominees, the Mayor and CEO will then be able to complete the necessary forms to return Council's vote before the closing date of 14 October 2022.

In taking up the opportunity to vote for the above positions consideration of the following factors will be important to make appropriate selections:

- the current skills and knowledge of the nominees
- length and breadth of experience in the field of finance recognising the responsibilities placed on a board of a finance authority
- a balance of finance related skills, knowledge and experience (for example considering the selection of a Council Member and a council officer).

3. OPTIONS

Council has the following options:

- I. To determine the two (2) preferred candidates for Election to the Local Government Finance Authority Board of Trustees and resolve accordingly (Recommended).
- II. To determine not to vote in the Election for the Local Government Finance Authority Board of Trustees (Not Recommended).

4. APPENDIX

- (1) LGFA Correspondence, Voting Instructions and Voting Papers

Appendix 1

*LGA Correspondence, Voting Instructions
and Voting Papers*



Local Government
Finance Authority

TO: Chief Executive Officer

RE: Elections for the positions of Representative Members of the Board of Trustees

Our circular of 1 July 2022 called for nominations to fill the two representative board member positions (provided by Section 7(1)(a) of the *Local Government Finance Authority Act 1983*) currently held by Ms Annette Martin (City of Charles Sturt) and by Mr Michael Sedgman (The Rural City of Murray Bridge).

Six nominations have been received for the two positions, and as previously indicated in the abovementioned circular, the election will be conducted by postal ballot.

Enclosed please find details supplied by each candidate to assist councils in determining the candidates for whom they wish to vote. If councils wish to ascertain further details, they may contact the individual candidates direct.

In order to comply with the Rules of the Authority, the casting of the vote by your council must be conducted as follows:-

1. The voting must be on the enclosed ballot paper which has all the candidates listed in alphabetical order together with the closing date for the election.
2. The council must by Resolution determine which candidates (being not more than two) they wish to elect.
3. The council's representative to the AGM of the Local Government Finance Authority of South Australia (or in his absence the councillor chairing the council meeting) shall at the council meeting in his own handwriting mark the ballot paper with an "x" next to the two candidates whom the council wishes elected. Please do not type in the "x" after the meeting or mark the ballot paper in any other way.
4. (a) The ballot paper should then be inserted in the attached small white 11B envelope addressed to the Returning Officer which is marked "Confidential Ballot Paper".
4. (b) The "Confidential Ballot Paper" envelope should then be placed in the middle sized DL envelope addressed to the Returning Officer and the council's name is to be recorded only on this particular envelope. It will be noted that the signature of the appointed AGM delegate should be added (if the delegate is absent the signature of the Chair of the council meeting).
4. (c) Finally, the middle sized envelope is to be returned to the Chief Executive Officer, Local Government Finance Authority of South Australia, Suite 1205, 147 Pirie Street, Adelaide, 5000, in the self addressed large A4 envelope which is included for that purpose. Please allow for adequate postage times.

5. All votes must be received by the Returning Officer by 5.00 pm on **Friday 14 October 2022**.
6. Only use the ballot paper enclosed with the signature of G Hollitt on the reverse, and if an error is made, return the spoilt ballot paper to this office and another will be returned to you.

If you have any further queries on the matter, please contact the undersigned, or Geoff Hollitt at this office.

Kindly arrange for this circular to be included on the council's next agenda for the information of the elected members.



Davin Lambert
Chief Executive Officer



Geoff Hollitt
Returning Officer

1 September 2022

Ballot Paper to go into small 11B envelope -

A)

CONFIDENTIAL BALLOT PAPER

The Returning Officer
Local Government Finance Authority of South Australia
Suite 1205, 147 Pirie Street
ADELAIDE SA 5000

then small envelope into middle size DL envelope

B)

The Returning Officer
Local Government Finance Authority of South Australia
Suite 1205, 147 Pirie Street
ADELAIDE SA 5000

COUNCIL NAME

SIGNATURE AGM REPRESENTATIVE

then POST to LGFA in large A4 envelope provided (Please allow adequate postage times)

C)

Chief Executive Officer
Local Government Finance Authority of South Australia
Suite 1205, 147 Pirie Street
ADELAIDE SA 5000

NAME: NATHAN CUNNINGHAM

OCCUPATION: Chief Executive Officer

QUALIFICATIONS & AWARDS: Bachelor of Urban and Regional Planning

CURRENT POSITION IN LOCAL GOVERNMENT: Chief Executive Officer
District Council of Yankalilla

PERIOD IN LOCAL GOVERNMENT 21 years

OTHER COMMITTEES/ BODIES OF LOCAL GOVERNMENT INVOLVEMENT:

Past:

The Eastern Health Authority

- Board Member

Present:

City of Adelaide

- Presiding Member Assessment Panel

City Port Adelaide Enfield

- Presiding Member Assessment Panel

City of Onkaparinga

- Presiding Member Assessment Panel

Adelaide Plains Council

- Presiding Member Assessment Panel

NAME: DR NIGEL GRAVES

OCCUPATION: Manager, Finance

QUALIFICATIONS & AWARDS: Fellow of GPA Australia
Graduate Member of the Australian institute of Company Directors
PhD (thesis - local government financial performance)
Graduate Certificate in Business Research
Master of Business Administration (Adelaide)
Bachelor of Business (Accountancy)
Diploma in Local Government Administration (SA)

CURRENT POSITION IN LOCAL GOVERNMENT: Manager, Finance
Light Regional Council

PERIOD IN LOCAL GOVERNMENT 25 years

OTHER COMMITTEES/ BODIES OF LOCAL GOVERNMENT INVOLVEMENT:

Past:

Local Government Financial Management Group

CPA Public Sector Committee (NT)

Present:

UNE Centre for Local Government

NAME: MR MARK GRAY

OCCUPATION: Manager Finance

QUALIFICATIONS & AWARDS: Master of Business Administration (Adelaide)
Fellow Certified Practising Accountant
Bachelor of Business (Accounting)
Executive Leaders Program (LG Professionals)
PRINCE2 'Practitioner' (Project Management)

**CURRENT POSITION IN
LOCAL GOVERNMENT:** Manager Finance
City of Port Adelaide Enfield

PERIOD IN LOCAL GOVERNMENT

OTHER COMMITTEES/ BODIES OF LOCAL GOVERNMENT INVOLVEMENT:

30+ years post-graduate finance and leadership experience across Commercial, Not-for-Profit and Local Government sectors.

Extensive experience managing Treasury functions of multi-national corporations, including \$1 Billion foreign currency hedge book, \$600 million debt facility and related interest rate exposures.

NAME: ANNETTE MARTIN

OCCUPATION: Manager Financial Services

QUALIFICATIONS & AWARDS: B.A. Accountancy
Certified Practising Accountant (CPA)
Graduate Australian Institute of Company Directors (GAICD)

**CURRENT POSITION IN
LOCAL GOVERNMENT:** Manager Financial Services
City of Charles Sturt

PERIOD IN LOCAL GOVERNMENT 22 years

OTHER COMMITTEES/ BODIES OF LOCAL GOVERNMENT INVOLVEMENT:

Past:

SALGFMG

- President SALGFMG 2010-14
- Chair and/or active member of SALGFMG work groups for projects such as development of internal financial controls framework, asset management and financial management addressing updates of information papers, development of model financial statements and harmonisation of reporting, development of long term financial plans, and industry ratios for financial sustainability
- SALGFMG nominee on working parties for Grants Commission 2012-13 and CPA Guide Valuation and Depreciation for public and not for profit sectors under AASB accounting standards 2015-16

Local Government Inquiry Reference Group

- Member for the South Australian Productivity Commission

Present:

Local Government Finance Authority of South Australia

- Board member
- Audit and Risk Committee member

South Australian Local Government Financial Management Group (SALGFMG)

- Executive member
- Representative on a number of working parties
- Life member for services to industry

City of Unley

- Independent member of Audit and Risk Committee

Municipal Council of Roxby Downs

- Independent member of Audit and Risk Committee

NAME: MICHAEL SEDGMAN

OCCUPATION: Chief Executive Officer

QUALIFICATIONS & AWARDS: Master of Commercial Law (Deakin) 2007
Master of Business Administration (Deakin) 2005
Bachelor of Commerce (Deakin) 1987
Fellow of CPA Australia - FCPA
Fellow of Governance Institute of Australia - FGIA
Fellow of Chartered Institute of Secretaries - FCIS

CURRENT POSITION IN LOCAL GOVERNMENT: Chief Executive Officer
Rural City of Murray Bridge

PERIOD IN LOCAL GOVERNMENT 24 years

OTHER COMMITTEES/ BODIES OF LOCAL GOVERNMENT INVOLVEMENT:

Past:

- Local Government Association Workers Compensation Scheme 2011-15
- Local Government Association Mutual Liability Scheme 2009-2015
- Waste Care SA 2010-13
- South Australian Local Government Consulting 2006-09
- Yarra-Melbourne Regional Library Corporation 1999-2004 and 2006
- Inner Northern Group Training Limited 2000-04

Present:

Local Government Finance Authority of South Australia

- Board Trustee since January 2019
- Audit and Risk Committee member 2019-20
- Chair/Presiding Member since February 2021

Overview Committees of

- LGFA Asset Mutual Fund
- Income Protection Fund
2017 - Present
- Murray River Lakes & Coorong Tourism Alliance 2016 – Present

NAME: JOHN SMEDLEY

OCCUPATION: Finance Consultant
Previously 40+ years in Senior Business/Corporate Banking and Finance roles with various Bank and Non-Bank institutions, including NAB, Westpac, Citibank and Bendigo Adelaide Bank.

QUALIFICATIONS & AWARDS: Master of Business Administration (University of Adelaide)
Fellow of Financial Services Institute of Australasia
Diploma in Banking & Finance
Diploma in Mortgage & Finance Banking

CURRENT POSITION IN LOCAL GOVERNMENT: Deputy Mayor / Councillor
City of Holdfast Bay

PERIOD IN LOCAL GOVERNMENT 8 years

OTHER COMMITTEES/ BODIES OF LOCAL GOVERNMENT INVOLVEMENT:

Present:

City of Holdfast Bay

- Audit Committee Chair
- Executive Committee member
- Glenelg Oval Consultative Committee
- Adelaide Airport Consultative Committee

Southern Regional Waste Resource Authority (SRWRA)

- Board member



LOCAL GOVERNMENT FINANCE AUTHORITY OF SOUTH AUSTRALIA

BALLOT PAPER

REPRESENTATIVE BOARD MEMBER

Two (2) Required:-

Place "X" next to two names you wish to vote for.

CUNNINGHAM, N.

☐

GRAVES, N.

☐

GRAY, M.

☐

MARTIN, A.

☐

SEDGMAN, M.

☐

SMEDLEY, J.

☐

CLOSING DATE: 5.00 PM at the office of the LGFA, Friday 14 October 2022

THE RETURNING OFFICER
LOCAL GOVERNMENT FINANCE AUTHORITY OF SOUTH AUSTRALIA
SUITE 1205, 147 PIRIE STREET
ADELAIDE SA 5000

A handwritten signature in black ink, appearing to be 'M. A. M. A.', is centered below the address.

14 OCTOBER 2022

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 20 September 2022
AGENDA BUSINESS ITEM**

Item: 7.4

Responsible Officer: Lachlan Miller
Executive Manager Governance & Performance
Office of the Chief Executive

Subject: Use of Boundary Change Committee delegation

For: Information

SUMMARY

The purpose of this report is to advise Council that its Boundary Change Committee has exercised a delegation under clause 4.3.1 of its Terms of Reference and, consistent with that delegation, a report must come to Council on the matter.

The delegation was exercised in relation to the lodgement of the Inquiry Plan Submission with the Boundaries Commission in relation to the Commission's request for feedback on an Inquiry Plan regarding the Campbelltown City Council's proposed Woodforde/Rostrevor boundary change proposal.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. To note the Boundary Change Committee's use of the delegation under clause 4.3.1 of the Committee's Terms of Reference to lodge the Inquiry Plan Submission directly to the Boundaries Commission.
 3. To retrospectively endorse the Inquiry Plan Submission contained in Appendix 4.
-

1. BACKGROUND

The Campbelltown City Council (the 'CCC') boundary change proposal (the 'Proposal') regarding the suburbs of Woodforde and Rostrevor has been in progress since CCC lodged its Stage 1 Submission with the Local Government Boundaries Commission (the 'Commission') on 22 January 2019.

On 30 July 2022, the AHC Mayor received email correspondence from the Commission's Chair (**Appendix 1**) advising that, amongst other matters, the Commission had '...determined that an inquiry into the Proposal may proceed in accordance with section 31 of the Act and *Guideline 4 – Investigations of General Proposals Initiated by Councils*'.

The Commission's correspondence contained an overview of the matters that should be inquired into (the 'Inquiry Plan') (**Appendix 2**). The Commission invited AHC's comment on the Inquiry Plan and the appointment of investigators by 29 August 2022.

The draft Inquiry Plan Submission (the 'Submission') was considered by the newly-established Boundary Change Committee at its inaugural meeting on 25 August 2022 (details of that agenda can be obtained at www.ahc.sa.gov.au). In consideration of the report and draft Submission, the Committee resolved as follows:

7.1 Boundaries Commission Inquiry Submission

Moved Cr John Kemp
S/- Cr Kirsty Parkin

BCC1/22

The Boundary Change Committee resolves:

1. That the report be received and noted
2. To approve the draft Inquiry Brief Submission, as contained in Appendix 4, for lodgement with the Commission in accordance with clause 4.3.1 of the Committee's Terms of Reference and to delegate to the Chief Executive Officer to make any formatting, nomenclature, or other minor changes to the draft Submission prior to its lodgement.
3. To note that the final Inquiry Brief Submission will be incorporated into correspondence from the Adelaide Hills Council Mayor to the Boundaries Commission Chair for the purposes of lodgement.

Carried Unanimously

Given the tight response timeframe, the Committee utilised the provisions of clause 4.3.1 of the Committee's Terms of Reference (**Appendix 3**) to enable the final Submission (**Appendix 4**) to be provided directly to the Commission by 29 August 2022.

2. ANALYSIS

➤ 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

Priority O4.4 Explore council boundary reform options that best serve the 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

➤ **Legal Implications**

Council boundary reform provisions are contained within Chapter 3 - Constitution of councils, Part 2 – Reform proposals of the *Local Government Act 1999* (the ‘Act’). The current iteration of these provisions came into effect on 1 January 2019.

Clause 4.3.1 of the Committee TOR provides (in part):

- 4.3 Where information is required to be provided to the Boundaries Commission or an associated party in a timeframe that does not reasonably allow:
- 4.3.1 the Committee to make a recommendation to Council, the Committee has the delegation to approve the provision of the requested information directly to the requesting party. A report will be provided to the next meeting of Council on the exercise of this delegation; or

➤ **Risk Management Implications**

Utilising opportunities to ensure that the CCC proposal is rigorously and prudently investigated will assist in mitigating the risk of:

Realignment of Council boundaries (whether acquisition or relinquishment) leading to financial, resource allocation, social and representation changes

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

➤ **Financial and Resource Implications**

The resource implications associated with the development, finalisation and lodgement of the Submission resulted in the deferral of planned works for the implementation of the Strategic Internal Audit Plan and the development of the Business Continuity Plan and impacted the timely provision of governance advice to Council Members.

There are no direct financial implications associated with the lodgement of the Submission.

To be clear and, as distinct from the above, the potential outcomes of the boundary reform proposal could have significant financial and resource implications.

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

It is anticipated that there is a high level of expectation from Council’s customers (i.e. residents and ratepayers) that Council is fulsome and proactive in its interactions with the Boundaries Commission regarding the Proposal.

To be clear and, as distinct from the above, the potential outcomes of the boundary reform proposal could have significant community implications.

➤ **Sustainability Implications**

There are no direct sustainability implications associated with the development and lodgement of the Submission.

To be clear and, as distinct from the above, the potential outcomes of the boundary reform proposal could have significant sustainability implications.

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

Consultation on the development of this report was as follows:

Council Committees: The Boundary Change Committee considered a draft Submission at its meeting on 25 August 2022.

Council Workshops: Council has had many workshops on the matter of the CCC Boundary Reform proposal but has not specifically workshopped the Inquiry Plan and Submission.

Some Council Members provided input into the development of the Submission.

Advisory Groups: Not Applicable

External Agencies: Not Applicable

Community: Some members of the affected community, via the Morialta Residents Association, have raised issues that were incorporated into the Submission.

➤ **Additional Analysis**

The final Submission was lodged with the Boundaries Commission on 26 August 2022.

The Commission has acknowledged receipt of the Submission and advised that it will be considered at the next Commission meeting on 29 September 2022. The Submission has not been uploaded onto the Commission website at the time of preparing the report.

3. OPTIONS

Council has the following options:

- I. To note the exercise of the Boundary Change Committee's delegation to lodge the Submission and to retrospectively endorse the Submission (Recommended)
- II. To resolve an alternative or additional actions (Not Recommended)

4. APPENDICES

- (1) South Australian Boundaries Commission correspondence – 29 July 2022 – *Campbelltown City Council Stage 2 Boundary Change General Proposal*
- (2) South Australian Boundaries Commission correspondence – 29 July 2022 – *Campbelltown City Council General Proposal – Outline of matters to be investigated*
- (3) *Boundary Change Committee - Terms of Reference (adopted 9 August 2022)*
- (4) Adelaide Hills Council correspondence - *Campbelltown City Council Stage 2 Boundary Change General Proposal – Proposed Investigation Matters*

Appendix 1

*South Australian Boundaries Commission
correspondence – 29 July 2022 –
Campbelltown City Council Stage 2 Boundary
Change General Proposal*

29 July 2022

Mayor Jan-Claire Wisdom
Adelaide Hills Council
PO Box 44 WOODSIDE SA 5244

By email: jcwisdom@ahc.sa.gov.au

Dear Mayor Wisdom

Campbelltown City Council Stage 2 Boundary Change General Proposal

I write to inform you that the South Australian Local Government Boundaries Commission (the Commission) has received a council initiated Stage 2 Boundary Change General Proposal (the Proposal) from the Campbelltown City Council. The Proposal relates to a boundary change between the Campbelltown City Council and the Adelaide Hills council in the areas of Rostrevor and Woodforde.

At its meetings on 18 May 2022 and 20 July 2022, the Commission considered the Campbelltown City Council's Proposal. Your correspondence of 15 July 2022 was noted by the Commission.

As you are aware, the process by which the Commission deals with boundary change proposals under Chapter 3 Part 2 of the *Local Government Act 1999* (the Act) is set out in the nine guidelines that the Commission has published on this matter.

When discussing a proposal, the Commission gives close consideration to the requirements of *Guideline 3 – Submitting a Proposal to the Commission* and the principles contained under section 26 of the Act. These principles are of fundamental importance to boundary change proposals and ultimately form the basis of any recommendation that the Commission may make to the Minister.

The Commission formed the view that the Proposal meets the requirements of Guideline 3 and generally aligns with the section 26 principles. The Commission therefore determined that an inquiry into the Proposal may proceed in accordance with Section 31 of the Act and *Guideline 4 – Investigations of General Proposals Initiated by Councils*.

I must emphasise that the Commission's determination to inquire into the Proposal does not mean that the Proposal has been recommended to proceed. A recommendation to the Minister regarding this Proposal can only be made once the Commission has conducted and considered the findings of an inquiry.

Section 31(1)(b) of the Act enables the Commission to appoint one or more investigators to conduct the inquiry. It is expected that the inquiry into the Proposal will require the appointment of a number of specialised investigators, given the extensive potential impact that the proposal may have on affected councils.

The appointment of investigators will be undertaken in accordance with the Act, and with *Guideline 5 – Appointment of Investigators for General Proposals*. As s 31(2) of the Act makes clear, the Commission must seek to ensure, as far as is reasonably practicable that the qualifications, knowledge, expertise and experience of a particular investigator are relevant to the inquiry for which the investigator is being appointed.

Given this, an overview of the matters that the Commission is of the view should be inquired into for this proposal is attached. **The Commission invites your Council to comment on this document to assist the Commission to formulate an estimate of costs** that is as accurate as possible. I would appreciate it if any comments could be provided by **29 August 2022**.

In accordance with s 31 (2)(b) of the Act, the Commission must also consult with councils affected by the proposal on the proposed appointment of investigators. While the Commission will therefore consult with your Council before formally appointing investigators, you may also wish make comments on these appointments at this stage.

In accordance with *Guideline 8 - Costs*, the Commission's next step will be to obtain a cost estimate for the inquiry. It is anticipated that this will be provided to the Campbelltown City Council for its consideration following the conclusion of the 2022 periodic local government elections. As you may be aware, the inquiry will only proceed if the Campbelltown City Council provides a clear direction to do so, when it has considered this cost estimate.

I also note that, if the inquiry proceeds, engagement and consultation for an inquiry will be undertaken with the engagement principles and the mandatory requirements outlined in *Guideline 9 – Engagement and Consultation*. As part of the inquiry, an engagement and communications plan will be developed which will outline how the engagement process will proceed.

I take this opportunity to emphasise that this engagement will be extensive, and involve affected councils and their communities to ensure that the Commission is fully informed of all views. Equally, it is essential that the affected communities have the opportunity to make their views known to the Commission in the context of full information about the potential impacts of the Proposal, as these are detailed through the Commission's inquiry.

The Commission understands that the Adelaide Hills Council may wish to keep your community informed about the Proposal and the inquiry process.

If your Council does choose to provide information to your community regarding the Proposal, the Commission requests that you clarify that the Commission is an independent statutory authority that will undertake its own consultation to ensure that it fully understands the informed views of all affected communities on any proposed boundary change before it makes a recommendation to the Minister.

Accordingly, as noted above, both your Council and community will be closely engaged with any inquiry that may proceed.

This will provide an opportunity for your Council to provide submissions to the Commission that may include the matters the Council has raised in previous correspondence to date.

As part of any inquiry, the Commission or the investigator(s) may request additional information from your Council in accordance with section 32A(1) of the Act and Guideline 4. This will allow the Commission to obtain the information it believes relevant to assist in undertaking the inquiry. The Commission would appreciate your Council's assistance with providing this information in a timely manner.

To assist the Commission in finalising this Proposal, please nominate a staff member in your Council who can act as the primary contact person for the Commission while considering the Proposal.

I also advise that, under the Commission's publication policy, the information about the Proposal has been made available at— www.dit.sa.gov.au/local-government/boundaries-commission.

Thank you for your Council's co-operation in this matter. If you have further questions, please contact the Commission on 7109 7164 or boundaries.commission@sa.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rob Donaldson', with a stylized flourish at the end.

Rob Donaldson

CHAIR

SOUTH AUSTRALIAN LOCAL GOVERNMENT BOUNDARIES COMMISSION

Attachment: Outline of matters to be investigated – Campbelltown City Council Boundary Change General Proposal Inquiry Plan

Appendix 2

*South Australian Boundaries Commission
correspondence – 29 July 2022 –
Campbelltown City Council General Proposal –
Outline of matters to be investigated*

South Australian Local Government Boundaries Commission
Campbelltown City Council General Proposal – Outline of matters to be investigated

The following five areas will form the basis of the inquiry:

1. Financial matters
2. Land use and planning matters
3. Council employee matters
4. Representation matters
5. Community and service matters

The Commission must also design and deliver an engagement plan in accordance with Guideline 9 as part of the inquiry. The engagement plan will take the five above mentioned areas into consideration to ensure that the affected councils and communities are provided with the opportunity to make their views known on all relevant matters.

The matters detailed below will be fully investigated in relation to the affected councils. The role and performance of similar (but not affected) councils may be included or referenced in the inquiry, so far as it informs the Commission's recommendations to the Minister for Local Government.

1. Financial Matters

Item number	Requirement	Reference in the Local Government Act/ Guideline	Matters that the investigation must cover
1	Financial implications	S 31(3)(b)(i)	<ul style="list-style-type: none">• Potential impact on operating revenue for affected councils, analysing impact on:<ul style="list-style-type: none">○ general rates○ service charges○ other fees and charges○ grants (particularly Financial Assistance Grants).○ any other relevant operating revenue• Potential impact on operating expenses for all affected councils.• Future financial impacts (short and long-term) on all affected councils' operating budgets if a boundary change was implemented.• Analysis of estimated total revenue against estimated total expenditure for affected councils.

Item number	Requirement	Reference in the Local Government Act/ Guideline	Matters that the investigation must cover
2	Division of assets and liabilities: land and buildings, plant & equipment, cash, investments, interests in any 'business activities', debtors	Guideline 4	<ul style="list-style-type: none"> • Identification of all council owned assets and liabilities and those in the care, control and management of each affected council. • Identify impacts that the division/loss of these assets may have both financially and in service provision for the affected councils. • Identify any issues for the affected communities that would remain as a result of the division/loss of assets. • Identify any impacts of the transfer of these assets on affected councils, including operating budgets / asset management in the context of each council's Long-term Financial Plan.
3	Impact of any significant contracts (e.g. waste management)	Guideline 4	<ul style="list-style-type: none"> • Identify all significant contracts held by the affected councils, and any impacts of the proposal on them.
4	Assessment of any significant differences in rating policies of the councils involved, the impacts on ratepayers and how these are to be addressed in both the short and longer term.	Guideline 4	<ul style="list-style-type: none"> • Identify changes in rates that may apply to rateable properties within the affected areas based on the affected councils' current rating policy. • Identify any impact of rating changes on ratepayers, and any suitable measures to address impacts in the short to medium term if necessary.
5	Assessment of any significant differences in fees and charges of the councils	Guideline 4	<ul style="list-style-type: none"> • Identify all fees and charges currently in place for affected councils, and the impact on councils and ratepayers from any necessary changes to these.
6	Existing grant arrangements relevant to affected area (including both Financial Assistance Grants and specific grants)	General Refer 31 (3)(b)(i)	<ul style="list-style-type: none"> • Identify any existing grant agreements that would be affected by this proposal. • Identify any infrastructure or general projects that have received grant funding and are not yet completed, and propose measures to transfer acquittal or reporting requirements if necessary.
7	Impact on any property based services (eg CWMS)	General Refer 31 (3)(b)(i)	<ul style="list-style-type: none"> • Identify property based services offered by affected councils, and the impact that a boundary change may have on the management of these services (including consideration of any applicable service charge or rate).

Item number	Requirement	Reference in the Local Government Act/ Guideline	Matters that the investigation must cover
8	Assessment of any significant differences in service levels provided by the councils	Guideline 4	<ul style="list-style-type: none"> Assess the service levels provided by affected councils and identify any impact that a boundary change may have on the delivery of services to ratepayers and councils. Propose any measures to address differences in service provision across affected areas in the short to medium term.

2. Land use and planning matters

Item number	Matter	Reference in the Act/ Guideline	Matters that the investigation must cover
1	Potential conflicts that may arise from existing patterns of land use if the proposal was implemented	Guideline 4	<ul style="list-style-type: none"> Identify any significant conflicts in land use patterns, including any potential interface issues with future or existing growth areas. Identify any land management issues that may arise with a transfer of areas– e.g. open space, stormwater, significant easements. Review and identify any significant differences in planning policies between the affected councils Identify any variances in development controls that may impact on development/growth if a council boundary change was implemented. Identify current or previous planning studies and outcomes that are relevant to the affected councils/areas, including demographic, growth projections, infrastructure needs/demands. Identify any existing or potential environmental impacts that should be considered. Assess the capacity of the affected councils to manage significant future growth areas. Identify any existing infrastructure deeds that may be affected by a boundary change. Assess how the affected councils could facilitate effective and sustainable planning, development and protection of the environment if a boundary change was implemented, having particular regard to the Adelaide Hills Face Zone management. Consider the impact of any existing land management agreements.

3. Council Employee Matters

Item number	Matter	Reference in the Act/ Guideline	Matters that the investigation must cover
1	The impact on the various rights and interests of any council employees affected by the general proposal	Section 31(3)(b)(v)	<ul style="list-style-type: none">• Identify the rights and interests of council employees affected by the proposal.• Identify any significant difference in any work place agreements or conditions such as an enterprise bargaining agreement.• Propose arrangements that may need to put in place in the short to medium term to manage any impact on employees.
2	Implications for council employees, including any proposed transfer of staff and conditions of employment	Guideline 4 Refer 31(3)(b)(v)	<ul style="list-style-type: none">• Identify any workforce or human resourcing issues that may result from a boundary change, including any need for transfer of staff.• Assess conditions of employment in affected councils, identify any impact of a boundary change and propose any arrangements that may be necessary to manage this.

4. Representation Matters

Item number	Matter	Reference in the Act/ Guideline	Matters that the investigation must cover
1	Impact on internal structure and representation of councils, and how this will be dealt with in the short and longer term	Guideline 4	<ul style="list-style-type: none">• Identify the current representation for all areas impacted by the proposal• Recommend the future of representation of all areas that may be affected by a boundary change, with particular attention to any impact on ward quotas within affected councils• Consider any previous structural changes or reviews relating to the affected councils, and whether these have any impact or relevance to potential change arising from this Proposal.• Consider the most recent representation review completed for each council.

5. Community and Services

Item number	Matter	Reference in the Act/ Guideline	Matters that the investigation must cover
1	Community of interest	S 26(vii) and related s 26 principles	<ul style="list-style-type: none">• Advise on community members' identification as members of a particular local and/or regional community• Identify any economic communities of interest that may be affected if a boundary change was implemented and what impact this might have• Assess whether a council boundary change would result in a significant division within an existing community
2	Ability of communities to access council services and relevant communication issues between councils and communities	Guideline 4	<ul style="list-style-type: none">• Assess how community members in affected areas access and use services and facilities provided by their own or nearby councils• Identify any impact on this access that may arise from a boundary change• Assess current activities and engagement between affected communities and councils, including participation in local decision making, and identify any impact that a boundary change may have on these relationships• Identify existing relationships between affected councils and social, recreational and sporting groups, and the impact that a boundary change may have on this relationship or the operation of the group.• Determine if all affected councils would be in a position to offer its communities a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis if a boundary change was implemented

Engagement requirements

The Commission must undertake engagement into the inquiry to meet both the requirements of the *Local Government Act 1999* (the Act) and Guideline 9.

Legislative and Guideline requirements

Section 31(3)(b) of the Act requires the Commission to consider—

- The extent of support for the general proposal within the affected community
- The extent of support for the general proposal of any council affected by the general proposal

Section 27(3)(b) of the Act requires that the Commission's guidelines must specify requirements relating to consultation that must be undertaken for the purposes of inquiries, including consultation with the community, councils affected by the proposal and entities that represent the interest of council employees affected by the proposal.

Accordingly, the Commission's Guideline 9 outlines the Commission's approach to consultation and engagement. This requires the Commission to design an Engagement Plan aligning with the engagement principles in the Guideline, and that is tailored to the engagement necessary to each Proposal.

Requirements for the inquiry

To meet the Commission's requirements, it is proposed that an investigator will be appointed to—

1. Design an Engagement Plan for the Commission's approval in relation to the Campbelltown City Council's proposal. This Engagement Plan must be in accordance with Section 31(3) of the Act and Guideline 9. This will be designed in consultation with affected councils and based on the four Engagement Principles.
2. Deliver the approved Engagement Plan and provide a report to the Commission, in accordance with s 31(4)(b) of the Act.

Appendix 3

*Boundary Change Committee - Terms of Reference
(adopted 9 August 2022)*

ADELAIDE HILLS COUNCIL

Boundary Change Committee



TERMS OF REFERENCE

1. ESTABLISHMENT

- 1.1 The Boundary Change Committee (the 'Committee') of Council is established under Section 41 of the *Local Government Act 1999* (the 'Act').
- 1.2 The Committee does not have executive powers or authority to implement actions in areas which management has responsibility.
- 1.3 The Committee and its Members do not have any delegations except as provided for in this Terms of Reference.

2. ROLE

- 2.1 The role of the Committee is to assist Council to fulfil its role and functions by providing advice regarding the operation and implications of Chapter 3 – Constitution of councils, Part 2 – Reform proposals of the Act associated with the Campbelltown City Council Woodforde/Rostrevor boundary change proposal.

3. SPECIFIC FUNCTIONS

- 3.1 Within the context of the role of the Committee, its specific functions are:
 - 3.1.1 To review and provide advice to Council regarding any correspondence or reports produced by the South Australian Boundaries Commission (the 'Boundaries Commission');
 - 3.1.2 To oversee and provide advice to Council on:
 - 3.1.2.1 the development of submissions to the Boundaries Commission or its associated parties; and
 - 3.1.2.2 the development of communications strategies to the affected residents and ratepayers.
 - 3.1.3 To seek legal and/or other professional advice to enable the Committee to discharge its role and functions within the limits of its applicable financial delegation.

4. OTHER MATTERS

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

- 4.1.3 Have delegated financial responsibility as resolved by Council in Resolution 179/22 and any subsequent resolutions. Any procurement activity resulting from the Committee's use of its delegation will be undertaken by the Administration. For clarity, individual Committee Members do not have any authority to commit Council funds.
- 4.1.4 At least once in each full term, review its own performance and these Terms of Reference to ensure it is operating at maximum effectiveness and recommend changes it considers necessary to the Council for approval.
- 4.1.5 Upon being provided notification by the Boundaries Commission and/or the Minister for Local Government that the Campbelltown City Council Woodforde/Rostrevor boundary change proposal has either been withdrawn or will not be proceeding in a timely manner, the Committee will provide advice to the Council on the continuance of the Committee.
- 4.2 The Principal Member of Council will be the principal spokesperson for the Committee and for all matters associated with the Campbelltown City Council Woodforde /Rostrevor boundary change proposal. Consistent with clause 4.1 of the *Council Member Conduct Policy*, the Principal Member may delegate this role to another Council Member or Officer on agreed terms.
- 4.3 Where information is required to be provided to the Boundaries Commission or an associated party in a timeframe that does not reasonably allow:
 - 4.3.1 the Committee to make a recommendation to Council, the Committee has the delegation to approve the provision of the requested information directly to the requesting party. A report will be provided to the next meeting of Council on the exercise of this delegation; or
 - 4.3.2 the Committee to meet to consider the requested information, the Committee Presiding Member has the delegation, following consultation with the Mayor (or the Deputy Mayor if the Mayor is the Presiding Member) and CEO, to approve the provision of the requested information directly to the requesting party. A report will be provided to the next meeting of the Committee on the exercise of this delegation.

5. MEMBERSHIP

- 5.1 The Committee will comprise five (5) members as follows:
 - 5.1.1 The Deputy Mayor of the Council; and
 - 5.1.2 Four (4) Council Members.
- 5.2 All members of the Committee will be appointed by the Council for a period of three (3) years but will expire at each periodic local government election.
- 5.3 It is desirable for the Council Members to be appointed to the Committee to have a sound understanding of provisions of Chapter 3, Part 2 of the Act and the Campbelltown City Council Woodforde/Rostrevor boundary change proposal.
- 5.4 In considering appointments to the Committee, Council should give consideration to the diversity of the membership.

5.5 Members of the Committee are eligible for reappointment at the expiration of their term of office.

5.6 The Committee may be assisted by independent advisors that the Committee may determine from time to time.

6. PRESIDING MEMBER

6.1 The Council will appoint the Presiding Member of the Committee.

6.2 The Council authorises the Committee to determine if there will be a Deputy Presiding Member of the Committee and, if so, authorises the Committee to make the appointment to that position for a term determined by the Committee.

6.3 If the Presiding Member of the Committee is absent from a meeting the Deputy Presiding Member (if such position exists) will preside at that meeting. If there is no position of Deputy Presiding Member, or both the Presiding Member and the Deputy Presiding Member of the Committee are absent from a meeting of the Committee, then a member of the Committee chosen from those present will preside at the meeting until the Presiding Member (or Deputy Presiding Member, if relevant) is present.

6.4 The role of the Presiding Member includes:

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

6.4.2 Ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner.

7. SITTING FEES

7.1 No additional allowance will be paid to the Members of the Committee over and above the allowance already received by Council Members in accordance with the determination of the Remuneration Tribunal.

8. REPORTING RESPONSIBILITIES

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

8.1.1 Minutes of a meeting of the Panel will be provided to all Committee members as soon as practicable after the meeting and, in accordance with the Act, to all Council members within five (5) days after the meeting. Minutes shall be presented to Council at the next Ordinary Council Meeting.

8.1.2 All resolutions of the Committee, including recording the names of those present will be minuted and the minutes will otherwise comply with the requirements of the Regulations.

8.1.3 Agendas and Reports of the Committee forwarded to the Committee will also be forwarded to Council members for their information prior to the Committee meeting, having regard for any confidentiality provisions that may apply.

- 8.1.4 The minutes of each Committee meeting will be included in the agenda papers of the next ordinary meeting of the Council;
- 8.1.5 Agenda, Reports and Minutes will be made available to the public consistent with legislative requirements.
- 8.1.6 The Presiding Member will attend a meeting of the Council at least once per annum to present a report on the activities of the Committee;
- 8.1.7 The Committee shall make whatever recommendations to the Council it deems appropriate on any area within these terms of reference where in its view action or improvement is needed; and
- 8.1.8 The Presiding Member may attend a Council meeting at any time that the Presiding Member sees fit to discuss any issue or concern relating to the Committee's functions. Depending on the nature of the matter, this may be held in confidence in accordance with Section 90 of the Act and staff may be requested to withdraw from the meeting.
- 8.1.9 The Committee shall report to Council on an as-needs basis or upon Council's request with a summary of its activities.

9. CONFLICTS OF INTEREST

Where a member of the committee has a conflict of interest in a matter before the Committee, the member must act in accordance with the requirements of section 73 and 75 of the *Local Government Act 1999*.

10. QUORUM

A quorum for a meeting of the Committee will be three (3) members. No business can be transacted at a meeting of the Committee unless a quorum is present.

11. MEETING PROCEDURE

- 11.1 The meeting procedure for the Committee is as set out in the Act, Parts 1, 3 and 4 of the Regulations. Insofar as the Act, the Regulations, or these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedure.
- 11.2 In accordance with Section 90(7a) of the Act, one or more Committee members may participate in the meeting by telephone or other electronic means provided that members of the public can hear the discussion between all Committee members.
- 11.3 Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for decision.
- 11.4 All decisions of the Committee shall be made on the basis of a majority decision of the Members present and in the event of a tied vote the matter be referred to the Council for decision.
- 11.5 Council Employees may attend any meeting as observers, to provide advice and/or be responsible for preparing papers for the Committee.

11.6 The Committee can request and/or engage other persons or organisations to make presentations and/or provide advice and/or respond to questions.

11.7 The Committee does not enjoy the delegation of any powers, functions and duties of the Council. All decisions of the Committee will, therefore, constitute recommendations to the Council.

12. SECRETARIAL RESOURCES

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

13. FREQUENCY OF MEETINGS

13.1 The Committee shall meet at least four times a year at appropriate times and places as determined by the Committee. A special meeting of the Committee may be called in accordance with the Act.

13.2 If after considering advice from the CEO or delegate, the Presiding Member of the Committee is authorised to cancel the respective Committee meeting, if it is clear that there is no business to transact for that designated meeting.

14. NOTICE OF MEETINGS

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

14.1.1 To members of the Committee by email or as otherwise agreed by Committee members; and

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

14.2 PUBLIC ACCESS TO MEETINGS & DOCUMENTS

14.3 Members of the public are able to attend all meetings of the Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of Section 90 of the Act.

14.4 Members of the public have access to all documents relating to the Committee unless prohibited by resolution of the Committee under the confidentiality provisions of Section 91 of the Act.

Appendix 4

*Adelaide Hills Council correspondence - Campbelltown
City Council Stage 2 Boundary Change General
Proposal – Proposed Investigation Matters*

26 August 2022

Mr Rob Donaldson
Chair
South Australian Local Government Boundaries Commission
GPO Box 2329
ADELAIDE SA 5001
E: boundaries.commission@sa.gov.au

Dear Mr Donaldson

Campbelltown City Council – Stage 2 Boundary Change General Proposal – Proposed Investigation Matters

I refer to your correspondence dated 29 July 2022 (received 30 July 2022) advising that the Boundaries Commission has determined that an inquiry into the Campbelltown City Council (CCC) General Proposal may progress in accordance with Section 31 of the *Local Government Act 1999* (the 'Act') and *Guideline 4 – Investigations of General Proposal initiated by Councils* (the 'Guideline 4').

While the Adelaide Hills Council ('AHC') is familiar with the provisions of the boundary change legislation it is with some considerable concern to recognise that, notwithstanding that CCC's proposal has been in train for over 3.5 years, and with three opportunities to put their case, this is the first time that AHC has been formally invited to provide comment on the process.

As you could reasonably anticipate, your advice was met with deep disappointment from the AHC and residents of the affected area. The decision appears to set a concerning precedent within the sector that a predatory council can undertake a poorly conceived and protracted boundary change process and yet still be entertained into the Inquiry stage of the process thereby perpetuating the uncertainty and angst experienced by the affected residents.

Upon reading your advice I turned to s 29(3) of the Act, which sets out the grounds upon which the Commission may refuse to inquire into a proposal. Of particular relevance is s29(3)(b) which states that the Commission can refuse to inquire into a proposal if it considers that it is not in the public interest to inquire into the proposal.

Information provided by CCC in their April 2022 Proposal Submission and by AHC on a number of occasions has identified that two community surveys have been undertaken (one by each council) and on both occasions an overwhelming majority of respondents indicated that they were not in favour of the proposal. It leaves both my Council and the affected residents puzzled as to how the Commission has weighed the public interest under subsection (3)(b) when there is core evidence to strongly suggest that an inquiry is not in the affected communities' interest.

Your correspondence of 29 July 2022 also provides information on the inquiry process including the draft *Outline of Matters to be Investigated* (the 'Inquiry Plan'). I would like to thank you for providing the Inquiry Plan and affording AHC the opportunity to make comments in relation to its contents.

However, prior to contemplating the individual matters that are in the Inquiry Plan and providing suggestions for refinements, along with comments on the appointments of suitable investigators, Council wishes to highlight two fundamental omissions, in the Inquiry Plan.

Section 31(3)(b) of the Act requires an inquiry into a general proposal (in addition to the principles set out in s26) to consider the following:

- (ii) the extent of support for the general proposal (in particular) and boundary reform in the area (in a general sense) within the community affected by the general proposal; and
- (iii) the extent of support for the general proposal of any council affected by the general proposal.

The Inquiry Plan itself does not contemplate in any manner how the above two subsections will be investigated (acknowledging that it is referred to in relation to Engagement Requirements). This is extremely concerning particularly given the apparent lack of attention given to the results of the two aforementioned surveys which have both concluded an absolute majority of respondents are not in favour of the Proposal. As such, Council would prefer these requirements are contained within the Inquiry Plan.

In addition to the above, Council's feedback in relation to the individual items in the Inquiry Plan is at **Appendix A**.

Given the points identified by Council we believe that the Inquiry Plan will require significant augmentation to address this deficiency and we would appreciate being provided with the revised Plan prior to its adoption.

Council also has a deep interest in the knowledge, skills and experience of the investigators to be appointed to conduct the investigation as we believe that this is a complex undertaking and a broad range of specialist skills will be required. As such, we look forward to the Commission's further consultation on the proposed investigators prior to their appointment.

Your correspondence advises that the Commission will be preparing an Engagement and Communications Plan (the 'Engagement Plan'). The AHC has considerable expertise in relation to these fields as evidenced by our interactions with the residents affected by the Proposal. Our actions stand in stark contrast to the efforts of CCC in this matter. Again, we look forward to being consulted on the contents of the draft Engagement Plan prior to its approval.

You have asked for Council to nominate a staff member who can act as the primary contact person for the Commission and I am pleased to nominate Mr Lachlan Miller, Executive Manager Governance and Performance. He can be contacted on 8408 0400 or lmiller@ahc.sa.gov.au.

Notwithstanding Council's concern that this Proposal has progressed to the Inquiry stage and the specific matters identified in Council's feedback associated with the draft Inquiry Plan, I would like to again thank the Commission for the opportunity to provide formal feedback. Finally the AHC continues to hope that the incoming Campbelltown City Council will demonstrate prudence and respect by ceasing this process when they consider it post-election.

Yours sincerely



Dr Jan-Claire Wisdom
Mayor

In relation to each of the sections contained in the Inquiry Plan, Council has the following feedback:

1. Financial Matters

Item number	Requirement	Reference in the Local Government Act/ Guideline	Matters that the investigation must cover	Adelaide Hills Council Response
1	Financial implications	S 31(3)(b)(i)	<ul style="list-style-type: none"> Potential impact on operating revenue for affected councils, analysing impact on: <ul style="list-style-type: none"> general rates service charges other fees and charges grants (particularly Financial Assistance Grants). any other relevant operating revenue Potential impact on operating expenses for all affected councils. Future financial impacts (short and long-term) on all affected councils' operating budgets if a boundary change was implemented. Analysis of estimated total revenue against estimated total expenditure for affected councils. 	<p>The matters listed appear to be comprehensive and consistent with the Act and Guidelines.</p> <p>In terms of an appropriate investigator(s) to undertake this element of the inquiry in accordance with s31(2)(a), considerable acumen will be required in local government strategic and operational financial management, asset management and service provision across the broad portfolio of council services.</p>
2	Division of assets and liabilities: land and buildings, plant & equipment, cash, investments, interests in any 'business activities', debtors	Guideline 4	<ul style="list-style-type: none"> Identification of all council owned assets and liabilities and those in the care, control and management of each affected council. Identify impacts that the division/loss of these assets may have both financially and in service provision for the affected councils. Identify any issues for the affected communities that would remain as a result of the division/loss of assets. Identify any impacts of the transfer of these assets on affected councils, including operating budgets / asset management in the context of each council's Long-term Financial Plan. 	
3	Impact of any significant contracts (e.g. waste management)	Guideline 4	<ul style="list-style-type: none"> Identify all significant contracts held by the affected councils, and any impacts of the proposal on them. 	
4	Assessment of any significant differences in rating policies of the councils involved, the impacts on ratepayers and how these are to be addressed in both the short and longer term.	Guideline 4	<ul style="list-style-type: none"> Identify changes in rates that may apply to rateable properties within the affected areas based on the affected councils' current rating policy. Identify any impact of rating changes on ratepayers, and any suitable measures to address impacts in the short to medium term if necessary. 	
5	Assessment of any significant differences in fees and charges of the councils	Guideline 4	<ul style="list-style-type: none"> Identify all fees and charges currently in place for affected councils, and the impact on councils and ratepayers from any necessary changes to these. 	
6	Existing grant arrangements relevant to affected area (including both Financial Assistance Grants and specific grants)	General Refer 31 (3)(b)(i)	<ul style="list-style-type: none"> Identify any existing grant agreements that would be affected by this proposal. Identify any infrastructure or general projects that have received grant funding and are not yet completed, and propose measures to transfer acquittal or reporting requirements if necessary. 	
7	Impact on any property based services (e.g. CWMS)	General Refer 31 (3)(b)(i)	<ul style="list-style-type: none"> Identify property based services offered by affected councils, and the impact that a boundary change may have on the management of these services (including consideration of any applicable service charge or rate). 	

Item number	Requirement	Reference in the Local Government Act/ Guideline	Matters that the investigation must cover	Adelaide Hills Council Response
8	Assessment of any significant differences in service levels provided by the councils	Guideline 4	<ul style="list-style-type: none"> Assess the service levels provided by affected councils and identify any impact that a boundary change may have on the delivery of services to ratepayers and councils. Propose any measures to address differences in service provision across affected areas in the short to medium term. 	As above

2. Land Use & Planning Matters

Item number	Requirement	Reference in the Local Government Act/ Guideline	Matters that the investigation must cover	Adelaide Hills Council Response
1	Potential conflicts that may arise from existing patterns of land use if the proposal was implemented	Guideline 4	<ul style="list-style-type: none"> Identify any significant conflicts in land use patterns, including any potential interface issues with future or existing growth areas. Identify any land management issues that may arise with a transfer of areas– e.g. open space, stormwater, significant easements. Review and identify any significant differences in planning policies between the affected councils Identify any variances in development controls that may impact on development/growth if a council boundary change was implemented. Identify current or previous planning studies and outcomes that are relevant to the affected councils/areas, including demographic, growth projections, infrastructure needs/demands. Identify any existing or potential environmental impacts that should be considered. Assess the capacity of the affected councils to manage significant future growth areas. Identify any existing infrastructure deeds that may be affected by a boundary change. Assess how the affected councils could facilitate effective and sustainable planning, development and protection of the environment if a boundary change was implemented, having particular regard to the Adelaide Hills Face Zone management. Consider the impact of any existing land management agreements. 	<p>While the matters listed appear to be comprehensive and consistent with the Act and Guidelines, additional matters to be considered should include:</p> <ul style="list-style-type: none"> Identify the applicable CFS bushfire regions and the implications of the boundary change on these regions. Review the By-laws of each council and the implications of the differing provisions to the affected residents. Assess the disaster preparedness, response and recovery arrangements of each council in terms of their ability to adequately respond to emergency events susceptible in the affected area. Assess the biodiversity and environmental management requirements of the affected area and each councils' level of expertise. <p>In terms of an appropriate investigator(s) to undertake this element of the inquiry in accordance with s31(2)(a), considerable acumen will be required in local government infrastructure and asset management, strategic planning policy, development assessment, regulatory services, biodiversity and conservation, property management and emergency management.</p>

3. Council Employee Matters

Item number	Matter	Reference in the Act/ Guideline	Matters that the investigation must cover	Adelaide Hills Council Response
1	The impact on the various rights and interests of any council employees affected by the general proposal	Section 31(3)(b)(v)	<ul style="list-style-type: none"> Identify the rights and interests of council employees affected by the proposal. Identify any significant difference in any work place agreements or conditions such as an enterprise bargaining agreement. Propose arrangements that may need to put in place in the short to medium term to manage any impact on employees. 	<p>Note: the reference to s31(3)(b)(v) is incorrect as it should be (iv), also Guideline 4 should be included.</p> <p>The matters listed appear to be comprehensive and consistent with the Act and Guidelines.</p> <p>In terms of an appropriate investigator(s) to undertake this element of the inquiry in accordance with s31(2)(a), considerable acumen in the interpretation of the applicable Awards and corresponding enterprise agreements for each of the councils and in industrial relations more generally will be required.</p>
2	Implications for council employees, including any proposed transfer of staff and conditions of employment	Guideline 4 Refer 31(3)(b)(v)	<ul style="list-style-type: none"> Identify any workforce or human resourcing issues that may result from a boundary change, including any need for transfer of staff. Assess conditions of employment in affected councils, identify any impact of a boundary change and propose any arrangements that may be necessary to manage this. 	

4. Representation Matters

Item number	Requirement	Reference in the Local Government Act/ Guideline	Matters that the investigation must cover	Adelaide Hills Council Response
1	Impact on internal structure and representation of councils, and how this will be dealt with in the short and longer term	Guideline 4	<ul style="list-style-type: none"> Identify the current representation for all areas impacted by the proposal Recommend the future of representation of all areas that may be affected by a boundary change, with particular attention to any impact on ward quotas within affected councils Consider any previous structural changes or reviews relating to the affected councils, and whether these have any impact or relevance to potential change arising from this Proposal. Consider the most recent representation review completed for each council. 	<p>While the matters listed appear to be comprehensive and consistent with the Act and Guidelines, additional matters to be considered should include:</p> <ul style="list-style-type: none"> Consider the current and proposed federal and state electorate boundaries impacted by the proposal. <p>In terms of an appropriate investigator(s) to undertake this element of the inquiry in accordance with s31(2)(a), considerable acumen will be required in relation to federal, state and local government electoral legislation.</p>

5. Community and Services

Item number	Requirement	Reference in the Local Government Act/ Guideline	Matters that the investigation must cover	Adelaide Hills Council Response
1	Community of interest	S 26(vii) and related s 26 principles	<ul style="list-style-type: none"> Advise on community members' identification as members of a particular local and/or regional community Identify any economic communities of interest that may be affected if a boundary change was implemented and what impact this might have Assess whether a council boundary change would result in a significant division within an existing community 	<p>Section 26(1)(c) is very specific that the Commission should have regard to a series of principles when making recommendations for the purpose of Chapter 3.</p> <p>The matters to be investigated, while addressing economic communities of interest, do not adequately recognise the provisions of subsection (1)(c)(vii) with respect to recreational, social, regional, or any other kind, of communities of interest. These communities of interest are fundamental to the person's sense of place and belonging. Further, there does not appear to be sufficient recognition of the balance of subsection (3)(c)(vii) with respect to how the aforementioned communities of interest contribute to the 'community structures, values, expectations and aspirations.'</p> <p>In terms of an appropriate investigator(s) to undertake this element of the inquiry in accordance with s31(2)(a), considerable acumen will be required in relation to social and cultural anthropology and sociology.</p>
2	Ability of communities to access council services and relevant communication issues between councils and communities	Guideline 4	<ul style="list-style-type: none"> Assess how community members in affected areas access and use services and facilities provided by their own or nearby councils Identify any impact on this access that may arise from a boundary change Assess current activities and engagement between affected communities and councils, including participation in local decision making, and identify any impact that a boundary change may have on these relationships Identify existing relationships between affected councils and social, recreational and sporting groups, and the impact that a boundary change may have on this relationship or the operation of the group. Determine if all affected councils would be in a position to offer its communities a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis if a boundary change was implemented 	<p>While the matters listed appear to be comprehensive and consistent with the Act and Guidelines, additional matters to be considered should include:</p> <ul style="list-style-type: none"> Resident accessibility to geographically (or regionally) based federal and state government funded support services (often provided through councils, e.g. HomeAssist). <p>In terms of an appropriate investigator(s) to undertake this element of the inquiry in accordance with s31(2)(a), considerable acumen in local government community need's assessment, service design, implementation and evaluation.</p>

Additional matters to be included in Inquiry Plan
<p>Section 31(3)(b) of the Act requires an inquiry into a general proposal (in addition to the principles set out in s26) to consider the following:</p> <ul style="list-style-type: none">(ii) the extent of support for the general proposal (in particular) and boundary reform in the area (in a general sense) within the community affected by the general proposal; and(iii) the extent of support for the general proposal of any council affected by the general proposal. <p>Council considers that the Inquiry plan itself should contemplate the manner in which the requirements of s31(3)(b) will be determined for each category of matters (in addition to the Engagement Plan).</p> <p>In relation to the development of engagement methods and tools, an appropriate investigator(s) to undertake this element of the inquiry in accordance with s31(2)(a), will require considerable acumen in demography, community engagement, and survey design, implementation and analysis.</p>

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 20 September 2022
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 8.1

Responsible Officer: Lachlan Miller
Executive Manager Governance & Performance
Office of the Chief Executive

Subject: Appointment of the Acting Chief Executive Officer

For: Decision

1. Appointment of the Acting Chief Executive Officer – 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
- Executive Manager Governance & Performance, Lachlan Miller
- Executive Manager Organisational Development, Megan Sutherland
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 8.1: (Appointment of the Acting Chief Executive Officer) in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being the personal affairs of the candidates for the Acting Chief Executive Officer role, in that details of their applications, interviews and referee comments will be discussed.

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

3. Appointment of the Acting Chief Executive Officer – Duration of Confidentiality

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 8.1 in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	Until an Employment Agreement has been executed between both parties
Related Attachments	Until an Employment Agreement has been executed between both parties
Minutes	Until an Employment Agreement has been executed between both parties

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