



## ORDINARY COUNCIL MEETING

### NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

Councillor Kirrilee Boyd
Councillor Adrian Cheater
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

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

**Tuesday 11 April 2023**  
**6.30pm**  
**63 Mt Barker Road Stirling**

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

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

**David Waters**  
**Chief Executive Officer**



## **ORDINARY COUNCIL MEETING**

**AGENDA FOR MEETING**  
**Tuesday 11 April 2023**  
**6.30pm**  
**63 Mt Barker Road Stirling**

### **ORDER OF BUSINESS**

**1. COMMENCEMENT**

**2. OPENING STATEMENT**

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

**3. APOLOGIES/LEAVE OF ABSENCE**

- 3.1. Apology  
Apologies were received from .....
- 3.2. Leave of Absence  
Cr Kirrilee Boyd from 14 April - 25 April 2023, as approved at Council on 28 March 2023.
- 3.3. Absent

**4. MINUTES OF PREVIOUS MEETINGS**

Council Meeting – 28 March 2023  
*That the minutes of the ordinary meeting held on 28 March 2023 as supplied, be confirmed as an accurate record of the proceedings of that meeting.*

**5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL**

**6. MAYOR'S OPENING REMARKS**

**7. QUESTIONS ADJOURNED/LYING ON THE TABLE**

- 7.1. Questions Adjourned  
Nil

- 7.2. Questions Lying on the Table  
Nil

**8. PETITIONS / DEPUTATIONS / PUBLIC FORUM**

- 8.1. Petitions

- 8.1.1. Sealed footpath Tolmer Road to Gale Street Woodside

1. *That the petition signed by 84 signatories requesting the sealing of the Tolmer Road Woodside footpath be received and noted.*
2. *Note that the requested works will be considered for inclusion in the Draft 2023-24 Annual Business Plan and Budget.*
3. *That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.*

- 8.2. Deputations  
Nil

- 8.3. Public Forum

**9. PRESENTATIONS (by exception)**

Nil

**10. QUESTIONS ON NOTICE**

Nil

**11. MOTIONS ON NOTICE**

- 11.1. Bike Lockers for Personal Use (Cr Melanie Selwood)

1. *the CEO prepare a report for Council's consideration examining installation of bike lockers or cages for public use including:*
  - a. *key locations on council land where bike lockers or bike cages could strategically be placed, taking into consideration public transport stops and cycleways, including but not limited to;*
    - i. *Verdun Junction*
    - ii. *Woodside Main Street*
    - iii. *Balhannah Main Street*
    - iv. *Kayannie Corner (intersection of Woodside Road and Onkaparinga Valley Road)*
    - v. *Aldgate Bus Depot and/or Main Street*
    - vi. *Bridgewater Oval*
    - vii. *Steamroller Park, Stirling*
    - viii. *Uraidla Main Street*
  - b. *the initial installation cost and ongoing maintenance costs of bike lockers and cages*
  - c. *any other implications for Council resources*
2. *The report be presented to Council no later than September 2023*

11.2. Uluru Statement from the Heart and Voice Referendum (Cr Leith Mudge)

- 1. Accepts the invitation of the Uluru Statement from the Heart and supports a First Nations Voice to Parliament enshrined in the Australian Constitution.*
- 2. Supports a “Yes” vote in the upcoming Federal referendum.*
- 3. Welcomes the passage of the First Nations Voice Bill 2023 through State Parliament and assent by Her Excellency the Governor of South Australia.*
- 4. Resolves to submit an Item of Business for the Greater Adelaide Region of Council’s consideration for the Local Government Association to support the positions set out in points 1-3 of this motion.*
- 5. That the Mayor writes to the Federal Member for Mayo, the State Premier and State Opposition Leader informing them of this resolution.*

11.3. Illegal Native Vegetation Clearance (Cr Nathan Daniell)

- 1. Condemns the unapproved and excessive clearance of remnant native vegetation at 104 Mount Lofty Road, Crafers.*
- 2. Reaffirms its unwavering commitment to protecting and restoring the Adelaide Hills natural environment.*
- 3. Requests the Mayor write to the Minister for Climate, Environment and Water, Hon Dr Susan Close MP to request:*
  - a. The Native Vegetation Act 1991 be amended to increase penalties associated with the illegal clearance of native vegetation;*
  - b. The budget allocated to the Native Vegetation Council be increased to enable appropriate resources to be allocated to compliance and enforcement*
- 4. Requests the CEO review legislative options available to strengthen Council’s compliance and enforcement efforts in preventing and addressing illegal clearance of native vegetation. That as part of this review:*
  - a. A workshop be conducted with elected members.*
  - b. A report be provided to Council by 30 June 2023 including options that would improve Council’s ability to ensure prevention, compliance, and enforcement, associated with the illegal clearance of native vegetation.*
- 5. Requests the CEO investigate any scope for the inclusion of additional Council owned properties to be assessed for suitability to be encumbered by a Heritage Agreement for the additional protection of native vegetation on that land. That as part of this investigation:*
  - a. A workshop be conducted with elected members (at the same time as 4(a) above).*

**12. ADMINISTRATION REPORTS – DECISION ITEMS**

12.1. Records & Information Management Policy and Procedure

1. *That the report be received and noted.*
2. *With an effective date of 26 April 2023, to revoke the 22 September 2020 'Records Information Management Policy' (Appendix 1) and to adopt the new 'Records Information Management Policy' as contained in Appendix 2.*
3. *With an effective date of 26 April 2023, to revoke the 22 September 2020 'Records & Information Management for Council Members Procedure' (Appendix 3) and to adopt the updated 'Records Information Management for Council Members Procedure' as contained in Appendix 4.*
4. *That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the policy and the procedure prior to the date of effect.*

12.2. Status Report – Council Resolutions Update

*Refer to Agenda*

**13. ADMINISTRATION REPORTS – INFORMATION ITEMS**

13.1. Policy Register Review

**14. QUESTIONS WITHOUT NOTICE**

**15. MOTIONS WITHOUT NOTICE**

**16. REPORTS**

16.1. Council Member Function or Activity on the Business of Council

16.2. Reports of Members/Officers as Council Representatives on External Organisations

16.3. CEO Report

**17. REPORTS OF COMMITTEES**

17.1. Council Assessment Panel  
*Nil*

17.2. Audit Committee  
*Nil*

17.3. CEO Performance Review Panel – 23 March 2023  
*That the minutes of the CEOPRP meeting held on 23 March 2023 as supplied, be received and noted.*

17.3.1. CEO Performance Review Panel Recommendations to Council

1. *That the report be received and noted.*
2. *To not conduct the 2023 Annual CEO Performance Review and Remuneration Review due to the timing of the substantive CEO recruitment process*
3. *To note that the CEO Performance Review Panel has resolved to adopt the Expanded Quarterly Performance Review & Development Process (EQPRDP).*

17.4. Boundary Change Committee  
*Nil*

**18. CONFIDENTIAL ITEMS**

18.1. Audit Committee Independent Member Appointment

**19. NEXT MEETING**

**Note change of date:** Wednesday 26 April 2023, 6.30pm, 63 Mt Barker Road, Stirling

**20. CLOSE MEETING**

## Council Meeting & Workshops 2023

DATE	TYPE	LOCATION	MINUTE TAKER
<b>APRIL 2023</b>			
Wed 12 April	CAP	Stirling	Karen Savage
Mon 17 April	Audit	Stirling	TBA
Tues 18 April	Professional Development	Stirling	N/A
Wed 26 April *moved from ANZAC Day	Council	Stirling	Pam Williams
<b>MAY 2023</b>			
Mon 1 May	Workshop	Woodside	N/A
Tues 9 May	Council	Stirling	Pam Williams
Wed 10 May	CAP	Stirling	Karen Savage
Mon 15 May	Audit	Stirling	TBA
Tues 16 May	Professional Development	Stirling	N/A
Tues 23 May	Council	Stirling	Pam Williams
<b>JUNE 2023</b>			
Mon 5 June	Workshop	Woodside	N/A
Tues 13 June	Council	Stirling	Pam Williams
Wed 14 June	CAP	Stirling	Karen Savage
Mon 19 June	Special Audit	Stirling	TBA
Tues 20 June	Professional Development	Stirling	N/A
Tues 27 June	Council	Stirling	Pam Williams

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

# Conflict of Interest Disclosure Form

**CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS**

Date: \_\_\_\_\_

**Meeting Name (please tick one)**

Ordinary Council ☐

Audit Committee ☐

Special Council ☐

Boundary Change Committee ☐

CEO Performance Review Panel ☐

Other: \_\_\_\_\_ ☐

**Item No**

**Item Name:**

\_\_\_\_\_

\_\_\_\_\_

(Only one conflict of interest entry per form)

I, Mayor / Cr \_\_\_\_\_ have identified a conflict of interest as:

**GENERAL ☐**

**MATERIAL ☐**

**GENERAL**

In considering a General Conflict of Interest (COI), an impartial, fair-minded person might consider that the Council Member's private interests might result in the Member acting in a manner that is contrary to their public duty.

**MATERIAL**

In considering a Material Conflict of Interest (COI), a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council if a class of persons as defined in s75(1)(a-l) in the Act would gain a benefit, or suffer a loss, (whether directly or indirectly and whether of a personal or pecuniary nature) depending on the outcome of the consideration of the matter at the meeting.

**The nature of my conflict of interest is as follows:**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

- ☐ I intend to **stay** in the meeting (please complete details below)
- ☐ I intend to **stay** in the meeting as exempt under s75A (please complete details below)
- ☐ I intend to **leave** the meeting (*mandatory if you intend to declare a Material conflict of interest*)

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(This section must be completed and ensure sufficient detail is recorded of the specific circumstances of your interest.)

**Office use only: Council Member voted FOR / AGAINST the motion.**



## 8. DEPUTATIONS

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*For full details, see Code of Practice for Meeting Procedures on [www.ahc.sa.gov.au](http://www.ahc.sa.gov.au)*

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

### 8.3 PUBLIC FORUM

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*For full details, see Code of Practice for Meeting Procedures on [www.ahc.sa.gov.au](http://www.ahc.sa.gov.au)*

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

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## **Item 4 Minutes of Council**

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**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 28 MARCH 2023  
63 MT BARKER ROAD STIRLING**

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In Attendance

**Presiding Member:** Mayor Jan-Claire Wisdom

**Members:**

Councillor Kirrilee Boyd
Councillor Adrian Cheater
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Louise Pascale
Councillor Melanie Selwood

In Attendance:

David Waters	Chief Executive Officer
Peter Bice	Director Infrastructure & Operations
Natalie Armstrong	Director Development & Regulatory Services
Rebecca Shepherd	Acting Director Community Capacity
Lachlan Miller	Executive Manager Governance & Performance
Karen Cummings	Manager Property Services
Jennifer Blake	Manager Communications, Engagement & Events
James Szabo	Senior Strategic & Policy Planner
Steven Watson	Governance & Risk Coordinator
Pam Williams	Minute Secretary

**1. COMMENCEMENT**

The meeting commenced at 6.30pm.

**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.

**ADELAIDE HILLS COUNCIL  
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**3. Apology**

Cr Kirsty Parkin

**3.1 Leave of Absence**

**Moved Cr Pauline Gill**

**S/- Cr Leith Mudge**

**59/23**

- 1 That a Leave of Absence from all duties of office be granted to Cr Kirrilee Boyd from 14 April 2023 to 25 April 2023**
- 2 That any committee, panel or advisory group membership currently held by Cr Kirrilee Boyd be undertaken by the Deputy during the leave of absence.**

<b>Carried Unanimously</b>
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**3.2 Absent**

Nil

**4. MINUTES OF PREVIOUS MEETINGS**

**4.1 Council Meeting – 14 March 2023**

**Moved Cr Malcolm Herrmann**

**S/- Cr Chris Grant**

**60/23**

**That the minutes of the Ordinary Council meeting held on 14 March 2023 as supplied, be confirmed as an accurate record of the proceedings of that meeting.**

<b>Carried Unanimously</b>
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**5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL**

**5.1 General Conflict of Interest, Cr Pauline Gill - Item 12.1 Fire Water Tank Upper Hermitage**

Under section 75B of the *Local Government Act 1999* Cr Pauline Gill disclosed a General (section 74) Conflict of Interest in Item 12.1 Fire Water Tank Upper Hermitage, the nature of which is as follows:

- I have known Ms Verrall and Ms Elland through the Sampson Flat Community Leadership group and have supported their fundraising efforts on behalf of the Upper Hermitage CFS.

Cr Pauline Gill intends to stay in the meeting when this item is discussed.

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
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**5.2 Material Conflict of Interest, Cr Adrian Cheater - Item 11.1 Community Event Electrical Certificates of Compliance Subsidies**

Under section 75C of the *Local Government Act 1999* Cr Adrian Cheater disclosed a Material (section 75) Conflict of Interest in Item 11.1 Community Event Electrical Certificates of Compliance Subsidies, the nature of which is as follows:

- I am a member of the CFS and administrative coordinator of a brigade.

Cr Adrian Cheater intends to leave the meeting when this item is discussed.

**5.3 Material Conflict of Interest, Cr Malcolm Herrmann - Item 11.1 Community Event Electrical Certificates of Compliance Subsidies**

Under section 75C of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a Material (section 75) Conflict of Interest in Item 11.1 Community Event Electrical Certificates of Compliance Subsidies, the nature of which is as follows:

- I am a member of a group which potentially could gain a benefit should the motion be passed.

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

**5.4 General Conflict of Interest, Cr Malcolm Herrmann - Item 12.1 Fire Water Tank Upper Hermitage**

Under section 75B of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a General (section 74) Conflict of Interest in Item 12.1 Fire Water Tank Upper Hermitage, the nature of which is as follows:

- I sponsored the production of the book, Sampson Flat Bushfire 2015, proceeds of which are proposed for a water tank.

Cr Malcolm Herrmann intends to stay in the meeting when this item is discussed.

**5.5 General Conflict of Interest, Cr Adrian Cheater - Item 12.1 Fire Water Tank Upper Hermitage**

Under section 75B of the *Local Government Act 1999* Cr Adrian Cheater disclosed a General (section 74) Conflict of Interest in Item 12.1 Fire Water Tank Upper Hermitage, the nature of which is as follows:

- I am a member of the CFS and administrative coordinator of a brigade.

Cr Adrian Cheater intends to stay in the meeting when this item is discussed.

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
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**5.6 General Conflict of Interest, Cr Leith Mudge - Item 12.2 Adelaide Hills Subzone Code Amendment Process**

Under section 75B of the *Local Government Act 1999* Cr Leith Mudge disclosed a General (section 74) Conflict of Interest in Item 12.2 Adelaide Hills Subzone Code Amendment Process, the nature of which is as follows:

- The conflict is with my role as the elected member representative on the Council Assessment Panel. Under the Assessment Panel Members Code of Conduct Sections 14C & E, a panel member is not allowed to make public comment on a matter that may come before the panel or engage in an act which may give rise to a reasonable presumption that they have prejudged a development proposal or application.

As this proposed Code Amendment relates to a class of development that may come before the panel in future, any public comment that I make on this could potentially lead to an impression that I have prejudged a particular application.

I will therefore not participate in the debate which would be considered as public comment but will remain in the chamber and vote on the motion.

Cr Leith Mudge intends to stay in the meeting when this item is discussed.

**6. PRESIDING MEMBER'S OPENING REMARKS**

Nil

**7. QUESTIONS ADJOURNED/LYING ON THE TABLE**

**7.1 Questions Adjourned**

Nil

**7.2 Questions Lying on the Table**

Nil

**8. PETITIONS/DEPUTATIONS/PUBLIC FORUM**

**8.1 Petitions**

6.38pm Cr Nathan Daniell left the meeting.

**ADELAIDE HILLS COUNCIL  
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**8.1.1 Australia Day Civic Awards**

Moved Cr Pauline Gill

S/- Cr Malcolm Herrmann

61/23

Council resolves:

1. That the petition signed by 66 signatories requesting “the Adelaide Hills Council to celebrate Australia Day on 26 January and continue the long standing practice of presenting AHC Civic Awards on that day” be noted.
2. That the CEO advise the principal signatory of the Council’s noting of the petition and of any resolutions relating to the matter.

<b>Carried</b>
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6.39 Cr Nathan Daniell returned to the meeting.

**8.1.2 Flooding at Junction Road, Balhannah**

Moved Cr Chris Grant

S/- Cr Pauline Gill

62/23

Council resolves that:

1. The petition signed by 15 signatories requesting Council to upgrade drainage infrastructure on Junction Road Balhannah be received and noted.
2. The CEO write to the CEO of the Department for Infrastructure and Transport asking them to prioritise committed works at this location.
3. The CEO advise the principal signatory of the Council’s noting of the petition and of any resolutions relating to the matter.
4. The CEO liaise with the principal signatory to discuss concerns raised in the correspondence, including avenues for addressing the complaint utilising the Council’s complaint handling policies and procedures and/or the internal review of decisions mechanism as applicable.

<b>Carried Unanimously</b>
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**ADELAIDE HILLS COUNCIL  
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**8.1.3 Fire Water Tank, Upper Hermitage**

Moved Cr Malcolm Herrmann  
S/- Cr Leith Mudge

**63/23**

**Council resolves:**

- 1. That the petition signed by 319 signatories requesting Council grant permission to provide land at the junction of Warner Road and Range Road North Upper Hermitage for the location of a water storage tank be received and noted.**
- 2. That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.**

<b>Carried Unanimously</b>
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**8.2 Deputations**

**8.2.1 David Pound & Denise Elland re Fire Water Tank Upper Hermitage**

**8.2.2 Steven Salamon, Regional Commander – Region 2, SA Country Fire Service re Fire Water Tank Upper Hermitage**

**8.3 Public Forum**

Matt Thomas - progress on Houghton Oval redevelopment.  
Sarah Pollard and Kerry Clark from Mount Torrens re undergrounding of power lines.

With the Leave of the Meeting, Item 12.1 was brought forward to this point in the meeting.

Cr Pauline Gill, Cr Malcolm Herrmann and Cr Adrian Cheater declared a General Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.1. Cr Pauline Gill, Cr Malcolm Herrmann and Cr Adrian Cheater remained in the Chamber and voted.



**ADELAIDE HILLS COUNCIL  
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**12.1 Fire Water Tank Upper Hermitage**

Moved Cr Malcolm Herrmann  
S/- Cr Pauline Gill

**64/23**

**Council resolves that:**

- 1. the report be received and noted.**
- 2. Council acknowledges the fundraising efforts by Ms Jan Verrall and Ms Denise Elland.**
- 3. in view of advice by letter dated 21 February 2023 received from the CFS Regional Commander Region 2, summarised as follows:**
  - the whole of the land is needed for CFS volunteers to exercise and train;**
  - the tank would not be used or maintained by the CFS, and**
  - the Upper Hermitage site is a dangerous location to place a community water tank for use during a time of fire;**

**Council respectfully declines the offer for the donation and placement of a fire water tank at the corner of Range Road North and Warner Road Upper Hermitage.**

- 4. That Council staff continue to work with the CFS across the Regions to support firefighting, fire prevention and fire educational efforts.**
- 5. That the CEO or his delegate formalises the use of the land described as allotment 5 in Filed Plan 218343 and contained in Certificate of Title 5854 Folio 841, commonly known as the Upper Hermitage tennis courts and CFS land, to the SA Country Fire Service (CFS) for its purposes.**

<b>Carried Unanimously</b>
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Cr Pauline Gill, Cr Malcolm Herrmann and Cr Adrian Cheater voted “for” for motion. The majority of persons who were entitled to vote at the meeting voted in favour of the motion.

**8.3.1 Short Adjournment**

Moved Cr Mark Osterstock  
S/- Cr Chris Grant

**65/23**

**Council resolves that the meeting adjourns for a short break from 7.52pm.**

<b>Carried</b>
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**ADELAIDE HILLS COUNCIL  
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7.52pm The Council meeting adjourned  
8.00pm The Council meeting resumed  
8.01pm Cr Malcolm Herrmann returned to the Chamber

**9. PRESENTATIONS**

8.10pm Cr Chris Grant left the Chamber  
8.12pm Cr Chris Grant returned to the Chamber

**9.1 Damien Cooke & Steve Shotton, Regional Development Australia - Adelaide Hills, Fleurieu & Kangaroo Island**

**10. QUESTIONS ON NOTICE**

Nil

**11. MOTIONS ON NOTICE**

Cr Adrian Cheater and Cr Malcolm Herrmann declared a Material Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 11.1.

8.24pm Cr Adrian Cheater & Cr Malcolm Herrmann left the Chamber.

**11.1 Community Event Electrical Certificates of Compliance Subsidies**

**Moved Cr Mark Osterstock  
S/- Cr Pauline Gill**

**66/23**

Council resolves:

1. That in relation to Anzac Day 2023, NAIDOC Week and National Reconciliation Week 2023, Council subsidises the cost of obtaining licenced electricians to review and certify electrical installations in respect to community groups holding dawn services and other commemorative events on Council land (including roads) to a limit of \$150 per event.
2. That as part of the current review of the Council's Festivals and Events Policy, consideration be given to the feasibility (including costings) of:
  - 2.1 Financial subsidies for the attainment of a Certificate of Compliance (CoC) for community groups conducting activities on council lands and utilising council electrical outlets.
  - 2.2 That subsidies only apply for community events held on prominent national or local commemoration days including to ANZAC Day, NAIDOC Week and Remembrance Day, noting that the Council's position on events normally held on Australia Day (26 January) is currently under review.
3. The report be made available for Council's consideration by 22 August 2023.

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**VARIATION**

Leave of the meeting was granted to vary the motion.

**Council resolves:**

1. That in relation to Anzac Day 2023, NAIDOC Week and National Reconciliation Week 2023, Council subsidises the cost of obtaining licenced electricians to review and certify electrical installations in respect to community groups holding dawn services and other commemorative events on Council land (including roads) to a limit of \$150 per event.
2. That as part of the current review of the Council's Festivals and Events Policy, consideration be given to the feasibility (including costings) of:
  - 2.1 Financial subsidies for the attainment of a Certificate of Compliance (CoC) for community groups conducting activities on council lands and utilising council electrical outlets.
  - 2.2 That subsidies only apply for community events held on prominent national or local commemoration days including, but not limited to, ANZAC Day, NAIDOC Week and Remembrance Day, noting that the Council's position on events normally held on Australia Day (26 January) is currently under review.
3. The report be made available for Council's consideration by 22 August 2023.

<b>Carried Unanimously</b>
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8.32pm Cr Herrmann & Cr Cheater returned to the Chamber

**12. OFFICER REPORTS – DECISION ITEMS**

**12.1 Fire Water Tank Upper Hermitage**

This item was considered earlier in the meeting.

Cr Nathan Daniell declared a General Conflict of Interest in Item 12.2 Adelaide Hills Subzone Code Amendment as he is a Deputy Member of the Council Assessment Panel (CAP) and is unable to make comment on a matter that may come before CAP as a Code Amendment may be relevant to future CAP decisions and it could be perceived that I have already taken a position.

Cr Leith Mudge declared a General Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.2.

Cr Nathan Daniell & Cr Leith Mudge remained in Chamber and voted.

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 28 MARCH 2023  
63 MT BARKER ROAD STIRLING**

**12.2 Adelaide Hills Subzone Code Amendment**

Moved Cr Mark Osterstock  
S/- Cr Lucy Huxter

67/23

Council resolves:

1. That the report be received and noted.
2. That the CEO progress preliminary investigations including pre-engagement with affected residents and landowners, to inform Council's position on whether a formal Code Amendment process for the Adelaide Hills Subzone will be initiated, with the CEO to table a report for Council's consideration on the matter by 23 May 2023.
3. To instruct the CEO to inform the State Planning Commission and the Minister of Planning of Council's intention to progress preliminary investigations in preparation for a Code Amendment process for the Adelaide Hills Subzone, including the rationale.

<b>Carried Unanimously</b>
----------------------------

Cr Nathan Daniell and Cr Leith Mudge voted "for" for motion. The majority of persons who were entitled to vote at the meeting voted in favour of the motion.

**12.3 Attendance at LGA OGM**

Moved Cr Nathan Daniell  
S/- Cr Chris Grant

68/23

Council resolves:

1. That the report be received and noted.
2. To reaffirm the policy position contained in clause 10 of the *Council Member Training & Develop Policy* that the Mayor, or the Deputy in the Mayor's absence, is the principal spokesperson, and is the default representative of Council in an official capacity (e.g. National General Assembly, LGA meetings and the like, including intrastate, interstate or overseas).
3. In the instance where the Mayor and the Deputy Mayor cannot attend, the matter should be referred to the Council where possible, but where time does not permit, the Mayor, or Deputy Mayor if acting in the Mayor's place, may delegate the role to another Council Member or the Chief Executive Officer for a particular occasion or instance.

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 28 MARCH 2023  
63 MT BARKER ROAD STIRLING**

4. To determine that the method of selecting the delegate to the 14 April 2023 LGA Ordinary General Meeting be by an indicative vote to determine the preferred person utilising the process set out in this Agenda report.
5. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for the nomination and for the meeting to resume once the results of the indicative vote have been declared.

<b>Carried Unanimously</b>
----------------------------

8.39pm the Council meeting adjourned

8.41pm the Council meeting resumed

#### **12.3.1 Attendance at LGA OGM – Council delegate**

**Moved Cr Chris Grant  
S/- Cr Adrian Cheater**

**69/23**

**Council resolves to appoint Cr Leith Mudge as the Council's delegate for the 14 April 2023 LGA Ordinary General Meeting and authorises the Chief Executive Officer to advise the LGA of the appointment.**

<b>Carried Unanimously</b>
----------------------------

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 28 MARCH 2023  
63 MT BARKER ROAD STIRLING**

**12.4 Status Report – Council Resolutions Update**

**Moved Cr Kirrilee Boyd  
S/- Cr Adrian Cheater**

**70/23**

**Council resolves:**

- 1. That the report be received and noted**
- 2. The following completed items be removed from the Action List:**

<b>Meeting Date</b>	<b>Meeting</b>	<b>Res No.</b>	<b>Item Name</b>	<b>Previously Declared COI</b>
23/08/2022	Ordinary Council	236/22	Ministerial Exemption – Confidential Item	Nil
27/09/2022	Ordinary Council	254/22	MON Coach Parking	Nil
25/10/2022	Ordinary Council	273/22	MON Parking & Road Safety Wattle Tree Road Bridgewater	Nil
20/12/2022	Ordinary Council	295/22	Cemetery Operating Policy	Nil
28/02/2023	Ordinary Council	43/23	Draft 2023-24 LTFP for consultation	Nil
14/03/2023	Ordinary Council	51/23	CWMS Asset Management Plan	Material - Cr Malcolm Herrmann & Cr Melanie Selwood
14/03/2023	Ordinary Council	54/23	Nomination to Dog & Cat Management Board	Material - Cr Mark Osterstock

**Carried Unanimously**

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 28 MARCH 2023  
63 MT BARKER ROAD STIRLING**

**13. OFFICER REPORTS - INFORMATION ITEMS**

Nil

**14. QUESTIONS WITHOUT NOTICE**

Cr Malcolm Herrmann – Ministerial correspondence housing availability

Cr Chris Grant – Tiers Road Woodside Road works

Cr Chris Grant – Mobile Phone Black Spot Grant availability

**15. MOTIONS WITHOUT NOTICE**

Having taken into account the Guiding Principles, the Mayor accepted the following Motion Without Notice.

**15.1 Congratulations - Lobethal Cricket Club**

Moved Cr Lucy Huxter

S/- Cr Malcolm Herrmann

**71/23**

That Council:

1. Congratulates the Lobethal Cricket Club A Grade team for winning the premiership flag this past weekend, beating the undefeated Langhorne Creek Tigers on their home turf, and
2. Congratulates the Lobethal Cricket Club U14 and B Grade teams who also won premiership flags the weekend prior.

<b>Carried Unanimously</b>
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**16. REPORTS**

**16.1 Council Member Function or Activity on the Business of Council**

**Cr Melanie Selwood**

- 20 March 2023, Kersbrook Soldiers' Memorial Recreation Grounds Committee Meeting
- 23 March 2023, State Economic Partnership Forum Civic Function
- 24 March 2023, State Economic Partnership Forum
- 25 March 2023, Inclusive Football Gala Day with One Culture Support Services, supported by the Woodside Warriors Soccer Club & Adelaide Hills Council
- 25 March 2023, Harmony Day Picnic at Gumeracha
- 26 March 2023, First Nations Voice to Parliament Special Event – North Terrace

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
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**Cr Malcolm Herrmann**

- 3 March, Meeting with Member for Schubert, Birdwood
- 15 March, RSL sub branch, Gumeracha
- 19 March, Discover Bikeway - Woodside, Charleston and Mount Torrens
- 22 March, Kersbrook Shed AGM, Kersbrook
- 27 March, Independent Audit Committee selection panel

**16.2 Reports of Members as Council/Committee Representatives on External Organisations**

**Cr Malcolm Herrmann**

- March 6, GRFMA Audit Committee, North Adelaide
- March 16, GRFMA, Elizabeth

**16.3 CEO Report**

David Waters, CEO, provided Council with a verbal update, including:

- Harmony Day Picnic at Gumeracha
- Discover, Play, Bikeway
- Emergency Tree Pruning works in Stirling Main Street
- Economic Partnerships Forum
- Advocacy to Minister Transport & Infrastructure
- Meeting with Member for Schubert re Amy Gillett Bikeway and other matters

**17. REPORTS OF COMMITTEES**

**17.1 Council Assessment Panel – 8 March 2023**

**Moved Cr Leith Mudge  
S/- Cr Adrian Cheater**

**72/23**

**That the minutes of the Council Assessment Panel meeting held on 8 March 2023 as distributed, be received and noted.**

<b>Carried Unanimously</b>
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**17.2 Audit Committee**

Nil

**17.3 CEO Performance Review Panel**

Nil



**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 28 MARCH 2023  
63 MT BARKER ROAD STIRLING**

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**17.4     Boundary Change Committee**

Nil

**18.       CONFIDENTIAL ITEMS**

Nil

**19.       NEXT ORDINARY MEETING**

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 11 April 2023 from 6.30pm at 63 Mt Barker Road, Stirling.

**20.       CLOSE MEETING**

The meeting closed at 9.02pm.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 11 April 2023  
AGENDA BUSINESS ITEM**

<b>Item:</b>	<b>8.1.1</b>
<b>Responsible Officer:</b>	<b>Peter Bice Executive Manager Governance &amp; Performance Office of the Chief Executive</b>
<b>Subject:</b>	<b>Petition - Sealed footpath Tolmer Road to Gale Street Woodside</b>
<b>For:</b>	<b>Decision</b>

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**SUMMARY**

A petition has been received with 84 signatories stating:

“We the undersigned are concerned citizens who urge Adelaide Hills Council to act to seal the footpath (to the southern side of Tolmer Road from 18 Toler Road to Gale Street Woodside). With the support of Home Care thus allowing residents to age in their homes longer, this will only become more urgent. Our senior citizens require adequate pathways to allow them to live as independently as possible within the community of which they reside”.

**RECOMMENDATION**

**Council resolves:**

- 1. That the petition signed by 84 signatories requesting the sealing of the Tolmer Road Woodside footpath be received and noted.**
  - 2. Note that the requested works will be considered for inclusion in the Draft 2023-24 Annual Business Plan and Budget.**
  - 3. That the CEO advise the principal signatory of the Council’s noting of the petition and of any resolutions relating to the matter.**
- 

**1. PETITION DETAILS**

Council has received a petition organised by Charlene Leckey of Kalyra Woodside Village and signed by 84 signatories.

The Petition states:

“We the undersigned are concerned citizens who urge Adelaide Hills Council to act to seal the footpath (to the southern side of Tolmer Road from 18 Toler Road to Gale Street Woodside). With the support of Home Care thus allowing residents to age in their homes longer, this will only become more urgent. Our senior citizens require adequate pathways to allow them to live as independently as possible within the community of which they reside”.

**2. OFFICER’S RESPONSE – Peter Bice, Director Infrastructure & Operations**

➤ **Relationship/relevance to Council services/activities/plans/strategies/resolutions**

The requested works have already been included in the Draft 2023-24 Annual Business Plan and Budget, which is still subject to formal consideration by the Council in May 2023. The head petitioner has been advised by Council Staff of this status.

➤ **Options<sup>1</sup>**

Council has the following options in relation to the matter(s) raised in the petition:

- I. Receive and note the petition (Recommended)
- II. Not to receive the petition (Not Recommended)

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<sup>1</sup> Any potential motion arising from the receipt of a petition is a Motion Without Notice and Council has resolved for restrictions on the scope on these types of motions as per clause 3.18 of the *Code of Practice for Council Meeting Procedures*.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 11 April 2023  
AGENDA BUSINESS ITEM**

**Item:** 11.1 Motion on Notice

**Originating from:** Cr Melanie Selwood

**Subject:** Bike Lockers for public use

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**1. MOTION**

**I move that:**

- 1. the CEO prepare a report for Council's consideration examining installation of bike lockers or cages for public use including:**
    - a. key locations on council land where bike lockers or bike cages could strategically be placed, taking into consideration public transport stops and cycleways, including but not limited to;**
      - i. Verdun Junction**
      - ii. Woodside Main Street**
      - iii. Balhannah Main Street**
      - iv. Kayannie Corner (intersection of Woodside Road and Onkaparinga Valley Road)**
      - v. Aldgate Bus Depot and/or Main Street**
      - vi. Bridgewater Oval**
      - vii. Steamroller Park, Stirling**
      - viii. Uraidla Main Street**
    - b. the initial installation cost and ongoing maintenance costs of bike lockers and cages**
    - c. any other implications for Council resources**
  - 2. The report be presented to Council no later than September 2023**
- 

**2. BACKGROUND**

Without a car, it is difficult to get around the Adelaide Hills Council region. Young people who are yet to drive, people with access needs and those who are unable to drive for other reasons have to rely on insufficient public transport to access education, health services and work. While there are many areas that aren't serviced by public transport (especially in the northern part of the Council area), there are some corridors that have high usage, such as from Lobethal to the City via Verdun, and Aldgate to the City via Stirling (see attached Adelaide Metro network map).

The downside of these public transport corridors is that many residents need to drive to get to their bus stops. This has resulted in car congestion alongside bus stops (particularly near the Aldgate Bus Depot) and many parents are driving young people to the bus station each morning. With the advent of cycling corridors such as the Amy Gillett Bikeway, bike riding is an alternative to alleviate some of the issues with getting people (especially young people) to the bus.

Many people are concerned about the safety of their bikes at public transport stops, particularly if they are being left there all day while at school or work, and this acts as a disincentive to riding. Bike lockers and cages are effective solutions to encouraging people to ride their bikes. They are secure storage for bikes while people are at work or school. Bike lockers have been in place at the Crafers Park & Ride for many years, and those lockers are regularly full (see Figure 1 below). This demonstrates an appetite for safe bike infrastructure at public transport locations.



*Figure 1 Existing bike lockers at Crafers Park & Ride*

Installing bike lockers or cages addresses several strategic objectives for Adelaide Hills Council in the current Strategic Plan. Namely, bike lockers will support the following strategic objectives:

Goal 1 – A functional built environment

- Objective B1 – Our district is easily accessible for community, our businesses and visitors

Goal 2 – Community wellbeing

- Objective C1 – A community for everyone – that is inclusive, welcoming and accessible
- Objective C4 – An active, healthy, thriving and resilient community



Figure 2 - Objective 3 from the Draft Cycling Strategy For South Australia (Source: Department for Infrastructure & Transport)

In 2022 the State Government released a draft Statewide Cycling Strategy<sup>1</sup>. Objective 3 of that strategy is 'Integrated Cycling' in which it describes that "providing safe, secure and well-designed bicycle storage facilities at key public transport stations, interchanges and hubs" is an action to improve cycling infrastructure connectivity with the public transport network (see Figure 2 above). Next to the action to "Provide safe, secure and well-designed bicycle storage facilities at key public transport stations, interchanges and hubs", there is no responsible agency listed. This indicates that we cannot wait for DIT to install bike lockers.

In March 2019, Adelaide Hills Council declared a climate emergency. It is known that one key action to address climate change is to reduce our dependence on petrol-fuelled cars. By enabling people to travel to public transport by bike and giving them the peace of mind that their bike is secure, we can help people reduce their reliance on their car, which is better for their cost of living, as well as the planet.

<sup>1</sup> [https://dit.sa.gov.au/\\_data/assets/pdf\\_file/0016/1004272/Cycling\\_Strategy\\_Refresh\\_Draft\\_11022022.pdf](https://dit.sa.gov.au/_data/assets/pdf_file/0016/1004272/Cycling_Strategy_Refresh_Draft_11022022.pdf)

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

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

##### *Strategic Plan 2020-24 – A brighter future*

Goal	A Functional Built Environment
Objective B1	Our district is easily accessible for community, our businesses and visitors
Priority B1.1	Increase accessibility to our district through the development and delivery of high priority trails and routes for all cyclists (on-road, off road, commuters, recreational) and pedestrians
Goal	Community Wellbeing
Objective C1	A community for everyone – that is inclusive, welcoming and accessible
Objective C4	An active, healthy, thriving and resilient community

#### ➤ Legal Implications

Not Applicable

#### ➤ Risk Management Implications

*The provision of a report examining the installation of bike lockers will assist in mitigating the risk of:*

*Lack of effective strategic planning and resource allocation processes leading to suboptimal community outcomes, poor performance and loss of stakeholder confidence*

Inherent Risk	Residual Risk	Target Risk
Extreme (4A)	Low (3E)	Low (3E)

#### ➤ Financial and Resource Implications

Council staff can source and collate the necessary information to inform a report as requested. It is likely this can be done without any additional budget expenditure; it is likely to take in the vicinity of 20-30 hours of staff time.

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

Provision of Bike Lockers will assist those who wish to ride to specific locations with the ability to secure their bikes safely.

➤ **Sustainability Implications**

One benefit of bike lockers being strategically placed may mean an increase in environmentally sustainable transport use, i.e., bicycle and public transport.

➤ **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:* Not applicable

*Community:* Not applicable

**4. ANALYSIS**

A report can be prepared to explore the installation of bike lockers/cages at the suggested locations and seek to identify other locations as appropriate. Council Staff will liaise with the Department for Infrastructure and Transport to gather any information they may have into procurement and maintenance costs, utilisation of their existing bike lockers, potential future locations identified and other considerations which we should consider.

**5. APPENDIX**

1. Adelaide Metro Network Map



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# **Appendix 1**

## *Adelaide Metro Network Map*

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29 January 2023



### City map



**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 11 April 2023  
AGENDA BUSINESS ITEM**

**Item:** 11.2 Motion on Notice

**Originating from:** Cr Leith Mudge

**Subject:** Uluru Statement from the Heart and Voice Referendum

---

**1. MOTION**

I move that Council:

1. Accepts the invitation of the Uluru Statement from the Heart and supports a First Nations Voice to Parliament enshrined in the Australian Constitution.
  2. Supports a “Yes” vote in the upcoming Federal referendum.
  3. Welcomes the passage of the *First Nations Voice Bill 2023* through State Parliament and assent by Her Excellency the Governor of South Australia.
  4. Resolves to submit an Item of Business for the Greater Adelaide Region of Council’s consideration for the Local Government Association to support the positions set out in points 1-3 of this motion.
  5. That the Mayor writes to the Federal Member for Mayo, the State Premier and State Opposition Leader informing them of this resolution.
- 

**2. BACKGROUND**

**Uluru Statement from the Heart**

The Uluru Statement from the Heart (**Appendix 1**) is a generous call by Aboriginal and Torres Strait Islander people for real and practical change in Australia through a constitutionally enshrined Voice to Parliament and the establishment of a Makarrata Commission, to undertake a process of treaty-making and truth-telling.

In May 2017, over 250 Aboriginal and Torres Strait Islander Delegates from all points of the Southern Sky gathered in Mutitjulu in the shadow of Uluru and put their signatures on a historic statement. The Uluru Statement from the Heart addressed to the Australian people invited the nation to create a better future via the proposal of key reforms:

**Voice** - Enshrining a First Nations Voice in the Australian Constitution.

**Makarrata** - The coming together after a struggle to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

Note that the wording of point 1 in the motion above is that recommended in the Uluru Statement from the Heart supporter kit: [https://ulurustatement.org/wp-content/uploads/2023/02/021623\\_Uluru-Supporter-Kit.pdf](https://ulurustatement.org/wp-content/uploads/2023/02/021623_Uluru-Supporter-Kit.pdf) and includes support for all aspects of the statement including treaty & truth.

### **Voice Referendum**

The Australian Government has committed to implementing the 2017 Uluru Statement from the Heart, in full. In July 2022, the Prime Minister set out a roadmap to implement the Uluru Statement from the Heart, including a possible question and amendment to the Constitution for an Aboriginal and Torres Strait Islander Voice to Parliament.

The Government has indicated that the Referendum will be held in its current term. The starting point is a recommendation to add the following to the Constitution, in recognition of Aboriginal and Torres Strait Islanders as the First Peoples of Australia:

### ***Chapter IX Recognition of Aboriginal and Torres Strait Islander Peoples***

#### ***129 Aboriginal and Torres Strait Islander Voice***

*In recognition of Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia:*

- 1. There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice;*
- 2. The Aboriginal and Torres Strait Islander Voice may make representations to the Parliament and the Executive Government of the Commonwealth on matters relating to Aboriginal and Torres Strait Islander peoples;*
- 3. The Parliament shall, subject to this Constitution, have power to make laws with respect to matters relating to the Aboriginal and Torres Strait Islander Voice, including its composition, functions, powers and procedures.*

Additionally, the Prime Minister has proposed that the following question to be put at the referendum:

*A Proposed Law: to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice.*

*Do you approve this proposed alteration?*

The Prime Minister's question and amendment are the starting point for further discussion with the Australian people.

As part of this consultation, a Referendum Working Group of First Nations leaders have been providing advice to the Government on the referendum and the Voice to Parliament.

The Referendum Working Group has stated that a Voice to Parliament should:

- provide independent advice to the Parliament and Government.
- be chosen by First Nations people based on the wishes of local communities.
- be representative of Aboriginal and Torres Strait Islander communities.
- be empowering, community led, inclusive, respectful, culturally informed and gender balanced, and include youth.
- be accountable and transparent.
- work alongside existing organisations and traditional structures.

The Working Group has also stated that the Voice should:

- not have a program delivery function.
- not have a veto power.

The Voice to Parliament is a generous invitation and a modest proposal. It is fundamentally about giving Aboriginal and Torres Strait Islander peoples a fair go.

The Voice is about making a practical difference – it is about addressing poor outcomes from the long legacy of failed programs and broken policies – by listening to Aboriginal and Torres Strait Islander people about what works.

If not now, when? We have been talking about recognising Aboriginal and Torres Strait Islander Australians in our founding document for decades – now we have the chance to do it.

### **Voice to the SA Parliament and Government for First Nations People**

In parallel with developments at a Federal level, the State Government have developed a state-based implementation of the Uluru Statement from the Heart. This culminated with the passage and assent on 26 March 2023 of a bill to legislate for a Voice to the SA Parliament and Government for First Nations People.

This *First Nations Voice Act 2023* will implement a connected, direct and independent line of communication for First Nations people to South Australia's Parliament and the State Government, to allow important, shared communication by locally elected regional members.

Part of this act will be the formation an elected Local First Nations Voice in our region. This will be able to engage with local government on matters of interest to First Nations people and able to provide advice to Adelaide Hills Council on policies affecting local Aboriginal and Torres Strait Islander people.

### **Consultation**

As part of the development of this motion, the Adelaide Hills Reconciliation Working Group (AHRWG) – a group established by Adelaide Hills Council and the District Council of Mt Barker to advance reconciliation - was consulted on the general wording and content. They were supportive but did make the point that not all members of the First Nations community are supportive.

### 3. OFFICER'S RESPONSE – David Waters, Chief Executive Officer

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

*Strategic Plan 2020-24 – A brighter future*

Goal 2 Community Wellbeing

Objective C5 Respect for Aboriginal Culture and values

Priority C5.2 Celebrate and recognise Aboriginal culture and heritage through participation in and the delivery of programs and activities that engage our community in cultural experience and learning.

The Uluru Statement from the Heart and the Voice Referendum is an issue that will have an impact on the Adelaide Hills Community over a significant period of time. This has the potential to impact on Council's Reconciliation initiatives.

*Reconciliation Action Plan (RAP)*

The Council's current RAP is silent on the issue of constitutional recognition and specific matters such as the Voice and a Makarrata Commission. Those concepts were not at the point of public dialogue that they are now when the RAP was developed.

#### ➤ Legal Implications

No legal implications have been identified in relation to this matter.

#### ➤ Risk Management Implications

Ensuring the decisions of Council are consistent with the role, functions and principles of local government will assist in mitigating the risk of:

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

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

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

#### ➤ Financial and Resource Implications

There are no financial or resource implications associated directly with the Council taking a position on the Voice referendum. However, should the Council determine to actively promote a position (one way or the other) then there will be resource implications commensurate with the level or involvement, promotion, etc that the Council determines to take. At this stage, the Administration has not contemplated or estimated the costs of undertaking any particular promotional or other activity associated with the referendum.

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

The upcoming referendum on the Voice to Parliament is becoming a widely discussed subject in the public realm and is generating significant community interest. This is likely to increase as the referendum date gets closer and campaigns on both side of the argument develop.

Council Administration facilitated a public forum on the Uluru Statement from the Heart in July 2021 under Council's Community Cultural Development Program. Any information sessions or public forums to be held following any decision by the Council in relation to this matter would need to be subject to appropriate resource and budget allocation, however, should Council resolve in accordance with the motion and determine that active promotion of the 'yes' case should occur, it would become a priority activity for the Council's Community Cultural Development Officer.

Members should be aware that there is a potential for the referendum and public debate and engagement with this matter to provide a platform for racism which could have a harmful impact.

➤ **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:* No workshops have been held on the matter

*Advisory Groups:* Adelaide Hills Reconciliation Working Group

*External Agencies:* The Uluru Dialogue represents the cultural authority of the Uluru Statement from the Heart. Information presented in this report has been informed by information the Dialogue provides publicly.

*Community:* There has been no broader community consultation undertaken in relation to this matter.

#### **4. ANALYSIS**

##### Status of the referendum

Members may be aware that a Bill for an Act to alter the constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice has been introduced to parliament.

At the time of preparing this report, the matter was still before parliament and, as indicated in the background provider by the mover, Cr Mudge, the final wording of the referendum question and the proposed constitutional amendment is subject to change.



### Consultation with AHRWG

In preparing this motion on notice Cr Mudge asked the Administration to request feedback on the proposed motion from the Adelaide Hills Reconciliation Working Group (AHRWG).

At their meeting on 23 March 2023 the AHRWG members advised that they are, in principle, supportive of the Motion on Notice regarding Council support for the Uluru Statement from the Heart and First Nations Voice to Parliament. The support does not represent a formal position but generally reflected the views of the individuals present at the meeting. It was noted that members are appointed as individuals and do not represent the views of the broader Aboriginal community. It was noted that not all Aboriginal people support the Voice.

Working Group members did ask that Cr Mudge provide further details regarding his intention in bringing this motion. Cr Mudge has responded to the working group in writing regarding their enquiry. The Working Group has not further considered the matter as a group.

Members of the AHRWG expressed concern that the upcoming referendum and community debate regarding this has the potential to be a platform for racism and response that may be hurtful for individuals and community.

The group indicated that this coming year could be a challenging one for Aboriginal people due to the broad community conversations that are likely to occur around this matter and others.

### Submitting an Item of Business to the LGA

Point 4 of the motion proposes to “submit an Item of Business for the Greater Adelaide Regional Organisation of Council’s consideration for the Local Government Association to support the positions set out in points 1-3 of this motion”.

For a policy/position matter (such as that contained in the motion) to be considered at an LGA General Meeting, it must first be considered as an Item of Business at a Greater Adelaide Regional Organisation of Councils (GAROC) or South Australian Regional Organisation of Councils (SAROC) meeting, relevant to the Member Council’s status.

In AHC’s case, it is GAROC that would receive the Item of Business and consider it at a meeting. In considering the item GAROC would determine based on the nature, scope, and impact of the matter to the LG sector whether to refer the Item to either the LGA Board of Directors or a General Meeting.

## **5. APPENDIX**

### **(1) Uluru Statement from the Heart**



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## **Appendix 1**

### *Uluru Statement from the Heart*

---

## ULURU STATEMENT FROM THE HEART

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from ‘time immemorial’, and according to science more than 60,000 years ago.

This sovereignty is *a spiritual notion: the ancestral tie between the land, or ‘mother nature’, and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty.* It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia’s nationhood.

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

These dimensions of our crisis tell plainly the structural nature of our problem. This is *the torment of our powerlessness.*

We seek constitutional reforms to empower our people and take *a rightful place* in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

Makarrata is the culmination of our agenda: *the coming together after a struggle.* It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.

We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 11 April 2023  
AGENDA BUSINESS ITEM**

**Item:** 11.3 Motion on Notice

**Originating from:** Cr Nathan Daniell

**Subject:** Native Vegetation Clearance

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**1. MOTION**

That Council:

1. Condemns the unapproved and excessive clearance of remnant native vegetation at 104 Mount Lofty Road, Crafers.
2. Reaffirms its unwavering commitment to protecting and restoring the Adelaide Hills' natural environment.
3. Requests the Mayor write to the Minister for Climate, Environment and Water, Hon Dr Susan Close MP, to request:
  - a. The *Native Vegetation Act 1991* be amended to increase penalties associated with the illegal clearance of native vegetation;
  - b. The budget allocated to the Native Vegetation Council be increased to enable appropriate resources to be allocated to compliance and enforcement.
4. Requests the CEO review legislative options available to strengthen Council's compliance and enforcement efforts in preventing and addressing illegal clearance of native vegetation. That as part of this review:
  - a. A workshop be conducted with elected members;
  - b. A report be provided to Council by 30 June 2023 including options that would improve Council's ability to ensure prevention, compliance, and enforcement, associated with the illegal clearance of native vegetation.
5. Requests the CEO investigate any scope for the inclusion of additional Council owned properties to be assessed for suitability to be encumbered by a Heritage Agreement for the additional protection of native vegetation on that land. That as part of this investigation:
  - a. A workshop be conducted with elected members (at the same time as 4(a) above).

## **2. BACKGROUND**

Although there are multiple elements to this motion the overarching purpose is to protect and enhance our precious natural environment. Concern about the degradation of our environment and clearance of native vegetation is something community members have regularly raised with me during my time as an elected member. This concern extends from the removal of a single tree within townships through to the irreversible damage which occurs when remnant vegetation is illegally cleared in our Council area.

I acknowledge and recognise there are circumstances where the removal of native vegetation is appropriate and necessary, however, I do not believe enough is being done to prevent the unnecessary and/or illegal clearance of native vegetation.

### **Point 1-2**

The unauthorised and excessive removal of remnant vegetation should be condemned. It is inexcusable for any individual or entity to remove precious habitat that is beyond the scope of what has been approved. Understandably, there are residents who are upset by the excessive clearance which has occurred as it does not align with the values of many in our community.

### **Point 3**

The existing penalties in the *Native Vegetation Act 1991* for the removal of native vegetation are insufficient. They are not a significant deterrence as evidenced by the fact illegal clearance is still taking place.

The Native Vegetation Council (NVC) is under resourced. It is my understanding they only have one compliance officer for the entire state. Without adequate resourcing it is impossible for the NVC to do their job proficiently and to the standard expected by the community.

### **Point 4**

There are circumstances where Council has no role to play in compliance and/or enforcement regarding the removal of native vegetation. It is critical when Council does have a role to play that we use all legislative means to prevent the illegal removal of native vegetation (e.g. occurring on Council owned land). Are we doing enough? Can we put in place mechanisms to deter and prevent illegal clearance from taking place? I believe we can do more in this space.

### **Point 5**

During my time on Council, we have successfully had a significant number sites be encumbered by a Heritage Agreement such as Woorabinda Bushland Reserves. We recently endorsed another suite of land parcels to be considered for heritage agreement status, which will add another layer of protection along with opening up grant opportunities. We should take a proactive approach to identifying whether there are additional sites which would likely qualify to be encumbered by a Heritage Agreement.

**3. OFFICER'S RESPONSE – Natalie Armstrong, Director Development & Regulatory Services**

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

*Strategic Plan 2020-24 – A brighter future*

Goal 4	A valued Natural Environment
Objective N1	Conserve and enhance the regional natural landscape character and amenity values of our region
Priority N1.2	Manage reserves and open space to support the community, whilst balancing biodiversity conservation, resource use and environmental impacts
Objective N2	Recognise the benefits of ecosystem services and improve environmental resilience by reducing environmental impacts
Priority N2.1	Monitor and manage areas of high biodiversity or habitat value on Council reserves and Native Vegetation Marker Scheme (NVMS) sites using best practice methodologies

*Biodiversity Strategy 2019 – 2024*

Goal 1	Protect and maintain areas of high biodiversity or habitat value
Strategy	External formal and permanent protection
Action	Seek Heritage Agreement status over high value Council Reserves
Strategy	Increase protected area network
Action	Investigate opportunities to increase protected areas within the council reserve network

➤ **Legal Implications**

The *Native Vegetation Act 1991* is the relevant legislation that governs the clearance of native vegetation and heritage agreements (Part 4 Division 1).

In respect to clearance of native vegetation, it places responsibility for the consideration of proposals to remove native vegetation requiring authorisation with the Native Vegetation Council.

In respect to heritage agreements, it establishes a scheme for the perpetual encumbrance of land containing high value biodiversity on land titles where agreed between the existing title holder and the Minister.

➤ **Risk Management Implications**

Four key threatening processes for threatened species identified by the Australian Government are:

- Loss and degradation of native plant and animal habitat by invasion of escaped garden plants, including aquatic plants
- Land clearance
- Loss of climatic habitat caused by anthropogenic emissions of greenhouse gases (climate change)
- Dieback caused by the root-rot fungus (*Phytophthora cinnamomi*)

Seeking greater protection of the native vegetation in the Adelaide Hills Council regions and investigating additional properties for eligibility to into Heritage Agreements will assist in mitigating the risk of:

*Failure to meet the public expectation that Adelaide Hills Council strives to protect species of conservation significance and their critical habitats by taking steps to address key threatening processes.*

Inherent Risk	Residual Risk	Target Risk
Medium (2C)	Low (2D)	Low (1D)

➤ **Financial and Resource Implications**

Outcomes as proposed in this Motion on Notice will be managed within existing resources, noting that work is already underway on developing a policy position to provide better controls and harsher penalties for unauthorised clearance on Council's road verges and land.

It should be noted that the engagement of legal expertise is likely to be required in furtherance of Point 4 of the motion (should it become a resolution) in regard to identifying any legislative opportunities for Council to strengthen its role in compliance and enforcement relating to native vegetation removal. While this may be able to be accommodated in existing budget provisions for legal advice, it may be necessary to seek a dedicated budget allocation should the work develop beyond the proposed workshop.

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

The protection of native vegetation in the Council's region is of significant importance to our local community and more broadly to communities visiting and conducting business in our region.

The community response to unauthorised clearance is a clear indication of the importance held by our community to the protection of native vegetation.

Taking steps to provide further protection to native vegetation in our region as well as seeking support to strengthen penalties for unauthorised clearance is considered appropriate in the current environment.

➤ **Sustainability Implications**

The clearance of native vegetation in the Adelaide Hills Council area is taken very seriously. The loss of native vegetation, whether authorised or not, has ongoing impacts to the region's visual amenity, space and protection of native flora and fauna and more broadly impacts to global warming.

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

Administrative engagement has been undertaken with the Manager Open Space and Biodiversity Officers.

Consultation on the development of this report was as follows:

*Council Committees:* Not Applicable

*Council Workshops:* Not Applicable

*Advisory Groups:* Not Applicable

*External Agencies:* Not Applicable

*Community:* Not Applicable

**4. ANALYSIS**

In respect to the clearance of vegetation at 104 Mount Lofty Summit Road Crafers, the landowner has an existing approval from the Native Vegetation Council for the removal of vegetation on the site to facilitate a residential development comprising a dwelling and a separate garage. It is noted that the Native Vegetation Branch is the relevant authority for the approval, monitoring and compliance action in relation to the clearance of native vegetation.

The site has been the subject of significant interest in respect to the vegetation clearance that has occurred to date. Representatives from the Native Vegetation Council, as well as Council staff, have undertaken a number of inspections of the site to assess the extent of vegetation and also the progression of works to facilitate the development.

The Native Vegetation Branch has confirmed that they have issued an enforcement notice to the land owners for clearance in excess of the clearance approved. This enforcement notice requires the land owner to cease clearance of vegetation outside of that which is approved under the existing approval.

The site continues to be monitored by staff from the Native Vegetation Branch and Council.

Investigations and actions in relation to points 3, 4 and 5 can be undertaken as outlined in this response and further information provided back to Council in the proposed workshops and Council reports. It should be noted that in respect to the identification of further opportunities for Heritage Agreements over Council land, given that the Council has only recently endorsed progression of another tranche of specific sites and that it will take some time to work through and progress that list, the information to be brought back by June 2023 regarding additional sites is likely to be high level regarding the likelihood and feasibility of identifying further sites without necessarily detailing particular pieces of land to be targeted. To do the latter would require additional time and resourcing above the progression of the already committed work.

**5. APPENDIX**

Nil

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 11 April 2023  
AGENDA BUSINESS ITEM**

**Item:** 12. 1

**Responsible Officer:** Jody Atkins  
Team Leader Information Management  
Corporate Services

**Subject:** Policy Review - Records and Information Management Policy  
and Procedure

**For:** Decision

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**SUMMARY**

The Adelaide Hills Council must abide by various legislative requirements when managing official records and information to ensure legal, transparent and accountable practices are adhered to.

The current *Records & Information Management Policy* (the Policy) and the *Records & Information Management for Council Members Procedure* (the Procedure) were adopted on 22 September 2020, both required review in February 2023 which has now been completed.

The purpose of this report is to seek the Council's adopted of a revised Policy.

**RECOMMENDATION**

**Council resolves:**

1. That the report be received and noted.
  2. With an effective date of 26 April, 2023 to revoke the 22 September 2020 '*Records Information Management Policy*' (Appendix 1) and to adopt the new '*Records Information Management Policy*' as contained in Appendix 2.
  3. With an effective date of 26 April, 2023 to revoke the 22 September 2020 '*Records & Information Management for Council Members Procedure*' (Appendix 3) and to adopt the updated '*Records Information Management for Council Members Procedure*' as contained in Appendix 4.
  4. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the policy and the procedure prior to the date of effect.
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## 1. BACKGROUND

The current Policy and Council Member Procedure was adopted on 22 September 2020 (item 12.8) – see **Appendix 1** and **Appendix 3**.

Both are key Council policies and are scheduled for review which will ensure appropriate governance is adhered to, especially in relation to legislative variations.

## 2. ANALYSIS

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

*Strategic Plan 2020-24 – A brighter future*

Goal 5 A Progressive Organisation

Aspiration Council is recognised for its skilled and agile workforce, for its representative and accountable governance, its commitment to cost effectiveness and efficient service delivery.

Objective 01 We have the right people with the right knowledge and skills in the right jobs and they are supported and developed.

Priority 01.4 Continue to support all staff through training, mentoring, coaching and development to enable the achievement of organisational and community goals.

Objective 02 Our customers find it easier to interact and do business with Council and have an improved customer experience.

Priority 02.1 Develop our digital channels to better meet customers' current and future needs.

Priority 02.2 Modernise our services and enhance the customer experience by making service delivery faster, more convenient and more proactive.

Priority 02.4 Continually strive to measure and improve performance and service delivery across all functions.

The Policy framework for Council is an imperative factor of the wider Governance Framework.

The Council is committed to open, participative and transparent decision making and administrative processes. Therefore, it diligently adheres to legislative requirements to ensure public accountability and surpasses these requirements where possible.

The review of the *Records & Information Management Policy* (the "Policy") will ensure all new or varied legislation is accounted for and the updated *Records & Information Management Procedure for Council Members* (the "Procedure") will also include these variations.

### ➤ Legal Implications

Legislation in various forms affects the management of records. To ensure accurate record and information management practices are upheld accurate policy and procedure development must be developed. Below is a summary of the legislation that involves legal record management practices.

*State Records Act 1997*

Legislation that applies to Council and provides for the preservation and management of official records.

*Local Government Act 1999*

The legislation and the codes created thereunder places obligations on Council Members and employees regarding the management information obtained in the course of their official duties.

*Freedom of Information Act 1991*

Legislation that applies to Council and provides for public access to official documents and records and for the correction of public documents and records in appropriate cases.

*Electronic Communications Act 2000*

Legislation that facilitates electronic communications and retention practices.

*Evidence Act 1929*

Legislation that enables consolidation of certain Acts relating to evidence which includes documents and other records.

*Surveillance Devices Act 2016*

Legislation that makes provision relating to the use of surveillance devices, including the management of recordings.

*Independent Commission Against Corruption Act 2012*

Legislation that establishes the Independent Commission Against Corruption (ICAC) and the Office for Public Integrity (OPI) with its primary objectives to enable adequate functions for identification and investigation of corruption in public administration and prevention or minimisation of corruption, misconduct and maladministration.

*Public Interest Disclosure Act 2018*

Legislation that enables protection for persons making disclosures of public administration or interest information which can be obtained via Council's record management practices.

*Copyright Act 1968 (Commonwealth legislation)*

Commonwealth legislation which establishes access control protection measures for specific items which are owned by Council.

➤ **Risk Management Implications**

The review and management of the Policy and the Procedure and use within Council will assist in mitigating any risk of poor practices and ensure Council records are managed appropriately within legislative requirements.

Risk 1: Adopting the records management practices outlined in the Records and Information Management Policy will mitigate the risk of:

*Inadequate record keeping which breaches legislation*

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

Risk 2: Adopting the records management practices outlined in the Records and Information Management Policy will mitigate the risk of:

*Destruction of records by fire or other natural events*

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

➤ **Financial and Resource Implications**

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

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

The accurate creation and maintenance of records provides a history of the transactions and business processes of Council, thereby ensuring public sector accountability and transparency, and the responsible stewardship of the community's information. Excellent customer service is dependent on staff's ability to access high quality, accurate information and records, which enables the delivery of transparent, consistent service across the community.

➤ **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:* 21 March 2023  
Team Leader Information Management  
Manager Information Services

*Advisory Groups:* Not applicable

*External Agencies:* Not applicable

*Community:* Not applicable

➤ **Additional Analysis**

The current Policy (**Appendix 1**) was adopted to provide the overall principles and guidance for the management of corporate information and records consistent with legislative requirements. The current Procedure (**Appendix 3**) was adopted to provide Council Members with the correct processes to use for the management of their corporate information and records. This too is consistent with legislative requirements.

Due to additional key records management requirements a reviewed Policy (**Appendix 2**) has been developed to ensure those noted within the scope complete accurate records management practices. Appropriate training with staff and Elected Members on the content of the new Policy and record management practices will continue. The various key changes include (but are not limited to):

- Updated the objectives to outline search abilities
- Updated the additional definitions
- Updated the legislative framework to include additional legislation
- Updated the principles to detract from other areas of the policy which now incorporate the previous principles
- Updated the policy statement to outline newly defined accurate commitments and demonstration of commitments
- Updated Copyright which will be administered by way of a separate process due to the complexities and extent of requirements needed
- Updated the responsibilities to ensure all Council staff and members are aware of their responsibilities when managing records
- Included the destruction of official and non-official record requirements
- Included Freedom of Information requirements of all staff
- Included alignment to AHC Strategic Plan.

The reviewed Procedure (**Appendix 4**) incorporates new and varied legislative changes. Appropriate training on this document and Council Members record management practices has been available to Elected Members by way of a Council Workshop and is available on the Elected Members portal.

### 3. OPTIONS

Council has the following options:

- I. To adopt the updated Policy and the Procedure, with or without amendment (Recommended).
- II. If adopted, to revoke the 22 September 2020 Records & Information Management Policy and 22 September 2020 Records and Information Management for Council Members Procedure (Recommended).
- III. To determine not to approve the updated Policy or Procedure at this time. (Not Recommended).
- IV. Should the Council identify the need for substantial amendments to the revised policy and procedure, it is recommended that they be referred to staff for review to allow for analysis of the implications of the amendments, prior to the matter being brought back to the Council for further consideration.

### 4. APPENDICES

- (1) Records & Information Management Policy – 22 September 2022
- (2) Updated Records & Information Management Policy for adoption – February 2023
- (3) Records and Information Management for Council Members Procedure – 22 September 2022
- (4) Updated Records & Information Management for Council Members Procedure for adoption – February 2023

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# **Appendix 1**

*Records and Information Management Policy adopted –  
September 2020*


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# *Council Policy*

## Records and Information Management



# COUNCIL POLICY

 <p><b>Adelaide Hills</b> COUNCIL</p>	<h2>RECORDS AND INFORMATION MANAGEMENT</h2>
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Policy Number:	GOV-13
Responsible Department(s):	Information Systems
Relevant Delegations:	As per the delegations schedule and as included in this Policy
Other Relevant Policies:	Council Member Conduct Policy
Relevant Procedure(s):	Internet and Email Procedure Internet and Email Usage Agreement Social Media Procedure
Relevant Legislation:	State Records Act 1997 Freedom of Information Act 1991 Local Government Act 1999 Electronic Communications Act 2000 Evidence Act 1929 Surveillance Devices Act 2016 Independent Commissioner Against Corruption Act 2012 Public Interest Disclosure Act 2018 Copyright Act 1968 (Cth)
Policies and Procedures Superseded by this policy on its Adoption:	Records & Information Management 14 February 2017, Item 14.5, 109
Adoption Authority:	Council
Date of Adoption:	22 September 2020,
Effective From:	6 October 2020
Minute Reference for Adoption:	Item 12.8, 218/20
Next Review:	February 2023 or as required by legislation, or when circumstances change to warrant a review



## RECORDS AND INFORMATION MANAGEMENT POLICY

### 1. INTRODUCTION

The Records and Information Management Policy provides a framework for the management of official records within the Adelaide Hills Council. It applies to all Council Members, Council employees, volunteers, representatives, consultants, contractors and sub-contractors employed or engaged by the Council.

Official records form part of business activities undertaken by Council. To manage official records we are committed to implementing accurate and auditable record keeping practices and systems that enable the creation, capture, retrieval, maintenance, security and disposal of all official records in accordance with legislative requirements.

The development of this Policy has taken into account requirements of the *Local Government Act 1999* and other relevant legislation.

### 2. OBJECTIVES

The objectives of this policy are:

- 2.1 To demonstrate compliance and accountability of official record keeping information management practices by all persons employed or engaged by Council.
- 2.2 To enhance customer service delivery and maintain a history of transactions and business processes which are vital for the efficient provision of Council's ongoing business activities.
- 2.3 To enable all persons employed or engaged by Council easy access to records.
- 2.4 To ensure legal, evidential and accountability requirements are adhered.

### 3. DEFINITIONS

**"CEO"** means Chief Executive Officer.

**"Copyright"** provides Council as creators of new or existing official records the legal framework for the control of our creations. It also enables accurate processes to be followed when obtaining Copyright approval of external works.

**"Council"** means Adelaide Hills Council.

**"EDRMS"** means Electronic Data Records Management System. These systems ensure the protection of Council's "corporate memory" through sound record keeping practices. Council's approved EDRMS's include TRIM, Open Office, My Community, Records Hub and CRM.

**"Council Members"** are people who have been appointed or elected as a member of the council under the *Local Government Act 1999*.

**"General Disposal Schedule 21"** affords Council with appropriate means to destroy certain hardcopy records upon accurate digitisation being completed.



**“General Disposal Schedule 40”** affords approved Information Management staff only with appropriate means to destroy specific hardcopy records upon end of archival life.

**“Information Management”** is the way in which any official record is created, captured, retrieved, maintained and secured. It ensures every official record has adequate metadata and format applied in accordance with legislative requirements.

The primary aim for information management is to ensure that the right information is available to the right person, in the correct format and medium, at the right time.

**“Information Management Team”** is the team operationally responsible for the professional management of Council’s official records (physical and electronic). They are available to assist all individuals identified in the scope with advice or training.

**“Official Record”** means any record made or received by Council in the conduct of its business, but does not include:

- a) a record made by any individual identified in the scope as a draft only and not for further use or reference; or
- b) a record received into or made for the collection of a library, museum or art gallery and not otherwise associated with the business of the Council.

**“Record”** can be written, graphic or pictorial matter including a disk, tape, film, social media, webpage or other object that contains information or from which information may be reproduced.

**“Record Management”** includes the manner in which records are created.

#### 4. SCOPE

This policy applies to all Council Members, Council employees, volunteers, representatives, consultants, contractors and sub-contractors employed or engaged by the Council.

It outlines the strategy required when managing any official record, in any format to ensure they are legally contained in an approved Council EDRMS business system.

#### 5. LEGISLATIVE FRAMEWORK

The *State Records Act 1997* ("the Act") and applicable Regulations govern the obligations and responsibilities of councils in relation to the management of official records. Under this legislation, Council has a legal duty to maintain official records in its custody in an order that is able to be preserved for future requirements.

In addition to its record management obligations under the Act, Council is obliged to keep adequate records in order to fulfill its responsibilities under other forms of legislation such as the *Freedom of Information Act 1991*, for legal processes, such as discovery and subpoenas. It is to meet any requirements by Royal Commissions, Independent Commissioner Against Corruption (ICAC), the South Australian Ombudsman, the Courts of South Australia, *Electronic Communications Act 2000*, *Evidence Act 1929*, *Surveillance Devices Act 2016*, auditors and other bodies.

## **6. PRINCIPLES**

The security of all Council's systems including their EDRMS is crucial. Official records provide evidence of business transactions, support management decisions and ensure public accountability requirements are met. All documents, matter or things prepared or written in the bounds of one's employment will vest with the Council as their intellectual property right.

All individuals identified in the scope will be scrupulous in the use of official information and should not use their position in Council for personal gain or for non-authorised purposes.

## **7. POLICY STATEMENT**

The Council is committed to ensure accurate information management practices are followed. It recognises the importance of all official records and how these valuable assets must be accurately managed and maintained within Council.

### **The Council is committed to:**

- 7.1 Legally creating, capturing, protecting and disposing of official records to ensure a correct history of the transactions and business processes of Council including the responsible stewardship of the community's information.
- 7.2 Ensuring public sector accountability and transparency and treating official records as a business asset to be managed consistently across the business and throughout their statutory lifecycle.
- 7.3 Ensuring the management of official records is performed in accordance with all compulsory legislative requirements and relevant internal policies and procedures.
- 7.4 Utilising security classifications and measures to protect its information assets in all systems from loss, unauthorised access, disclosure, damage or destruction whilst retaining maximum accessibility across the organisation.

### **The Council will demonstrate this commitment by:**

- 7.5 Capturing all official records in approved EDRMS corporate systems in order to meet legislative requirements.
- 7.6 Providing the required financial, technical and corporate resources for the proficient management of official records.
- 7.7 Regularly auditing and completing appropriate risk analysis of official records, processes used and systems to ensure Council are aligned with legislative requirements.
- 7.8 Providing all individuals identified in the scope appropriate knowledge and training in records management to ensure legislative requirements are upheld.
- 7.9 Supporting and fostering a culture which actively seeks and embraces continual improvement in information management methodologies and systems to ensure risk management, security and legal obligations are adhered.
- 7.10 Ongoing review and creation of systems and processes to improve information management, including retrieval through the reduction of information duplication, effective search tools, linkages between core line-of-business systems and high level Information planning.
- 7.11 Ensuring in accordance with appropriate legislation requested information is available to the public.

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## **8. COPYRIGHT**

Any copyright requirements made to Council will be administered by way of a separate policy and procedure.

## **9. RESPONSIBILITIES**

Officially all individuals identified in the scope must comply with this policy and Council's Records and Information Procedure whilst performing their duties.

Under the *Local Government Act 1999*, Section 99 outlines the CEO must ensure that official records required under any legislation are kept and maintained accurately.

Council Employees and Council Members should report breaches of this Policy to an appropriate Responsible Officer or the CEO.

## **10. DELEGATION**

10.1 The Chief Executive Officer has the delegation to:

- Approve, amend and review any procedures that shall be consistent with this Policy; and
- Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

## **11. AVAILABILITY OF THE POLICY**

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


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## **Appendix 2**

*Updated Records Management & Information  
Management Policy for adoption – April 2023*

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# COUNCIL POLICY

	<b>RECORDS AND INFORMATION MANAGEMENT <u>POLICY</u></b>
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Policy Number:	GOV-13
Responsible Department(s):	Information Systems
Relevant Delegations:	As per the delegations schedule and as included in this Policy
Other Relevant Policies:	Council Member Conduct Policy
Relevant Procedure(s):	Internet and Email Procedure Internet and Email Usage Agreement Social Media Procedure
Relevant Legislation:	<i>State Records Act 1997</i> <i>Freedom of Information Act 1991</i> <i>Local Government Act 1999</i> <i>Electronic Communications Act 2000</i> <i>Evidence Act 1929</i> <i>Surveillance Devices Act 2016</i> <i>Independent Commissioner Against Corruption Act 2012</i> <i>Public Interest Disclosure Act 2018</i> <i>Copyright Act 1968 (Cth)</i>
Policies and Procedures Superseded by this policy on its Adoption:	Records & Information Management 14 February 2017, Item 14.5, 109 <u>and 22 September 2022, Item 12.8, 218/20</u>
Adoption Authority:	Council
Date of Adoption:	<u>22 September 2020, TBA</u>
Effective From:	<u>6 October 2020 TBA</u>
Minute Reference for Adoption:	Item <u>12.8, 218/20 TBA</u>
Next Review:	February <u>2023-2025</u> or as required by legislation, or when circumstances change to warrant a review

## RECORDS AND INFORMATION MANAGEMENT POLICY

### 1. INTRODUCTION

The Records and Information Management Policy provides a framework for the management and continuous improvement of official record keeping practices within the Adelaide Hills Council. ~~It applies to all Council Members, Council employees, volunteers, representatives, consultants, contractors and sub-contractors employed or engaged by the Council.~~

All official records (digital and hard copy) are assets that form part of business activities undertaken by Council. To manage official records Council is ~~we are~~ committed to implementing accurate and auditable record keeping practices and systems that enable the creation, capture, retrieval, maintenance, security and disposal of all official records in accordance with legislative requirements. Record keeping practices will also provide evidence of accountability, support decisions and protect the interests of citizens, Council Members, and staff.

~~The development of this Policy has taken into account requirements of the Local Government Act 1999 and other relevant legislation.~~

### 2. OBJECTIVES

South Australian Local Government Councils are defined as 'Agencies' under the State Records Act 1997. This policy will ensure Adelaide Hills Council meets appropriate objectives by adhering to required records management practices. The objectives of this policy are:

Objectives include:

- 2.1 To demonstrate efficient, compliance and accountability of official record keeping ~~information management~~ practices by all persons employed or engaged by Council in accordance with legislative requirements.
- 2.2 To enhance customer service delivery (internal and external) and maintain a history of transactions and business processes by systematic control which ~~are~~ is vital for the efficient provision of Council's ongoing business activities.
- ~~2.3 To enable all persons employed or engaged by Council easy access to records.~~
- 2.4.2.3 To ensure legal, evidential, risk and accountability requirements are adhered.

### 3. DEFINITIONS

**"CEO"** means Chief Executive Officer.

**"Copyright"** is a type of intellectual property that provides a legal right to the works of authorship.

**"Council"** means Adelaide Hills Council.

**"Council Members"** are people who have been appointed or elected as a member of the council under the *Local Government Act 1999*.

**"Destruction"** means the destruction process that must be followed dependent on if the record is official or not.

**“EDRMS”** means Electronic Document Records Management System. These systems ensure the protection of Council’s “corporate memory” through sound record keeping practices. Council’s approved EDRMS’s include Records Hub, TRIM, Open Office, My Community, Records Hub and Customer Relationship Management System<sup>RM</sup>.

**“Freedom of Information”** is a legal process that enables public access to official documents and records or to provide for the correction of public documents and records.

**“General Disposal Schedule 21”** affords Council with appropriate means to destroy certain hardcopy records upon accurate digitisation being completed.

**“General Disposal Schedule 40”** affords approved Information Management staff only with appropriate means to destroy specific hardcopy records upon end of archival life.

**“Information Management”** is the way in which any official record is created, captured, retrieved, maintained, and secured. It ensures every official record has adequate metadata and format applied in accordance with legislative requirements.

The primary aim for information management is to ensure that the right information is available to the right person, in the correct format and medium, at the right time.

**“Information Management Team”** is the team operationally responsible for the professional management of Council’s official records (physical and electronic). They are available to assist all individuals identified in the scope with advice or training.

**“Non-official Records”** means a record that is not an official record.

**“Normal Administrative Practice (NAP)”** permits the disposal of temporary (including draft) records which have no ongoing value to Council.

**“Official Record”** means any record made or received by Council in the conduct of its business, but does not include:

- a) A record made by any individual identified in the scope as a draft only and not for further use or reference ~~or~~
- b) A record received into or made for the collection of a library, museum or art gallery and not otherwise associated with the business of the Council.
- c) A Commonwealth record as defined by the Archives Act 1983 (Cth) as amended from time to time, or an Act of the Commonwealth enacted in substitution of that Act.
- d) A record that has been transferred to the Commonwealth.

An official record does not include records that are merely draft, temporary, personal, or private in nature.

**“Record”** can be written, graphic or pictorial matter including a disk, tape, film, social media, webpage, or other object that contains information or from which information may be reproduced.

**“Record Management”** includes the manner in which records are created.

**“Security”** includes the manner in which records are securely held either within an appropriate EDRMS or hard copies stored on or off site in fire safe environments.

#### 4. SCOPE

This policy applies to all Council Members, Council employees, volunteers, representatives, consultants, contractors and sub-contractors employed or engaged by the Council.

It outlines the strategy required when managing any official record, in any format to ensure they are legally contained in an approved Council EDRMS business system.

#### 5. LEGISLATIVE FRAMEWORK

This policy takes into account the requirements of various legislation including, but not limited to, the Local Government Act 1999, the State Records Act 1997, the State Records Information Management Standard and the International Standard ISO:15489-2017.

The *State Records Act 1997* ("the Act") and applicable Regulations govern the obligations and responsibilities of councils in relation to the management of official records. Under this legislation, Council has a legal duty to maintain official records in its custody in an order that is able to be preserved for future requirements.

In addition to its record management obligations under the Act, Council is obliged to keep adequate records in order to fulfil its responsibilities under other forms of legislation such as the *Freedom of Information Act 1991*, for legal processes, such as discovery and subpoenas, requirements by Royal. ~~It is to meet any requirements by Royal Commissions, Independent Commissions, Independent~~ Commissioner Against Corruption (ICAC), the South Australian Ombudsman, the Courts of South Australia, *Electronic Communications Act 2000*, *Evidence Act 1929*, *Surveillance Devices Act 2016*, auditors and other bodies.

#### 6. PRINCIPLES

The security of all Council's systems including their EDRMS is crucial. Official records provide evidence of business transactions, support management decisions and ensure public accountability requirements are met. All official documents, matter or things prepared or written in the bounds of one's employment will vest with the Council as their intellectual property right.

All individuals identified in the scope will be conscientious in the use of official information and should not use any information for personal gain.

#### 7. RESPONSIBILITIES

~~Officially all~~ All individuals identified in the scope must comply with this policy and Council Members must also comply with Records and Information Management for Council Members Procedure Council's Records and Information Procedure whilst performing their duties.

Under the Local Government Act 1999, Section 99 outlines the CEO must ensure that official records required under any legislation are kept and maintained accurately.

All individuals identified in the scope Council Employees and Council Members should report breaches of this Policy to an appropriate Responsible Officer, the Team Leader Information Management or the CEO.



The Information Communication Technology section of Council will ensure all those noted in the scope who should have access to a working EDRMS will have to ensure official documents are saved correctly.

## **7.8. POLICY STATEMENT**

The Council is committed to ensure information management practices are adhered. It recognises the importance of all official records and how these valuable assets must be accurately managed and maintained within Council.

### **The Council is committed to:**

- 8.1 Legally creating, capturing, protecting, and disposing of official records to ensure a correct history of the transactions and business processes of Council including the responsible stewardship of the community's information.
- 8.2 Ensuring public sector accountability and transparency and treating official records as a business asset to be managed consistently across the business and throughout their statutory lifecycle.
- 8.3 Ensuring the management of official records is performed in accordance with all compulsory legislative requirements and relevant internal policies and procedures.
- 8.4 Utilising security classifications and measures to protect its information assets in all systems from loss, unauthorised access, disclosure, damage, or destruction whilst retaining maximum accessibility across the organisation.

### **The Council will demonstrate this commitment by:**

- 8.5 Capturing all official records in approved EDRMS corporate systems in order to meet legislative requirements.
- 8.6 Ensuring all records are appropriately named when being saved by using a description of what the document outlines (e.g. Email from NAME requesting to hold a wedding event at XX park on DATE).
- ~~8.6~~8.7 Providing the required financial, technical, and corporate resources for the proficient management of official records.
- ~~8.7~~8.8 Regularly auditing and completing appropriate risk analysis of official records, processes used and systems to ensure Council are aligned with legislative requirements.
- ~~8.8~~8.9 Providing all individuals identified in the scope appropriate knowledge and training in records management to ensure legislative requirements are upheld.
- ~~8.9~~8.10 Supporting and fostering a culture which actively seeks and embraces continual improvement in information management methodologies and systems to ensure risk management, security and legal obligations are adhered too.
- ~~8.10~~8.11 Ongoing review and creation of systems and processes to improve information management, including easy retrieval, the reduction of information duplication, effective search tools, linkages between core line-of-business systems and high-level Information planning.
- ~~8.11~~8.12 Ensuring that in accordance with appropriate legislation requested information is available to the public.
- ~~8.11~~8.13 Continuing disposal practices of both hard and soft copies to enable cost savings, efficient searching, and ongoing management of records.

## **9. DESTRUCTION OF RECORDS**

### **Official Records**

The destruction of official records must only occur by the Information Management team. Destruction must be in accordance with the General Disposal Schedules for Local Government Authorities. The CEO (or delegate) is the only person with the authority to dispose of official records. Unauthorised or illegal destruction carries penalties of a \$10,000 fine or up to two years imprisonment, which may be placed on an individual.

### **Non-Official Records**

Non-Official records are identified as having no ongoing value to the Council and can be destroyed by any individual noted in the scope under Normal Administrative Practice. The Information Management team should be contacted if you are unsure if a record meets the non-official criteria.

“Normal Administrative Practice (NAP)” permits the disposal of temporary (including draft) records which have no ongoing value to Council.

## **10. COPYRIGHT**

Any copyright requirements made to Council will be administrated by way of a separate policy and procedure. Information Management will assist with any research or requesting of off-site files.

## **11. FREEDOM OF INFORMATION**

Any Freedom of Information request will be administered in accordance with the *Freedom of Information Act 1991* and will utilise any official records legally permitted to be issued. Information Management will manage this process with all people noted in the scope of this policy to have input if required.

### **8.1. RESPONSIBILITIES**

~~Officially all individuals identified in the scope must comply with this policy and Council's Records and Information Procedure whilst performing their duties.~~

~~Under the *Local Government Act 1999*, Section 99 outlines the CEO must ensure that official records required under any legislation are kept and maintained accurately.~~

~~Council Employees and Council Members should report breaches of this Policy to an appropriate Responsible Officer or the CEO.~~

### **9.12. DELEGATION**

10.1 The Chief Executive Officer has the delegation to:

- Approve, amend, and review any procedures that shall be consistent with this Policy; and
- Make any formatting, nomenclature, or other minor changes to the Policy during the period of its currency.

### **10.13. AVAILABILITY OF THE POLICY**

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

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## **Appendix 3**

*Records Management & Information Management for  
Council Members Procedure adopted –  
September 2020*

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# COUNCIL PROCEDURE

 Adelaide Hills COUNCIL	<b>RECORDS &amp; INFORMATION MANAGEMENT PROCEDURE FOR COUNCIL MEMBERS</b>
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<b>Procedure Number:</b>	GOV-20
<b>Responsible Department(s):</b>	Information Services
<b>Relevant Policies:</b>	Records and Information Management Policy
<b>Other Relevant Procedure(s):</b>	<i>Council Member Conduct Policy Social Media Guidelines Internet and Email Procedure Internet and Email Usage Agreement</i>
<b>Version:</b>	4
<b>Procedures superseded by this procedure</b>	Records & Information Management for Council Members, 28/08/18, Item 12.13, 209/18
<b>Adopted/Approved by:</b>	Council, 22 September 2020, Item 12.8, 218/20
<b>Effective From:</b>	6 October 2020
<b>Next Review:</b>	February 2023 or as required by legislation, or when circumstances change to warrant a review

## <PROCEDURE NAME> PROCEDURE

### 1. INTRODUCTION

The *Records & Information Management Procedure for Council Members* (Procedure) should be read in conjunction with the *Records & Information Management Policy* (Policy).

The Procedure provides a process for Council Members to follow to ensure accurate official record keeping practices during creation, capture, security and disposal which document business activities including communications to/from the public and Council Members.

### 2. OBJECTIVES

The objectives of this procedure are:

- To ensure full compliance of legislative responsibilities.
- To demonstrate compliance of official record keeping management practices by all Council Members.
- To enhance customer service delivery and maintain a history of business activities and communications which are vital for the efficient provision of Council's ongoing business.
- To ensure legal, evidential and accountability requirements are upheld.

### 3. DEFINITIONS

**"Council Business"** means the exercise, performance or discharge of powers, functions and duties under the *Local Government Act 1999* or other legislation. This includes but is not limited to the provision of services, delivery of programs, development of policies, making of decisions by (or on behalf of) Council, discharging statutory roles and powers, performance of Council functions and communicating with rate payers and stakeholders.

**"CEO"** means Chief Executive Officer.

**"Council"** means Adelaide Hills Council.

**"Council Members"** are people who have been appointed or elected as a member of the council under the *Local Government Act 1999*.

**"EDRMS"** means Electronic Data Records Management System. These systems ensure the protection of Council's "corporate memory" through sound record keeping practices. Council's approved EDRMS's include TRIM, Open Office, My Community, Records Hub and CRM.

**"Information Management"** is the way in which any official record is created, captured, retrieved, maintained and secured. It ensures every official record has adequate metadata and format applied in accordance with legislative requirements.

The primary aim for information management is to ensure that the right information is available to the right person, in the correct format and medium, at the right time.

**“Information Management Team”** is the team operationally responsible for the professional management of Council’s official records (physical and electronic). They are available to assist all individuals identified in the scope with advice or training.

**“Official Record”** means any record made or received by Council in the conduct of its business, but does not include:

- a) a record made by any individual identified in the scope as a draft only and not for further use or reference; or
- b) a record received into or made for the collection of a library, museum or art gallery and not otherwise associated with the business of the Council.

**“Record”** can be written, graphic or pictorial matter including a disk, tape, film, social media, webpage or other object that contains information or from which information may be reproduced.

**“Record Management”** includes the manner in which records are created.

#### 4. IMPORTANCE OF RECORDS

Records are a vital asset to Council. Records created and received by Council Members have the potential to:

- Support the work of Council Members and Council’s program delivery, management and administration.
- Help Council Members and Council to deliver customer services in an efficient, fair and equitable manner.
- Provide evidence of Council Members’ actions and decisions and establish precedents for future decision making.
- Protect the rights and interests of the Council & Council Members.
- Protects the rights and interests of its citizens.

#### 5. INFORMATION TO BE CLASSIFIED AS A RECORD

A Council Member may generate records which need to be captured into Council’s records management system. The records management system enables Council to administer records in accordance with the *State Records Act 1997*. It is used to store, retrieve and dispose of records.

Legislation states that records relating to Council business should be captured. Examples of Council business include, but are not limited to:

- Communications between Council Members and residents/public on matters of council business (e.g. compliments, complaints, suggestions or enquiries by ratepayers and stakeholders about Council services).
- Conversations which relate to the business functions of Council involving the communicating of Council or Committee resolutions, plans or strategies or issuing of, definitions or interpretations from the Council Member to another party or vice versa.
- Correspondence received and sent relating to their work undertaken for Council.
- Members’ Declarations of Interest.
- Providing advice, instructions or recommendations.

- Sole copies of documents received by a Council Member and sourced from outside Council that are relevant to furthering the business activity of Council.
- Speech notes made for addresses given at official council events or on behalf of Council.
- Working papers and documents which document significant decisions, reasons or actions.

## **6. CREATION OF RECORDS**

Council Members are responsible for ensuring any records they create or receive while conducting the business of Council are stored within Council's record keeping system. Details on how to work with various formats are listed below.

**Note** – any documentation forwarded to Council Members from Council employees will already have been processed in Council's records management system.

### **6.1 Electronic Records**

All electronic records should be forwarded to the Information Management team via [mail@ahc.sa.gov.au](mailto:mail@ahc.sa.gov.au), these will then be transferred into Council's EDRMS. Examples of electronic records include, but are not limited to emails, word documents, social media posts (screen shots may be used to capture discussions), iPad notes, video files, pictures.

Email correspondence regarding Council business is to be conducted via the Council Member's corporate email account only.

Email records received via a Council Members' personal email account are to be forwarded to the [mail@ahc.sa.gov.au](mailto:mail@ahc.sa.gov.au) to be captured within the records management system. It is recommended that the sender is advised that emails are to be directed to the corporate email account when correspondence relates to the Council Member's duties.

Note, while the records management software procurement process is being undertaken emails generated via Council Members' corporate email account may continue to be stored within Outlook. Outlook will be recognised as the corporate repository for email records for the duration of the project.

### **6.2 Paper Records**

Paper records should be forwarded to the Information Management team either via internal mail or the CEO and Mayor's Executive Assistant. If records are of a sensitive or confidential nature, please mark them as such, to enable the appropriate security controls to be applied.

Council Members may retain copies of their records, marked as such, as required for use in their Official duties.

### **6.3 Records of Verbal Communications**

Verbal communications can mean a telephone conversation, a voice mail message, a formal meeting, or even an informal chat with a rate payer. If a discussion is identified as a record, and has not already been formally captured via meeting minutes, it should be appropriately recorded, at minimum in précis form and forwarded to the Records Team.

## **7. CORRESPONDENCE RECEIVED BY COUNCIL**



All correspondence received by Council will be entered into the approved records management system by the Information Management Team. Mail is opened and processed in accordance with Council's records management policies and procedures. Mail is then distributed to Council Members via the Executive Assistant – Mayor & CEO.

Emails addressed to Council Members are registered in Council's records management system and then emailed to the Council Member via their Council email address.

## **8. INFORMATION OF A SENSITIVE OR CONFIDENTIAL NATURE**

Council Members may be asked to keep matters discussed relating to Council business confidential. Under the *State Records Act 1991* confidential conversations/correspondence must still be recorded and registered into Council recordkeeping systems if they refer to Council business. A statement has been included on the Council website explaining this; clients may be directed to the site for further information.

Records identified as confidential will be opened and processed by the Information Management Team Leader. The records will be stored with the appropriate security controls.

If further information is required please contact the Information Management Team Leader.

## **9. ACCESSING RECORDS**

### **9.1 Access relating to civic duties**

Council Members requiring access to information in relation to the performance or discharge of their functions may request access via the CEO or nominated delegates as per Section 61 of the *Local Government Act 1999*.

### **9.2 Access relating to personal interest**

All other requests to access information should be made via the Freedom of Information process. Refer to the [State Records of South Australia](#) website for further information.

## **10. DISPOSING OF RECORDS**

There is to be no intentional deletion, destruction or alteration of records across Council. Records are only to be disposed of in accordance with the provisions of the *State Records Act 1997* by authorised Information Management staff.

Any duplicate or copies of records *may be disposed of* by Council Members at any time but only via the confidential bins within Council.

## **11. INFORMATION NOT CLASSIFIED AS A RECORD**

Information that is created, sent or received by Council Members when they **are not** discharging functions of Council are not classified as official records.

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Examples include, but are not limited to:

- Records relating to political or electoral issues e.g. lobbying for votes, supportive emails from members of the community regarding elections or political stances.
- Duplicates - exact reproductions or copies of records.
- Communications regarding matters of personal/general interest rather than Council interest e.g. information from environmental or other interest groups not specific to issues being considered by Council Members or Council.
- Records relating to attendance at sports functions, church fetes, community functions when the Council Member is not representing Council.
- Personal records of Council Members such as personal emails, character references for friends, nomination for awards, letters to local newspapers etc. that are not related to Council business.

For further clarification on what information constitutes a record contact the Information Management Team Leader.


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## **Appendix 4**

*Updated Records Management & Information  
Management for Council Members Procedure  
for adoption – April 2023*

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## COUNCIL PROCEDURE

 Adelaide Hills COUNCIL	<b>RECORDS &amp; INFORMATION MANAGEMENT PROCEDURE FOR COUNCIL MEMBERS</b>
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Procedure Number:	GOV-20
Responsible Department(s):	Information Services
Relevant Policies:	Records and Information Management Policy
Other Relevant Procedure(s):	<i>Council Member Conduct Policy Social Media Guidelines Internet and Email Procedure Internet and Email Usage Agreement</i>
Version:	<u>45</u>
Procedures superseded by this procedure	Records & Information Management for Council Members, 28/08/18, Item 12.13, 209/18 & <u>and 22/09/20, Item 12.8, 218/20</u>
Adopted/Approved by:	<b>TBA</b>
Effective From:	<b>TBA</b>
Next Review:	February <del>2023</del> <u>2025</u> or as required by legislation, or when circumstances change to warrant a review

## RECORDS AND INFORMATION MANAGEMENT PROCEDURE FOR COUNCIL MEMBERS

### 1. INTRODUCTION

The *Records & Information Management Procedure for Council Members* (Procedure) should be read in conjunction with the *Records & Information Management Policy* (Policy).

This Procedure provides a process for Council Members to follow to ensure accurate official record keeping practices during creation, capture, security and disposal which document business activities including communications to/from the public and Council Members their time appointed.

### 2. OBJECTIVES

South Australian Local Government Councils are defined as 'Agencies' under the State Records Act 1997. This procedure will ensure Adelaide Hills Council Members meet appropriate objectives by adhering to required record management practices.

~~The objectives of this procedure are:~~

Objectives include:

~~2.1 To ensure full compliance of legislative responsibilities.~~

2.2.1 To demonstrate efficient, compliant and accountable official record keeping management practices by all Council Members in accordance with legislative requirements.

2.3.2 To enhance customer service delivery and maintain a history of business activities and communications which are vital for the efficient provision of Council's ongoing business.

2.4.3 To ensure secure, legal, evidential, risk and accountability requirements are adhered to.

### 3. DEFINITIONS

"CEO" means Chief Executive Officer.

"Copyright" is a type of intellectual property that provides a legal right to the works of authorship.

**"Council Business"** means the exercise, performance or discharge of powers, functions and duties under the *Local Government Act 1999* or other legislation. This includes but is not limited to the provision of services, delivery of programs, development of policies, making of decisions by (or on behalf of) Council, discharging statutory roles and powers, performance of Council functions and communicating with rate payers and stakeholders.

~~"CEO" means Chief Executive Officer.~~

**"Council"** means Adelaide Hills Council.

**"Council Members"** are people who have been appointed or elected as a member of the council under the *Local Government Act 1999*.

**"Destruction"** means the destruction process that must be followed dependent on if the record is official or not.

**“EDRMS”** means Electronic Document Records Management System. These systems ensure the protection of Council’s “corporate memory” through sound record keeping practices. Council’s approved EDRMS’s include TRIM Records Hub, Open Office, My Community, Records Hub and Customer Relationship Management System CRM.

**“Freedom of Information”** is a legal process that enables public access to official documents and records or to provide for the correction of public documents and records.

**“Information Management”** is the way in which any official record is created, captured, retrieved, maintained and secured. It ensures every official record has adequate metadata and format applied in accordance with legislative requirements.

The primary aim for information management is to ensure that the right information is available to the right person, in the correct format and medium, at the right time.

**“Information Management Team”** is the team operationally responsible for the professional management of Council’s official records (physical and electronic). They are available to assist all individuals identified in the scope with advice or training.

**“Non-official Records”** means a record that is not an official record.

**“Normal Administrative Practice (NAP)”** permits the disposal of temporary (including draft) records which have no ongoing value to Council.

**“Official Record”** means any record made or received by Council in the conduct of its business, but does not include:

- a) A record made by any individual identified in the scope as a draft only and not for further use or reference.
- b) A record received into or made for the collection of a library, museum or art gallery and not otherwise associated with the business of the Council.
- c) A Commonwealth record as defined by the Archives Act 1983 (Cth) as amended from time to time, or an Act of the Commonwealth enacted in substitution of that Act.
- d) A record that has been transferred to the Commonwealth.

An official record does not include records that are merely draft, temporary, personal or private in nature.

**“Record”** can be written, graphic or pictorial matter including a disk, tape, film, social media, webpage or other object that contains information or from which information may be reproduced.

**“Record Management”** includes the manner in which records are created.

**“Security”** includes the manner in which records are securely held either within an appropriate EDRMS or hard copies stored on or off site in fire safe environments.

#### 4. IMPORTANCE OF RECORDS

Records are vital assets to Council. Records created and received by Council Members have the potential to:

- Support the work of Council Members and Council's program delivery, management and administration.
- Help Council Members and Council to deliver customer services in an efficient, fair and equitable manner.
- Provide evidence of Council Members' actions and decisions and establish precedents for future decision making.
- Protect the rights and interests of the Council & Council Members.
- Protects the rights and interests of its citizens/constituents.

## 5. INFORMATION TO BE CLASSIFIED AS A RECORD

A Council Member may generate records which need to be captured into Council's EDRMS. The records management system enables ~~The records management system enables~~ Council to administer records in accordance with the *State Records Act 1997*. It is used to store, retrieve and dispose of records.

Legislation states that records relating to Council business should be captured. Examples of Council business include, but are not limited to:

- Communications between Council Members and residents/public on matters of council official business (e.g. compliments, complaints, suggestions or enquiries by ratepayers and stakeholders about Council services).
- Conversations which relate to the official business functions of Council involving the communicating of Council or Committee resolutions, plans or strategies or issuing of, definitions or interpretations from the Council Member to another party or vice versa.
- Correspondence received and sent relating to their work undertaken for Council.
- Members' Declarations of Interest.
- Providing advice, instructions or recommendations.
- Sole copies of documents received by a Council Member and sourced from outside Council that are relevant to furthering the business activity of Council.
- Speech notes made for addresses given at official council events or on behalf of Council.
- Working papers and documents which document significant decisions, reasons or actions.
- Reimbursement documentation (including receipts).

## 6. CREATION OF RECORDS

Council Members are responsible for ensuring any official records they create or receive while conducting the business of Council are stored within Council's record keeping system. Details on how to work with various formats are listed below.

**Note** – any documentation forwarded to Council Members from Council employees will already have been processed in Council's records management system.

### 6.1 Electronic Records

Council require any original official document (except those reported on Councils Customer Relationship Management system, emails and teams) to be saved within Councils appropriate EDRMS. These should be sent to the Information Management team via mail@ahc.sa.gov.au and they will then be saved appropriately. Examples of electronic records include, but are not limited to word, excel and powerpoint documents, social media posts (screen shots may be used to capture discussions), online notes, video files, pictures.

All electronic records should be forwarded to the Information Management team via [mail@ahc.sa.gov.au](mailto:mail@ahc.sa.gov.au), these will then be transferred into Council's EDRMS. Examples of electronic records include, but are not limited to emails, word documents, social media posts (screen shots may be used to capture discussions), iPad notes, video files, pictures.

## 6.2 Emails

Email correspondence regarding Council business is to be conducted via the Council Member's corporate email account only.

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Official eEmail records received via a Council Members' personal email account are to be forwarded to the [mail@ahc.sa.gov.au](mailto:mail@ahc.sa.gov.au) to be captured within the records management system. It is recommended that the sender is advised that emails are to be directed to the [members](#) corporate email account when correspondence relates to the Council Member's duties.

Note: Outlook will be recognised as the corporate repository for email records ([including email folders within Outlook](#)).

## 6.3 Customer Relationship Management Reporting (CRM)

[Using the CRM system to report any concerns either directly affecting you or a constituent will ensure accurate and immediate record management processes have been followed.](#)

[Should you require additional training for this system please contact the Governance and Performance team at \[AHCGovernancePerformance@ahc.sa.gov.au\]\(mailto:AHCGovernancePerformance@ahc.sa.gov.au\).](#)

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## 6.26.4 Paper Records

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Paper records should be forwarded to the Information Management team either via internal mail or the Mayor and CEO's Executive Assistant. If records are of a sensitive or confidential nature, please mark them as such, this will enable the appropriate security controls to be applied.

Council Members may retain copies for their records, marked as such, as required for use in their Official duties.

[When a Council Member no longer continues to be appointed, all paper records must be returned to Council for appropriate management.](#)

[Never dispose of non-official paper records in a standard bin, ensure these are forwarded to Information Management for correct confidential bin disposal.](#)

## 7. CORRESPONDENCE RECEIVED BY COUNCIL

All correspondence received by Council will be entered into the approved records management system by the Information Management Team. Mail is opened and processed in accordance with Council's records management policies and procedures. Mail is then distributed to Council Member's via the Mayor & CEO's Executive Assistant.

Emails addressed to Council Members [that are received via mail@ahc.sa.gov.au](#) are registered in Council's record management system and then emailed to the Council Member via their Council email address.

## 8. INFORMATION OF A SENSITIVE OR CONFIDENTIAL NATURE



Council Members may be asked to keep matters discussed relating to Council business confidential. Under the *State Records Act 1991* confidential conversations/correspondence must still be recorded and registered into Council recordkeeping systems if they refer to Council business. A statement has been included on the Council website explaining this, clients may be directed to the site for further information.

Records identified as confidential will be opened and processed by the Information Management Team Leader. The records will be stored with the appropriate security controls.

If further information is required please contact the Information Management Team Leader [at mail@ahc.sa.gov.au](mailto:mail@ahc.sa.gov.au).

## 9. ACCESSING RECORDS

### 9.1 Access relating to civic duties

Council Members requiring access to information in relation to the performance or discharge of their functions may request access via the CEO or nominated delegates as per Section 61 of the *Local Government Act 1999*.

### 9.2 Access relating to private interests

All other requests to access information should be made via the Freedom of Information process. Refer to [Council's website](#) ~~the State Records of South Australia website~~ for further information.

### 9.3 Access relating to documents for constituents

All other requests to access information for a constituent should be made either via the Copyright process or Freedom of Information process. Refer to Councils website for further information.

## 10. ~~DESTRUCTION~~ **POSING OF RECORDS**

### Official Records

Whilst you will not have access to Councils official record keeping system, the destruction of official records must only occur by the Information Management team. Destruction must be in accordance with the General Disposal Schedules for Local Government Authorities. The CEO (or delegate) is the only person with the authority to dispose of official records. Unauthorised or illegal destruction carries penalties of a \$10,000 fine or up to two years imprisonment, which may be placed on an individual.

### Non-Official Records

Normal Administrative Practice enables records that are identified as non-official and have no ongoing value to the Council can be destroyed by any Council Member. The Information Management team should be contacted if you are unsure if a record meets the non-official criteria. Please ensure any hard records are forwarded to the Information Management team for accurate disposal in confidential bins.  
There is to be no intentional deletion, destruction or alteration of records across Council. Records are only to be disposed of in accordance with the provisions of the *State Records Act 1997* by authorised Information Management staff.

Any duplicate or copies of records may be disposed of by Council Members at any time but only via the confidential bins within Council.

#### 10. INFORMATION NOT CLASSIFIED AS A RECORD

Information that is created, sent or received by Council Members when they **are not** discharging functions of Council are not classified as official records.

Examples include, but are not limited to:

- Records relating to political or electoral issues e.g. lobbying for votes, supportive emails from members of the community regarding elections or political stances.
- Duplicates - exact reproductions or copies of records.
- Communications regarding matters of personal/general interest rather than Council interest e.g. information from environmental or other interest groups not specific to issues being considered by Council Members or Council.
- Records relating to attendance at sports functions, church fetes, community functions when the Council Member is not representing Council.
- Personal records of Council Members such as personal emails, character references for friends, nomination for awards, letters to local newspapers etc. that are not related to Council business.

For further clarification on what information constitutes a record contact the Information Management Team Leader [at mail@ahc.sa.gov.au](mailto:at@mail@ahc.sa.gov.au).

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 11 April 2023  
AGENDA BUSINESS ITEM**

**Item:** 12.2

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

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

**For:** Decision

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**SUMMARY**

The Action List is updated each month by the responsible officer and outlines actions taken on resolutions passed at Council meetings. In some cases actions can take months or years to be completed due to the complexity and/or the level of influence Council has in the matter.

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

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

**RECOMMENDATION**

**Council resolves:**

1. That the report be received and noted
2. The following completed items be removed from the Action List:

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
24/01/2023	Ordinary Council	21/23	18.1.1 Appointment of Audit & Risk Committee Independent Members to the Adelaide Hills Region Waste Management Authority	Nil
14/02/2023	Ordinary Council	25/23	MON - Glenside Road Crafers Land Division & Other Matters	Nil
28/02/2023	Ordinary Council	43/23	Draft 2023-24 LTFP for consultation	Nil
14/03/2023	Ordinary Council	55/23	Confidential Items Review	General - Cr Malcolm Herrmann
14/03/2023	Ordinary Council	58/23	Audit Committee Recommendations to Council	Nil
28/03/2023	Ordinary Council	61/23	Petition - Australia Day Civic Awards	Nil
28/03/2023	Ordinary Council	63/23	Petition - Fire Water Tank Upper Hermitage	Nil
28/03/2023	Ordinary Council	68/23	Attendance at LGA OGM	Nil
28/03/2023	Ordinary Council	69/23	Attendance at LGA OGM - Council Delegate	Nil

## 1. GOVERNANCE

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

*Strategic Plan 2020-24 – A brighter future*

Goal 5 A Progressive Organisation

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

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

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

### ➤ Legal Implications

Not applicable

➤ **Risk Management Implications**

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

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

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

➤ **Financial and Resource Implications**

Not applicable

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

Not applicable

➤ **Sustainability Implications**

Not applicable

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

Not applicable

## **2. BACKGROUND**

At its meeting of 24 March 2015 Council resolved:

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

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

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

## **3. ANALYSIS**

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

**4. OPTIONS**

Council has the following options:

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

**5. APPENDIX**

- (1) Action List

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**Appendix 1**  
*Action List*

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Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	7/17	Cromer Cemetery Revocation of Community Land	None declared	a report be prepared and submitted to the Minister for Local Government seeking approval for the revocation of the community land classification of a portion of the land contained in Certificate of Title Volume 5880 Folio 219 identified in red on the plan attached as Appendix 1.	Terry Crackett	In Progress	<p>DEWNR have requested that the revocation be put on hold whilst they investigate the requirements to alter the trust affecting the land and undertake an assesment of the native vegetation on the land, this is likely to take some months.</p> <p>DEW advised on 4/12/18 that there are some impediments to the progression of the proposed boundary realignment due to the mining operations on the adjacent land, which are being negotiated with the Dept for Mining. Advice is that these negotiations could take considerable time (2yrs).</p> <p>In the interim, consideration will be given to the granting of a right of way to ensure that the cemetery has legal access.</p> <p>DEW staff member dealing with this matter has left DEW so there may be an extended delay whilst it is reallocated and assessed.</p> <p>DEW awaiting finalisation of negotiations with Dept for Mining</p> <p>March 21 - Council staff have requested an update from DEW as to the status of this matter</p> <p>October 21 - Council staff continue to engage with DEW to seek a progression of the matter</p> <p>November 21 - no further update from DEW</p> <p>Jan 22 - contact has been made with DEW who are investigating the situation again prior to further communication with Council</p> <p>March 22 - a new contact has been established with DEW who is working proactively with Council to plan a path forward to meet both DEW and Council objectives</p> <p>August 2022 - DEW have advised that the land can be subdivided as Crown Land and rededicated back to Council which will mean Community Land revocation is unnecessary. On site meeting held with DEW, Survey Plan prepared and with DEW for comment (sent 30/08/2022) prior to lodgement. Seeking confirmation from DEW on their willingness to resume the land prior to lodging land division.</p> <p>October 2022 - DEW have the Plan of division and are liaising with staff regarding the best way forward.</p> <p>Nov 22 - liaising with Plan SA who have now received the land division for assessment</p>
Ordinary Council	200/18	Proposal to enter 11 AHC Reserves into Heritage Agreements 2018	None declared	<p>1. That the report be received and noted.</p> <p>2. That the Biodiversity Officer be authorised to enter:Doris Coulls Reserve, 152 Old Mt Barker Road, AldgateHeathfield Waste Facility, 32 Scott Creed Road, HeathfieldKiley Reserve, 15 Kiley Road, AldgateShanks Reserve, 1 Shanks Road, AldgateStock Reserve, Stock Road, MylorLeslie Creek Reserve, Leslie Creek Road, MylorMi Mi Reserve, 125 Aldgate Valley Road, MylorAldgate Valley 2 Reserve, 114 Aldgate Valley Road, MylorKyle Road Nature Reserve, Kyle Road, MylorCarey Gully Water Reserve, Deviation Road, Carey GullyHeathfield Stone Reserve, 215 Longwood Road, HeathfieldMylor Parklands, Mylor all being of significant biodiversity value, into Heritage Agreements.</p> <p>3. That the Heritage Agreements retain the existing dog access arrangements in place for each of those reserves.</p>	Peter Bice	In Progress	<p>The Heritage Applications were phased over the years in order to be accommodated within available resourcing.</p> <p>All applications have been lodged by June 30 2022 as per 2018 Council resolution.</p> <p>Heritage Agreements have been registered over:</p> <p>Kiley Reserve</p> <p>Shanks Reserve</p> <p>Kyle Road Nature Reserve,</p> <p>Leslie Creek Reserve</p> <p>Aldgate Valley 2 Reserve</p> <p>Doris Coulls Reserve</p> <p>Mylor Parklands</p> <p>Heathfield Waste Facility</p> <p>Heathfield Conservation Reserve</p> <p>Conditionally approved:</p> <p>1. Reserve 26 - "Stock Rd 1". Needs to be allocated CT to progress. Paperwork signed by CE and Mayor and lodged. Delays due to CT Application fee being payable by cheque only. AHC organising bank cheque.</p> <p>2. Carey Gully. Rededication from recreation to conservation purposes required. Paperwork to amend a dedication submitted to Crown Lands. Awaiting outcome.</p> <p>NOTES:</p> <p>Heathfield Stone Reserve was successfully rededicated for conservation purposes with Lands Title Office, and is now referred to as Heathfield Conservation Reserve.</p>



Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Special Council	229/18	Road Exchange McBeath Drive, Skye Horsnell Gully	None declared	<p>In accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, as regards the land within the Adelaide Hills Council area, enter into an Agreement for Exchange with Boral Resources (SA) Ltd and issue a Road Process Order to open as road portions of Section 906 Hundred of Adelaide numbered "1", "2" and "3" on Preliminary Plan No. 17/0066 (Appendix 1) and in exchange to close portions of McBeath Drive marked "A", "B", "C" and "D" on Preliminary Plan No. 17/0066, subject to the following: Boral Resources (SA) Ltd agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs; Boral Resources (SA) Ltd agreeing to pay all costs associated with a Council boundary adjustment between Adelaide Hills Council and the City of Burnside to rectify the resulting Council boundary anomaly from the road exchange process</p> <p>The closed road is excluded as Community Land pursuant to the <i>Local Government Act 1999</i>.</p> <p>Council approves the sale of the differential between the total area of closed road and the total area of opened road of approximately 1,242m<sup>2</sup> to Boral Resources (SA) Ltd for the amount of \$6,210 as determined by an independent valuation.</p> <p>Subject to the successful completion of the road exchange process, Council undertakes a process in conjunction with the City of Burnside to realign the local government boundary along the new</p>	Terry Crackett	In Progress	<p>Road exchange documentation has been executed and provided to Boral for lodgement with the Surveyor-General.</p> <p>Submission has been prepared and lodged with the Boundaries Commission jointly on behalf of the City of Burnside and Adelaide Hills Council. The Boundaries Commission has agreed to investigate the proposal and that process is underway. Further feedback has been provided to the Boundaries Commission to progress. Boral are negotiating a Land Management Agreement with the State Government which has delayed the completion of the land division and road exchange</p> <p>Awaiting advice that land division has been completed so that the boundary realignment can occur</p> <p>November 21 - Boral have received final DA and lodgement of land division plan with Land Services SA is expected shortly, once the land division is finalised, the boundary realignment April 22 - awaiting lodgement of land division plans by Boral</p> <p>August 2022 - Have had no update from Boral or lawyers, Karen to follow up.</p> <p>October 2022 - No update as yet</p> <p>Nov 22 - no update</p> <p>Dec 22 - no further update to report</p> <p>Jan 23 - no further update to report</p> <p>Feb 23 - Boral advised in late Jan that all docs have now been forwarded for land division lodgement to their Lawyers</p> <p>Mar 23 - Boral has made progress with the land division with deposit of plan now imminent.</p> <p>Burnside has requested an extension of time from the boundaries commission for resolution of the boundary issues as the matter is nearing finalisation</p> <p>Apr 23 - No update</p>
Special Council	232/18	Revocation of Community Land – Bridgewater Retirement Village	None declared	<p>To commence a process to revoke the Community Land classification of the land located on the corner of Mt Barker Road and Second Avenue Bridgewater known as 511 Mt Barker Road Bridgewater contained in Certificate of Title Volume 5488 Folio 788 (Land) on which a portion of the Bridgewater Retirement Village is located by: Preparing a report as required under section 194(2)(a) of the Local Government Act 1999 and making it publicly available. Undertaking consultation in accordance with its Public Consultation Policy as required under section 194(2)(b) of the Local Government Act 1999.</p> <p>To commence a process to vary the charitable trust affecting the Land by investigating land parcels owned by the Adelaide Hills Council, including Carripool Park, Candlebark Reserve and Vincent Playground Reserve, that may be suitable for the development of a landscaped garden for the benefit of the community and for the construction of a memorial to the Ash Wednesday Bushfires of 1983 as contemplated by the charitable trust over the Land and invite community suggestions and feedback in relation to any appropriate land parcels.</p> <p>To approve a budget allocation in the amount of \$10,000 for legal expenses for the preparation of an Application to the Supreme Court to vary the charitable trust.</p> <p>That a further report be presented to Council for consideration after community consultation and further investigations have been completed</p>	Terry Crackett	In Progress	<p>Initial consultation to identify possible locations for the establishment of a garden and memorial concluded on 28 January 2019 with only one submission received being a suggestion from the Retirement Village residents to investigate Carripool Park as their preferred option.</p> <p>Council, at the meeting of 27 August 2019, approved Carripool Park as the location to vary the trust to.</p> <p>The Attorney-General has provided in-principle support to the proposal so a design for the landscaped garden and bushfire memorial at Carripool Park will be prepared for submission to the Supreme Court.</p> <p>November 21 - consultation has been undertaken and draft affidavit has been prepared for lodgement with the Supreme Court</p> <p>Jan 22 - awaiting approval from the Attorney General prior to lodgement with the Supreme Court</p> <p>April 22 - documents nearing finalisation for lodgement with Supreme Court</p> <p>June 22 - all Supreme Court documents have been executed and progressed with the Attorney-General</p> <p>Aug 22 - all documents to remove the Trust have now been approved by the supreme court. Trust now removed from Retirement Village site. Meeting with residents on 22 Sept to finalise any updated feedback on community land revocation.</p> <p>Oct 22 - Meeting held with residents on 22 September to communicate current status. Documents sent to Minister for Community Land revocation on week ending 14/10/2022.</p> <p>Nov 22 - Advice received from Ministers office that community land revocation would be reviewed mid November 2022.</p> <p>Dec 22 - waiting on final decision regarding community land revocation from Ministers office</p> <p>Jan 22 - waiting on final decision regarding community land revocation from Ministers office</p> <p>Feb 22 - waiting on final decision regarding community land revocation from Ministers office</p> <p>Mar 23 - still waiting on advice from Ministers office</p> <p>Apr 23 - Have now received advice that Minister approves the revocation. Report to be submitted to Council shortly finalising the revocation of the land.</p>

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	188/19	LED Street Lighting Upgrade	None declared	That the report be received and noted.To approve an increase of \$365k in Council's 2019/20 capital budget to commence the transition of 900 P – category public streetlights to LED with the funding source to be recommended to Council at its next budget review.That Council engage SAPN to commence the changeover of P-Category lights to LED public lighting on Council roads and that authority is given to the CEO to finalise a contract with SAPN and sign that agreement.That Council enter into a PLC tariff agreement for public lighting with SAPN until 30 June 2020 and subsequently move to the tariff set by the Australian Energy Regulator from July 2020.That Council continues to liaise with SAPN and DPTI on the changeover of Council public lighting on roads under the care and control of the State Government.That a further report be provided to Council on the outcome of the continued discussions with SAPN and DPTI.	Peter Bice	In Progress	<p>Council footpath lighting quote being sought for changeover to LED in Birdwood Main Street.</p> <p>Council lights changed to LED at Aldgate, Uraidla and Summertown Main Street complete.</p> <p>The Public Lighting Working Group (including representatives from Local Government, DIT and SAPN) has established a sub-group to work with DIT on the transition of V Category lights on state maintained roads. Timing of any agreements between LG and DIT unknown.</p> <p>Council officers continue to be updated on sub-group progress and have nominated to join main street lighting working group.</p>
Ordinary Council	11/20	Revocation of Community Land - Bridgewater Retirement Village	None declared	That the report be received and notedSubject to the Supreme Court issuing an order granting approval for a trust variation scheme, a report be prepared and submitted to the Minister for Planning seeking approval to revoke the community land classification of Allotment 220 in Filed Plan No. 8131 known as 511 Mount Barker Road Bridgewater.The Mayor and CEO be authorised to sign all necessary documentation to give effect to this resolution.	Terry Crackett	In Progress	<p>Application to the Minister for Planning will be made once the trust variation scheme has been approved by the Supreme Court. The Attorney-General has provided in-principle support for the proposal. A detailed landscape design has been prepared, community consultation on the design is underway and submission for the Supreme Court is being prepared.</p> <p>November 21 - consultation has been undertaken, draft affidavit has been prepared for lodgement with the Supreme Court</p> <p>Jan 22 - awaiting approval from the Attorney General to lodge with the Supreme Court</p> <p>April 22 - documents nearing finalisation for lodgement with Supreme Court</p> <p>June 22 - all Supreme Court documents have been executed and progressed with the Attorney-General</p> <p>August 2022 -Supreme court document have beenapproved, Trust now removed from Retirement Village site and have been transferred to Caripook Park. Meeting with residents on 22 September to discuss status and will then finalise report to Minister to revoke community land classification.</p> <p>Oct 22 - Meeting held with residents re cvurrent status on 22/10/2022. Community Land revocation application finalised and sent to minister week ending 14/10/2022</p> <p>Nov 22 - advice received from Minister that community land revocation would be assessed around mid November 2022</p> <p>Dec 22 - awaiting final decision from Minister regarding community land revocation</p> <p>Jan 23 - awaiting final decision from Minister regarding community land revocation</p> <p>Feb 23 - awaiting final decision from Minister regarding community land revocation</p> <p>Mar 23 - awaiting final decision from Minister regaeding community land revocation</p> <p>Apr 23 - Minister has now made its decision to approve the revocation. Report to come to Council shortly to finalise.</p>
Ordinary Council	300/20	Road Exchange Pomona Road Stirling	None declared	<p>1. That the report be received and noted2. In accordance with sections 12 and 15 of the Roads Opening and Closing) Act 1991, enter into an Agreement for Exchange with the owner of the land of 21 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as "Road to be opened 1" on the Preliminary Plan No 20/0038 and in exchange to close a portion of Pomona Road as identified on the Preliminary Plan No 20/0038 as "Public Road A", subject to the owner of the land at 21 Pomona Road Stirling agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs</p> <p>3. The closed road be excluded as Community Land pursuant to the Local Government Act 1999.</p> <p>The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution</p>	Terry Crackett	In Progress	<p>Final Plans and Road Process Order documents have been executed by all parties.</p> <p>Awaiting on processing with the Surveyor- General and the Lands Titles Office</p> <p>Apr 23 - No update</p>
Ordinary Council	22/21	CWMS Review	None declared	that the report, related attachments and the discussion and considerations of the subject matter be retained in confidence until 30 July 2021.	Peter Bice	In Progress	Still to be retained in confidence

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	52/21	Crown Land Revocation	None declared	<ol style="list-style-type: none"> <li>1. That the report be received and noted</li> <li>2. That the consultation report (Appendix 1) be received and noted</li> <li>3. To apply to the Minister for Planning to revoke the Community Land classification of the following parcels of land:- <ol style="list-style-type: none"> <li>i. CR 5752/186, Lot 32 Fullgrave Road, Crafrers</li> <li>ii. CR 5753/725, Section 1609 Illert Road, Mylor</li> <li>iii. CR 5753/729, Section 1657 Scott Creek Road, Scott Creek</li> <li>iv. CR 5753/741, Sections 53 and 54 Sandy Waterhole Road, Woodside</li> <li>v. CR 5753/742, Section 547 Schuberts Road, Lobethal</li> <li>vi. CR 5753/744, Section 553 Pedare Park Road, Woodside</li> <li>vii. CR 5753/745, Section 556 Tiers Road, Woodside</li> <li>viii. CR 5753/746, Section 565 Old Carey Gully Road, Stirling</li> <li>ix. CR 5753/754, Section 511 North East Road, Inglewood</li> <li>x. CR 5753/758, Section 262 Reserve Road, Forreston</li> <li>xi. CR 5763/631, Section 1591 Silver Road, Bridgewater</li> <li>xii. CR 5763/634, Section 71 Magarey Road, Mount Torrens</li> <li>xiii. CR 5763/635, Section 72 Magarey Road, Mount Torrens</li> <li>xiv. CR 5763/636, Section 84 Forreston Road, Forreston</li> <li>xv. CR 6142/329, Lot 501 Greenhill Road, Baihannah</li> <li>xvi. CR 5926/487, Lot 20 Bell Springs Road Charleston (for rededication to the Department of Environment &amp; Water)</li> <li>xvii. CR 5753/718, Section 1544 Reserve Terrace Aldgate (for rededication to Meals on Wheels)</li> <li>xviii. CR 5753/753, Section 495 off Kersbrook Road Kersbrook (for rededication to Forestry SA)</li> </ol> </li> <li>4. That a further report be presented to Council once a response from the Minister for Planning is received.</li> </ol>	Terry Crackett	In Progress	<p>Being progressed in accordance with resolution.</p> <p>November 21 - awaiting feedback from the Minister for Planning on final application for revocation</p> <p>Jan 22 - final application has been lodged with the Minister for Planning</p> <p>June 22 - awaiting response from new Minister</p> <p>September 2022 - still awaiting response from Minister</p> <p>Oct 22 - Still awaiting response from Minister</p> <p>Nov 22 - Still awaiting response from Minister</p> <p>Dec 22 - received response from Minister that matter has been referred to DEW for land to be resumed from the Crown to alleviate the need for Community Land revocation. Report to be made to Council in January 2023 providing an update on the Ministers correspondence and next steps</p> <p>Jan 23 - report to Jan Council meeting regarding next steps.</p> <p>Feb 23 - matter now referred to crown lands SA - workshop to now be held with Council before Council meeting by end of June 2023</p> <p>Mar 23 - have asked crown lands SA to put matter on hold pending Council workshop schedule for May</p> <p>Apr 23 - To be discussed in future Council workshop</p>
Ordinary Council	158/21	Revocation of Community Land Classification - Closed Roads R2142AA & R1573AB	Perceived - Cr Linda Green	<ol style="list-style-type: none"> <li>1. That the report be received and noted</li> <li>2. To commence a revocation of community land process for the land described as "AA" in Road Plan No. 2142 ("Closed Road"), off Lenger Road, Mount Torrens including consultation in accordance with Council's Public Consultation Policy and the <i>Local Government Act 1999</i> with the intention of selling the Closed Road to the adjoining owners.</li> <li>3. To commence a revocation of community land process for the land described as "A" and "B" in Road Plan No. 1573 ("Closed Road") adjacent to 105 Nicholls Road, Norton Summit including consultation in accordance with Council's Public Consultation Policy and the <i>Local Government Act 1999</i> with the intention of selling the Closed Road to the adjoining owners.</li> <li>4. That a further report be presented to Council at the completion of the consultation.</li> </ol>	Terry Crackett	In Progress	<p>Commenced in accordance with the resolution</p> <p>Public Consultation has completed. NO formal responses received - follow up report is prepared and to be presented at June 2022 Council meeting</p> <p>Follow up report presented to Council 26 July 2022.</p> <p>Council have written to the Minister for approval of Community Land Revocation status. Anticipated response due mid September 2022.</p> <p>Oct 22 - No response received from Minister</p> <p>Nov 22 - Response from Minister still to come</p> <p>Dec 22 - Response from Minister still to come</p> <p>Jan 23 - Response from Minister received 10/1/2023 - in favour of Revocation. Next steps are to prepare next report to Council to progress with the sale of the Closed Road Land (March 2023 Meeting).</p> <p>Mar 23 - Roads Officer position now vacant, will look to report to Council on this asap likely April.</p> <p>Apr 23 - Report to be submitted to Council shortly.</p>
Ordinary Council	170/21	Road Exchange Aldi Devleopment Pomona Road Stirling	None declared	That the report be received and notedIn accordance with sections 12 and 15 of the <i>Roads (Opening and Closing) Act 1991</i> , enter into an Agreement for Exchange with the owner of the land of 3-5 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as "Road to be opened 1" on the Preliminary Plan No 21/0011 and in exchange to close a portion of Pomona Road as identified on the Preliminary Plan No 21/0011 as "Public Road A", subject to the owner of the land at 3-5 Pomona Road Stirling and Council agreeing to share all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs.The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i> .The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.	Terry Crackett	In Progress	<p>Commenced in accordance with resolution</p> <p>Road Process Documents have been signed by Council. Currently awaiting process by the Surveyor-Generals and Lands Titles Office.</p> <p>Road plan has been examined, however this is awaiting the deposit of a prior amalgamation and easement plan with the Lands Titles Office.</p> <p>Oct 22 - No further update to report</p> <p>Nov 22 - No further updates</p> <p>Dec 22 - No further updates</p> <p>Jan 23- No further updates</p> <p>6 Feb 23- No further updates</p> <p>Mar 23 - easement plan now signed and ready for lodgement</p> <p>Apr 23 - Awaiting further advice from Surveyor</p>

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	178/21	Operational Workplace Review	None declared	<ol style="list-style-type: none"> <li>That the report be received and noted</li> <li>That Council take up commercial lease space in Stirling at 85 Mount Barker Road Stirling, and the associated costs for the leasehold premises detailed in <i>Appendix 1</i> be adjusted in the 2021-22 financial year at Budget Review 1</li> <li>Further detailed scoping be undertaken on the proposed renewal and energy efficiency upgrades to the Stirling Office, Heathfield Depot, Gumeracha Depot and Woodside Offices (current Development and Building Team offices) and presented to Council for consideration where appropriate within the 2021-22 Budget Review 1 and the next review of the Long Term Financial Plan</li> <li>Subject to endorsement of the detailed scoping identified in 3 above, the Development and Building Team be relocated from Woodside to Stirling</li> <li>To include budget provision in the draft Annual Business Plan for the 2022-23 financial year to undertake a feasibility study on the medium to long term needs for community and operational sites and where greater efficiencies may be obtained through consolidation of sites.</li> </ol>	Terry Crackett	In Progress	<p>Commenced in accordance with resolution</p> <p>Fitout of Garrod Office and progression of preliminary work for Stirling transportable underway. Scoping of other components to be in nearing completion and will be presented back to Council for review.</p> <p>Sept 22 - refit of transportable building at Stirling underway to allow for Ranges and EHO's to move in. Fitout at Garrod now complete with some staff having moved in. Meeting at Heathfield in early Sept to continue discussions on extension/renovations at that site.</p> <p>Oct 22 - Transportable building renovations well progressed. Meeting at Heathfield postponed pending further discussion with CEO on process for moving forward given scope of new building proposed for Heathfield has now changed.</p> <p>Nov 22 - Transportable renovations going to plan with completion estimated prior to Christmas. Discussion held with Ceo/exec team re scope/process moving forward</p> <p>Dec 22 - Transportable on track to be completed prior to Christmas. Scoping for planning and building team to be relocated to Stirling underway</p> <p>Jan 23 - discussions underway regarding options for woodside staff to be relocated to Stirling together with costings for changes to West Wing (Council chamber). Report to be submitted to Council prior to any changes being made.</p> <p>Feb 23 - update report coming to council in March/April</p> <p>Mar 23 - update report to come to Council more likely April/May</p> <p>Apr 23 - Still under internal review - report possible to Council in June 23</p>
Ordinary Council	220/21	Charleston Cemetery Compulsory Acquisition	None declared	<ol style="list-style-type: none"> <li>That the report be received and noted.</li> <li>To revoke the resolution of Council of 22 May 2001, B129.</li> <li>To commence a process to compulsorily acquire, under the <i>Land Acquisition Act 1969</i>, the Charleston Cemetery being the land contained in Certificate of Title Volume 5066 Folio 740 located at 36 Newman Road Charleston from The Charleston Cemetery Trust Inc. To continue to manage the Charleston Cemetery on behalf of The Charleston Cemetery Trust Inc in the interim from the date of this resolution until the completion of the land acquisition process. To authorise the Mayor and Chief Executive Officer to undertake all necessary actions, including execution of documents, including under the common seal of Council, to give effect to this resolution.</li> </ol>	Terry Crackett	In Progress	<p>Commenced in accordance with the resolution.</p> <p>November 21 - letter seeking consent to undertake the compulsory acquisition has been sent to the Minister</p> <p>Jan 22 - Minister has advised they are considering their position and will advise further in due course</p> <p>March 22 - Minister advised that has been deferred until after the election</p> <p>April 22 - new Minister has confirmed receipt and will review in due course</p> <p>Aug 22 - received advice from Minister for Local Government (via Normans) on 9/08/2022 that they were still waiting to hear back from Crown Solicitors Office on this matter.</p> <p>Oct 22 - No update received from Minister</p> <p>Nov 22 - No update received from Minister</p> <p>Dec 22 - No update received from Minister</p> <p>Jan 23 - no update received from Minister.</p> <p>Feb 23 - no update received from Minister</p> <p>Mar 23 - Lawyer followed up and Minister has advised that they are still reviewing the request from Council</p> <p>Apr 23 - Have written to Minister (via Lawyer) seeking urgent decision on this matter due to delays</p>
Ordinary Council	235/21	Ashton Landfill - Confidential Item	None declared	As per Confidential minute	Peter Bice	In Progress	Matter continues to be progressed. Further updates will be provided when a material change occurs.
Ordinary Council	238/21	Electricity Procurement Legal Matter - Confidential Item	None declared	As per confidential minute	Peter Bice	In Progress	Still to be retained in confidence
Ordinary Council	274/21	Woodside Recreation Ground Reuse further information	Perceived - Cr Stratford	<ol style="list-style-type: none"> <li>The report be received and noted.</li> <li>That a report be prepared for Council's information on the costs associated with bore water saving initiatives that could be implemented in respect to Council-owned recreational assets that are currently irrigated by bore water.</li> </ol>	Peter Bice	In Progress	<p>An audit of the site was undertaken on Wednesday 4th January 2023, along with other key areas. Report was delayed, due mid March 2023.</p>

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	52/22	Response to MON Bore Use	Nil	<p>1. That the report be received and noted</p> <p>2. To negotiate an agreement with the Summertown Village Water Company for access to the Council bore located on Anya Crescent Reserve at Summertown for a defined period, being not more than 3 years, on terms and conditions to be agreed whereby by the end of the agreement term, the Summertown Village Water Company has established an independent water supply for its shareholders and current use of the Council bore ceases</p> <p>3. To negotiate an in principle agreement with the Summertown Community Centre Inc. for a land exchange at Tregarthen Reserve Summertown that would see the public infrastructure located on land owned by the Council and the sport and recreation infrastructure on land owned by the Summertown Community Centre Inc. with the Council being responsible for the provision of water to Tregarthen Reserve</p> <p>4. To negotiate an agreement with the owner of 30 Stonehenge Avenue Stirling, for access to and use of the bore located on Council land at 28 Stonehenge Avenue Stirling, for a defined reasonable period of time, say 18 – 24 months, on terms and conditions to be agreed whereby by the end of the agreement, the landowner has established an independent water supply for its land and use of the Council bore ceases</p> <p>5. To undertake further investigations in relation to the Mylor bore and tanks and to which properties it supplies water</p> <p>6. The CEO further reports to Council on an annual basis of progress being made on points 2-5.</p>	Terry Crackett	In Progress	<p>Commenced in accordance with resolution.</p> <p>Sept 22 - commenced as per resolution</p> <p>Oct 22 - commenced as per resolution</p> <p>Nov 22 - commenced as per resolution</p> <p>Dec 22 - commenced as per resolution with an update report to be submitted to Council in early 2023</p> <p>Jan 23 - update to be reported to Council in March 2023</p> <p>Fen 23 - report still on track for March 2023 meeting</p> <p>Mar 23 - report to now be considered by Council for meeting later this year around September</p> <p>Apr 23- no update</p>
Ordinary Council	53/22	Removal of Remoteness Sculpture, Stirling	Nil	<p>1. That the report be received and noted.</p> <p>2. That the sculpture known as <i>The Remoteness</i> , be removed from the area in front of the Coventry Library, Stirling.</p> <p>3. That best endeavours should be made to retain suitable elements of the sculpture for placement in the surrounding landscape in a manner appropriate to the setting, such as for informal seating.</p> <p>4. That the Council works with the Stirling Business Association and stakeholders from the former Adelaide Hills International Sculpture Symposium Inc to identify and implement appropriate means of recognising the sculpture and ensuring its legacy is not lost to the precinct in which it is presently situated and the overall Hills Sculpture Trail.</p>	Terry Crackett	In Progress	<p>In mid-June, the former artistic director for Adelaide Hills International Sculpture Symposium Inc approached Council staff advising of a product he believes may provide a potential 'fix' for the sculpture. He was unavailable to progress the matter through June/July, however staff have recently met with him to progress the matter.</p> <p>Staff have sought advice on the suggested fix from ArtLab and at the time of update, are awaiting an outcome of their work. It will be important to evaluate whether or not the risk profile associated with the matter would change with the proposed fix. As there is a Council resolution to remove the sculpture, the matter may need to come back to Council for consideration if the fix is deemed viable.</p> <p>Response from Artlab has indicated that, given the load bearing of the design and the weakened nature of the stone it is unlikely that any treatment options will resolve the issues, however they suggested that we further consult with an engineer regarding proposed fix. An engineer has been approached and provided with all information to date and we await his response.</p> <p>The engineer has met with the artist who proposed the potential fix and we are in discussions with him regarding options.</p> <p>12/12 David Waters has spoken to the engineer who is sending some additional information regarding risk management.</p> <p>19/1 Information has been recieved from the engineer which indicates there may be some merit in the solution proposed by the arist but ther are still some complexities regarding that solution. The case has now been referred to property services to review and finalise.</p> <p>Feb 23 - property reviewing all documentation and undertaking a risk assessment on current proposal</p> <p>Mar 23 - property collating all information received prior for submission to Council's insurers.</p> <p>Apr 23 - Risk assessment underway with view to a decision shortly</p>

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	86/22	MON Property Lobethal Road Lenswood	Nil	1. Council notes the long history of compliance action taken by the Council under both the <i>Development Act 1993</i> , and the <i>Local Nuisance and Litter Control Act 2016</i> , in relation to: continuing unauthorised use of the land as a junkyard/scrap storage facility/builder's storage facility;the continuing unsightly condition of the land when viewed from the public realm; andongoing nuisance caused by wandering livestock and animals which issues continue to bring about adverse impacts within the locality. The Council instructs the Chief Executive Officer to take such further action/s as he may be advised to take under (including but not limited to) the <i>Local Nuisance and Litter Control Act 2016</i> , and/or the <i>Planning, Development and Infrastructure Act 2016</i> , (which action/s may involve the commencement legal proceedings and/or the exercise of step-in rights) to address the above issues on an ongoing basis. Wherever possible, such action should seek to recover the Council's costs associated with the relevant action/s.	Natalie Armstrong	In Progress	Continued monitoring is being undertaken by Council staff and action if appropriate.
Ordinary Council	87/22	Property Lobethal Road Lenswood - Duration of Confidentiality	Nil	Item Duration of Confidentiality NB: Item to be reviewed every 12 months if not releasedReportTwo year termRelated AttachmentsTwo year termMinutesNILOther (presentation, documents, or similar)NIL	Natalie Armstrong	In Progress	
Ordinary Council	122/22	Purchase of Land 8 St John Road Norton Summit	Perceived - Cr Leith Mudge	I move that the matter of the purchase of land at 8 St John Road Norton Summit be brought to a workshop to ensure all members are fully aware of the situation which includes issues that have to be resolved, e.g. Council's encroachment onto Church land of the septic system and part of the CFS shed.	Terry Crackett	In Progress	Workshop scheduled for 9 August 2022. Workshop held on 16 August 2022. Investigations ongoing during September/October 2022 Nov 22 - internal investigations ongoing with report planned for Council meeting in early 2023. Dec 22 - on site meeting held to discuss possible options for new septic tank including land requirement Jan 23 - property team is seeking quotes for upgrade of septic system, Feb 23 - have given engineer go ahead for quote and design of new septic system Mar 23 - awaiting advice from engineer re scope and design of new septic system Apr 23 - Still awaiting advice re new septic system
Ordinary Council	157/22	Revocation of Community Land Classification - Closed Roads Mt Torrens & Norton Summit	Perceived - Cr Linda Green	That the report be received and noted A report be prepared and submitted to the Minister for Planning seeking approval for the revocation of the community land classification of the land identified as: a. Closed Road AA in Road Plan No. 2142 contained in Certificate of Title Volume 6261 Folio 496 located at Mount Torrens (Appendix 1) b. Closed Road AB in Road Plan No. 1573 contained in Certificate of Title Volume 6261 Folio 497 located at Norton Summit (Appendix 1)	Terry Crackett	In Progress	Commenced in accordance with resolution. Council staff have written to the Minister for Local Government (Hon. Geoff Brock) seeking the Revocation of Community Land Classification. Oct 22 - Waiting on response from Minister Nov 22 - Awaiting response from Minister Dec 22 - Awaiting response from Minister Jan 23 - Response from Minister received 10/1/2023 - in favour of Revocation. Next steps are to prepare next report to Council to progress with the sale of the Closed Road Land (March 2023 Meeting). Mar 23 - Report more likely to come in April due to staff vacancy Apr 23 - Report to come shortly
Ordinary Council	166/22	Warren Road Birdwood Blackspot - Confidential Item	Nil	See Confidential Minute	Peter Bice	In Progress	In Progress

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	167/22	Warren Road Birdwood Blackspot - Duration of Confidentiality	Nil	Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 18.1 in confidence under sections 90(2) and 90(3)(d) of the <i>Local Government Act 1999</i> , resolves that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> 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 releasedReportUntil all resolutions are executed, but not longer than 28 June 2023Related AttachmentsUntil all resolutions are executed, but not longer than 28 June 2023MinutesUntil all resolutions are executed, but not longer than 28 June 2023	Peter Bice	In Progress	In Progress
Ordinary Council	172/22	Ashton Landfill - Confidential	Nil	See Confidential Minute	Peter Bice	In Progress	Matter continues to be progressed. Further updates will be provided when a material change occurs.
Ordinary Council	173/22	Ashton Landfill - Duration of Confidentiality	Nil	Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 18.3 in confidence under sections 90(2) and 90(3)(i) of the <i>Local Government Act 1999</i> , resolves that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> 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 releasedReport28 June 2024Related Attachments28 June 2024Minutes28 June 2024OtherNIL	Peter Bice	In Progress	Matter continues to be progressed.
Ordinary Council	175/22	Fabrik Tender & Contract - Confidential Item	Nil	See Confidential Item	Terry Crackett	In Progress	Oct 2022 - Building 21 Contract has now been finalised. Contracts for remainder of buildings in process of being finalised. Nov 22 - remaining contracts in process of being finalised. Dec 22 - External works contract in process of being finalised which will be the last of the four contracts to be executed. Jan 23 - External works contract to be signed early 2023 Feb 23 - awaiting signing of external works contract Mar 23 - awaiting signing of external works contract Apr 23 - awaiting signing of external works contract
Ordinary Council	182/22	Policy Review - Festivals and Events	Nil	That the report be received and noted. To undertake public consultation on the Draft July 2022 <i>Festivals and Events Policy</i> and the CEO prepares a report for Council.	Rebecca Shepherd	In Progress	We have commenced phase 1 of consultation on the Festival & Events Policy with a general invitation to our community and event attendees to provide feedback on events they run or attend.  We will then run a workshop session with Council in the second half of the year to provide details regarding the variety of ways we currently support events and seek input into how we should be supporting them in the future. That feedback will then inform the development of our new policy to come to Council in 2023.  <a href="https://engage.ahc.sa.gov.au/festivals-and-events-in-the-adelaide-hills">https://engage.ahc.sa.gov.au/festivals-and-events-in-the-adelaide-hills</a>
Ordinary Council	206/22	MON Undergrounding of Power Lines Lobethal, Mt Torrens & Woodside	Nil	That the CEO investigates the potential for undergrounding of power lines in:Main Street and portion of Lobethal Road, Lobethal;Onkaparinga Valley Road (Main Street) Woodside; andTownsend Street, Mount Torrens and, after consultation with the Power Lines Environment	Peter Bice	In Progress	Report date postponed to 26 April 2023 meeting to allow for additional information about main street priorities generally.

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	230/22	East Waste Recycling Contract – Duration of Confidentiality	Nil	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 releasedReport23 August 2024Related Attachments23 August 2024Minutes23 August 2024Other23 August 2024  Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Peter Bice	In Progress	Confidential material remains sensitive and could reasonably be expected to prejudice the commercial position of the person who supplied the information.
Ordinary Council	234/22	Revised East Waste 2022-23 Annual Plan & Budget – Duration of Confidentiality	Nil	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 releasedReportNil Related Attachments Appendix 1 Appendix 2 23 August 2024 NilMinutesNilOtherNil Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Peter Bice	In Progress	Confidential material remains sensitive and could reasonably be expected to prejudice the commercial position of the business who supplied the information.
Ordinary Council	237/22	Ministerial Exemption - Duration of Confidentiality	Nil	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 releasedReport23 August 2024Related Attachments23 August 2024Minutes23 August 2024Other23 August 2024  Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Peter Bice	In Progress	
Ordinary Council	303/22	Surplus Government Land Notification	Nil	See Confidential Minute	Terry Crackett	In Progress	
Ordinary Council	304/22	Surplus Government Land Notification	Nil	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 releasedReportUntil the land has been placed on the open market by the State Government or until the State Government authorises release of the information, whichever event occurs first.Related Attachments Until the land has been placed on the open market by the State Government or until the State Government authorises release of the information, whichever event occurs first.Minutes Until the land has been placed on the open market by the State Government or until the State Government authorises release of the information, whichever event occurs first.Other (presentation, documents, or similar)NIL	Terry Crackett	In Progress	
Ordinary Council	3/23	Questions adjourned - Options to reduce traffic congestion and improve child safety adjacent to Bridgewater Primary School	Nil	1. That the report be received and noted. 2. That following the completion of the Child Care development, and in liaison with the Department for Education, Council Staff undertake a Traffic Monitoring Study of the local road network in the vicinity of Bridgewater Primary School including Lezayre Avenue, Morella Grove, Trenouth Street and Shannon Road.	Peter Bice	In Progress	Report to be brought back to Council within 6 months of the opening of the Childcare Centre.  Staff will progress at the appropriate time once child care centre has been in operation for six months.



Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	5/23	MON First Nations use of Surplus Land	Material - Cr Adrian Cheater	That the CEO investigates the feasibility, including yet not limited to the implications for Council, of providing preference to traditional custodians and other Aboriginal and Torres Strait Islander stakeholders who live, work or have a strong connection to the Adelaide Hills, to purchase, lease or use vacant land, at no cost to Council, that is: a. owned by Council; or b. crown land under the care and control of Council, that is surplus to Council's needs. 1. The Adelaide Hills Reconciliation Working Group (AHRWG), traditional custodians and other Aboriginal and Torres Strait Islander stakeholders who live, work or have a strong connection to the Adelaide Hills be consulted as part of this investigation.	Terry Crackett	In Progress	Feb 23 - not yet commenced Mar 23 - Workshop scheduled for May 2023 with Council report scheduled for June 2023 Apr 23 - workshop now scheduled for early June 2023 with Council report in late June 2023
Ordinary Council	7/23	First Nations and Australia Day	Nil	That Council 1. Reaffirms its commitment to being an inclusive council that respects First Nations culture and values  2. Acknowledges the 26th of January is a day of mourning for many First Nations people 3. Requests the Chief Executive Officer prepares a report for Council's consideration on the proposal to move citizenship ceremonies, award ceremonies and related events to a date other than 26 January from 2024 onwards.	Rebecca Shepherd	In Progress	Initial discussions regarding stakeholder engagement have occurred. A consultation plan has been developed and appointments are being made with stakeholders. Meetings have been held with the Reconciliation Working Group and two stakeholder groups. 4/4 All stakeholder meeting have been undertaken and results are to be workshopped with Council members.
Ordinary Council	14/23	37 Yanagin Road Greenhill Revocation of Community Land Classification and Land Swap with Yanagin Reserve	Nil	1. That the report be received and noted. 2. That Council commences a revocation of community land process for the land identified in Appendix 2 including consultation in accordance with Council's Public Consultation Policy and the <i>Local Government Act 1999</i> with the intention of undertaking a land swap with the owners of 37 Yanagin Road, Greenhill, together with varying the existing Heritage Agreement over Yanagin Reserve. 3. That a report be brought back to Council following	Terry Crackett	In Progress	Feb 23 - materials for public consultation in process of being prepared Mar 23 - public consultation process now underway Apr 23 - public consultation now closed and submissions in process of review
Ordinary Council	21/23	18.1.1 Appointment of Audit & Risk Committee Independent Members to the Adelaide Hills Region Waste Management Authority	Nil	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 30 June 2023 Related Attachments Nil Minutes 30 June 2023 Other (presentation, documents, or similar) Nil	David Waters	Completed	AHRWMA has advised that this can be released from confidence.
Ordinary Council	4/23	MON Aldgate Main Street Amenity Upgrade - Stage 2	General - Cr Mark Osterstock General - Cr Kirrilee Boyd	1. A report be prepared for Council's consideration on the feasibility (including costings) of: Refurbishing (high pressure cleaning, realignment, reseating and replacement where necessary) the paved footpath on the western side of Mount Barker Road, from Euston Road to Kingsland Road (landscaping, plantings, bin replacement, street furniture replacement, signage replacement), consistent with that of the recently completed Aldgate Main Street Amenity Upgrade – Stage 1. Maintenance (including yet not limited to, landscaping, plantings, signage replacement) of the Aldgate roundabout, consistent with that of the Stirling roundabout. Refurbishment (high pressure cleaning and sealing of the limestone supporting structures, including yet not limited to, replacement landscaping, plantings and signage) of the Aldgate Railway Bridge and its approaches. 2. That the funding source for these works will be the Local Roads and Community Infrastructure Program (Phase 4), and where possible, and within existing budgetary parameters and commitments, the use of in-house staff for these proposed works, as opposed to external contractor/s. 3. That the subject report be presented to Council for consideration in March 2023, or earlier, depending on the Local Roads and Community Infrastructure Program (Phase 4) requirements and guidelines. 4. That the report also includes a strategic priority list of potential Main Street/Town Centre upgrades and the merits of implementing a Plan (including financial implications) to undertake upgrades aligned with the priority list.	Peter Bice	Not Started	Report coupled with PLEC Projects also, to be tabled at April 26 Council Meeting.

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	25/23	MON - Glenside Road Crafrers Land Division & Other Matters	Nil	<p>the Chief Executive Officer prepares a report for Council's consideration, by 28 March 2023, detailing the requirements required to initiate a Code Amendment for the Adelaide Hills Subzone to strengthen planning policy in relation to the Desired Outcomes and Performance Outcomes for land division to better respond to the median allotment requirements, including, yet not limited to, the investigations already undertaken and the process to be followed for a Code Amendment. (This report will also outline a proposed community engagement plan / strategy). Council notes, and is supportive of, the decision made by the Adelaide Hills Council Assessment Manager to refuse to grant development approval, application (21018221) for land division of 1 into 2 allotments at Crafrers which was lodged on 8 July 2021, and subsequently refused on 7 October 2021.</p> <p>3. Council notes that this application proposed to create two allotments of 4392m² and 1114m², and:</p> <p>a. that the larger allotment was a battle axe shape and contains a building used for accommodation associated with the existing dwelling on the land, and</p> <p>b. that the smaller allotment was closer to Glenside Road and contains the existing dwelling.</p> <p>4. Council notes, and is in full agreement with, the grounds for refusal, those grounds in summary being:</p> <p>a. that the land division was not sympathetic or consistent with the established allotment pattern and the character of development within the locality.</p> <p>b. that from a quantitative perspective the smaller proposed allotment failed to meet the median allotment size of 3,155m² within a radius of 200m (measured from the centre of the current allotment).</p> <p>c. that the smaller allotment was considered inconsistent with the density and dimensions expressed in the Zone.</p> <p>5. Council notes that under the former Development Plan, there was</p>	Natalie Armstrong	Completed	Subsequent report presented to Council on 28 March 2023.
Ordinary Council	26/23	Preserving Randell's Workers Cottages 1 Beavis Ct Gumeracha	Nil	<p>1. That the report be received and noted.</p> <p>2. That the amount of \$20,000 be considered as part of the 2023/24 budget preparation process to prevent further deterioration of Randell's Cottages at 1 Beavis Court, Gumeracha.</p> <p>3. That Council explores another submission to the State Government in an attempt to excise this parcel of land from the Environmental Food Production Zone.</p>	Natalie Armstrong	In Progress	Funds have been allocated in the draft 23/24FY budget for this project. The State Government reviews the EFPA every 4 years, with the last review being undertaken in 2022. The next review will be due in 2026.
Ordinary Council	29/23	Policy Review Meeting Procedures	Nil	That the report be received and noted. That in relation to the Code of Practice for Council Meeting Procedures: This Code of Practice be brought to the Elected Body in a Workshop so the newly Elected Body has the opportunity to fully explore and understand both the Code in its current form and the implications of the proposed changes.	David Waters	In Progress	Planning for workshop is underway with launch of discussion board on Member's Portal.
Ordinary Council	30/23	Policy Review Access to Council, Committee, Information or Briefing Sessions	Nil	<p>1. That the report be received and noted.</p> <p>2. That in relation to the Code of Practice for Access to Council and Council Committee and Information or Briefing Session Meetings &amp; Documents:</p> <p>3. This Code of Practice be brought to the Elected Body in a Workshop so the newly Elected Body has the opportunity to fully explore and understand both the Code in its current form and the implications of the proposed changes.</p>	David Waters	In Progress	Planning for workshop is underway with launch of discussion board on Member's Portal.
Ordinary Council	35/23	MWN Amy Gillett Bikeway completion Mt Torrens to Birdwood	Nil	That the Mayor requests a deputation to the Minister for Infrastructure & Transport, the Hon Tom Koutsantonis MP, to progress the completion of the Amy Gillett Bikeway from Mt Torrens to Birdwood.	David Waters	In Progress	Deputation Requested
Ordinary Council	37/23	Substantive CEO Recruitment Remuneration & Independent Advice	Nil	See Confidential Minute	David Waters	In Progress	Recruitment process is underway.

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	38/23	Substantive CEO Recruitment Remuneration & Independent Advice Duration of Confidentiality	Nil	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 the contract execution of the Substantive Chief Executive Officer Related Attachments Until the contract execution of the Substantive Chief Executive Officer Minutes Until the contract execution of the Substantive Chief Executive Officer Other (presentation, documents, or similar) Nil	David Waters	In Progress	Recruitment process is underway.
Ordinary Council	40/23	MON Violence Against Women	Nil	Notes the <i>National Plan to End Violence Against Women and Children 2022-2032 (Appendix 1)</i> ; Recognises that violence against women and children is one of the most widespread violations of human rights in our community; Is committed, where possible, to helping its community end violence against women and children in the Adelaide Hills Council region; Requests that the CEO implement the Our Watch's Prevention Toolkit for Local Government by 31 October 2023 so that they may be able to inform Council on how best to assist in helping its community end violence against women and children within our region.	Rebecca Shepherd	In Progress	A work plan is being developed to commence implementation.
Ordinary Council	41/23	MON Hanson Construction Materials Ltd - White Rock Quarry	Nil	1. That the Chief Executive Officer, on behalf of Council, writes to the Chief Executive Officer of the Department for Energy and Mining (Dr Paul Heithersay), requesting: Details on the current status of Hanson Construction Materials Ltd (Hanson) White Rock Quarry (expansion) revised Mine Operations Plan (MOP) that was originally submitted on or about 23 December 2020. Details and outcomes of any and all compliance order(s) that have been issued to Hanson since the subject MOP was submitted on or about 23 December 2020. Details and outcomes of any and all compliance actions that the Environment Protection Authority has undertaken in respect to Hanson since the subject MOP was submitted on or about 23 December 2020. Confirmation that the ultimate decision maker as to whether Hanson's MOP obtains approval is the Minister for Energy and Mining (the Honourable Tom Koutsantonis MP). 2. That once a response is received from the Chief Executive Officer of the Department for Energy and Mining, that response will be tabled at the next scheduled Ordinary meeting of Council.	Natalie Armstrong	In Progress	
Ordinary Council	43/23	Draft 2023-24 LTFP for consultation	Nil	1. That the report be received and noted. 2. To adopt the Draft Long Term Financial Plan, as contained in Appendix 1 for community consultation in accordance with Section 122 of the <i>Local Government Act 1999</i> noting the adherence to adopted financial sustainability ratios relating to Operating Surplus Ratio, Net Financial Liabilities Ratio and Asset Renewal Funding Ratio. 3. That the CEO be authorised to: Make any formatting, nomenclature or other minor changes to the Plan prior to being released for public consultation, and Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's <i>Public Consultation Policy</i> .	Terry Crackett	Completed	Draft 2023-24 LTFP finalised for consultation and consultation commenced on 8 March 2023

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	45/23	Parking and Road Safety Wattle Tree Road Bridgewater	Nil	That the report be received and notedTo implement the recommended signage addition and vegetation management outlined in the reportIn addition to the recommended signage, to investigate and implement advisory speed signage in the vicinity of the crest, or other appropriate traffic control mechanisms aimed at reducing vehicle speeds That Council ensure the road siding of section 2 is maintained through the regular application of appropriate fillThat parking, access and safety considerations on Wattle Tree Road be monitored again once current residential development on the street is complete.	Peter Bice	In Progress	Referred back to consultant for advice regarding additional crest signage requested.
Ordinary Council	46/23	Coach Parking in Stirling	Nil	The report be received and notedThe merit of coach parking in Stirling be further explored by the administration and the development of costings be consideredThe Stirling Business Association and Adelaide Hills Tourism be consulted as part of this processA report be brought back to Council by December 2023.	Rebecca Shepherd	Not Started	
Ordinary Council	52/23	Heritage Agreements	Nil	That the report be received and noted. That the Chief Executive Officer further investigate and where feasible and eligible, be authorised to enter: Bridgewater Recreation Reserve, Cave Reserve, Bridle Path & Walking trails at Cave Ave, Ayr Street, Anzac Ridge Road, BridgewaterRAA Tower Reserve at 21 Hillcrest Avenue Crafers WestHeron Reserve at 21 Onkaparinga Rd, BridgewaterCharleston Waste Facility (Mt Charles) at Harrison Road, CharlestonThe Deanery, Old Mount Barker Rd, BridgewaterGrasby Reserve at Pye Road, BalhannahHalliday Reserve at Wright Rd, StirlingRudall Reserve at 7-9 Rudall Ave, CrafersSmith Rd/Stone Quarry Reserve at South Para Rd, KersbrookHampton Reserve at Hampton Rd, MylorCooper's Reserve at Silver Lake Rd, MylorGurr Rd Reserve parcel at Gurr Rd North, BradburyHeathfield/Longwood Reserve, Corner of Heathfield & Longwood Rd, HeathfieldAldgate Tennis Courts at 180 Mt Barker Rd, AldgateChapman Water Reserve at Chapman Road, InglewoodAldgate Valley Wildlife Corridor, aka "Bandicoot Lane" Stock Road to Stevens Rd, MylorSilver Rd Reserve at 34 Silver Rd BridgewaterPitt Road Reserve at Pitt Rd, ParacombeHead Rd Reserve at Head Road North, HoughtonFernwood Reserve at Fernwood Way, Upper SturtPound reserve, Marble Hill and Pound Rd, AshtonMt Bold Cutting, Mount Bold Road Cut, Dorset ValeStirling Cemetery, Strathalbyn Rd, AldgateAldgate Valley Reserve, 96 Aldgate Valley Rd, AldgateWindmill Reserve, 151 Norton Summit Rd, Woodfordebeing of significant or high potential biodiversity value, into Heritage Agreements. That the Heritage Agreement applications seek to apply to those portions of the abovementioned reserves which are of significant or high potential biodiversity value, while retaining any existing dog access and established recreational use arrangements in place for each of those reserves.	Peter Bice	In Progress	Initial feedback from Native Vegetation Council's Heritage Agreement Officer received and currently under review. This will guide shortlist of sites provided to Property for consultation & in depth analysis.
Ordinary Council	55/23	Confidential Items Review	General - Cr Malcolm	Refer to Minute	David Waters	Completed	Regisiter has been updated to reflect the resolutions.
Ordinary Council	56/23	Advisory Groups	Nil	1. That the report be received and noted. 2. To suspend the operation of Council Advisory Groups until it has determined a position on its broader governance structures following the Strategic Plan development. 3. That the Mayor writes to the Independent Members of Council's Advisory Groups to advise them of Council's decision, thank them for their service and to encourage them to remain engaged with Council. 4. That the CEO conducts a Council Member workshop, and reports back to Council by December 2023, on alternatives to Council Advisory Groups, which will include, but is not limited to, the feasibility of establishing Section 41 Committees.	David Waters	In Progress	Letters have been drafted for Advisory Group members.  Item will remain on the Action Tracker until the report to Council in December 2023 as per Resolution 3.
Ordinary Council	58/23	Audit Committee Recommendations to Council	Nil	That the report be received and notedTo adopt the revised <i>Strategic Internal Audit Plan v1.9a</i> as contained in Appendix 1.To note the status of the Risk Management Plan at Appendix 3.	David Waters	Completed	Strategic Internal Audit Plan has been updated as per resolution.

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	61/23	Petition - Australia Day Civic Awards	Nil	That the petition signed by 66 signatories requesting "the Adelaide Hills Council to celebrate Australia Day on 26 January and continue the long standing practice of presenting AHC Civic Awards on that day" be noted. That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.	David Waters	Completed	230830 Emailed advice re Council resolution on Petition to head petitioner.
Ordinary Council	62/23	Petition - Flooding Junction Road Balhannah	Nil	<ol style="list-style-type: none"> <li>1. The petition signed by 15 signatories requesting Council to upgrade drainage infrastructure on Junction Road Balhannah be received and noted.</li> <li>2. The CEO write to the CEO of the Department for Infrastructure and Transport asking him to prioritise committed works at this location.</li> <li>3. The CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.</li> <li>4. The CEO liaise with the principal signatory to discuss concerns raised in the correspondence, including avenues for addressing the complaint utilising the Council's complaint handling policies and procedures and/or the internal review of decisions mechanism as applicable.</li> </ol>	David Waters	In Progress	230330 Emailed Council resolution to head petitioner. CEO & Peter Bice to undertake further actions.
Ordinary Council	63/23	Petition - Fire Water Tank Upper Hermitage	Nil	That the petition signed by 319 signatories requesting Council grant permission to provide land at the junction of Warner Road and Range Road North Upper Hermitage for the location of a water storage tank be received and noted. That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.	David Waters	Completed	Emailed Council resolution to head petitioners.
Ordinary Council	64/23	Fire Water Tank Upper Hermitage	General - Cr Pauline Gill General - Cr Malcolm Herrmann General - Cr Adrian Cheater	<ol style="list-style-type: none"> <li>1. the report be received and noted.</li> <li>2. Council acknowledges the fundraising efforts by Ms Jan Verrall and Ms Denise Elland.</li> <li>3. in view of advice by letter dated 21 February 2023 received from the CFS Regional Commander Region 2, summarised as follows: the whole of the land is needed for CFS volunteers to exercise and train; the tank would not be used or maintained by the CFS, and the Upper Hermitage site is a dangerous location to place a community water tank for use during a time of fire; Council respectfully declines the offer for the donation and placement of a fire water tank at the corner of Range Road North and Warner Road Upper Hermitage.</li> <li>4. That Council staff continue to work with the CFS across the Regions to support firefighting, fire prevention and fire educational efforts.</li> <li>5. That the CEO or his delegate formalises the use of the land described as allotment 5 in Filed Plan 218343 and contained in Certificate of Title 5854 Folio 841, commonly known as the Upper Hermitage tennis courts and CFS land, to the SA Country Fire Service (CFS) for its purposes.</li> </ol>	Terry Crackett	Not Started	Apr 23 - resolutions to be progressed shortly

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	66/23	MON - Community Event Electrical Certificates of Compliance Subsidies	Material - Cr Malcolm Herrmann Material - Cr Adrian Cheater	<p>1. That in relation to Anzac Day 2023, NAIDOC Week and National Reconciliation Week 2023, Council subsidises the cost of obtaining licenced electricians to review and certify electrical installations in respect to community groups holding dawn services and other commemorative events on Council land (including roads) to a limit of \$150 per event.</p> <p>2. That as part of the current review of the Council's Festivals and Events Policy, consideration be given to the feasibility (including costings) of: Financial subsidies for the attainment of a Certificate of Compliance (CoC) for community groups conducting activities on council lands and utilising council electrical outlets. That subsidies only apply for community events held on prominent national or local commemoration days including, but not limited to, ANZAC Day, NAIDOC Week and Remembrance Day, noting that the Council's position on events normally held on Australia Day (26 January) is currently under review.</p> <p>3. The report be made available for Council's consideration by 22 August 2023.</p>	Rebecca Shepherd	Not Started	The Events Officer is currently working with impacted community groups to progress arrangements for Anzac day including CoCs.
Ordinary Council	67/23	Adelaide Hills Subzone Code Amendment	General - Cr Nathan Daniell General - Cr Leith Mudge	That the report be received and noted. That the CEO progress preliminary investigations including pre-engagement with affected residents and landowners, to inform Council's position on whether a formal Code Amendment process for the Adelaide Hills Subzone will be initiated, with the CEO to table a report for Council's consideration on the matter by 23 May 2023. To instruct the CEO to inform the State Planning Commission and the Minister of Planning of Council's intention to progress preliminary investigations in preparation for a Code Amendment process for the Adelaide Hills Subzone, including the rationale.	Natalie Armstrong	In Progress	
Ordinary Council	68/23	Attendance at LGA OGM	Nil	<p>1. That the report be received and noted.</p> <p>2. To reaffirm the policy position contained in clause 10 of the <i>Council Member Training &amp; Develop Policy</i> that the Mayor, or the Deputy in the Mayor's absence, is the principal spokesperson, and is the default representative of Council in an official capacity (e.g. National General Assembly, LGA meetings and the like, including intrastate, interstate or overseas).</p> <p>3. In the instance where the Mayor and the Deputy Mayor cannot attend, the matter should be referred to the Council where possible, but where time does not permit, the Mayor, or Deputy Mayor if acting in the Mayor's place, may delegate the role to another Council Member or the Chief Executive Officer for a particular occasion or instance.</p> <p>4. To determine that the method of selecting the delegate to the 14 April 2023 LGA Ordinary General Meeting be by an indicative vote to determine the preferred person utilising the process set out in this Agenda report.</p> <p>5. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for the nomination and for the meeting to resume once the results of the indicative vote have been declared.</p>	David Waters	Completed	<p>230330 Emailed Notification of Appointment of substitute Council delegate for LGA OGM 14 April 2023 (Cr Mudge for Mayor Wisdom)</p> <p>230330 Emailed Cr Mudge for advice on what sections of LGA OGM he would like to attend. Completed and returned Notice of Appointment of substitute Council delegate for one meeting to the LGA (advising that Cr Mudge will attend for Mayor Wisdom).</p>
Ordinary Council	69/23	Attendance at LGA OGM - Council Delegate	Nil	Council resolves to appoint Cr Leith Mudge as the Council's delegate for the 14 April 2023 LGA Ordinary General Meeting and authorises the Chief Executive Officer to advise the LGA of the appointment.	David Waters	Completed	230330 Emailed Cr Mudge for advice on booking for LGA OGM 14 April 2023.

Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
Ordinary Council	71/23	Congratulations - Lobethal Cricket Club	Nil	Congratulates the Lobethal Cricket Club A Grade team for winning the premiership flag this past weekend, beating the undefeated Langhorne Creek Tigers on their home turf, and Congratulates the Lobethal Cricket Club U14 and B Grade teams who also won premiership flags the weekend prior.	Terry Crackett	Not Started	
Ordinary Council	62/23	Petition - Flooding Junction Road Balhannah	Nil	2. The CEO write to the CEO of the Dept for Infrastructure & Transport asking them to prioritise committed works at this location	Peter Bice	In Progress	Chief Executive Officer of DIT and The Hon Minister Koutsantonis both received the request to prioritise the works in writing and via personal deputation from Mayor Wisdom and AHC CEO.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 11 April 2023  
AGENDA BUSINESS ITEM**

**Item:** 13.1

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

**Subject:** Policy Register Review – April 2023

**For:** Information

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**SUMMARY**

Council has developed a range of policies over time, some in response to legislative obligations and others at Council's discretion. Policies are generally adopted with review to occur at a set period (i.e. 3 years) or as required by changes in legislation.

The attached Policy Register is provided for the Council's consideration and review to get a consolidated picture of the schedule of policies and review timeframes.

**RECOMMENDATION**

**Council resolves that the report be received and noted.**

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**1. BACKGROUND**

The Policy Register is provided to enable the Council to fulfil its oversight role, in relation to the Policy Framework.

**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



➤ **Legal Implications**

The *Local Government Act 1999* and the *Local Government (Elections) Act 1999* require a number of codes and policies to be developed; these include but are not limited to:

- Code of Practice for Access to Council & Committee Meetings and Documents;
- Complaints Handling;
- Caretaker;
- Internal Review of Council Decisions;
- Public Consultation;
- Procurement.

➤ **Risk Management Implications**

Maintenance of a contemporary and legislatively compliant Policy Framework will assist in mitigating the risk of:

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

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

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

➤ **Financial and Resource Implications**

There is no specific budget for the development and implementation of the Policy Review process however administrative costs are provided for in the Governance & Performance budget. The financial implications of individual policies will be identified when submitted for Council's consideration.

The resource implications associated with the development, implementation, training and monitoring of each policy is incorporated into the responsible department's budget.

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

Specific policies developed/revised as part of this Program will have customer service implications however there is a community expectation that Council has in place a suite of logical, cohesive and legislatively-compliant policies.

➤ **Sustainability Implications**

Not directly applicable.

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

Consultation regarding the Policy Framework has previously been undertaken within Council.

Some policies are required by legislation to be subject to consultation prior to adoption (i.e. *Code of Practice for Access to Meetings and Documents*) and for some others it may be desirable to undertake a discretionary consultation approach (the Council can determine this on a policy-by-policy basis).

Consultation on the development of this report was as follows:

*Council Committees:* Not Applicable

*Council Workshops:* Not Applicable

*Advisory Groups:* Not Applicable

*External Agencies:* Not applicable

*Community:* Not Applicable

➤ **Additional Analysis**

The Administration has reviewed the Policy Register (**Appendix 1**) and specifically the timings for policy reviews to come before the Council.

Bringing the Register to Council annually has three purposes:

1. To become familiar with the range and breath of existing Council policies
2. To gain an appreciation of the approximately review timing of the policies on the Register
3. To allow policies to be identified for an out of schedule review if the circumstances upon which the policy was predicated have changed.

Considerable progress has been made in recent years to update and maintain the currency of Council's Policy Framework. A small number of policies remain on the Register which are legislatively or contextually superfluous and these will be targeted for rescission over the forthcoming period.

A number of governance-related policies have been and will continue to be impacted by the Local Government Legislative Reform Process. The *Statutes Amendment (Local Government Review) Act 2021* (the "Amendment Act") was assented to by the Governor on 17 June 2021. Section of the Act are being progressively commenced.

On 23 December 2021, the *Statutes Amendment (Local Government Review) Act (Commencement) Proclamation 2021* (the "Proclamation") was published in the *SA Government Gazette*. The Proclamation set out commencement dates for a series of reforms contained in the Amendment Act. This has provided some certainty to the sector and will facilitate the planning and implementation of systems and processes to achieve compliance with the new/revised requirements.

On this basis, **Appendix 1** contains a number of policies that have been identified for a further review.

It is worth noting that a policy being overdue for review does not mean that the policy ceases to have effect.

**3. OPTIONS**

The Council has the following options:

- I. To note the Policy Register as attached (recommended)
- II. To alter the timings of proposed policy reviews (not recommended).

**4. APPENDIX**

- (1) Adelaide Hills Council Policy Register – April 2023

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# **Appendix 1**

*Adelaide Hills Council Policy Register*

*April 2023*

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## ADELAIDE HILLS COUNCIL POLICY REGISTER

Policy	Policy No.	Category	Adopted by	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy (traffic light)	Commence Review (traffic light)	Responsible Directorate	Responsible Department	Responsible Officer	Date of Update for Notes	Notes
Governance only to update the fields below this box											Officers to update the fields below this box	
One Team Communication Protocols	GOV-11	Corporate Governance	SPDPC	Other	2-Aug-15	Aug-18	May-18	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	The Behavioural Management Framework commenced at the Nov 23 election. Council has now adopted its Behavioural Management Policy which sets out the complaint management processes. Council must consider whether it wishes to adopt a Behavioural Support Policy which can contain additions (discretionary) conduct guidance such as that contained in the former AHC Behavioural Standards and the One Team Protocols (CM elements). A workshop is scheduled for 20 June 2023.
Corporate Planning & Performance Framework	GOV-25	Corporate Governance		Other	19-Jul-18	Sep-18	Jun-18	Office of the Chief Executive	Governance & Performance	Corporate Planning and Performance Coordinator	28-Mar-23	This framework is currently under review with updates scheduled to be made by 30 June 2023.
Delegations Policy for the Determination of Development Applications by CAP	DEV-12	Strategy & Development	Council	Mandatory	28-Nov-17	Oct-18	Jul-18	Development & Regulatory Services	Development & Compliance	Assessment Manager / Manager Development Services	2-Mar-22	As a result of the implementation of the PDI Act, this Policy only applies to applications lodged prior to 19 March 2021. The Policy will need to be revoked once the last development application lodged under the Development Act is determined by CAP. Therefore the Policy will not be reviewed as intended as it will become redundant.
Management of Built Heritage	DEV-09	Development	Council	Other	14-Nov-17	Nov-20	Aug-20	Development & Regulatory Services	Policy Planning	Senior Strategic & Policy Planner	3-Mar-22	The Policy has been reviewed and a draft policy is ready for consideration by Council. The Administration is recommending that community engagement be undertaken as part of the review process and prior to adopting an updated Policy to ensure transparency. Currently the review process has been put on hold however, pending the Expert Panel Planning System Implementation Review which has sought feedback regarding the legislative process regarding Local Heritage place listing. If the Expert Panel in its recommendations to the Planning Minister puts forward a new process be adopted by the Government, then it will impact the scope of the Policy. The Expert Panel is expected to put forward its recommendations prior to Easter 2023. At which point the Administration will be in a better position to consider the next steps. It is noted that this policy provides guidance and direction for Council in the event it initiates a Code Amendment for local heritage places.
Play Space	COM-10	Community	Council	Other	27-Mar-18	Jan-21	Oct-20	Corporate Services	Open Space	Coordinator Sport and Recreation	7-Mar-22	The review of the Play Space Policy has been incorporated into the development of Council's draft Play Space Framework. Consultation has been undertaken & data currently being analysed. The final draft is due to be presented at the June 2022 Council Meeting for endorsement.
Council Member Conduct (LGA s63)	CM-04	Council Member	Council	Mandatory	28-Jan-20	Jan-22	Oct-21	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	The Council Member Conduct Policy was rendered ceased with the repeal of s63 - Code of Conduct from the Local Government Act 1999 and the commencement of the Member Behaviour provisions (ss75E-G)
Festivals & Events	COM-11	Community	Council	Other	27-Aug-19	Mar-22	Mar-22	Community Capacity	Communications & Events	Manager Communications, Engagement and Events	29-Mar-23	This policy will be reviewed publically with phase 1 consultation starting December 2022 with event attendees and then going through to May 2022 with event organisers. The review of this policy did not commence in time for finalisation by March 2022 due to the events resources being dedicated to event delivery during the peak November-March event season. Given the rising cost of supporting an increasing number of events, new requirements from the Office of the Regulator and expanded waste management the team will conduct a complete review of the cost of events and how we support them prior to end June 2023. The Policy will be reviewed in the first quarter of the new financial year.
Council Assessment Panel Review of Decisions of the Assessment Manager	CAP-01	Development		Mandatory	10-Jun-20	Apr-22	Jan-22	Development & Regulatory Services	Development & Compliance	Assessment Manager / Manager Development Services	2-Mar-22	This is a new Policy which was adopted as part of business readiness for the PDI Act system. As the term of appointment of the existing independent CAP members expires on 31 May 2022 the revision of this Policy will take place in September 2022 to allow time for consultation with the new CAP.
Lease & Licencing	NEW	Community	Council	Other	25-Feb-20	Jun-22	Mar-22	Corporate Services	Property Services	Manager Property Services	19-Mar-23	NOTE 19/03/2023 it is suggested that a Lease/Licensing Policy is not required as the Community and Recreation Facilities Framework sets out Council's position on Leases and management agreements for our key sporting, community facilities and halls. The Framework was adopted in August 2022. Previous note: we do not currently have a Lease/Licensing policy, the new policy is to be presented to Council in conjunction with the adoption of the Community & Recreation Facility Framework, unlikely to be until mid 2022
Local Heritage Grant Fund Guidelines - Procedure	DEV-13	Development		Other	26-May-20	Jun-22	Mar-22	Development & Regulatory Services	Policy Planning	Senior Strategic & Policy Planner	3-Mar-22	The 2020 review was completed following the first round of the Grant Fund. Refinements have been made to the Procedure to streamline it. A further review was scheduled to follow the third and final grant round in the 2021/22 Financial Year. The launch of this round was delayed to October 2021 and is currently being finalised - noting that the process often exceeds a financial year window. Staff are aiming to table an information report prior to June 2023 to coincide with the review of Management of Built Heritage Policy and the completion of Round 3 of the Grant Program.
Accredited Professionals	DEV-14	Development		Mandatory	23-Jun-20	Sep-22	Jun-22	Development & Regulatory Services	Development & Compliance	Assessment Manager / Manager Development Services	2-Mar-22	This is a new Policy which was adopted as part of business readiness for the PDI Act system and which is due for review in September 2022
Acknowledgement And Welcome To Country	COM-25	Community		Other	15-Dec-20	Oct-22	Jul-22	Community Capacity	Community Development	Community and Cultural Development Officer	28-Feb-22	This policy is expected to be reviewed as scheduled.
Public Consultation (LGA s50)	COM-01	Community	Council	Mandatory	28-Jan-20	Jan-23	Oct-22	Community Capacity	Communications & Events	Manager Communications, Engagement and Events	29-Mar-23	The changes to community engagement provisions within the Local Government Act 1999 have not yet been proclaimed for commencement. A key component of the community engagement reforms is the publication of a Community Engagement Charter by the Minister for Local Government. The LGA Community Engagement Working Group provided the draft charter to the Minister for consideration in December 2021. We've had advice from the Office of Local Government that there will be a public consultation process on the proposed Community Engagement Charter, however, the timing of that is not clear and may not commence until late 2023. The LGA is following up with State Government on behalf of all Councils.
Records and Information Management	GOV-13	Corporate Governance	Council	Recommended	22-Sep-20	Feb-23	Nov-22	Corporate Services	Information Systems	Manager Information Systems	24-Mar-23	The review of the policy in November 22 was postponed due to the election of a new Council and rescheduled to commence in Feb 23. Draft policy was briefly presented at Council RM Workshop on 21 March 2023 with further review/comments to be issued by Councilors to Information Management by 31 March 2023. Currently reviewing to present a formal report to the next available Council meeting after 31 March 2023.
Records and Information Management Procedure for Council Members	GOV-20	Corporate Governance	Council	Recommended	22-Sep-20	Feb-23	Nov-22	Corporate Services	Information Systems	Manager Information Systems	24-Mar-23	The review of the pppcedure in November 22 was postponed due to the election of a new Council and rescheduled to commence in Feb 23. Draft policy was briefly presented at Council RM Workshop on 21 March 2023 with further review/comments to be issued by Councilors to Information Management by 31 March 2023. Currently reviewing to present a formal report to the next available Council meeting after 31 March 2023.
Safe Environments	COM-12	Community	Council	Recommended	25-Feb-20	Feb-23	Nov-22	Corporate Services	Organisational Development	Executive Manager Organisational Development	17-Mar-23	Policy is currently being reviewed by Karlee. Will be shared with ELT within coming weeks for comment before being submitted to Council for adoption. Anticipate this will be completed by 30 June 2023.
Rating (LGA Chpt 10)	FIN-02	Finance	Council	Recommended	28-Jun-22	Jul-23	Apr-23	Corporate Services	Financial Services	Manager Financial Services	28-Feb-22	Rating Policy is always updated and adopted in June as part of ABP
Arts & Heritage Collection	COM-14	Community		Other	28-Jul-20	Aug-23	May-23	Community Capacity	Community Development	Community and Cultural Development Officer	28-Feb-22	This policy is expected to be reviewed as scheduled.
Community Loans	FIN-06	Finance	Council	Other	22-Sep-20	Sep-23	Jun-23	Corporate Services	Financial Services	Manager Financial Services	28-Feb-22	Will be considered closer to the scheduled Review Date
Development Application Fee Waiver	DEV-05	Development	SPDPC	Other	27-Oct-20	Sep-23	Jun-23	Development & Regulatory Services	Development & Compliance	Assessment Manager / Manager Development Services	2-Mar-22	Review of this Policy was completed in October 2020 and the next review date is September 2023.
School Parking and Associated Facilities	COM-21	Infrastructure & Assets	SPDPC	Other	25-Aug-20	Sep-23	Jun-23	Infrastructure & Operations	Sustainable Assets	Manager Civil Assets	1-Mar-22	Will be considered closer to the scheduled Review Date
Unsealed Roads	INF-09	Infrastructure & Assets	SPDPC	Other	25-Aug-20	Sep-23	Jun-23	Infrastructure & Operations	Sustainable Assets	Manager Civil Assets	1-Mar-22	Will be considered closer to the scheduled Review Date
Cemetery Operating	COM-06	Community	SPDPC	Recommended	24-Aug-21	Oct-23	Jul-23	Corporate Services	Property Services	Cemeteries Officer	31-Mar-23	Will be considered closer to the scheduled Review Date
Fraud Corruption Misconduct & Maladministration	GOV-02	Corporate Governance	Council	Recommended	28-Apr-20	Oct-23	Jul-23	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	This policy is expected to be reviewed as scheduled.
Code of Practice for Access to Council Meetings, Committees & Documents (LGA s92)	GOV-17	Corporate Governance	Council	Mandatory	15-Sep-20	Nov-23	Aug-23	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	Draft Code will be workshopped on 5 June and considered by Council on 13 or 27 June 2023.
Complaints Handling (LGA s 270(a1)(b))	GOV-04	Corporate Governance	Council	Mandatory	26-Nov-19	Nov-23	Aug-23	Community Capacity	Service Improvement	Director Community Capacity	31-Mar-23	This policy is expected to be reviewed as scheduled. To be done in consideration of GOV-01, GOV-03, GOV-04 & GOV-08. JC comment - only change is availability of the policy - no longer required - might need to bring forward but not urgent?
Debt Recovery (Inc. CWMS Customer Hardship Policy) (LGA s144)	FIN-04	Finance	Council	Mandatory	24-Jan-21	Nov-23	Aug-23	Corporate Services	Financial Services	Manager Financial Services	31-Mar-23	Will be considered closer to the scheduled Review Date
Grant & External Funding Acceptance	GOV-07	Corporate Governance	SPDPC	Other	24-Jan-21	Nov-23	Aug-23	Corporate Services	Financial Services	Manager Financial Services	31-Mar-23	Will be considered closer to the scheduled Review Date
Internal Review of Council Decisions (LGA s 270(1))	GOV-01	Corporate Governance	Council	Mandatory	26-Nov-19	Nov-23	Aug-23	Community Capacity	Service Improvement	Coordinator Services Strategy and Innovation	31-Mar-23	Changes to the Local Government Act 1999 came into effect in September 2021 which necessitate a number of minor changes to this policy. These include clarifying that decisions of Council relating to complaints about council members and recommendations of the Ombudsman are not subject to internal review processes. It is also necessary to determine the Council's treatment of the prescribed fee (\$20) for internal review requests, i.e. whether or not to waive it or provide concessions. The LGA has not yet released a revised model policy, however, the Administration considers it pertinent to revise the Council's policy within 12 months of the commencement of the new legislative provisions regardless. It is planned for July 2022.
Request for Service (LGA s270(a1)(a))	GOV-03	Corporate Governance	Council	Mandatory	26-Nov-19	Nov-23	Aug-23	Community Capacity	Service Improvement	Coordinator Services Strategy and Innovation	31-Mar-23	This policy is expected to be reviewed as scheduled.
Treasury	FIN-03	Finance	Council	Recommended	24-Jan-21	Nov-23	Aug-23	Corporate Services	Financial Services	Manager Financial Services	31-Mar-23	Will be considered closer to the scheduled Review Date
Unreasonable Complainant Conduct Policy	GOV-08	Corporate Governance		Other	26-Nov-19	Nov-23	Aug-23	Community Capacity	Service Improvement	Coordinator Services Strategy and Innovation	31-Mar-23	This policy is expected to be reviewed as scheduled.
Burials Outside Cemeteries	COM-15	Community	Council	Other	22-Jan-19	Jan-24	Oct-23	Corporate Services	Property Services	Cemeteries Officer	31-Mar-23	Will be considered closer to the scheduled Review Date

## ADELAIDE HILLS COUNCIL POLICY REGISTER

Policy	Policy No.	Category	Adopted by	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy (traffic light)	Commence Review (traffic light)	Responsible Directorate	Responsible Department	Responsible Officer	Date of Update for Notes	Notes
Public Transport	COM-23	Community	SPDPC	Other	26-Jul-22	Feb-24	Nov-23	Development & Regulatory Services	Policy Planning	Senior Strategic & Policy Planner	31-Mar-23	This policy is expected to be reviewed as scheduled.
Grant Giving	COM-05	Community	SPDPC	Other	27-Apr-21	Feb-24	Nov-23	Community Capacity	Community Development	Director Community Capacity	31-Mar-23	This policy is expected to be reviewed as scheduled.
Public Place & Road Naming (LG Act s219(5))	DEV-02	Infrastructure & Assets	Council	Mandatory	23-Mar-21	Apr-24	Jan-24	Infrastructure & Operations	Sustainable Assets	Manager Strategic Assets	31-Mar-23	Will be considered closer to the scheduled Review Date. Public notice must be given of the adopting or altering of a policy (s219(7))
Public Interest Disclosure	GOV-16	Corporate Governance		Recommended	27-Apr-21	Apr-24	Jan-24	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	This policy is expected to be reviewed as scheduled.
Burning Permit Policy	ENV-06	Environment & Open Space	Council	Recommended	25-May-21	May-24	Feb-24	Development & Regulatory Services	Development & Compliance	Team Leader Regulatory Services	31-Mar-23	Review of this Policy was completed in May 2021 and the next review is scheduled for early 2024.
Trails and Cycling Routes Management	INF-01	Infrastructure & Assets		Other	24-Aug-21	Jun-24	Mar-24	Infrastructure & Operations	Open Space	Coordinator Sport and Recreation	31-Mar-23	Will be considered closer to the scheduled Review Date
Development Application Fee Refunds	DEV-07	Development	Council	Other	27-Jul-21	Jul-24	Apr-24	Development & Regulatory Services	Development & Compliance	Assessment Manager / Manager Development Services	31-Mar-23	Review of this Policy was completed in July 2021 and the next review will be in mid-2024.
Petitions	GOV-22	Corporate Governance	SPDPC	Recommended	24-Aug-21	Aug-24	May-24	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	This policy is expected to be reviewed as scheduled.
Directional Signage	INF-07	Infrastructure & Assets	Council	Other	28-Sep-21	Sep-24	Jun-24	Infrastructure & Operations	Sustainable Assets	Manager Strategic Assets	31-Mar-23	Will be considered closer to the scheduled Review Date
Information or Briefing Sessions	GOV-23	Corporate Governance	Council	Other	26-Oct-21	Sep-24	Jun-24	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	This policy is expected to be reviewed as scheduled.
Mayor Seeking Legal Advice (LGA s78A)	CM-03	Council Member	SPDPC	Other	28-Sep-21	Sep-24	Jun-24	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	This policy is expected to be reviewed as scheduled.
Street Lighting	INF-08	Infrastructure & Assets	Council	Other	28-Sep-21	Sep-24	Jun-24	Infrastructure & Operations	Sustainable Assets	Manager Strategic Assets	31-Mar-23	Will be considered closer to the scheduled Review Date
Alteration \$ Occupation of Public Roads (previously Road Rents)	INF-06	Infrastructure & Assets	Council	Other	22-Feb-22	Sep-24	Mar-25	Corporate Services	Property Services	Manager Property Services	31-Mar-23	Will be considered closer to the scheduled Review Date
Development Applications Involving Regulated Trees	DEV-08	Development	Council	Other	26-Oct-21	Oct-24	Jul-24	Development & Regulatory Services	Development & Compliance	Assessment Manager / Manager Development Services	31-Mar-23	Review of this Policy was completed in October 2021 and the next review will be in late 2024.
Memorials within Council Cemeteries	COM-26	Community		Other	23-Nov-21	Oct-24	Jul-24	Corporate Services	Property Services	Cemeteries Officer	31-Mar-23	Will be considered closer to the scheduled Review Date
Privately Funded (Council-led) Code Amendments	DEV-10	Development		Other	28-Sep-21	Oct-24	Jul-24	Development & Regulatory Services	Development & Compliance	Senior Strategic & Policy Planner	31-Mar-23	Will be considered closer to the scheduled Review Date
Community & Recreation Facilities	COM-18	Community		Other	23-Aug-22	Dec-24	Sep-24	Corporate Services	Open Space	Coordinator Sport & Recreation	31-Mar-23	Will be considered closer to the scheduled Review Date
Wastewater System Application Fee Refunds	COM-24	Community	Council	Other	25-Jan-22	Dec-24	Sep-24	Development & Regulatory Services	Environmental Health	Team Leader Environmental Health Services	31-Mar-23	Will be considered closer to the scheduled Review Date
Access to Development Application Information Policy	DEV-03	Development	SPDPC	Recommended	22-Feb-22	Feb-25	Nov-24	Development & Regulatory Services	Development & Compliance	Manager Development Services	31-Mar-23	Will be considered closer to the scheduled Review Date
Buffers	DEV-06	Development	Council	Other	24-May-22	Mar-25	Dec-24	Development & Regulatory Services	Policy Planning	Senior Strategic & Policy Planner	31-Mar-23	Will be considered closer to the scheduled Review Date
Roadside Trading (Use of Public Road Verges for Business Purposes)	COM-20	Community	Council	Other	24-May-22	Mar-25	Dec-24	Corporate Services	Property Services	Manager Property Services	19-Mar-23	This policy is expected to be reviewed as scheduled.
Community Information Display	COM-09	Community	Council	Other	24-May-22	Mar-25	Dec-24	Community Capacity	Library & Customer Services	Manager Libraries and Customer Service	31-Mar-23	This policy is expected to be reviewed as scheduled.
Code of Practice for Meeting Procedures (LGPAMR r6)	GOV-14	Corporate Governance	Council	Mandatory	22-Mar-22	Mar-25	Dec-24	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	Draft Code will be workshopped on 5 June and considered by Council on 13 or 27 June 2023.
Advisory Group Operation and Conduct	GOV-15	Corporate Governance	Council	Other	22-Mar-22	Mar-25	Dec-24	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13.3.23	Will be updated following Council's consideration of the use of Advisory Groups post Strategic Plan development.
Telecommunications Installation - Small Cell Stobie Pole Mounted Antennae	ENV-02	Development		Other	22-Feb-22	Mar-25	Dec-24	Development & Regulatory Services	Policy Planning	Senior Strategic & Policy Planner	31-Mar-23	Will be considered closer to the scheduled Review Date
Outdoor Dining	COM-19	Community	Council	Other	22-Feb-22	Mar-25	Dec-24	Corporate Services	Property Services	Manager Property Services	19-Mar-23	Will be considered closer to the scheduled Review Date
Volunteer Engagement	COM-04	Community	Council	Recommended	22-Feb-22	Mar-25	Dec-24	Community Capacity	Community Development	Volunteers Coordinator	31-Mar-23	Will be considered closer to the scheduled Review Date
Community Group Use of Photocopiers	COM-02	Community	SPDPC	Other	24-May-22	Mar-25	Dec-24	Community Capacity	Library & Customer Services	Manager Libraries and Customer Service	31-Mar-23	This policy is expected to be reviewed as scheduled.
Internal Audit (LGA s125)	GOV-18	Corporate Governance	Council	Mandatory	24-May-22	Apr-25	Jan-25	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	This policy is expected to be reviewed as scheduled.
Prudential Management (LGA s48)	GOV-09	Corporate Governance	Council	Mandatory	24-May-22	Apr-25	Jan-25	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	This policy is expected to be reviewed as scheduled.
Tributes for Commemorative Services	COM-13	Community	Council	Other	26-Apr-22	Apr-25	Jan-25	Community Capacity	Communications & Events	Manager Communications, Engagement and Events	31-Mar-23	This policy is expected to be reviewed as scheduled.
Risk Management	GOV-19	Corporate Governance	SPDPC	Recommended	24-May-22	Apr-25	Jan-25	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	31-Mar-23	This policy is expected to be reviewed as scheduled.
Tree Management	ENV-04	Environment & Open Space	SPDPC	Other	26-Apr-22	Apr-25	Jan-25	Infrastructure & Operations	Sustainable Assets	Manager Open Space	31-Mar-23	This policy is expected to be reviewed as scheduled.
Flags	COM-16	Community	Council	Other	28-Jun-22	May-25	Feb-25	Community Capacity	Communications & Events	Manager Communications, Engagement and Events	31-Mar-23	Will be considered closer to the scheduled Review Date
Asset Management	INF-03	Infrastructure & Assets	Council	Other	22-Jun-21	May-25	Feb-25	Infrastructure & Operations	Sustainable Assets	Manager Strategic Assets	31-Mar-23	To be considered by Audit Committee for recommendation to Council.
Models for Major Development Policy	DEV-11	Development	Council	Other	26-Jul-22	Jun-25	Mar-25	Development & Regulatory Services	Development & Compliance	Assessment Manager / Manager Development Services	31-Mar-23	Will be considered closer to the scheduled Review Date
Genetically Modified Crops	ENV-01	Environment & Open Space	Council	Other	26-Jul-22	Jun-25	Mar-25	Development & Regulatory Services	Policy Planning	Senior Strategic & Policy Planner	31-Mar-23	Will be considered closer to the scheduled Review Date
Waste and Resource Recovery Service	ENV-05	Environment & Open Space	Council	Other	23-Aug-22	Aug-25	May-25	Infrastructure & Operations	Sustainability, Waste & Emergency Management	Manager Sustainability, Waste & Emergency Management	31-Mar-23	Will be considered closer to the scheduled Review Date
Disposal of Assets (LGA s49(1d))	FIN-07	Finance		Mandatory	26-Aug-22	Nov-25	Aug-25	Corporate Services	Financial Services	Manager Financial Services	31-Mar-23	Will be considered closer to the scheduled Review Date. Next update add Ombudsman Act to Legislative references section.
Procurement (LGA s49)	GOV-08	Corporate Governance	Council	Mandatory	26-Aug-22	Nov-25	Aug-25	Corporate Services	Financial Services	Manager Financial Services	31-Mar-23	Will be considered closer to the scheduled Review Date. Next update add Ombudsman Act to Legislative references section.
Enforcement Policy	GOV-10	Environment & Open Space	Council	Recommended	15-Dec-20	Nov-25	Aug-25	Development & Regulatory Services	Regulatory Services	Team Leader Regulatory Services	31-Mar-23	The review was undertaken and updated policy was endorsed by Council in December 2020. The next review is schedule for late 2025.
Order Making (LGA s259)	GOV-05	Corporate Governance	Council	Mandatory	25-May-21	Nov-25	Aug-25	Development & Regulatory Services	Regulatory Services	Team Leader Regulatory Services	31-Mar-23	The review was undertaken and updated policy was endorsed by Council in May 2021. The next review is schedule for late 2025.
Caretaker (LGEA s91A(1))	GOV-06	Corporate Governance	Council	Mandatory	22-Mar-22	Mar-26	Dec-25	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	This policy is expected to be reviewed as scheduled.
Council Member Training and Development (LGA s 80A)	CM-05	Council Member	Council	Mandatory	24-Jul-18	Nov-26	Aug-26	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	Council's training and development is focused on the induction and mandatory training requirements. As these approach completion, the T&D Policy will be workshopped with Council, nominally July 2023.
Council Member Allowances and Support (LGA s 77(1)(b))	CM-02	Council Member	Council	Mandatory	29-Nov-22	Nov-26	Aug-26	Office of the Chief Executive	Governance & Performance	Executive Manager Governance & Performance	13-Mar-23	Policy lapses at a general election of council.

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## **Item 17 Minutes of Committees**

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**ADELAIDE HILLS COUNCIL  
CEO PERFORMANCE REVIEW PANEL COMMITTEE  
MINUTES OF MEETING  
THURSDAY 23 MARCH 2023  
63 MT BARKER ROAD STIRLING**

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In Attendance

**Presiding Member:** Cr Chris Grant

**Members:**

Ms Janet Miller	Independent Member
Mayor Jan-Claire Wisdom	
Cr Nathan Daniell	Via electronic participation

In Attendance:

David Waters	Chief Executive Officer
Lachlan Miller	Executive Manager Governance & Performance

**1. COMMENCEMENT**

The meeting commenced at 6.05pm

**1.1. Acknowledgement of Country**

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kaurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come.

**2. APOLOGIES/LEAVE OF ABSENCE**

**2.1 Apology**

Cr Kirsty Parkin

**2.2 Leave of Absence**

Nil

**2.3 Absent**

Nil

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Presiding Member \_\_\_\_\_ 6 July 2023



**ADELAIDE HILLS COUNCIL  
CEO PERFORMANCE REVIEW PANEL COMMITTEE  
MINUTES OF MEETING  
THURSDAY 23 MARCH 2023  
63 MT BARKER ROAD STIRLING**

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**3. MINUTES OF PREVIOUS MEETINGS**

**3.1 CEO Performance Review Panel Meeting – 13 October 2022**

**Moved Mayor Jan-Claire Wisdom  
S/- Janet Miller**

**PRP1/23**

**That the minutes of the CEO Performance Review Panel meeting held on 13 October 2022 as distributed, be confirmed as an accurate record of the proceedings of that meeting**

<b>Carried</b>
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**4. PRESIDING MEMBER'S OPENING COMMENTS**

The Chair welcomed the Panel Members to a new term and expressed his pleasure in being elected as Chair of the Panel. He observed that it will be an interesting year for the Panel with the substantive CEO recruitment and the potential for the Panel's activities to change given the agenda item on the performance review process.

**5. DELEGATION OF AUTHORITY**

The CEO Performance Review Panel operates in accordance with the relevant sections of the *Local Government Act 1999*, and its Terms of Reference.

**6. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF THE COMMITTEE**

Nil

**7. OFFICER REPORTS – DECISION ITEMS**

2022-23 CEO Performance Targets Status

**Moved Janet Miller  
S/- Cr Nathan Daniell**

**PRP2/23**

**The CEO Performance Review Panel resolves that the report be received and noted.**

<b>Carried</b>
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**ADELAIDE HILLS COUNCIL  
CEO PERFORMANCE REVIEW PANEL COMMITTEE  
MINUTES OF MEETING  
THURSDAY 23 MARCH 2023  
63 MT BARKER ROAD STIRLING**

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2023 Proposed CEO Performance Review Processes and Meeting Dates

**Moved Mayor Jan-Claire Wisdom**  
**S/- Janet Miller**

**PRP3/23**

**The CEO Performance Review Panel resolves:**

- 1. That the report be received and noted.**
- 2. To recommend to Council to not conduct the 2023 Annual CEO Performance Review and Remuneration Review due to the timing of the substantive CEO recruitment process.**
- 3. To adopt the Expanded Quarterly Performance Review & Development Process (EQPRDP) as set out in this report and to advise Council of this decision.**
- 4. To determine that the 2023 CEO Performance Review Panel Meetings will be conducted at 6.00pm at 63 Mt Barker Road, Stirling on the following dates:**
  - Thursday, 6 July 2023**
  - Thursday, 21 September 2023**
  - Thursday, 14 December 2023**

**and that the CEOPRP Presiding Member be delegated to amend the meeting dates as required in consultation with the Administration.**

<b>Carried</b>
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**8. MOTIONS WITHOUT NOTICE**

Nil

**9. QUESTIONS WITHOUT NOTICE**

Nil

**10. CONFIDENTIAL ITEMS**

Nil

**ADELAIDE HILLS COUNCIL  
CEO PERFORMANCE REVIEW PANEL COMMITTEE  
MINUTES OF MEETING  
THURSDAY 23 MARCH 2023  
63 MT BARKER ROAD STIRLING**

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**11. NEXT MEETING**

The next ordinary meeting of the CEO Performance Review Panel will be held on Thursday 6 July 2023 from 6.00pm at 63 Mt Barker Road Stirling.

**12. CLOSE MEETING**

The meeting closed at 6.55pm.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 11 April 2023 2023  
AGENDA BUSINESS ITEM**

**Item:** 17.3.1

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

**Subject:** CEO Performance Review Panel - Recommendations to Council  
– 23 March 2023

**For:** Decision

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**SUMMARY**

The CEO Performance Review Panel (the “Panel”) held its first meeting of the calendar year on 23 March 2023.

At the meeting, the Panel made one recommendation to Council for its decision and resolved to bring another decision to Council attention.

Each item is briefly summarised in this report and the full Panel Report is included as an appendix.

**RECOMMENDATION**

**Council resolves:**

- 1. That the report be received and noted.**
  - 2. To not conduct the 2023 Annual CEO Performance Review and Remuneration Review due to the timing of the substantive CEO recruitment process.**
  - 3. To note that the CEO Performance Review Panel has resolved to adopt the Expanded Quarterly Performance Review & Development Process (EQPRDP).**
-

## 1. BACKGROUND

The Panel Terms of Reference (the “TOR”) sets out that the overall role of the Panel is to provide advice to Council on matters relating to the performance and development of the CEO. The TOR (see **Appendix 1**) further provides for the following specific functions:

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

## 2. ANALYSIS

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

*Strategic Plan 2020-24 – A brighter future*

Goal A Progressive Organisation

Objective O1 We have the right people with the right knowledge and skills in the right jobs and they are supported and developed

Priority O1.4 Continue to support all staff through training, mentoring, coaching and development to enable the achievement of organisational and community goals

### ➤ Legal Implications

Section 99A of the *Local Government Act 1999* (the “Act”). is a newer provision that, while recognising that the council sets the CEO’s remuneration, requires that remuneration to be within the applicable parameters of any determination on CEO remuneration set by the Remuneration Tribunal of SA. To date, the Tribunal has not made a determination however it is anticipated in the mid-year. Pre-existing CEO Employment Agreements will not be affected by any subsequent determination.

Section 102A of the Act is also a newer provision which requires the council to review the performance of its CEO at least once each year and, if relevant, before the reappointment of its CEO. Further in the course of the performance review, the council must obtain and consider the advice of a qualified independent person.

➤ **Risk Management Implications**

Undertaking regular review of the CEO's performance will assist in mitigating the risk of:

*Deficient CEO performance review practices resulting in a lack of accountability and loss of stakeholder confidence.*

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

*Non-achievement of CEO Performance Targets resulting in loss of community benefit and/or opportunities and/or stakeholder confidence.*

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

Note: there are many other controls that also assist in managing these risks.

➤ **Financial and Resource Implications**

The resource implications associated with the Panel's performance review processes are borne by the Governance & Performance Department.

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

There is an expectation that the performance of the CEO is reviewed in a sound, fair and comprehensive manner.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

*Council Committees:* The Panel resolved these matters at its 23 March 2023 meeting.

*Council Workshops:* Not applicable

*Advisory Groups:* Not applicable

*External Agencies:* Kelliedy Jones regarding the application of s102A.

*Community:* Not applicable

➤ **Additional Analysis**

Annual Performance and Remuneration Review

Information relating to the Annual Performance and Remuneration Review (the “Review”) is discussed in the 23 March 2023 Panel report at **Appendix 1**.

In summary, the conduct of the Review is the decision of Council upon consideration of recommendations from the Panel. Due to the recruitment process for the substantive CEO position still being in progress, the Panel determined that it was not practical to conduct a Review in 2023 and recommended to Council as follows (res PRP3/23):

- 2. To recommend to Council to not conduct the 2023 Annual CEO Performance Review and Remuneration Review due to the timing of the substantive CEO recruitment process.**

To be clear, once a substantive CEO is appointed there will be a probation period which will require a form of performance review prior to probation completion. This will be a separate process involving the Panel and Council.

Proposed Expanded Quarterly Performance Review & Development Process (EQPRDP)

Information relating to the proposed Expanded Quarterly Performance Review & Development Process (the “EQPRDP”) is discussed in the 23 March 2023 Panel report at **Appendix 1**.

In summary, it was proposed to increase the Panel’s quarterly performance monitoring process beyond reviewing the progress of the CEO Performance Targets to also include discussions regarding performance against the key elements the CEO role (as set out in the position description) and professional development. In consideration of the proposal, the Panel resolved (res PRP3/23) as follows:

- 3. To adopt the Expanded Quarterly Performance Review & Development Process (EQPRDP) as set out in this report and to advise Council of this decision.**

**3. OPTIONS**

Council has the following options:

- I. To consider the Panel’s recommendation regarding the Annual Performance and Remuneration Review and resolve as per the recommendation (Recommended)
- II. To consider the Panel’s recommendation regarding the Annual Performance and Remuneration Review and resolve an alternate position. (Not Recommended). In doing so the Council would either need to resolve what it intends to do in relation to the Annual Performance and Remuneration Review or refer the matter back to the Panel for further consideration and options.

**4. APPENDICES**

- (1) CEO Performance Review Panel Report - 2023 Proposed CEO Performance Review Processes and Meeting Dates – 23 March 2023

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# **Appendix 1**

*CEO Performance Review Panel Report - 2023 Proposed  
CEO Performance Review Processes and  
Meeting Dates – 23 March 2023*

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**ADELAIDE HILLS COUNCIL  
CEO PERFORMANCE REVIEW PANEL MEETING  
THURSDAY 23 MARCH 2023  
AGENDA BUSINESS ITEM**

**Item:** 7.2

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

**Subject:** 2023 Proposed CEO Performance Review Processes and Meeting Dates

**For:** Decision

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**SUMMARY**

The role of the CEO Performance Review Panel (the 'Panel') is to provide advice to Council on matters relating to the performance and development of the CEO. This report outlines the process options and dates for determination and recommendation to Council.

The agreement of the year's performance review process and meeting schedule enables required work to be undertaken in preparation for the Panel meetings and to manage the process for the review of the CEO's performance.

**RECOMMENDATION**

The CEO Performance Review Panel resolves:

1. That the report be received and noted.
  2. To recommend to Council to not conduct the 2023 Annual CEO Performance Review and Remuneration Review due to the timing of the substantive CEO recruitment process.
  3. To adopt the Expanded Quarterly Performance Review & Development Process (EQPRDP) as set out in this report and to advise Council of this decision.
  4. To determine that the 2023 CEO Performance Review Panel Meetings will be conducted at 6.00pm at 63 Mt Barker Road, Stirling on the following dates:
    - Thursday, 22 June 2023
    - Thursday, 21 September 2023
    - Thursday, 14 December 2023and that the CEOPRP Presiding Member be delegated to amend the meeting dates as required in consultation with the Administration.
-

## 1. BACKGROUND

### Panel's Functions

The Panel Terms of Reference (the 'TOR') sets out that the overall role of the Panel is to provide advice to Council on matters relating to the performance and development of the CEO. The TOR (see **Appendix 1**) further provides for the following specific functions:

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

The setting of Performance Targets (clause 3.1.1) is undertaken in consideration of the key projects/services containing in the forthcoming financial year's Annual Business Plan (the 'ABP') either just prior to or following the adoption of the ABP by Council.

The monitoring of progress on the Performance Targets (clause 3.1.2) occurs on a quarterly basis via a status report provided to the Panel. The sister report in this agenda provides the March 2023 status of the 2022/23 Performance Targets.

The review of the CEO's performance for the preceding 12 months (clause 3.1.3), also known as the annual performance review, is undertaken in the May – August period each year in accordance with provisions contained in the CEO's Employment Agreement. Council, upon recommendation by the Panel, has used internal and external review processes in alternate years with the 2022 review being conducted by an external consultant.

The identification of development opportunities (clause 3.1.4) is undertaken as part of the annual performance review. In recent years this has formed only a minor element of the review process.

The reviewing of the CEO's remuneration and conditions of employment (clause 3.1.5) is also undertaken as part of the annual performance review. Regardless of whether the performance review process has been conducted internally or externally in a particular year, a remuneration consultant has been engaged to undertake a remuneration benchmarking study of comparable council CEO remuneration packages and is used as an input to the remuneration review process contained within the CEO's Employment Agreement.

### Panel Meeting Schedule

The Panel has historically met approximately quarterly to undertake its performance monitoring function with additional meetings and workshops as required to undertake the various steps of the annual performance review process.

### CEO Resignation and Recruitment

As detailed in the sister report in this agenda, Council is in the process of recruiting for a substantive CEO following the resignation of the previous CEO, Andrew Aitken, in September 2022 and the appointment of an Acting CEO, David Waters, for the term until the new substantive CEO commences.

As part of the preparation for the recruitment process, the CEO Position Description was reviewed and is at **Appendix 2**.

The indicative recruitment timetable has the Council considering recommendations from the CEO Selection Panel in late April 2023. CEO commencement timeframes will be dependent on the current employment status of the appointee, indicatively ranging from April to June 2023.

## **2. ANALYSIS**

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

#### *Strategic Plan 2020-24 – A brighter future*

Goal	Organisation
Objective O1	We have the right people with the right knowledge and skills in the right jobs and they are supported and developed
Priority O1.4	Continue to support all staff through training, mentoring, coaching and development to enable the achievement of organisational and community goals

The requirement for the Panel to undertake regular review of performance enables accountability to be demonstrated and any recommendations on performance and development of the CEO to be identified, supported and managed.

### ➤ **Legal Implications**

The CEO Performance Review Panel is a Section 41 Committee of Council under the *Local Government Act 1999* (the 'Act').

Section 87 of the Act sets out the provisions for the calling and timing of Council Committee meetings. Section 88 of the Act sets out the provisions relating to public notice of Council Committee meetings.

Section 99A of the Act is a newer provision that, while recognising that the council sets the CEO's remuneration, requires that remuneration to be within the applicable parameters of any determination on CEO remuneration set by the Remuneration Tribunal of SA. To date, the Tribunal has not made a determination however it is anticipated in the mid-year. Pre-existing CEO Employment Agreements will not be affected by any subsequent determination.

Section 102A of the Act is also a newer provision which requires the council to review the performance of its CEO at least once each year and, if relevant, before the reappointment of its CEO. Further in the course of the performance review, the council must obtain and consider the advice of a qualified independent person.

➤ **Risk Management Implications**

Undertaking regular review of the CEO's performance will assist in mitigating the risk of:

*Deficient CEO performance review practices resulting in a lack of accountability and loss of stakeholder confidence.*

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

*Non-achievement of CEO Performance Targets resulting in loss of community benefit and/or opportunities and/or stakeholder confidence.*

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

Note: there are many other controls that also assist in managing these risks.

➤ **Financial and Resource Implications**

Under the Panel's Terms of Reference, the Panel shall:

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

Given the provisions of s102A (above), the Governance & Performance budget contains an allocation for an external performance and remuneration review consultant.

The resource implications associated with the Panel's performance review processes are borne by the Governance & Performance Department.

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

There is an expectation that the performance of the CEO is reviewed in a sound, fair and comprehensive manner.

There is an expectation that the requirements of the Terms of Reference will be adhered to and the CEO Performance Review Panel will have nominated meetings to undertake the work of the Panel and make recommendations to Council.

As a s41 Committee, the schedule of meetings will be posted on Council's website and meetings are open to the public unless the provisions of s90 (Meetings to be held in public except in special circumstances) apply to specific agenda items.

➤ **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:* Discussion with the CEOPRP Presiding Member regarding the expanded quarterly reporting proposal in December 2022.

*Council Workshops:* Not applicable

*Advisory Groups:* Not applicable

*External Agencies:* Kelledy Jones regarding the application of s102A.

*Community:* Not applicable

➤ **Additional Analysis**

Annual Performance and Remuneration Review

Due to the substantive CEO recruitment process currently underway and an anticipated commencement in the April to June period, it is not practical for the 2023 annual performance and remuneration review to be conducted.

Council's legal adviser has clarified that the provisions of s102A (i.e. the requirement for an annual review) will not require that a review is undertaken in 2023 for Council's circumstances.

Notwithstanding the above, the substantive CEO will have provisions contained within the negotiated Employment Agreement which will require an assessment of performance prior to the completion of the probation period. It is envisaged that this will take the form of a 'mini' performance review.

The conventional annual performance and remuneration review process will be reinstated in 2024 to assess the CEO's performance for the 2023-24 financial year.

The conduct of the annual performance review is a decision of the Council and a proposed recommendation of the Panel to this effect is contained in Recommendation 2 above.

Proposed Expanded Quarterly Performance Review & Development Process (EQPRDP)

As set out in the Background section above, outside of the annual performance review process, the ongoing monitoring of the CEO's performance by the Panel has been limited to quarterly reporting against the Performance Targets. The Performance Targets have typically been around the delivery of key initiatives contained in the adopted Annual Business Plan for the year in question.

It is proposed that this regime is expanded to include communication between the Panel and the CEO on a quarterly basis in relation to performance against the key responsibilities set out in the CEO Position Description. These elements also form the basis of the annual performance review process.

Under the proposal, it is envisaged that the CEO will provide a brief commentary against each of the Position Description elements (see list below) for discussion with the Panel. This process would provide a more holistic monitoring of performance and allow the CEO to present achievements and areas of focus or challenge. The process could then be followed by a discussion of professional development requirements and the formulation and execution of a development program.

The Position Description elements are:

1. Advice to and Relationship with Council Members
2. Leadership and Management of Councils Employees
3. Stakeholder Management and Communication
4. Financial and Asset Management
5. Growth and Economic Development
6. Work, Health and Safety
7. Strategic Planning
8. Human Resources Management
9. Operational Management, Governance & Major Projects

The focus at each quarterly review may be weighed toward one or some specific elements, rather than all nine, and this would depend on factors such as the organisational reform focus at the time, areas previously identified for improvement and/or matters arising from external events.

The Acting CEO is supportive, and in fact has suggested, an expanded approach to the quarterly process. He has also discussed this matter with the Chair of the Panel.

The quarterly performance monitoring process is the domain of the Panel and a proposed recommendation to adopt the Expanded Quarterly Performance Review & Development Process (EQPRDP) and advise Council accordingly is contained in Recommendation 3 above.

#### Meeting Dates

If Council resolves to not conduct a 2023 annual performance and remuneration review as recommended, the Panel will only be required to meet quarterly in 2023 to undertake the current quarterly process or, if the Panel resolves, to undertake the EQPRDP.

The following dates are proposed for the quarterly meetings:

- Thursday, 22 June 2023
- Thursday, 21 September 2023
- Thursday, 14 December 2023

These dates are contained in Recommendation 4 above, which also contains a delegation to the CEO PRP Presiding Member to amend the meeting dates as required in consultation with the Administration. This delegation is envisaged for Panel Member or CEO absences.

### **3. OPTIONS**

The Panel has the following options:

1. That in relation to the Annual Performance and Remuneration Review, the Panel:
  - a. recommends to Council not to conduct a 2023 Review (Recommended); or
  - b. determines a practical process to enable the 2023 Review to occur in regard to the substantive CEO recruitment and recommends to Council accordingly (Not Recommended)
2. That in relation to the quarterly performance monitoring process, the Panel:
  - a. adopts the Expanded Quarterly Performance Review & Development Process (EQPRDP) and advise Council accordingly. (Recommended); or
  - b. retains its currently Performance Target centric process (Not Recommended)
3. That the Panel adopts the proposed meeting dates or adjusts these to suit Panel Member availability. (Recommended)

### **4. APPENDIX**

- (1) *CEOPRP Terms of Reference – 25 September 2017*
- (2) *CEO Position Description – February 2023*

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# **Appendix 1**

*CEOPRP Terms of Reference – 25 September 2017*

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# ADELAIDE HILLS COUNCIL

## CEO Performance Review Panel



### TERMS OF REFERENCE (25 July 2017)

#### 1. ESTABLISHMENT

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

#### 2. ROLE

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

#### 3. SPECIFIC FUNCTIONS

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

#### 4. OTHER MATTERS

The Panel shall:

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

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

## **5. MEMBERSHIP**

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

## **6. SITTING FEES**

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

## **7. PRESIDING MEMBER**

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

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

7.4 The role of the Presiding Member includes:

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

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

## **8. REPORTING RESPONSIBILITIES**

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

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

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

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

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

## **9. MEETING PROCEDURE**

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

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

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

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

## **10. SECRETARIAL RESOURCES**

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

## **11. FREQUENCY OF MEETINGS**

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

## **12. NOTICE OF MEETINGS**

- 12.1 Notice of the meetings of the Panel will be given in accordance with Sections 87 and 88 of the Act. Accordingly, notice will be given:
- 12.1.1 To members of the Panel by email or as otherwise agreed by Panel members at least 3 clear days before the date of the meeting; and
- 12.1.2 To the public as soon as practicable after the time that notice of the meeting is given to members by causing a copy of the notice and agenda to be displayed at the Council's offices and on the Council's website.

## **12.2 PUBLIC ACCESS TO MEETINGS & DOCUMENTS**

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

## **13. MINUTES OF MEETINGS**

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

## **Appendix 2**

*CEO Position Description – February 2023*

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# CEO POSITION DESCRIPTION AND CAPABILITY STATEMENT

## POSITION SPECIFICATION

### **PURPOSE**

The Chief Executive Officer (CEO) is responsible for the implementation of Adelaide Hills Council's (AHC) strategies, policies and decisions through effective leadership and strategic management of the organisation. The CEO is primarily responsible for ensuring all Council's activities are delivered to best practice standards and that they are compliant with all legislative and corporate governance requirements.

The CEO is accountable for:

- Ensuring appropriate fiscal, asset and risk oversight
- Positive stakeholder management and communication
- Providing outstanding leadership for Council employees
- Implementing and managing Council's direction and policies
- Providing high-level policy advice and guidance to the Council Members
- Ensuring the provision of effective and efficient customer/community focused services
- Developing, implementing and monitoring the strategic management and annual business plans
- Ensuring the promotion and marketing of the distinctive Council brand in the local and wider communities.
- Ensuring Council meets its legislative responsibilities.

### **REPORTING / WORKING RELATIONSHIPS**

The CEO reports to the Mayor and Council Members (CMs) and is responsible for communicating Council directives through the Executive Leadership Team to AHC employees, ensure their effective and timely implementation.

The CEO is also responsible for developing appropriate relationships in order to represent the interests of Council to federal and state government, appropriate agencies and industry bodies and maintain clear, open and effective communication with the Adelaide Hills community and stakeholder groups.

### **DELEGATIONS AND AUTHORITY**

The Chief Executive Officer will make judgments and decisions in accordance with established AHC policy and within all legislative requirements. In particular:

1. Sign certificates, contracts, agreements and cheques issued or entered into by AHC in accordance with the relevant decisions and delegations
2. Ensure that employees, in carrying out their duties, act in accordance with legislative requirements and established policies, code of conduct and delegations
3. Spend monies in accordance with budgets and approved delegations
4. Handle industrial disputes, grievances and union issues
5. Determine matters relating to the appointment, remuneration and assessment of employees.

# CEO POSITION DESCRIPTION AND CAPABILITY STATEMENT

## KEY RESPONSIBILITIES

### *Advice to and Relationship with Council Members*

1. Develop and maintain a collaborative, open and engaged working relationship with the Mayor and all CMs
2. Ensure a high degree of satisfaction with CMs in relation to support, guidance, service quality and accuracy of information, recommendations and related matters provided by the CEO and the Executive Leadership Team
3. Ensure the CMs are provided with an acceptable cycle of reporting actions that indicate the status, success and effectiveness of all operations and major projects
4. Ensure that the AHC's statutory and governance obligations are met in a timely and effective manner
5. Ensure CMs are provided with appropriate professional development opportunities, resources and services
6. Support the Mayor in upholding the mandated Behavioural Standards Framework
7. Ensure that effective communication and working relationships exist between the CMs and the administration, including attending meetings and regular and effective communication processes
8. Provide professional, thorough and objective advice to CMs
9. Remain up to date in regard to legislative and other major developments affecting local government and advising CMs as to the ramifications.

### *Leadership and Management of Councils Employees*

1. Lead all aspects of AHC through contemporary people management styles and techniques
2. Coach and mentor staff in the delivery of high-quality community and customer services
3. Provide a positive, safe and engaging work environment which fosters a good working relationship between all employees
4. Provide approachable, visible and encouraging leadership
5. Ensure decision-making processes are clear, timely and innovative
6. Communicate decisions and all other relevant information to employees through a variety of mediums
7. Ensure employees are held accountable for their work
8. Promote equitable work practices
9. Promote a safe and healthy workplace
10. Provide an internal procedure for managing disputes and grievances
11. Support and encourage an environment where CMs and employees work together to create best practice services for the community.
12. Drive high performance standards across all operational areas and encourage ownership, dedication, integrity, professional growth and continuous improvement

### *Stakeholder Management and Communication*

1. Liaise with the community and business groups to assist in the achievement of AHC's objectives
2. Develop and activate effective communication and engagement strategies to foster a positive reputation for AHC
3. Initiate and respond to media so that the AHC is positioned as a progressive and responsive entity
4. Ensure positive relationships are established with television, radio, press and various electronic media
5. Provide input to any commonwealth, state or local government initiatives affecting the council area ensure the development of the local economy

## CEO POSITION DESCRIPTION AND CAPABILITY STATEMENT

6. Effectively liaise with local government authorities, the Local Government Association and other government authorities and agencies
7. Ensure effective community consultation programs are developed, conducted, analysed and incorporated in the strategic planning process
8. Lobby the various arms of government and other stakeholders on behalf of the community
9. Liaise with community and business groups to facilitate economic growth and community development for the AHC district
10. Represent the AHC at appropriate events to maintain, and if necessary, enhance the AHC's public profile within the community and amongst stakeholders
11. Ensure Council activities and initiatives are appropriately promoted and communicated
12. Address public meetings in a positive and effective manner
13. Establish and maintain quality relationships with resident and business representative groups, educational institutions, community service providers, governmental agencies, regional development boards, local business leaders, individual residents and other customers
14. Promptly and diligently respond to requests for service and advice from employees and community
15. Act as a champion and advocate for the AHC

### ***Financial and Asset Management***

1. Optimise the grants and subsidies available to AHC and the broader community
2. Ensure the long-term financial sustainability of AHC
3. Ensure annual and long term financial plans are prepared, monitored and controlled
4. Oversee the annual budgeting process in close consultation with the management team
5. Ensure monitoring and control of budgets including variance analysis and reporting to the CMs
6. Ensure CMs are provided with timely and accurate financial reports
7. Ensure the financial systems and processes are sound and that technology is used effectively
8. Ensure long term asset management plans (community and corporate) are in place and closely monitored
9. Ensure well researched business cases / project plans are prepared to support major projects.
10. Ensure the efficient and effective management and monitoring of the Council's revenue and expenditure

### ***Growth and Economic Development***

1. Lead the development and delivery of strategies and initiatives designed to facilitate economic development.
2. Support and encourage continued growth, new investment and appropriate development, and the sustainability of existing business
3. Promote the Council area as the region of choice to live, work and invest.

### ***Work, Health and Safety***

1. As an Officer of the PCBU ensure Council complies with all relevant Work, Health and Safety legislation and regulations to ensure a safe and positive working environment



# CEO POSITION DESCRIPTION AND CAPABILITY STATEMENT

## ***Strategic Planning***

1. Work with CMs to develop, implement and review the AHC Strategic Plan
2. Ensure Annual Business and other relevant strategies and plans are prepared to implement AHC's Strategic Plan
3. Effectively communicate the AHC vision and strategy to all key internal and external stakeholders
4. Ensure Annual Business Plans are completed and communicated on time
5. Ensure the preparation of Long Term Asset Management and Financial Management Plans
6. Ensure consultation with ratepayers and other key private and public stakeholders in the development of Strategic and Business Plans
7. Ensure positive progress towards sustainability in all council's activities
8. Ensure continuous review of the progress in attaining the objectives of Strategic Plans.

## ***Human Resources Management***

1. Nurture a positive organisational culture with a strong customer service focus
2. Lead, develop, motivate and manage the human resources of the organisation
3. Regularly review the organisational structure to ensure it meets the functional and business requirements of the AHC Strategic Plan
4. Ensure recruitment is undertaken in line with contemporary and equal opportunity principles and practices
5. Ensure strategies to attract and retain appropriately skill employees are in place and position Council as an 'employer of choice'
6. Ensure professional development and training opportunities, programs, records and policies are in place
7. Ensure contemporary performance management procedures are in place and remuneration reviews are regularly conducted
8. Ensure that organisational development and associated plans are in place
9. Ensure a positive, inclusive, innovative and productive employee culture and consultative industrial relations environment
10. Be accountable for obligations in accordance with various legislation including; EEO Act, WH&S Act, commonwealth / state industrial laws and various other statutory obligations.

## ***Operational Management, Governance & Major Projects***

1. Ensure regular reviews of policies, procedures, authorities, controls, workplace agreements, delegations, authorities and systems
2. Identify, manage and report on areas of risk
3. Provide a regular overview of the various operational areas of AHC
4. Report to CMs and section 41 committees on a regular and formal basis regarding the progress of the AHC's operations
5. Endeavor to have major projects completed on time and within budget and project statuses are regularly monitored and communicated to CMs
6. Improve performance of the Council by proactively embracing best practice and continuous improvement initiatives
7. Enhance AHC's systems and technology is consistent with the Strategic Plan

# CEO POSITION DESCRIPTION AND CAPABILITY STATEMENT

## CAPABILITY STATEMENT

### **EDUCATION**

Tertiary qualifications will be highly regarded &/or demonstrated experience at an executive level.

### **EXPERIENCE**

1. Demonstrated success in a senior management position that has a similar level of complexity, size and diversity
2. A proven track record of working in an environment that delivers best practice methodology, in the way in which it operates, is considered highly desirable
3. Demonstrated capacity to think, plan and act strategically and to engage and influence across an organisation with diverse stakeholders
4. Excellent leadership with experience in creating high-performing teams and initiating and implementing change in a complex and politically sensitive environment
5. An in-depth understanding of local government legislation is highly desirable; however an appreciation of the workings of local government achieved through dealings in either a public or private sector organisation would be highly regarded.

## KEY CAPABILITY ELEMENTS

### **OPERATIONAL**

1. Able to motivate the employees to deliver high levels of performance
2. Has the capacity and willingness to create organisation efficiencies
3. Has a progressive leadership style which encourages a 'can do' attitude in the organisation and leads by example
4. Has highly developed Emotional Intelligence skills and understanding
5. Has innovative skills to identify opportunities and initiate new ideas and practices
6. Encourages an environment where feedback is constructive.

### **POLITICAL**

1. Able to work with CMs in a constructive and positive way to deliver progressive outcomes for the community
2. Has sound business acumen and political nous
3. Able to provide well researched reports discussing all options with a firm recommendation.
4. Able to assist in the professional development of the CMs
5. Able to champion the interests of the community and promote the Adelaide Hills.

## CEO POSITION DESCRIPTION AND CAPABILITY STATEMENT

### **STAKEHOLDERS**

1. Able to actively listen and respond empathetically to the wants and needs of the community
2. Able to develop an effective partnership between AHC and the community
3. Has a strong customer service ethos
4. Able to be firm but fair with all internal and external stakeholders to create positive solutions for all parties
5. Able to foster and develop strong connections and partnerships with the community, government and other key stakeholders

### **PERSONAL ATTRIBUTES**

1. Is sociable
2. Is inspiring and outcome focused
3. Is a strategic thinker
4. Is enthusiastic and motivated
5. Is resilient and responsive
6. Has unwavering integrity and honesty
7. Has highly developed communication and interpersonal skills
8. Has a cooperative and consultative manner
9. Takes an innovative approach to decision making and problem solving
10. Has a strong, positive, collegial, open and engaging contemporary management style
11. Is entrepreneurial, has business skills and can see opportunities.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 11 April 2023  
CONFIDENTIAL AGENDA BUSINESS ITEM**

**Item:** 18.1

**Responsible Officer:** Lachlan Miller  
Executive Manager Governance and Performance  
Office off the Chief Executive.

**Subject:** Audit Committee Independent Member Appointment

**For:** Decision

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**1. Audit Committee Independent Member Appointment – 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:

- Acting Chief Executive Officer, David Waters
- Acting Director Community Capacity, Rebecca Shepherd
- Director Corporate Services, Terry Crackett
- Director Development & Regulatory Services, Natalie Armstrong
- Director Infrastructure & Operations, Peter Bice
- Executive Manager Governance & Performance, Lachlan Miller
- IT Support Officer, Mike O'Donnell
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.1: (Audit Committee Independent Member Appointment) in confidence.

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

Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), because it would disclose the personal details of candidates who have expressed an interest to be on the Audit Committee.

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

**3. Audit Committee Independent Member Appointment – 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 18.1 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 the appointment has been confirmed, but not longer than 30 April 2023.
Related Attachments	Until the appointment has been confirmed, but not longer than 30 April 2023.
Minutes	Until the appointment has been confirmed, but not longer than 30 April 2023.
Other (presentation, documents, or similar)	NIL

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.