# ORDINARY COUNCIL MEETING

**NOTICE OF MEETING**

To: Acting Mayor Nathan Daniell

| |
|---|
| Councillor Kirrilee Boyd |
| Councillor Adrian Cheater |
| Councillor Richard Gladigau |
| Councillor Chris Grant |
| Councillor Malcolm Herrmann |
| Councillor Lucy Huxter |
| Councillor Leith Mudge |
| Councillor Mark Osterstock |
| Councillor Kirsty Parkin |
| Councillor Alex Trescowthick |
| Councillor Lisa Clare Woolcock |

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 14 October 2025**
**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.



**Greg Georgopoulos**
**Chief Executive Officer**

# ORDINARY COUNCIL MEETING

**AGENDA FOR MEETING**
**Tuesday 14 October 2025**
**6.30pm**
**63 Mt Barker Road Stirling**

**ORDER OF BUSINESS**

**1. COMMENCEMENT**

**2. OPENING STATEMENT**

2.1. *Acknowledgement of Country*

Council acknowledges that we meet on the traditional Country of the Peramangk and Kaurna people. We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land.

2.2. Together we will care for this place for the generations to come and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children's ability to live on this land.

**3. APOLOGIES/LEAVE OF ABSENCE**

3.1. Apology

3.2. Leave of Absence

3.2.1 Cr Kirsty Parkin – 6 October 2025 to 17 October 2025 – approved 26 August 2025

3.2.2 Cr Leith Mudge – 14 October 2025 to 17 October 2025 – approved 23 September 2025

3.3. Absent

**4. MINUTES OF PREVIOUS MEETINGS**

Council Meeting – 23 September 2025

*That the minutes of the ordinary meeting held on* 23 *September 2025 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. ACTING MAYOR'S OPENING REMARKS**

## 7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1. Questions Adjourned
Nil

7.2. Questions Lying on the Table
Nil

## 8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

8.1. Petitions
Nil

8.2. Deputations
Nil

8.3. Public Forum

## 9. PRESENTATIONS (by exception)

Nil

## 10. QUESTIONS ON NOTICE

Nil

## 11. MOTIONS ON NOTICE

Nil

## 12. ADMINISTRATION REPORTS – DECISION ITEMS

12.1 Community Loans Policy

1. *That the Community Loans Policy report be received and noted.*

2. *To adopt the revised Community Loans policy at Appendix 1, with an effective date of 16 October 2025.*

3. *To authorise the Chief Executive Officer to make any formatting, nomenclature or other minor changes to the revised policy.*

12.2 Review of Cemetery Operating Policy & Memorials within Council Cemeteries Policy

1. *That the Review of Cemetery Operating Policy & Memorials within Council Cemeteries Policy report be received and noted.*

2. *With an effective date of 28 October 2025, to revoke the 26 June 2024 Cemetery Operating Policy and to adopt the 14 October 2025 Cemetery Operating Policy as per Appendix 1.*

3. *With an effective date of 28 October 2025, to revoke the 9 May 2023 Memorials within Cemeteries Policy and to adopt the 14 October 2025 Memorials within Council Cemeteries Policy as per Appendix 2.*

4. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 14 October 2025 Cemetery Operating Policy as per Appendix 1 and the 14 October 2025 Memorials within Council Cemeteries Policy as per Appendix 2 prior to the date of effect.*

12.3 Proposed Asset Accounting Policy

1. *That the Asset Accounting Policy report be received and noted.*

2. *That Council adopt the Asset Accounting Policy at Appendix 1, with an effective date of 16 October 2025.*

3. *To authorise the Chief Executive Officer to make any formatting, nomenclature or other minor changes to the proposed policy.*

12.4 Adelaide Hills Reconciliation Working Group Terms of Reference and Membership

Decision 1

1. *That the Adelaide Hills Reconciliation Working Group Terms of Reference report be received and noted.*

2. *That Council endorses the Adelaide Hills Reconciliation Working Group Revised Terms of Reference in Appendix 1.*

3. *To authorise the Chief Executive Officer to make any minor alterations to the Terms of Reference, not affecting the substantive form or function of the Adelaide Hills Reconciliation Working Group, as may be required to finalise the matter.*

Decision 2 (*required if one candidate indicates intention to nominate)*

1. *To appoint _____ as representative to the Adelaide Hills Reconciliation Working Group and _____ as proxy representative until the conclusion of the current Council term in November 2026.*

Decision 3 *(required if more than one candidate indicates intention to nominate)*

1. *To determine that the method of selecting the representative and proxy to the Adelaide Hills Reconciliation Working Group be by an indicative vote, where necessary, to determine the preferred person for the position utilising the process set out in this Agenda report.*

2. *To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting indicative vote to determine the representative and proxy to the Adelaide Hills Reconciliation Working Group and for the meeting to resume once the results of the indicative voting has been declared.*

Decision 4 *(required if meeting adjourned as a result of Decision 3)*

1. *To appoint _____ as representative to the Adelaide Hills Reconciliation Working Group and _____ as proxy representative until the conclusion of the current Council term in November 2026.*

12.5 Delegations made under *Planning, Development and Infrastructure Act 2016*, Regulations, Planning & Design Code and Practice Directions

1. *That the report be received and noted.*

2. *Delegations made under Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council, a Designated Authority and a Designated Entity – (Instrument A)*

    a. *In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (contained in the attachment of this Report) are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.*

    b. *Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.*

3. *If two or more delegates are nominated in respect of a power or function, then each nominated person is granted a delegation and may exercise the power or function independently of any other delegate.*

4. *The delegations are granted subject to the following conditions and limitations:*

    a. *the delegate must exercise a delegated function or power in accordance with:*

        i. *applicable legislative and other legal requirements; and*

        ii. *due regard to relevant policies and guidelines adopted by the Council;*

        iii. *all other conditions and limitations noted in the instrument of delegations*

5. *Each delegation of a power or function granted under this instrument is independent of, and severable from, every other delegation granted under this instrument.*

6. *If a delegation of a power or function under this instrument is determined to be invalid or unlawful, the invalid or unlawful delegation will be deemed to be severed from this instrument and the remaining delegations will continue to operate according to their terms.*

7. *The delegations provided for in this instrument of delegation will come into operation on 20 October 2025.*

8. *Previous delegations granted by the Council of the powers and functions delegated by this instrument are revoked with effect from the date on which the delegations provided for in this instrument come into operation.*

9. *The delegations granted by this instrument will remain in force until varied or revoked by resolution of the Council.*

12.6 Delegations under the *Local Government Act 1999* and other legislation (excluding the *Development Act 1993* and *Planning, Development and Infrastructure Act 2016*)

1. *That the report be received and noted*

2. *The Adelaide Hills Council (Council) delegates each function or power of the Council:*

    a. *listed in the attached table (Appendix 2) to the delegate or delegates identified in respect of the function or power*

3. *The delegations granted pursuant to:*

    a. *the Local Government Act to the Council's Chief Executive Officer (CEO) may be sub-delegated by the Chief Executive Officer in accordance with sections 44(4)(b) and 101 of the Local Government Act, but subject to section 44(3a) of the Local Government Act;*

4. *If two or more delegates are nominated in respect of a power or function, then each nominated person is granted a delegation and may exercise the power or function independently of any other delegate.*

5. *The delegations are granted subject to the following conditions and limitations:*

    a. *the delegate must exercise a delegated function or power in accordance with:*

        i. *applicable legislative and other legal requirements; and*

        ii. *due regard to relevant policies and guidelines adopted by the Council;*

iii. *all other conditions and limitations noted in the instrument of delegations (Appendix 2)*

b. *in regard to the following delegations under the Local Government Act:*

i. *section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the Local Government Act;*

ii. *section 137: the power to expend funds in the performance or discharge of the council's powers, functions or duties in accordance is limited to funds allocated as part of a budget adopted by the council;*

iii. *section 143(1): the power to write off debts is limited to debts not exceeding $5000;*

iv. *section 188(3): the powers in regard to fees and charges are limited to fees and charges imposed under sections 188(1)(a), 188(1)(b) and 188(1)(c);*

6. *Each delegation of a power or function granted under this instrument is independent of, and severable from, every other delegation granted under this instrument.*

7. *If a delegation of a power or function under this instrument is determined to be invalid or unlawful, the invalid or unlawful delegation will be deemed to be severed from this instrument and the remaining delegations will continue to operate according to their terms.*

8. *The delegations provided for in this instrument of delegation will come into operation on 20 October 2025.*

9. *Previous delegations granted by the Council of the powers and functions delegated by this instrument are revoked with effect from the date on which the delegations provided for in this instrument come into operation.*

10. *The delegations granted by this instrument will remain in force until varied or revoked by resolution of the Council.*

12.7 Confidential Items Review – September 2025

Decision 1

1. *To receive and note the report titled "Confidential Items Review" (Agenda item 12.7, 14 October 2025 Council Meeting).*

2. *To note the items held as confidential in the Confidential Items Register (Appendix 1 of Agenda item 12.7, 14 October 2025 Council Meeting).*

Decision 2 – 273/24 - Land Management Agreement – Burial on Private Land

1. *That the report, related attachments, minutes and other (presentation, documents, or similar) of item 19.1 of 23 July 2024, 273/24, Land Management Agreement – Burial on Private Land be released to the public.*

Decision 3 – 359/24 - HR Consultant Update

1. *Pursuant to Section 91(7) of the Local Government Act 1999, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) and (h) of the Act:*

    - *The report, related attachments, minutes and other (presentation, documents, or similar) of 24 September 2024, Item No. 19.2, HR Consultant Update, 359/24 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months.*

    *On the grounds that the document(s) (or part) relates to information relating to commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information.*

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

Decision 4 – PRP33/24- CEO Performance Review Process Recommendations

1. *That the minutes of item 10.1 of 12 August 2024, PRP33/24, CEO Performance Review Process Recommendations be released to the public.*

Decision 5 – 303/24– Question Without Notice

1. *That the report, related attachments, minutes and other (presentation, documents, or similar) of item 19 of 27 August 2024, 303/24, Question Without Notice be released to the public.*

Decision 6 – PRP41/24 - CEO Performance Review Process and Performance Criteria

1. *That the report, related attachments, minutes and other (presentation, documents, or similar) of item 10.2 of 18 September 2024, PRP41/24, CEO Performance Review Process and Performance Criteria be released to the public.*

Decision 7 – 356/24 - CEO Performance Review Panel Recommendations to Council – CEO Review Process

1. *That the report, related attachments, minutes and other (presentation, documents, or similar) of item 19.1 of 24 September 2024, 356/24- CEO Performance Review Panel Recommendations to Council – CEO Review Process be released to the public.*

Decision 8 – 408/24 - Proposed CEO Leave Policy

1. *That the report, related attachments, minutes and other (presentation, documents, or similar) of item 19.3 of 12 November 2024, 408/24 - Proposed CEO Leave Policy be released to the public.*

Decision 9 – PRP48 and PRP49 - 2024 Remuneration Review

2. *That the report, related attachments except for appendix 1, minutes and other (presentation, documents, or similar) of item 10.2 of 18 December 2024, PRP48 and PRP49 - 2024 Remuneration Review be released to the public.*

Decision 10 – PRP45/24- CEO Key Performance Indicators

1. *That the report, related attachments, minutes and other (presentation, documents, or similar) of item 10.1 of 18 December 2024– PRP45/24- CEO Key Performance Indicators be released to the public.*

12.8 Acting Deputy Mayor Appointment

Decision 1 *(required if one candidate indicates intention to nominate*

1. *That the report on the Acting Deputy Mayor Appointment be received and noted.*

2. *To appoint Cr_____ to the position of Acting Deputy Mayor to commence 15 October 2025 and conclude on 28 January 2026, or close of the supplementary election, whichever is earlier.*

3. *To note that the Deputy Mayor has a number of roles and functions under Council's policies.*

4. *That, for the avoidance of doubt:*

    a. *the Acting Mayor, as the substantive Deputy Mayor, retains the roles and functions of the Deputy Mayor under Council's policies unless the Deputy Mayor is unavailable or unable to perform the roles and functions or delegates these roles and functions*

    b. *the Acting Deputy Mayor only takes on the roles and functions of the Deputy Mayor under Council's policies if the Acting Mayor is unavailable or unable to perform the roles or functions or is delegated these roles and functions.*

Decision 2 *(required if more than one candidate indicates intention to nominate)*

1. *That the report on the Acting Deputy Mayor Appointment be received and noted.*

2. *To determine that the method of selecting the Acting Deputy Mayor be by an indicative vote to determine the preferred person utilising the process as set out within this report.*

3. *To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Acting Deputy Mayor role and for the meeting to resume once the results of the indicative voting has been declared.*

Decision 3 (required if meeting adjourned)

1. *To appoint Cr_____ to the position of Acting Deputy Mayor to commence 15 October 2025 and conclude on 28 January 2026, or close of the supplementary election, whichever is earlier.*

2. *To note that the Deputy Mayor has a number of roles and functions under Council's policies.*

3. *That, for the avoidance of doubt:*

    a. *the Acting Mayor, as the substantive Deputy Mayor, retains the roles and functions of the Deputy Mayor under Council's policies unless the Deputy Mayor is unavailable or unable to perform the roles and functions or delegates these roles and functions*

    b. *the Acting Deputy Mayor only takes on the roles and functions of the Deputy Mayor under Council's policies if the Acting Mayor is unavailable or unable to perform the roles or functions or is delegated these roles and functions.*

## 13. ADMINISTRATION REPORTS – INFORMATION ITEMS

Nil

## 14. CORRESPONDENCE FOR NOTING

14.1. Invitation from the City of Burnside to join the advocacy for the High Productivity Vehicle Network, including the Greater Adelaide Freight Bypass

14.1.1. Response to the City of Burnside

14.2. Letter from the Gawler River Flood Management Authority (GRFMA) External Auditor regarding the 2024-25 Financial Year

14.2.1. GRFMA Signed 2024-25 Financial Statements

14.2.2. Email response from GRFMA regarding issues raised by the External Auditor

14.3. Letter from Adelaide Hills Reconciliation Working Group (AHRWMA)

14.3.1. AHRWMA Annual Report 2024-25

14.4. Letter from the Electoral Commission of South Australia re results of the Adelaie Hills Council supplementary election for Ranges Ward and Valleys Ward

14.4.1. Electoral Commission of South Australia results of the supplementary election for Ranges Ward and Valleys Ward of Adelaide Hills Council

14.5. Invitation from the Power Line Environment Committee regarding undergrounding powerlines

14.6. Great Southern Reef Harmful Algal Bloom Delegation's Submission to the Federal Government

14.7.1 Letter to the Hon Peter Malinasuskas MP, Premier of South Australia regarding the boundary change inquiry

14.7.2 Letter to the Hon Kyam Maher MLC, Deputy Premier of South Australia regarding the boundary change inquiry

14.7.3 Letter to Hon Tom Koutsantonis MP, Treasurer of South Australia regarding the boundary change inquiry

14.7.4 Letter to the Hon Joe Szakacs MP, Minister for Local Government regarding the boundary change inquiry

14.7.5 Letter to the Hon Zoe Bettison MP, Minister for Tourism regarding the boundary change inquiry

14.7.6 Letter to the Hon Emily Bourke MLC, Minister for Infrastructure and Transport regarding the boundary change inquiry

14.7.7 Letter to the Hon Blair Boyer MP, Minister for Education, Skills and Training regarding the boundary change inquiry

14.7.8 Letter to the Hon Nick Champion MP, Minister for Housing and Urban Development regarding the boundary change inquiry

14.7.9 Letter to the Hon Nat Cook MP, Minister for Human Services regarding the boundary change inquiry

14.7.10 Letter to the Hon Katrine Hildyard MP, Minister for Women regarding the boundary change inquiry

14.7.11 Letter to the Hon Lucy Hood MP, Minister for Climate, Environment and Water regarding the boundary change inquiry

14.7.12 Letter to the Hon Andrea Michaels MP, Minister for Small and Family Business regarding the boundary change inquiry

14.7.13 Letter to the Hon Rhiannon Pearce MP, Minister for Emergency Services and Correctional Services regarding the boundary change inquiry

14.7.14 Letter to the Hon Chris Picton MP, Minister for Health and Wellbeing regarding the boundary change inquiry

14.7.15 Letter to the Hon Clare Scriven MLC, Minister for Primary Industries and Regional Development regarding the boundary change inquiry

## 15. QUESTIONS WITHOUT NOTICE

## 16. MOTIONS WITHOUT NOTICE

## 17. REPORTS

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

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

17.3. CEO Report

## 18. REPORTS OF COMMITTEES

18.1. Council Assessment Panel – 24 September 2025
*That the minutes of the Council Assessment Panel held on 24 September 2025 as supplied, be received and noted.*

18.2. Audit Committee
Nil

18.3. CEO Performance Review Panel
Nil

18.4 Boundary Change Committee
Nil

## 19. CONFIDENTIAL ITEMS

19.1 Workplace matter-verbal update

## 20. NEXT MEETING

Tuesday 28 October 2025, 6.30pm, 63 Mt Barker Road, Stirling

## 21. CLOSE MEETING

# Council Meetings, Information and Briefing Sessions, CAP and Committee Meetings for 2025

| DATE | TYPE | LOCATION | MINUTE TAKER |
|---|---|---|---|
| **JANUARY 2025** | | | |
| Wednesday 15 January | CAP | Stirling | TBA |
| Tuesday 28 January | Ordinary Council | Stirling | Skye Ludzay |
| **FEBRUARY 2025** | | | |
| Monday 3 February | Workshop | Woodside | N/A |
| Tuesday 11 February | Ordinary Council | Stirling | Rebekah Lyons |
| Wednesday 12 February | CAP | Stirling | TBA |
| Monday 17 February | Audit Committee | Stirling | Lauren Jak |
| Tuesday 18 February | Professional Development | Stirling | N/A |
| Tuesday 25 February | Ordinary Council | Stirling | Skye Ludzay |
| **MARCH 2025** | | | |
| Monday 3 March | Workshop | Woodside | N/A |
| Tuesday 11 March | Ordinary Council | Stirling | Rebekah Lyons |
| Wednesday 12 March | CAP | Stirling | TBA |
| Tuesday 18 March | Professional Development | Stirling | N/A |
| Saturday 22 March | Workshop | Stirling | N/A |
| Tuesday 25 March | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 26 March | CEO PRP | Stirling | Zoë Gill |
| **APRIL 2025** | | | |
| Wednesday 2 April | CEO PRP | Stirling | Zoë Gill |
| Monday 7 April | Workshop | Woodside | N/A |
| Tuesday 8 April | Ordinary Council | Stirling | Rebekah Lyons |
| Wednesday 9 April | CAP | Stirling | TBA |
| Monday 14 April | Audit Committee | Stirling | Lauren Jak |
| Tuesday 15 April | Professional Development | Stirling | N/A |
| Tuesday 15 April | Boundary Change Committee | Stirling | Georgie McKeon |
| Wednesday 16 April | CEO PRP | Stirling | Zoë Gill |
| Tuesday 22 April | Ordinary Council | Stirling | Skye Ludzay |
| **MAY 2025** | | | |
| Monday 5 May | Workshop | Woodside | N/A |
| Tuesday 13 May | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 14 May | CAP | Stirling | TBA |
| Monday 19 May | Audit Committee | Stirling | Lauren Jak |
| Tuesday 20 May | Professional Development | Stirling | N/A |
| Tuesday 27 May | Ordinary Council | Stirling | Brittany Priwer |
| **JUNE 2025** | | | |
| Monday 2 June | Workshop | Woodside | N/A |
| Tuesday 10 June | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 11 June | CAP | Stirling | TBA |
| Tuesday 17 June | Professional Development | Stirling | N/A |
| Tuesday 24 June | Ordinary Council | Stirling | Brittany Priwer |
| Wednesday 25 June | CEO PRP | Stirling | Zoë Gill |
| **JULY 2025** | | | |

| DATE | TYPE | LOCATION | MINUTE TAKER |
|---|---|---|---|
| Monday 7 July | Workshop | Woodside | N/A |
| Tuesday 8 July | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 9 July | CAP | Stirling | TBA |
| Tuesday 15 July | Professional Development | Stirling | N/A |
| Tuesday 22 July | Ordinary Council | Stirling | Skye Ludzay |
| **AUGUST 2025** | | | |
| Monday 4 August | Workshop | Woodside | N/A |
| Tuesday 12 August | Ordinary Council | Stirling | Georgie McKeon |
| Wednesday 13 August | CAP | Stirling | TBA |
| Monday 18 August | Audit Committee | Stirling | Lauren Jak |
| Tuesday 19 August | Professional Development | Stirling | N/A |
| Tuesday 26 August | Ordinary Council | Stirling | Georgie McKeon |
| Wednesday 27 August | CEO PRP | Stirling | Zoë Gill |
| **SEPTEMBER 2025** | | | |
| Monday 1 September | Workshop | Woodside | N/A |
| Tuesday 9 September | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 10 September | CAP | Stirling | TBA |
| Tuesday 16 September | Professional Development | Stirling | N/A |
| Tuesday 23 September | Ordinary Council | Stirling | Georgie McKeon |
| **OCTOBER 2025** | | | |
| Tuesday 7 October (Public Holiday) | Workshop | Woodside | N/A |
| Wednesday 8 October | CAP | Stirling | TBA |
| Tuesday 14 October | Ordinary Council | Stirling | Skye Ludzay |
| Wednesday 15 October | CEO PRP | Stirling | Zoë Gill |
| Monday 20 October | Audit Committee | Stirling | Lauren Jak |
| Tuesday 21 October | Professional Development | Stirling | N/A |
| Tuesday 28 October | Ordinary Council | Stirling | Lauren Jak |
| **NOVEMBER 2025** | | | |
| Monday 3 November | Workshop | Woodside | N/A |
| Tuesday 11 November | Ordinary Council | Stirling | Georgie McKeon |
| Wednesday 12 November | CAP | Stirling | TBA |
| Monday 17 November | Audit Committee | Stirling | Lauren Jak |
| Tuesday 18 November | Professional Development | Stirling | N/A |
| Tuesday 25 November | Ordinary Council | Stirling | Georgie McKeon |
| **DECEMBER 2025** | | | |
| Monday 1 December | Workshop | Woodside | N/A |
| Tuesday 9 December | Ordinary Council | Stirling | Lauren Jak |
| Wednesday 10 December | CAP | Stirling | TBA |

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

# Council Member Attendance 2025

## Information or Briefing Sessions

| Meeting Date | Mayor Jan-Claire Wisdom | Cr Kirrilee Boyd | Cr Adrian Cheater | Cr Nathan Daniell | Cr Leith Mudge | Cr Louise Pascale | Cr Mark Osterstock | Cr Kirsty Parkin | Cr Pauline Gill | Cr Chris Grant | Cr Malcolm Herrmann | Cr Lucy Huxter | Cr Melanie Selwood |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 3 Feb 25 (WS) | F | AP | F | F | AP | F | AP | F | F | F | F | AP | F |
| 18 Feb 25 (WS) | P | AP | F | F | F | P | AP | F | LOA | F | F | F | F |
| 3 Mar 25 (WS) | F | F | F | F | F | F | F | AP | AP | F | F | AP | F |
| 11 Mar 25 (WS) | LOA | F | F | F | LOA | A | F | F | AP | AP | P | F | F |
| 18 Mar 25 (WS) | LOA | F | F | F | LOA | F | AP | F | P | F | F | F | F |
| 22 Mar 25 (WS) | LOA | F | F | F | LOA | F | AP | F | F | F | F | F | F |
| 7 Apr 25 (WS) | LOA | AP | F | F | F | F | F | F | AP | F | F | AP | F |
| 15 Apr 25 (WS) | LOA | F | F | F | AP | F | AP | F | A | F | F | F | F |
| 5 May 25 (WS) | LOA | F | F | F | P | P | AP | A | AP | F | F | P | F |
| 20 May 25 (WS) | LOA | AP | F | F | F | A | F | F | A | F | F | P | F |
| 02 June 25 (WS) | LOA | F | F | P | F | [redacted] | AP | F | [redacted] | AP | F | AP | [redacted] |
| 17 June 25 (WS) | LOA | AP | F | F | F | [redacted] | F | F | [redacted] | AP | F | F | [redacted] |
| 7 July 25 (WS) | LOA | LOA | F | F | AP | [redacted] | AP | A | [redacted] | F | F | P | [redacted] |
| 15 July 25 (PD) | LOA | LOA | F | F | F | [redacted] | AP | F | [redacted] | F | F | AP | [redacted] |

**Index: Workshop (WS) / Professional Development (PD) / F = Full Attendance / P = Partial Attendance / AP = Apology / LOA = Leave of Absence / A = Absent**

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 4 Aug 25 (WS) | LOA | F | F | F | F | | F | F | | F | F | LOA | |
| 19 Aug 25 (WS) | LOA | LOA | F | F | F | | F | AP | | F | F | F | |
| 1 Sep 25 (WS) | LOA | AP | F | F | F | | AP | AP | | F | F | AP | |
| 16 Sep 25 (WS) | A | AP | F | F | F | | F | AP | | F | F | AP | |

| Meeting Date | Cr Kirrilee Boyd | Cr Adrian Cheater | Cr Nathan Daniell | Cr Richard Gladigau | Cr Chris Grant | Cr Malcolm Herrmann | Cr Lucy Huxter | Cr Leith Mudge | Cr Mark Osterstock | Cr Kirsty Parkin | Cr Alex Trescowthick | Cr Lisa Woolcock | - |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 7 Oct 25 (WS) | F | F | F | F | F | P | F | F | A | LOA | F | F | |

**Index: Workshop (WS) / Professional Development (PD) / F = Full Attendance / P = Partial Attendance / AP = Apology / LOA = Leave of Absence / A = Absent**

# Council Member Attendance 2025

## Council Meetings (including Special Council Meetings)

| Meeting Date | Mayor Jan-Claire Wisdom | Cr Kirrilee Boyd | Cr Adrian Cheater | Cr Nathan Daniell | Cr Leith Mudge | Cr Louise Pascale | Cr Mark Osterstock | Cr Kirsty Parkin | Cr Pauline Gill | Cr Chris Grant | Cr Malcolm Herrmann | Cr Lucy Huxter | Cr Melanie Selwood |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 28 Jan 25 | AP | F | AP | AP | F | LOA | F | AP | F | F | F | F | F |
| 11 Feb 25 | F | AP | LOA | F | F | F | F | F | AP | F | F | F | LOA |
| 25 Feb 25 | AP | F | F | F | F | F | F | F | LOA | F | F | LOA | F |
| 11 Mar 25 | LOA | F | F | F | LOA | F | F | F | AP | AP | F | F | F |
| 25 Mar 25 | LOA | F | F | F | LOA | F | F | F | F | F | F | F | F |
| 8 Apr 25 | LOA | LOA | F | F | F | F | F | F | AP | F | F | F | F |
| 22 Apr 25 | LOA | LOA | F | F | F | F | F | LOA | AP | F | F | AP | F |
| 13 May 25 | LOA | AP | F | F | F | F | F | AP | LOA | F | F | F | LOA |
| 27 May 25 | LOA | LOA | F | F | F | [redacted] | F | F | [redacted] | F | F | AP | F |
| 10 Jun 25 | LOA | F | F | F | F | [redacted] | F | F | [redacted] | F | F | F | [redacted] |
| 17 Jun 25 | LOA | AP | F | F | F | [redacted] | F | F | [redacted] | AP | F | F | [redacted] |
| 30 Jun 25 | LOA | LOA | F | F | F | [redacted] | F | F | [redacted] | AP | F | F | [redacted] |
| 8 Jul 25 | LOA | LOA | F | F | F | [redacted] | AP | AP | [redacted] | F | F | F | [redacted] |
| 22 Jul 25 | LOA | LOA | F | F | F | [redacted] | AP | F | [redacted] | F | F | F | [redacted] |
| 4 Aug 25 | LOA | F | F | F | F | [redacted] | F | F | [redacted] | F | F | LOA | [redacted] |
| 12 Aug 25 | LOA | LOA | F | F | F | [redacted] | F | F | [redacted] | F | F | F | [redacted] |
| 26 Aug 25 | LOA | LOA | F | F | F | [redacted] | F | F | [redacted] | F | F | F | [redacted] |
| 9 Sept 25 | LOA | AP | F | F | F | [redacted] | F | F | [redacted] | F | F | AP | [redacted] |
| 23 Sept 25 | [redacted] | AP | F | F | F | [redacted] | F | F | [redacted] | F | F | F | [redacted] |

**Index: F = Full Attendance / P = Partial Attendance / AP = Apology / LOA = Leave of Absence / A = Absent**

# 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

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

1. A request to make a deputation should be made by submitting a Deputation Request Form, (available on Council's website and at Service and Community Centres) to the CEO seven clear days prior to the Council meeting for inclusion in the agenda.
2. Each deputation is to be no longer than ten (10) minutes, excluding questions from Members.
3. Deputations will be limited to a maximum of two per meeting.
4. In determining whether a deputation is allowed, the following considerations will be taken into account:

    - the number of deputations that have already been granted for the meeting
    - the subject matter of the proposed deputation
    - relevance to the Council agenda nominated – and if not, relevance to the Council's powers or 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 deputee has addressed Council (either in a deputation or public forum) on the subject matter or a similar subject matter.

# 8.3 PUBLIC FORUM

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

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

# Administration Reports Decision Items

**ADELAIDE HILLS COUNCIL**
**ORDINARY COUNCIL MEETING**
**Tuesday 14 October 2025**
**AGENDA BUSINESS ITEM**

| | |
|---|---|
| **Item:** | **12.1** |
| **Responsible Officer:** | **Gary Lewis**<br>**Director Corporate Services**<br>**Corporate Services** |
| **Subject:** | **Community Loans Policy** |
| **For:** | **Decision** |

---


**SUMMARY**

The purpose of this report is to provide an updated *Community Loans Policy* ("the Policy") for Council to adopt.

The Policy was developed to provide a loan funding mechanism to support projects that have community benefit.

The Policy has been reviewed (Appendix 1) and is recommended to be adopted with minor changes from the previously adopted policy.


**RECOMMENDATION**

**Council resolves:**

1. **That the Community Loans Policy report be received and noted.**

2. **To adopt the revised Community Loans Policy at *Appendix 1*, with an effective date of 16 October 2025.**

3. **To authorise the Chief Executive Officer to make any formatting, nomenclature or other minor changes to the revised Policy.**

---

## 1. BACKGROUND

The Policy was first developed in 2018 in response to requests from community groups seeking to borrow funds to enable improvements to their facilities.

Whilst requests have been limited in recent times, it was deemed that a policy position with respect to the lending of monies to community groups was necessary, to ensure that all requests were assessed within a strategic context.

The Policy was last reviewed in 2020, and this current review does not propose any material changes.

The Policy was considered at the Audit and Risk Committee meeting on 18 August, at which it was resolved as follows:

8.5 Community Loans Policy

Moved Pamela Lee
S/- Natalie Simmons ARC42/25
The Audit and Risk Committee resolves:

1. To receive and note the report (item 8.5, 18 August 2025, Audit and Risk committee meeting).

Presiding Member_____ 20 October 2025

31

ADELAIDE HILLS COUNCIL AUDIT AND RISK COMMITTEE
MINUTES OF MEETING
MONDAY 18 AUGUST 2025
63 MT BARKER ROAD STIRLING

2. To recommend to Council that it adopt the draft Community Loans policy at Appendix 1 (item 8.5, 18 August 2025, Audit and Risk committee meeting), incorporating changes:
   - 4.2 dot point 10 – Add 'in accordance with the signed agreement including repayment schedule executed under SEAL'
   - 4.2 dot point 14 – amend to 'approved by the Community Group's management committee' and remove text in brackets

Carried Unanimously

The changes have been incorporated into the Policy.

## 2. ANALYSIS

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

*Strategic Plan 2024 – Your Place Your Space*

| | |
|---|---|
| Goal | Organisation |
| Objective 02 | Operate with integrity using best practice governance processes. |

Priority 02.3 Enhance governance structures and systems to be agile and support our legislative obligations.

The Policy assist the Administration in the granting and management of community loans, to support the community in the achievement of their goals.

- **Legal Implications**

Section 139 of the Local Government Act 1999 precludes Council from making investments into businesses or operations of a business for profit nature, and consequently Council will only consider applications that support the community at large. Council is also not in the business of providing financial security to third parties through the lending of finances, nor is it a registered financial institution.

- **Risk Management Implications**

The Policy guiding the provision of loans to community groups will assist in mitigating the risk that:

> *Loans are provided to Community Groups in an inconsistent manner without consideration of either the strategic context or associated financial risks.*

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

The Policy ensures any loans approved by Council will consider the strategic context for the loans as well as potential financial obligations.

It is however important to note that Council staff are generally not experienced in the assessment of credit worthiness. As such there is an increased risk associated with lending over that of the finance sector.

It should also be recognised that the ability to undertake legal processes to recover from community groups that default on the payment of loans can be challenging given potential community implications.

- **Financial and Resource Implications**

There are no immediate financial implications associated with adoption of a revision to the Community Loans Policy.

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

The refinement of a policy position with regards to community loans provides clarity and certainty to community groups in relation to the terms and conditions under which Council will consider making loans available and may assist these groups in their long-term financial planning.

- **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:* | Audit and Risk Committee |
| *Council Workshops:* | Not Applicable |
| *Advisory Groups:* | Not Applicable |
| *External Agencies:* | Not Applicable |
| *Community:* | Not Applicable |

- **Additional Analysis**

Since adoption of the policy there have been few requests for community loans.

The Administration have reviewed the Policy and its application within the organisation and have identified the need for only minor changes to wording, and an increase to the amount of loans which can be granted. The amount was previously $1.0m and this has been increased to $1.2m, in line with the effects of inflation over the period since the Policy's last review.

## 3. OPTIONS

Council has the following options:

I. Receive and note the report and adopt the revised Community Loans Policy listed at ***Appendix 1***.
II. Receive and note the report and seek to propose further amendments to the revised Community Loans Policy listed at ***Appendix 1***.
III. Receive and note the report and seek to not adopt the revised Community Loans Policy listed at ***Appendix 1***.

## 4. APPENDICES

(1) Community Loans Policy

# Appendix 1

*Community Loans Policy*

# *Council Policy*

## Community Loans






# COUNCIL POLICY

| | |
|---|---|
| Adelaide Hills COUNCIL | **COMMUNITY LOANS** |

| | |
|---|---|
| **Policy Number:** | **FIN-06** |
| **Responsible Department(s):** | **Financial Services** |
| **Other Relevant Policies:** | ***Debt Recovery Policy***<br>***Grant Giving Policy*** |
| **Relevant Procedure(s):** | **None** |
| **Relevant Legislation:** | ***Local Government Act 1999*.** |
| **Policies and Procedures Superseded by this policy on its Adoption:** | **24 April 2018, Item 12.10, 96/18** |
| **Adoption Authority:** | **Council** |
| **Date of Adoption:** | **14 October 2025** |
| **Effective From:** | **16 October 2025** |
| **Minute Reference for Adoption:** | **Item 12.9 213/20** |
| **Next Review:** | **No later than September 2023 or as required by legislation or changed circumstances** |

# COMMUNITY LOANS POLICY

## 1. INTRODUCTION

Adelaide Hills Council values and recognises the role of community and sporting groups within the Council area and endeavours to support them in a variety of ways. The objective of this policy is to provide a loan funding mechanism to support projects that have community benefit.

## 2. POLICY OBJECTIVES

This policy provides a framework for Council to:

- consider requests from community groups including sporting clubs, seeking assistance by way of direct loan, and
- ensures that medium to longer term objectives of the *Long Term Financial Plan* are not compromised.

## 3. DEFINITIONS

**"Incorporated community group"** is a group that is formally incorporated under relevant state or national legislation.

**"Not-for-profit organisation"** is an organisation whose constitution clearly shows that it does not operate for the profit, personal gain or other benefit of particular people (for example, its members, the people who run it or their friends or relatives). The constitution must not provide for the surplus assets on winding up to be distributed to members or another body that does not have similar aims or objectives.

An organisation can also make a surplus from operations for a period of time, but any surplus made must be used for its purpose(s).

**"Community Loans"** are support loans made by Council to community groups and sporting organisations to self fund infrastructure projects.

## 4. POLICY

### 4.1 PRINCIPLES

Council is not in the business of providing financial security to third parties through the lending of finances, nor is it a registered financial institution. The *Local Government Act 1999 Section 139* also precludes council from making investments into businesses or operations of a business for profit nature, and consequently Council will only consider applications that support the community.

The provision of loans or loan guarantees to community groups will only be considered as a last resort, once all other funding options have been fully exhausted and compliance with the requirements of the Policy have been met. These other funding options ~~include~~are:

- Government grants
- Sponsorship
- Fundraising
- Application for credit from a lending institution.

Supporting evidence will be required to show that all other funding options have been fully exhausted.

The minimum value of an individual loan will be set at $10,000 and Council will allocate loans/loan guarantees to a combined maximum value of $1.2 million at any one time to ensure the financial sustainability of Council's financial position can be managed appropriately.

Council may agree to:

- Act as guarantor for the organisation
- Borrow funds from the Local Government Finance Authority (LGFA) on behalf of the organisation
- Loan funds from existing Council cash reserves with interest applicable.

**4.2 CRITERIA**

Adelaide Hills Council will consider providing support to community groups based on the following criteria:

i. The proposed project must ~~be supported by~~align with Council's Strategic ~~Management~~ Plan ~~or supporting strategies~~
ii. The project must have demonstrated community benefit
iii. Applications will only be considered by groups who are resident in the Adelaide Hills Council district or provide a significant benefit to the Adelaide Hills Council community
iv. Loans will predominantly be used for capital improvements and the construction and/or acquisition of capital assets
v. Requests associated with meeting ongoing salary, rent, ~~day to day~~day-to-day operating costs or commercial undertakings will not be considered
vi. The repayment period should not ~~exceed,~~exceed the life of the asset or the term of the existing lease agreement and will generally not be greater than 10 years
vii. The community group will provide a minimum contribution of 25% of the capital cost of the project excluding government grants and other external funding. This contribution can be through the provision of in-kind support in the delivery of the project.
viii. The community group must be a 'not for profit' organisation, have an incorporated status and an ACNC number.
ix. Demonstrate that suitably qualified and experienced people are involved in the proposal to ensure compliance with all governance requirements.
x. The community group will be responsible for interest and principal repayments in accordance with the signed agreement including repayment schedule executed under Seal.

xi. The interest rate applied to loans would be based on market rates applicable to community groups at the time and not the rate that Council is able to borrow at.
xii. The community group must clearly demonstrate that it has the capacity to repay the loan funds to Council, this will include the provision of:
    1. Audited financial statements for the two (2) prior years
    2. An independently prepared business plan for the term of the loan including detailed income and expenditure forecasts
    3. Forecast repayment schedule for the term of the loan
    4. Additional fundraising and income generating activities.
xiii. All capital projects must be consistent with any Masterplan that has been developed for the site
xiv. The application must provide evidence that the loan has been approved by ~~a majority of the Community Group's members (i.e. minutes of a committee meeting make it clear that all members have been consulted).~~the Community Group's management committee.

**4.3 CONDITIONS OF APPLICATION AND OFFER**

1. Only one active loan per individual community or sporting group will be considered, and preference may be given to community or sporting groups who haven't had a loan previously.
2. Applications must be received on the prescribed application form which is available for download from Council's website.
3. Loans will not be approved retrospectively.
4. Each application will be decided on its merit and in accordance with the general eligibility criteria outlined in this Policy.
5. Should Council agree to provide a loan or act as guarantor, any terms and conditions must be specified in an agreement between Council and the relevant party that is executed under Council's seal
6. An annual administration fee will be applicable as set out in the Fees and Charges Schedule.
7. The applicant must be willing to pay all legal costs associated with establishing the loan and drafting the loan agreement including mortgage registration costs if applicable.

**4.4 REPORTING**

At least once a year the Audit and Risk Committee shall receive a specific report regarding the level of outstanding Community Loans relative to this policy document.

This report shall highlight:

- For each entity - the quantum of funds, its interest rate and maturity date, and changes in the quantum since the previous report, and
- Full details and explanation of any instances of deviation from this policy during the year.

**5. DELEGATION**

Section 44(3)(c) of the Act provides that a council cannot delegate the power to borrow money or to obtain other forms of financial accommodation, and as such each request received for a loan will go to Council for approval.

The Chief Executive Officer has the delegation to:

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

## 6. AVAILABILITY OF THE POLICY

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

**ADELAIDE HILLS COUNCIL**
**ORDINARY COUNCIL MEETING**
**Tuesday 14 October 2025**
**AGENDA BUSINESS ITEM**

| | |
|---|---|
| **Item:** | **12.2** |
| **Responsible Officer:** | **Jade Ballantine**<br>**Director Environment and Infrastructure**<br>**Environment and Infrastructure** |
| **Subject:** | **Review of Cemetery Operating Policy & Memorials within Council Cemeteries Policy** |
| **For:** | **Decision** |

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**SUMMARY**

The purpose of this report is to seek Council's adoption of the proposed revised *Cemetery Operating Policy* and *Memorials within Council Cemeteries Policy*.

Council recently engaged Robert Pitt (former CEO of Adelaide Cemeteries Authority) to undertake a Cemetery Services Compliance Review of Councils 16 cemeteries. Part of the process included:

- reviewing Council's cemetery related documentation including the *Cemetery Operating Policy* & *Memorials within Council Cemeteries Policy*

This policy review incorporates changes to the policies as a result of an administrative review and recommendations from the Cemetery Services Compliance Review.


**RECOMMENDATION**

**Council resolves:**

1. **That the Review of Cemetery Operating Policy & Memorials within Council Cemeteries Policy report be received and noted.**

2. **With an effective date of 28 October 2025, to revoke the 26 June 2024 *Cemetery Operating Policy* and to adopt the 14 October 2025 *Cemetery Operating Policy* as per Appendix 1.**

3. **With an effective date of 28 October 2025, to revoke the 9 May 2023 *Memorials within Cemeteries Cemeteries Policy* and to adopt the 14 October 2025 *Memorials within Council Cemeteries Cemeteries Policy* as per Appendix 2.**

4. **That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 14 October 2025 *Cemetery Operating Policy* as per Appendix 1 and the 14 October 2025 *Memorials within Council Cemeteries Cemeteries Policy* as per Appendix 2 prior to the date of effect.**

## 1. BACKGROUND

Council first adopted a *Cemetery Operating Policy* in May 2017. The *Cemetery Operating Policy* guides management and staff in the day-to-day operation of the cemeteries under the ownership or care, control and management of the Adelaide Hills Council (the Authority). It is a reference point for members of the public seeking guidance on the decision-making process of the Authority. The last review of the *Cemetery Operating Policy* was undertaken in June 2025 to clarify parameters for assessing the Council adopted 'non-resident' fee.

In November 2021 Council adopted a *Memorials within Council Cemeteries Policy* with the aim to set out the requirements and process required by Council, in its capacity as the Authority in relation to the supply and management of memorials within its cemeteries. The last review of the *Memorials within Council Cemeteries Policy* was undertaken in May 2023 to incorporate amendments to the *Burial and Cremation (Interment Rights) Amendment Act 2023* and associated changes to the *Burial and Cremation Act 2013.* Prior to its inception, this policy was the subject of a period of community consultation.

## 2. ANALYSIS

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

*Strategic Plan 2024 – Your Place, Your Space*

| | |
|---|---|
| Goal 4 | Organisation – an accessible, accountable and representative organisation |
| Objective O1 | Embrace technology solutions and digital transformation to enhance our organisation and the community experience |
| Priority O1.3 | Enhance data governance to protect and secure information ensuring compliance with legislation |

### ➢ Legal Implications

The enactment of the South Australian *Burial and Cremation Act 2013 (SA)* on 1 February 2014 saw the first significant changes to cemetery provisions in South Australia for 80 years. Prior to this, cemeteries were legislated in Part 30 of the *Local Government Act 1934* (not repealed).

The Act provides for and regulates the identification, handling, storage, transport, disposal and memorialisation of human remains; to provide for the establishment, administration and closure of cemeteries and natural burial grounds; to provide for the conversion of closed cemeteries into parklands or public parks or gardens; and for other purposes.

The Act is supported by the *Burial & Cremation (Interment Rights) Amendment Act 2023 and the Burial and Cremation Regulations 2014 (SA).*

Non-compliance with the Act and Regulations may result in penalties or imprisonment.

### ➢ Risk Management Implications

Review of the *Cemetery Operating Policy* and the *Memorials within Council Cemeteries Policy* assists in mitigating the risk of:

> *Inappropriate management of Council operated cemeteries resulting in breach of legislative obligations and risk to community.*

| Inherent Risk | Residual Risk | Target Risk |
|---|---|---|
| High (4C) | Medium (3D) | Medium (3D) |

The policies are exiting controls and therefore there is no further mitigating effect from the review.

- **Budget, Financial and Resource Implications**

The resource implications of administering the Policies are accommodated in the current Property Services Department budget.

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

The revised *Cemetery Operating Policy* and the *Memorials within Council Cemeteries Policy* provide information and direction to both Council staff and the community in relation to the rules and regulations governing our cemeteries thus limiting the likelihood of confusion and incorrect information.

- **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

*Council Committees:* *Not Applicable*
*Council Workshops:* *Not Applicable*
*Advisory Groups:* *Not Applicable*
*External Agencies:* *Robert Pitt*
*Community:* *Not Applicable*

➢ **Additional Analysis**

The Administration has reviewed the *Cemetery Operating Policy* and the *Memorials within Council Cemeteries Policy* whilst also taking into account recommendations from the Cemetery Services Compliance Review.

The significant resulting changes to the policies are summarised as follow and have been shown as tracked changes in the attachments:

*Cemetery Operating Policy (**Appendix 1**)*

- Various definitions and minor wording have been amended throughout the policy to provide consistency with the Act and council procedure.
- 'The Authority' has been changed to 'Council' throughout the policy.
- **Risk of Fire** has had Fire Danger information included.
- **Interment Rights Issued in Perpetuity** have been clarified to separate burial plots and garden/niche wall positions.
- Clause 5.4.3 and 5.4.4 in **Authority to renew Interment Rights** has been updated to include provisions that encourage people to extend and transfer interment rights, therefore taking the ownership and risk responsibility from Council whilst generating income on that site. In many cases, families cannot afford a backdated renewal period on top of other fees, such as memorial and transfer fees.

*5.4.3 Where an extension to a current (in tenure) Interment Right is being sought, the following applies:*

*5.4.3.1 The extension of the tenure period will be applied to the existing Interment Right expiry date.*
*5.4.3.2 A new Interment Right will be issued noting the revised expiry date of tenure.*
*5.4.3.3 The original Interment Right number will be retained on the new Interment Right.*
*5.4.3.4 The previous Interment Right will be cancelled.*

*5.4.4 Where the tenure of an Interment Right has expired but is subsequently renewed in accordance with the Act, Regulations, and this policy, the following applies:*

*5.4.4.1 The Interment Right will be deemed to have been extended under the same Interment Right as if the Interment Right has not lapsed.*
*5.4.4.2 The renewal payment will not be backdated to the date of expiry of the Interment Right.*
*5.4.4.3 The renewal period of tenure will commence from the date of issue of a Plain English Statement.*
*5.4.4.4 The renew will not be registered until the appropriate fee has been paid.*
*5.4.4.5 A new Interment Right will be issued noting the revised expiry date of tenure.*
*5.4.4.6 The original Interment Right number (if applicable) will be retained on the new Interment Right.*

- **Surrender of Interment Rights** has been changed to be consistent with the provisions of the Act.
- **Instructions from Interment Right Holders** is not relevant to Council's cemeteries.
- **Grave Digging** has been updated to include documentation required by contractors.
- All reference to Appendices has been removed as the most current forms are located on Council's website.

*Memorials within Council Cemeteries Policy (**Appendix 2**)*

- Various definitions and minor wording have been amended throughout the policy to provide consistency with the Act and council procedure.
- 'The Authority' has been changed to 'Council' throughout the policy.
- Clause 5.1.6 in **Memorial Applications** has been changed to allow for memorials to be installed on sites with five years, rather than 10, remaining on an Interment Right. This will encourage families to renew and transfer the interment right, therefore taking the ownership and risk responsibility from Council whilst generating income on that site. In many cases, families cannot afford the 10 year renewal on top of memorial fees.

  *4.1.6 A memorial shall not be installed on any site if the remaining term of the Interment Right relating to that site is less than five years, unless otherwise authorised by Council for the purpose of military service related memorials only.*

- A section has been added to provide guidance on the size and styles allowed for memorials in garden plots.
- All reference to Appendices has been removed as the most current forms are located on Council's website.

## 3. OPTIONS

Council has the following options:

I. To adopt the Policies, with or without amendment.
II. To determine not to adopt the Policies at this time.

Should the Council identify the need for substantial amendments to the revised Policies, 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) Draft Cemetery Operating Policy – 14 October 2025
(3) Draft Memorials with Council Cemeteries Policy – 14 October 2025

# Appendix 1

*Draft Cemetery Operating Policy*
*14 October 2025*

# Cemetery Operating Policy

| | |
|---|---|
| **Policy Number:** | **COM-06** |
| **Responsible Department(s):** | **Property Services** |
| **Other Relevant Policies:** | **Memorials within Council Cemeteries Policy** |
| **Other Relevant Procedure(s):** | **Cemetery Procedures** |
| **Procedures superseded by this procedure** | **Cemetery Operating, 09/05/2017, 12.3, SP14/17**<br>**Cemetery Operating, 24/11/2020, 12.10, 282/20**<br>**Cemetery Operating, 22/06/2021, 12.5, 121/21**<br>**Cemetery Operating, 24/08/2021, 12.5, 175/21**<br>**Cemetery Operating, 20/12/2022, 12.4, 295/22**<br>**Cemetery Operating, 09/05/2023, 12.5, 112/23**<br>**Cemetery Operating, 01/07/2024, 12.3, 222/24** |
| **Adopted/Approved by:** | **Council** |
| **Date of Adoption/Approval** | |
| **Effective From:** | |
| **Next Review:** | **No later than June 2028 or as required by legislation or changed circumstances** |

## Version Control

| Version: | Effect Date: | Description of Changes: | Approver: |
|---|---|---|---|
| 0.1 | 07/12/2021 | Section 4.13 – Tributes and Section 7 – Memorials removed as Memorials policy was adopted on 23 November 2021 (effective 7 December 2021) and as per CEO delegation given 24 August 2021 | Council |

## 1. INTRODUCTION

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

## 2. OBJECTIVES

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

2.2 To ensure that the interment of ~~bodily~~ human remains occurs in accordance with *The Burial~~s~~ and Cremation Regulations 2014 (SA)*, *The Burial~~s~~ and Cremation~~s~~ Act 2013 (SA)*, *The Births Death and Marriages Registration Regulations 2013, Work Health and Safety Act 2012, Work Health and Safety Regulations 2012*, and *Local Government Act 1999*.

## 3. DEFINITIONS

3.1 **"Act**" means the *Burial~~s~~ and Cremation~~s~~ Act 2013 (SA)*.

3.2 "**Authorised**" means a written authority has been issued by the Council.

3.3 **"~~The Authority~~Council**" means the Adelaide Hills Council.

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

3.5 "**Cemetery**" means any and all cemeteries owned or under the care and control of ~~the Authority~~Council.

3.6 "**Chief Executive Officer**" means the Chief Executive Officer of the Adelaide Hills Council.

3.7 "**Cremated Remains**" means bodily remains that have been cremated.

3.8 "**Extended Term**" means each extended duration of the Initial Term of an Interment Right.

3.9 "**~~Grantee~~Interment Right Holder**" means ~~a~~ the person who is or persons who are the holder of an Interment Right or any other person entitled to exercise the ~~rights of the Grantee under a Right~~Interment Right in accordance with the ~~terms of a Right~~Act and the Regulations.

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

3.11 "**Initial Term**" means the initial ~~duration~~ term of tenure of an ~~of a~~Interment Right.

3.12 "**Interment**" of human remains includes:

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

but does not include the scattering of cremated remains.

3.13 "**Interment Right**" means a right issued under the *Burial and Cremation Act 2013 (SA)* by Council for the interment of human remains in a cemetery or natural burial ground~~.~~

3.14 "**Legitimate Business"** means attendance in a cemetery to undertake an activity relating to the interment of human remains, installation of a memorial or plaque, or visiting the grave or memorial site in order to pay respects to a deceased person.

3.15 "**Memorial**" means:

- An approved Monument; or
- A plaque; or
- Any other approved structure or physical object used to memorialise a deceased person.

3.16 "**Monument**" means a monument, headstone, tablet, gravestone, kerbing, railing or any other erection to be constructed in a Cemetery, used for the commemorative purposes for a burial site.

3.17 **"Natural burial"** means burial in the ground ~~the process of interment of a body that conforms to the usual or ordinary course of nature and adds to the biodiversity of the area~~

- without preparation of the remains using chemical preservatives and
- containment of the remains only in a shroud or biodegradable coffin.

~~3.17~~3.18 "**Natural Burial Ground**" means a ~~designated area in a Cemetery set aside for the interment of bodies in the soil in a manner that does not inhibit decomposition but allows the body to be naturally recycled~~place in which human remains are interred by natural burial but does not include a place of a prescribed kind.

3.19 **"In Perpetuity"** means forever.

~~3.18~~3.20 **"Plaque"** is a flat tablet of metal, stone or other material which includes text or images used for commemorative purposes.

~~3.19~~3.21 **"Pre-need Interment Right"** means an interment right purchased for future use.

~~3.20~~3.22 "**Private Cemetery**" means a cemetery held in private ownership.

~~3.21~~3.23 "**Regulations**" means the *Burial and Cremation~~s~~ Regulations 2014 (SA)*.

~~3.22 "**Right**" means a Burial Right.~~

~~3.23~~3.24 "**Term**" includes the Initial Term and any Extended Terms.

## 4. GENERAL OPERATING POLICIES

### 4.1 Compliance with Operating Policies

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

4.1.1.1 wish to inter human remains in a c~~C~~emetery
4.1.1.2 wish to re-open an interment site containing human remains
4.1.1.3 wish to remove human remains from a c~~C~~emetery, or
4.1.1.4 wish to install a Memorial ~~at an interment site~~in a Council cemetery.

### 4.2 Opening Hours

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

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

### 4.3 Office Hours of Authority

4.3.1 The office of ~~the Authority~~Council is open weekdays (Monday to Friday), except public holidays from 8:30am to 5:00pm.

### 4.4 Fees

4.4.1 ~~The Authority~~Council will publish a scale of fees for granting Interment Rights and all other cemetery services and may change the scale of fees as it may determine.

4.4.2 The scale of fees will be reviewed, at a minimum, on an annual basis. An up-to-date copy of the scale of fees will be made available to any person on request and be available for download from ~~the Authority~~Council's website www.ahc.sa.gov.au~~.~~

### 4.5 Records of Cemeteries

4.5.1 ~~The Authority~~Council will maintain records and plans of each Cemetery as per Section 53 of the Act and Regulation 36~~in the office of the Authority that shows.:~~

~~4.5.1.1 each site at which human remains are interred, and~~
~~4.5.1.2 each site set aside for the interment of human remains, and~~
~~4.5.1.3 the number allocated to, or a description of, each site.~~

**4.6 Landscaping**

4.6.1 No person, except a person authorised by ~~the Authority~~Council, may landscape or change the landscaping of any portion of a Cemetery.

4.6.2 Any unauthorised landscaping may be removed by ~~the Authority~~Council without notice, at the Interment Right holders cost.

4.6.3 ~~The Authority~~Council is not responsible for any damage or loss caused by unauthorised activity in a Cemetery.

4.6.4 All plants and trees in a Cemetery remain the property of ~~the Authority~~Council.

4.6.5 If the surface of any interment site in the cemetery sinks below the level of the natural surface of the ground, ~~the Authority~~Council may cause the site to be filled up to the natural surface level , at the Interment Right holders cost.

4.6.6 ~~The Authority~~Council will plant and maintain lawn on lawn burial sites.

4.6.7 ~~The Authority~~Council may alter or transfer any landscaping, memorial, or memorial garden bed as it may determine in consultation with any affected Interment Right holders.

**4.7 Traffic Regulations**

4.7.1 A person must, while in charge of a motor vehicle within a Cemetery, comply with any lawful directions of ~~the Authority~~Council as to the driving and parking of the vehicle.

4.7.2 A speed limit of 25 km per hour applies in all Cemeteries. All other general road rules apply within a Cemetery.

4.7.3 A person must not drive a motor vehicle within a Cemetery in a dangerous or careless manner or without reasonable consideration for others.

4.7.4 A person may park a motor vehicle within a Cemetery with reasonable consideration for others and in accordance with general road rules unless it is clearly marked to the contrary.

**4.8 Public Right of Way**

4.8.1 A Cemetery is not a public right of way.

4.8.2 Entry to a Cemetery is restricted to employees or agents of ~~the Authority~~Council and to people having legitimate business or as ~~the Authority~~Council may determine.

4.8.3 ~~The Authority~~Council will ensure that a Cemetery is securely fenced at all times, in a manner that is deemed suitable, taking into account the location and topography of individual cemeteries.

**4.9 Control of Animals**

4.9.1 A person must not ride, drive, or exercise animals (other than dogs) in a Cemetery except with the prior approval of ~~the Authority~~Council.

4.9.2 All dogs in a Cemetery must be kept under effective control and be on a leash. All dog faeces must be removed by the person in control of the dog.

**4.10 General Conduct in a Cemetery**

4.10.1 A person must not cause any nuisance or breach the peace in a cemetery.

4.10.2 A person must at all times conduct themselves in a manner that respects the rights and safety of others visiting a cemetery.

4.10.3 A person must not without the prior written approval of ~~the Authority~~Council:

4.10.3.1 sell or buy anything
4.10.3.2 erect a temporary shelter or canopy
4.10.3.3 carry on a business or advertise the same (with the exception of acknowledgement of the Mason on a Memorial)
4.10.3.4 distribute or display any advertisement
4.10.3.5 organise or take part in a meeting
4.10.3.6 disturb a funeral service
4.10.3.7 discharge a firearm (except at a military funeral)
4.10.3.8 cut, break, deface or write or fix a bill on any fixture or landscaping in the cemetery, or
4.10.3.9 take, injure, or interfere with trees, shrubs, flowers, vases, labels, fish, birds, animals, or other property.

**4.11 Filming and Photography**

4.11.1 Private and Personal Use

Photography for private and personal use in ~~the Authority~~Council's cemeteries is permitted. However, where ~~the Authority~~Council identifies that photographs of its cemeteries have been inappropriately used in the public domain, ~~the Authority~~Council may seek to have these images removed or amended.

Inappropriate use includes but is not limited to:

- Cemetery images that do not treat the deceased with dignity and respect;
- Cemetery images that may cause distress to families, loved ones and in the broader community;
- Cemetery images which identify individual memorials and/or inscriptions without the prior permission of the interment right holder;
- The use of cemetery photographs for commercial or personal gain without the permission of ~~the Authority~~Council; and
- Any unauthorised filming or photography.

4.11.2 Commercial Use

In the interests of safety, dignity and respect for the deceased and their families, ~~the Authority~~Council's written approval is required for filming and photography of a commercial or educational nature.

**4.12 Risk of Fire**

4.12.1 All naked flames, including candles and incense, are strictly prohibited in Cemeteries due to the risk of fire.

~~4.12.1~~4.12.2 On a day declared by the CFS/Bureau of Meteorology as Catastrophic or Extreme 2, where the FBI is 75 or greater, access to Adelaide Hills Council Cemeteries for funerals, burials, interments, installation of memorials and any other cemetery services is cancelled.

**5. INTERMENT RIGHTS**

**5.1 Authority to ~~Grant~~ Issue Interment Rights**

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

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

5.1.1.2 An application, in the form ~~contained at Appendix 1 or in a form that~~prescribed by ~~the Authority~~Council, ~~may determine having regard to the Regulations~~ is received and approved, and

5.1.1.3 the applicant pays the appropriate fee.

5.1.2 Interment Right applications will be considered differently for residents and non-residents of the Adelaide Hills Council area.

5.1.2.1 A non-resident fee will apply if the person to be buried is not a resident of the Adelaide Hills Council area.

5.1.2.2 A resident is defined as a person:

- who resides in the Adelaide Hills Council area;

- who purchased a lease whilst a resident of the Council area; or
- is a registered property owner within the Adelaide Hills Council area.

5.1.2.3 Where individuals are non-residents at their time of death, families can apply to be considered under the resident fee structure if:

- the deceased was a resident of an aged care home outside the area, but their previous address was in the Adelaide Hills Council area; or
- the deceased was a resident of the Adelaide Hills Council area for at least 50% of their life.
- Council is provided with documented proof of previous residency.

5.1.2.4 Where a pre-need interment right is purchased, the applicants current residential address will be taken to be the relevant address.

5.1.2.5 Non-resident fees are non-refundable.

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

5.1.4 An Interment Right Holder has for the term of tenure of the Interment Right:

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

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

5.1.4.3 an exclusive use of foundations provided by ~~the Authority~~Council (if any) to erect an approved memorial

5.1.4.4 the obligation to notify ~~the Authority~~Council of any change of mailing address, and

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

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

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

5.1.5.2 100 Years, or

5.1.5.3 50 Years,. or

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

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

5.1.7 Unless otherwise specified on the Interment Right, the Initial Term of an Interment Right is in accordance with the below table:

| Cemetery | Prior to Relevant Date | Relevant Date | Subsequent to Relevant Date |
|---|---|---|---|
| Houghton | 99yr | 1/1/1957 | 50yr |

| | | | |
|---|---|---|---|
| Birdwood | 99yr | 1/6/1996 | 50yr |
| Charleston | 99yr | 1/6/1996 | 50yr |
| Cudlee Creek | 99yr | 1/6/1996 | 50yr |
| Gumeracha | 99yr | 1/6/1996 | 50yr |
| Kersbrook | 99yr | 1/6/1996 | 50yr |
| Mt Torrens | 99yr | 1/6/1996 | 50yr |
| Montacute | 99yr | 1/6/1996 | 50yr |
| Mt Lofty | 99yr | 1/6/1996 | 50yr |
| Norton Summit | 99yr | 1/6/1996 | 50yr |
| Summertown | 99yr | 1/6/1996 | 50yr |
| Stirling | 100yr | 1/1/1988 | 50yr |
| Scott Creek | 100yr | 1/1/2000 | 50yr |

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

**5.2 Sites without an Interment Right**

5.2.1 For sites where an Interment Right has not been issued, ~~however~~ but burials or cremated remains have been interred into the interment site, an interment right may be issued, in accordance with Section 5.12 **Claimants to Interment Rights** and will commence from the date of the first recorded burial or interment into that site for a term as per the table in 5.1.7.

**5.3 Interment Rights Issued in Perpetuity**

5.3.1 Interment Rights issued for the purpose of the interment of human remains into a burial plot ~~(not including created remains)~~ that are issued and extended for a total of 250 years will be deemed to have been issued in perpetuity.

5.3.2 Interment Rights issued for the purpose of the interment of human ~~cremated~~ remains into the niche wall or gardens, or for the memorialisation without human remains that are issued and extended for a total of 150 years will be deemed to have been issued in perpetuity.

**5.4 Authority to renew Interment Rights**

~~5.4.1 It is the responsibility of the Interment Right holder, or, in the event of their death or legal incapacity, their executor or administrator or successor, to renew or extend an Interment Right.~~

~~5.4.2~~5.4.1 ~~The Authority~~Council ~~must~~ will renew or extend an Interment Right for an additional period or periods in accordance with the Act and Regulations where:

~~5.4.2.1~~5.4.1.1 an application is received in the form prescribed by Council ~~contained at Appendix 1 or in a form that the Authority may determine having regard to the Regulations is received to do so~~, and

~~5.4.2.2~~5.4.1.2 the appropriate fee is paid.

5.4.2 An extension of the term of an Interment Right shall be for a period no less than 5 years in any one transaction or such time as may be specified in the ~~Regulations~~Act. Fees for extensions to Interment Rights will on a pro-rata basis of the current 50 year fee, eg. an extension of 5 years would equal one tenth of the current 50 year fee.

5.4.3 Where an extension to a current (in tenure) Interment Right is being sought, the following applies:

5.4.3.1 The extension of the tenure period will be applied to the existing Interment Right expiry date.

5.4.3.2 A new Interment Right will be issued noting the revised expiry date of tenure.

5.4.3.3 The original Interment Right number will be retained on the new Interment Right.

5.4.3.4 The previous Interment Right will be cancelled.

5.4.4 Where the tenure of an Interment Right has expired but is subsequently renewed in accordance with the Act, Regulations, and this policy, the following applies:

5.4.4.1 The Interment Right will be deemed to have been extended under the same Interment Right as if the Interment Right has not lapsed.

5.4.4.2 The renewal payment will not be backdated to the date of expiry of the Interment Right.

5.4.4.3 The renewal period of tenure will commence from the date of issue of a Plain English Statement.

5.4.4.4 The renew will not be registered until the appropriate fee has been paid.

5.4.4.5 A new Interment Right will be issued noting the revised expiry date of tenure.

5.4.4.6 The original Interment Right number (if applicable) will be retained on the new Interment Right.

~~5.4.3~~5.4.5 ~~The Authority~~Council must, at least 12 months before an Interment Right is due to expire, take reasonable steps to give the Interment Right Holder written notice which informs the Interment Right holder:

~~5.4.3.1~~5.4.5.1 of the Interment Right holder's entitlement to renew or extend the Interment Right and the cost of renewing or extending the Interment Right

~~5.4.3.2~~5.4.5.2 that if the Interment Right is not renewed or extended and there is a Memorial to the deceased at the interment site, the person who held the interment right immediately before its expiry may reclaim the Memorial from ~~the Authority~~Council.

~~5.4.3.3~~5.4.5.3 That if the Interment Right is not renewed ~~the Authority~~Council is entitled to re-use the Interment Site.

5.4.4 The AuthorityCouncil may renew a lapsed Interment Right from the date of expiry of the relevant term for a further term(s) provided

5.4.4.1 The application is received in writing by the AuthorityCouncil within two (2) years of the Interment Right lapsing, and

5.4.4.2 The appropriate fee is paid by any interested person.

5.4.55.4.6 If no application is received within the time frame set out in the Act and Regulations to renew or extend the Interment Right, then the Interment Right will expire according to its terms.

5.4.6 Where an Interment Right has lapsed but is subsequently renewed in accordance with the Act, Regulations and this policy, the Interment Right will be deemed to have been extended under the same Interment Right with any previous terms of that Interment Right as at the date of lapse, as if the Interment Right has not lapsed.

**5.5 Expired Interment Rights**

5.5.1 Prior to any re-use of an Interment Site the AuthorityCouncil will:

5.5.1.1 give notice of its intention to re-use the Interment Site by public advertisement in a newspaper circulating throughout South Australia; and

5.5.1.2 take reasonable steps to give written notice of its intention to re-use the Interment Site to the Interment Right holder or any personal representative of the deceased or one or more relatives of the deceased.

5.5.2 If the Interment Right is not renewed or the Interment Right holder, personal representative or a relative of the deceased has informed the AuthorityCouncil that there is no objection on the part of relatives to the re-use of the Interment Site then, in accordance with the Act, Regulations and this policy, the Interment Right is deemed to have expired and the AuthorityCouncil is entitled to re-use the site in accordance with the Act, Regulations, and this policy.

5.5.3 The AuthorityCouncil will not make a site available for re-use until at least two (2) years have passed since the lapsing of an Interment Right, and the Interment Right has not been renewed during that period, pursuant to the Act, Regulations, and this policy.

5.5.4 Where an Interment Site is available for re-use the AuthorityCouncil may grant a new Interment Right for the site to any person upon such terms and conditions as the AuthorityCouncil may determine consistent with the Act and the Regulations and this policy and the former Interment Right Holder acknowledges that upon such event the AuthorityCouncil may do whatever is necessary to prepare the site for the new Interment Right Holder.

5.5.5 Any Memorial may be reclaimed by the Interment Right holder, or if unclaimed will be disposed of by the AuthorityCouncil in accordance with the Act and the Regulations.

**5.6 Disposition of Cremated Remains**

5.6.1 If an Interment Right Holder advises ~~the Authority~~Council that an extension or renewal of an Interment Right for a site designated for cremated remains only will not be sought, the Interment Right Holder may instruct ~~the Authority~~Council on a preferred method of final disposition of the cremated remains by:

5.6.1.1 interment in an unmarked location, or
5.6.1.2 collection for private dispersal.

5.6.2 Where no instructions are given by the Interment Right Holder upon termination of an interment right for a site containing cremated remains as to the final disposal of the cremated remains, then such remains will be dealt with in accordance with the Act, Regulations and ~~the Authority~~Council's policies and procedures.

**5.7 Surrender of Interment Right**

5.7.1 An Interment Right holder has the right to surrender an unexercised Interment Right to ~~the Authority~~Council in accordance with the Act and Regulations. On surrender the rights granted under the Interment Right are discharged.

5.7.2 Council will process a surrender of Interment Right where:

5.7.2.1 an application is received in the form prescribed by Council
5.7.2.2 the appropriate fee is paid.

~~5.7.2~~5.7.3 ~~Partial R~~refunds for surrendered interment rights are only payable on 'unexercised interment rights' as defined in the Act and are calculated and paid ~~are available~~ in accordance with the Act and Regulations for unused sites.

~~5.7.3~~5.7.4 Unused sites that are surrendered ~~may be dealt with~~will be managed by ~~the Authority~~Council in its absolute discretion.

**5.8 Transfer of Interment Rights**

5.8.1 Council may permit a Transfer of an Interment Right in accordance with the Act, ~~and~~ Regulations, and this policy, where:

5.8.1.1 an application is received in the form prescribed by Council, and
5.8.1.2 the appropriate fee is paid.

~~5.8.1 The Authority may permit a transfer of an Interment Right in the form contained in Appendix 2 or in a form that the Authority may determine having regard to the Act and Regulations.~~

5.8.2 An application to transfer an Interment Right must be executed by or on behalf of the Interment Right holder and the transferee and be accompanied by the relevant fee and

evidence ~~to~~ that ~~the Authority~~Council ~~that it~~ may require to show that the Interment Right holder can effect the transfer.

5.8.3 ~~The Authority~~Council ~~may~~ reserves the right to decline ~~to register~~ a transfer ~~without giving reasons~~of an interment right.

5.8.4 Where ~~the Authority~~Council approves a transfer, the name of the transferee must be entered into the register of Interment Rights as the owner of the Interment Right.

5.8.5 The transfer will not take effect until it is recorded by ~~the Authority~~Council in its register of Interment Rights and the appropriate fee is paid. A transferor remains the holder of the Interment Right until the transfer is registered and the name of the transferee is entered in the Register of Interment Rights.

**5.9 Register of Interment Rights**

5.9.1 ~~The Authority~~Council must keep a register of Interment Rights in accordance with ~~the~~ Section 53 of the Act and Regulation~~s~~ 36 that contains the following information:

5.9.1.1 the number of the Interment Right
5.9.1.2 the locality and number of the interment site over which the Interment Right is issued
5.9.1.3 whether the Interment Right is for the interment of human remains (bodily or cremated remains) or memorialisation without human remains
5.9.1.4 the full name, address, and date of birth of the Interment Right holder
5.9.1.5 the name of any person or persons identified on the Interment Right whose remains may be interred pursuant to the Interment Right
5.9.1.6 the date that the Interment Right was granted or transferred to the Interment Right holder
5.9.1.7 the date of each renewal and the expiry of each renewal term of the Interment Right
5.9.1.8 the name of each deceased interred at the site including the date of each interment and the depth at which the interment took place, and
5.9.1.9 the date of erection, subsequent inscriptions and description of any Memorial that has been erected at the interment site in accordance with the Act and the Regulations and these operating policies.

~~**5.10 Instructions from Interment Right Holders**~~

~~5.10.1 The Authority may choose not to comply with a request or direction by an Interment Right holder where an Interment Right issued for multiple interments is not presented for a second or subsequent interment.~~

**~~5.11~~5.10 Interment Rights issued in two (2) or more names**

~~5.11.1~~5.10.1 Where an Interment Right is currently registered in the names of two (2) or more persons, it will be delivered to the person first named in the register of Interment Rights.

5.11.25.10.2 All Interment Right holders have the responsibility to keep the AuthorityCouncil informed of their current contact details. Failure to do so will result in the AuthorityCouncil, after reasonable notice, accepting instructions from the other Interment Right holder (if any) without their input.

5.11.35.10.3 Notice will be deemed given if the Interment Right holder is sent a letter, facsimile or email to the person's last known contact details. Failure by the Interment Right holder to respond within 90 days will constitute abandonment of his or her right to give instructions and the AuthorityCouncil may act in accordance with the instructions of the other Interment Right Holders (if any) who are contactable.

5.11.45.10.4 With effective date of the signing of this Operating Policy all new Interment Rights will be issued to one person only.

**5.125.11 Claimants to Interment Rights**

5.12.15.11.1 As theThe devolution of an Interment Rights is governed by legislation, the Authorityprescribed in Section 35 of th Act and REgulation 32. Hence, Council will not recognise or register an expressed, implied or constructive notice of authority.

5.12.25.11.2 Where there is one or more joint Interment Right holders, and one of the Interment Right holders dies, the AuthorityCouncil will recognise the surviving Interment Right holder or holders as the only person or persons having title to an Interment Right.

5.12.35.11.3 The AuthorityCouncil will recognise the claim of an executor or administrator of a deceased Interment Right holder as having title to an Interment Right registered in the name of a deceased person.

5.12.45.11.4 Where a sole Interment Right holder remains in respect of an Interment Right, the rights granted to the Interment Right holder may be exercised upon the death or legal incapacity of the Interment Right holder by any one of the following people in descending order of entitlement:

5.12.4.15.11.4.1 in the case of the legal incapacity of the Interment Right holder, by a person acting under the authorityCouncil of an enduring power of attorney granted by the Interment Right holder or by a duly appointed manager or guardian of the Interment Right holder.

5.12.4.25.11.4.2 in the case of the death of the Interment Right holder by:

5.12.4.2.15.11.4.2.1 the executor of the estate of the deceased person, or

5.12.4.2.25.11.4.2.2 if there is more than one executor, one of the executors acting with the permission of all the other executors, or

5.12.4.2.35.11.4.2.3 the administrator of the estate of the deceased person, or

5.12.4.2.45.11.4.2.4 by the spouse or domestic partner of the Interment Right holder, or

~~5.12.4.2.5~~5.11.4.2.5 if there is no living spouse or domestic partner — by the eldest living relative of the Interment Right holder in the following descending order of priority:

- a child
- a grandchild or great-grandchild
- a brother or sister
- a parent
- a grandparent
- an aunt or uncle
- a nephew or niece
- a cousin
- any other blood relative.

~~5.12.5~~5.11.5 For the purposes of this clause "domestic partner" has the same meaning ascribed to it under the *Family Relationships Act 1975 (SA).*

~~5.12.6~~5.11.6 The substituted right envisaged in this clause may be devolved to one person in succession in the event of the subsequent death or legal incapacity of such person.

~~5.12.7~~5.11.7 A person claiming ownership of an Interment Right must, if necessary, prove their ownership to ~~the Authority~~Council.

## 6. BURIALS

### 6.1 Burial &Interment Hours

6.1.1 Burial and interment hours are:

6.1.1.1 between 9:00 am and 5:00 pm Monday to Friday
6.1.1.2 as ~~the Authority~~Council may determine.

### 6.2 Authorisation of Burials & Interments of Cremated Remains

6.2.1 No Burial or Interment of Cremated Remains will take place in a Cemetery unless:

6.2.1.1 a written application for the burial in the form ~~contained at Appendix 3, or in a form that the Authority may determine having regard to the Act and Regulations, is lodged at the offices of the Authority~~prescribed by Council, and
6.2.1.2 an Interment Right or duplicate Interment Right is produced to ~~the Authority~~Council upon request, and
6.2.1.3 ~~the Authority~~Council receives reasonable notice of a request for the burial (minimum 3 clear business days); and
6.2.1.4 all relevant fees are paid to ~~the Authority~~Council, and
6.2.1.5 in the case of a burial, identifying information on all the following has been checked and found to correspond:

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

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

6.2.3 Unless otherwise stipulated on the Interment Right, a maximum of three (3) burials and ten (10) cremated remains may be interred on any one burial site. Additional burials may be considered on application to Council and will be subject to the conditions of Section 6.7.3.

**6.3 Grave Digging**

6.3.1 Every interment site within a Cemetery must be excavated:

6.3.1.1 by an employee of ~~the Authority~~Council, or
6.3.1.2 a contractor engaged by ~~the Authority~~Council to do so on its behalf, or
6.3.1.3 a contractor engaged by a funeral director and approved by ~~the Authority~~Council

6.3.2 Contractors are to provide to ~~the Authority~~Council the following documentation:

- Details of company name, address and key personnel
- The names of the Officers as defined by the *Work Health and Safety Act 2012 (SA)*
- Copies of public liability insurance for $20M
- Copies of Return to Work SA currency
- Full name of each employee who will possibly work in Council's cemeteries
- Copies of construction white cards for all employees who may work in Council's cemeteries
- Copies of certification of load shifting equipment eg. truck mounted cranes
- Copies of WHS policies (every three years or as updated)
- Copies of relevant *Safe Work Instructions/Safe Work Method Statements/Job safety Analysis*

**6.4 Depths of Coffins**

6.4.1 Coffins must be interred at least:

6.4.1.1 at the minimum depth required by the Act and Regulations; or
6.4.1.2 a minimum depth greater than the Act and Regulations as ~~the Authority~~Council may determine.

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

**6.5 Depths of Cremated Remains**

6.5.1 Cremated Remains will be interred at a ~~maximum~~ depth of 61cm (2 foot). Any deeper will require the engagement of a grave digger at the interment right holders cost.

**6.6 Placement of Cremated Remains into Burial Plots**

6.6.1 ~~The Authority~~Council will not remove top stones erected as part of a memorial for the interment of cremated remains. Removal arrangements must be made through a stone mason. Removal costs of top stones will be the responsibility of the Interment Right Holder. Council will only cut into and reinstate cement or gravel tops.

6.6.2 Unless otherwise instructed, the placement of **Cremated Remains** into burial plots will be as follows:

**Headstone**

| | | |
|---|---|---|
| TL | 10 | TR |
| 7 | 8 | 9 |
| 4 | 5 | 6 |
| 1 | 2 | 3 |

**6.7 Opening of interment sites, exhumation and re-interment**

6.7.1 At all times ~~the Authority~~Council will comply with Part 2, Division 3 of the Act and the Regulations when dealing with the opening of interment sites, exhumation, and re-interment of human remains.

6.7.2 All excavation to re-open, exhume or re-inter must be undertaken by ~~the Authority~~Council or by its approved representative.

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

6.7.3.1 there have been previous interments in a grave, and
6.7.3.2 earlier interments were at an insufficient depth for further burials, and

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

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

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

**6.8 Natural Burials**

6.8.1 Natural burials must comply with all legislative and regulatory requirements.

6.8.2 Interment Rights in Natural Burial Grounds will be for a period of 100 years.

6.8.3 A maximum of one (1) burial may take place in a natural burial site.

6.8.4 Bodily remains will be buried at Level 1 and so that any of the remains are at a depth of not less than 1 metre from the surface of the ground, as required by the Act and Regulations.

6.8.5 Material that can be used:

6.8.5.1 Caskets made of sustainably grown timber, or
6.8.5.2 Wicker or willow caskets or shrouds made of natural fibres ~~(legislation permitting)~~
6.8.5.3 Casket fittings and contents shall be made of sustainable natural biodegradable materials only. Name plate should be of a durable material.

6.8.6 Material that cannot be used:

6.8.6.1 Non-biodegradable material inside or outside the casket, including:
6.8.6.2 Any types of plastic or metal fittings (exclusive of nails and screws),
6.8.6.3 PVC, glass, ceramic, metal, treated varnished timber, toxic glues, or plastic sheeting inside the casket.

6.8.7 Acceptable shrouds:

6.8.7.1 Shrouds made of natural materials such as silk, cotton, or wool, with a solid base are acceptable. The solid base assists with the lowering into the ground and can be made of sustainable natural timber and contained within the shroud.
6.8.7.2 Contents of shrouds must be fastened to a solid base to prevent movement to one side.
6.8.7.3 Shrouds without a solid base are acceptable if used in conjunction with a suitable industry recognised transport and lowering system.
6.8.7.4 Shroud preparation and burial procedures involving shrouds must comply with all local rules and regulations of the day.

6.8.8 Unacceptable casket or shroud:

6.8.8.1 with Cardboard, PVC, or synthetic coverings
6.8.8.2 with varnish and plastic or metal fittings
6.8.8.3 with leaking fluids
6.8.8.4 Caskets having obnoxious smells.

6.8.9 Acceptable clothing and casket Items:

6.8.9.1 The deceased should be dressed in natural fibre clothing or wrapped in a shroud, with no undue additional synthetic substances.

6.8.10 Chemicals:

6.8.10.1 No embalming fluids are permitted.
6.8.10.2 The body may be sanitised.

6.8.11 Natural Burial Location

6.8.11.1 Natural burials may be in areas of a cemetery set aside specifically for the purpose of natural burials.
6.8.11.2 All plots will be allocated by the Cemetery Authority, on a next available basis, at the time of the burial.
6.8.11.3 Plot location will be recorded using GPS/GIS technology or other accurate recording system.
6.8.11.4 A cemetery plan of natural burial grave/plot locations will be recorded by the Cemetery Authority.

6.8.12 Memorials in Natural Burial Grounds

6.8.12.1 No memorials, ornamentation or planting will be allowed on burial plots other than that prescribed for the site by ~~The Authority~~Council.

6.8.13 The Cemetery Authority shall be responsible for maintaining and managing the natural burial site.

6.8.14 Unless stated in this section, all other sections of this policy apply to Natural Burials and Natural Burial Grounds.

## 7. PRIVACY

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

## 8. REGISTERS

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

8.1.1.1 the full name, ~~and~~ address and contact details of the holder of an Interment Right; and

8.1.1.2 the address of the last place of residence of the deceased person before his or her death.

## 9. PRIVATE CEMETERIES

9.1 There are a number of Private Cemeteries in the Adelaide Hills Council district. At times, ~~the Authority~~Council receives requests to assume ownership or administration of a Private Cemetery. These requests need to be assessed to fully understand the community and financial impacts of the proposal.

9.2 Each proposal will be assessed on its own merits and that assessment needs to consider the risks and impacts both at the time the proposal is received as well as into the future. At a minimum, the following information needs to be provided as part of the assessment process:

- The reason and purpose of the request
- Ownership details
- Details of what interment and burial records are available
- Is land ownership proposed
- Full details of any trusts that exist over the cemetery
- The remaining capacity of the cemetery
- The current and future maintenance requirements for the cemetery
- What, if any, financial contribution is proposed to be made to ~~the Authority~~Council
- Is there a State or Federal authority that should provide assistance to the Private Cemetery authority in the first instance.

9.3 When assessing any proposal, consideration should be given to any Authority owned or administered cemeteries in the area that provide a service to that section of the community.

9.4 All formal requests are to be presented to Council for consideration and a decision.

## 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

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

## ~~12. APPENDICES~~

~~Appendix 1: Application for New/Renewal Interment Right~~
~~Appendix 2: Application for Transfer of Interment Right~~
~~Appendix 3: Application for Burial or Interment of Cremated Remains~~

# Appendix 2

*Draft Memorials within Council Cemeteries Policy*
*14 October 2025*

# Memorials within Council Cemeteries Policy

| | |
|---|---|
| **Policy Number:** | **COM-26** |
| **Responsible Department(s):** | **Property Services** |
| **Other Relevant Policies:** | **Cemetery Operating Policy** |
| **Other Relevant Procedure(s):** | **Cemetery Procedures** |
| **Procedures superseded by this procedure** | **Memorials within Council Cemeteries, 23/11/21, 12.3, 249/21**<br>**Memorials within Council Cemeteries, 09/05/23, 12.5, 112/23** |
| **Adopted/Approved by:** | **Council** |
| **Date of Adoption/Approval** | |
| **Effective From:** | |
| **Next Review:** | **No later than October 2028 or as required by legislation or changed circumstances** |

## Version Control

| Version: | Effect Date: | Description of Changes: | Approver: |
|---|---|---|---|
| 0.1 | 07/12/2021 | Section 4.13 – Tributes and Section 7 – Memorials removed as Memorials policy was adopted on 23 November 2021 (effective 7 December 2021) and as per CEO delegation given 24 August 2021 | Council |

## 1. INTRODUCTION

1.1 The Adelaie Hills Council (Council) ~~(the Authority)~~ recognises that many of its cemeteries have historical significance as the resting place of many of the district's pioneers and respected citizens and will efficiently and effectively manage them in a respectful manner to meet the needs of the community. The policy provides Council and its Administration with principles and guidelines relating to the installation of memorials at its cemeteries.

1.2 This Policy is to be read in conjunction with other relevant Council policies, including Council's *Cemetery Operating Policy*. The development of this Policy has taken into account requirements of the *Burial and Cremation Act 201*3 (the Act) and the *Burial & Cremation Regulations 2014* (the Regulations).

## 2. OBJECTIVES

2.1 The aim of this Policy is to set out the requirements and process required by Council, in its capacity as cemetery authority ~~(the Authority)~~ in relation to the supply and management of memorials within its cemeteries.

## 3. SCOPE

3.1 This Policy applies to all cemetery facilities owned or operated by Council.

## 4. DEFINITIONS

4.1 **"Act"** means the Burial & Cremation Act 2013

4.2 **"Authorised"** means a written authority has been issued by the Council.

4.3 **"~~The Authority~~Council"** means the Adelaide Hills Council.

4.4 **"CCASA"** means Cemeteries & Crematoria Association of South Australia

~~4.4~~4.5 **'Garden Plots'** are a position located within the gardens, used for the interment of Cremated Remains or a memorial

~~4.5~~4.6 **"Interment"** is the placement of either human remains being the bodily remains of a human body buried into the earth; or cremated remains placed in either a columbarium or into the earth.

~~4.6~~4.7 **"Interment Right"** means a Right for the Interment of Human Remains.

4.74.8 **"Interment Right Holder**" is the person issued the Interment Right by Council in accordance with its specified terms and conditions.

4.84.9 **"Ledger Slab"** is a rigid solid covering generally of stone lying either on top or within the monument kerbing.

4.94.10 **"Memorial"** means:

- An approved Monument; or
- A plaque; or
- Any other approved structure or physical object used to memorialise a deceased person.

4.104.11 **"Monument"** means a monument, headstone, tablet, gravestone, kerbing, railing or any other erection to be constructed in a cemetery, used for the commemorative purposes for a burial site.

4.114.12 **"Plaque"** is a flat tablet of metal, stone or other material which includes text or images used for commemorative purposes

4.124.13 **"Site"** is a plot or space that is used for the purpose of a burial or the interment of cremated remains.

## 5. POLICY STATEMENT

### 5.1 Memorial Applications

The following conditions apply to all standard applications for memorials:

5.1.1 All Memorials require approval from ~~the Authority~~Council prior to erection within a cemetery.

5.1.2 Monumental Masons (or contractors applying to carry out works) are to provide to ~~the Authority~~Council the following documentation:

- Details of company name, address and key personnel
- The names of the Officers as defined by the *Work Health and Safety Act 2012 (SA)*
- Copies of public liability insurance for $20M
- Copies of Return to Work SA currency
- Full name of each employee who will possibly work in Council's cemeteries
- Copies of construction white cards for all employees who may work in Council's cemeteries
- Copies of certification of load shifting equipment eg. truck mounted cranes
- Copies of WHS policies (every three years or as updated)

- Copies of relevant *Safe Work Instructions/Safe Work Method Statements/Job safety Analysis*

5.1.3 Applications will only be accepted on the Cemeteries & Crematoria Association of South Australia Inc. (CCASA) *Application for a Headstone or Memorial Form* or ~~The Authority~~Council's *Application for a Headstone or Memorial Form ~~(Appendix 1).~~* available on Council's website: www.ahc.sa.gov.au.

5.1.4 Applications shall be signed by the Interment Right Holder or a person duly authorised in writing by the Interment Right Holder.

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

5.1.6 A memorial shall not be installed on any site if the remaining term of the Interment Right relating to that site is less than ~~ten~~ five years, unless otherwise authorised by Council for the purpose of military service related memorials only.

5.1.7 A memorial may be installed on a site where the deceased has not been interred, providing the interment right is current and the application is signed by the interment right holder or a person duly authorised in writing by the Interment Right Holder.

5.1.8 Applications shall include a sketch of the memorial showing all dimensions, type of memorial, name(s) inscribed and any epitaphs or other inscriptions on the memorial.

5.1.9 Applications shall be submitted for approval ~~by~~ to ~~the Authority~~Council prior to any memorial work being undertaken or any memorial being removed by an authorised contractor or Interment Right Holder.

5.1.10 Applications will be processed within five (5) business days from the time of receipt unless otherwise agreed by ~~the Authority~~Council.

5.1.11 At least three (3) business days' notice is required for Pegging;

5.1.12 A Memorial Permit will be forwarded to the Monumental Mason and must be obtained before any work is carried out.

Where these conditions are not met, it may result in applications for permits being refused, delayed or new applications needing to be lodged.

**5.2 Design of Memorial**

5.2.1 ~~The Authority~~Council must approve the design and proposed inscription of all Memorials before any work is carried out.

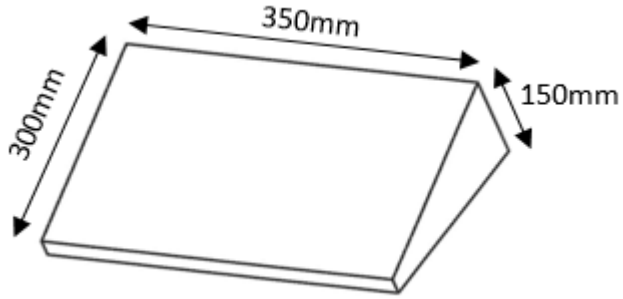
5.2.2 ~~The Authority~~Council may refuse any design for a Memorial as it may determine.

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

5.2.4 The maximum height permitted for memorials in all cemeteries will be no greater than 900mm high, unless otherwise approved by ~~the Authority~~Council.

5.2.5 Memorials erected on lawn burial ~~allotments~~ plots shall consist of a headstone only or a headstone and base, and not exceed a height of 900mm, a depth of 300mm and a width of 1300mm.

5.2.6 Memorials in garden plots are mandatory where an interment of cremated remains has occurred. Memorials in garden plots shall consist of a pedestal and plaque as supplied and determined by Council at the interment right holder's cost. Upon application a garden memorial may be sourced from a Monumental Mason and shall consist of a flat or sloper stone, not exceeding a width of 350mm, a height of 150mm and a depth of 300mm.




**5.2.7** Plaque dimensions will vary from site to site as determined by ~~the Authority~~Council.

**5.3 Installation of Memorials**

5.3.1 All Memorials for a burial interment site must be constructed, altered and installed by a Monumental Mason or other person who is authorised by ~~the Authority~~Council to undertake such work.

5.3.2 Plaques or memorials installed by ~~the Authority~~Council will be at the Interment Right Holder's cost.

5.3.3 A permit to work on the site is granted subject to the Monumental Mason and their sub-contractor complying with the following conditions whilst on site:

- Design and installation of Memorials must be in accordance with *Australian Standard AS 4204 – 2019 Headstones and Cemetery Monuments;*

- The area around the grave site is clean and tidy at the completion of the work and that all waste and surplus material is removed from the cemetery (this does not include excess soil left from a burial);
- Any damage done within a Cemetery must be repaired to the satisfaction of ~~the Authority~~Council;
- Comply with the *Work Health and Safety Act 2012 (SA)*, *Work Health and Safety Regulations 2012 (SA)* and Work Health and Safety *Codes of Practice* and any other legislative requirements;
- All vehicles are registered and overhead cranes/lifting devices have current inspection certification; and
- No work is carried out in close proximity to any funeral service.

Failure to comply with any of these conditions may result in Monumental Masons or their sub-contractors being asked to leave the grounds and could lead to having their permit reviewed or rescinded. In addition to this, Monumental Masons and/or their contractors will be held liable for any costs incurred.

5.3.4 Upon installation, a clear photograph is to be provided to ~~The Authority~~Council of the completed memorial.

**5.4 Ornaments and Tributes**

5.4.1 Flowers and wreaths may be placed on burial sites.

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

5.4.3 Ornaments or tributes made of plastic or other unbreakable materials may be placed on sites. Breakable materials such as glass, porcelain, terracotta and ceramic are not permitted to be placed on sites due to the risk to public safety. Materials such as Majolica ware, glass plaques and ceramic photographs are permitted if installed by a Monumental Mason and affixed to a headstone.

5.4.4 All ornaments or tributes must remain within the confines of the burial or memorial site on which they are placed and must not be fixed to surrounding tress, plants or shrubs.

5.4.5 Any ornaments or tributes that is not kept within the confines of the burial or memorial site may be removed at the discretion of ~~the Authority~~Council.

5.4.6 ~~The Authority~~Council is not responsible for the safety of ornaments or tributes and will not repair or replace them should they become damaged or stolen.

5.4.7 Families and visitors are encouraged to remove ornaments or tributes that have reached the end of their useful life, prior to these items become unsightly.

5.4.8 ~~The Authority~~Council may remove and dispose of any ornaments or tributes when deemed unsightly, offensive, breakable or a risk to public safety. Where a removed item may be of some value to the Interment Right Holder, ~~the Authority~~Council will endeavour to return the item to the Interment Right Holder. If contact is unable to be made, after a period of three (3) months from the date of removal, the ornament or tribute will be disposed of at ~~the Authority~~Council's discretion.

**5.5 Alcohol Containers**

5.5.1 Alcohol beverages and/or containers (full or empty) are not permitted to be placed on sites within the cemetery grounds.

**5.6 Plantings**

5.6.1 No plantings on memorials or within the cemetery shall take place, without the prior consent of ~~the Authority~~Council.

5.6.2 Authorised plantings must not exceed 900mm high, or the width of the site, when fully grown.

5.6.3 It is the responsibility of the Interment Right Holder to maintain any authorised plantings erected on a grave site during the term of the interment right.

5.6.4 ~~The Authority~~Council is not responsible for the safety of any plantings and will not repair or replace plantings should they become damaged or stolen.

5.6.5 ~~The Authority~~Council has the right to remove any plantings deemed to be unsightly, unsafe, overgrown, in poor condition or a risk to public safety.

5.6.6 Unauthorised planting of vegetation on a burial or memorial site will be removed upon detection.

**5.7 Lighting**

5.7.1 Solar powered lights or spikes on individual sites are prohibited, unless of cultural significance in which case ~~The Authority~~Council ~~may approve~~will assess upon application

**5.8 Ownership and Maintenance of memorials**

5.8.1 In accordance with Part 3, Division 4 of the Act, a memorial to a deceased person is the personal property of the person who holds the interment right for the site where the memorial is situated.~~.~~

5.8.2 It is the responsibility of the Interment Right Holder to maintain any memorial in a safe condition during the term of the interment right.

5.8.3 Any restoration work on a memorial is subject to the terms of a Memorial Application.

5.8.4 ~~The Authority~~Council does not accept any responsibility for damage to Memorials through acts of vandalism, ageing or deterioration. Repair of damaged Memorials is the responsibility of the Interment Right Holder.

5.8.5 In accordance with Section 41 of the Act, ~~the Authority~~Council may issue a notice on the owner of a memorial requiring repairs, removal or reinstatement of a memorial within 8 weeks of notification by ~~the Authority~~Council.

5.8.6 If the Interment Right Holder fails to act following a written request from ~~the Authority~~Council, ~~the Authority~~Council may either remove the memorial or carry out the repairs and recover the reasonable cost from the Interment Right Holder in accordance with Section 41 of the Act.

5.8.7 If a memorial becomes unsafe and urgent action to repair, remove or reinstate the memorial is considered necessary by ~~the Authority~~Council, ~~the Authority~~Council may, instead of giving a notice, have the work carried out and recover the reasonable cost from the Interment Right Holder.

5.8.8 A removed Memorial will be held for a period of six (6) months after notification, prior to disposal.

5.8.9 While ~~the Authority~~Council is not responsible for the upkeep, repair or maintenance of memorials, ~~the Authority~~Council may upgrade, renew or maintain historical or locally significant memorials at its discretion.

**5.9 Removal of Ledger Slabs for interment purposes**

5.9.1 ~~The Authority~~Council will not remove a Ledger Slab erected as part of a memorial for the interment of cremated remains. Removal arrangements must be made through a Monumental Mason or other person who is authorised by ~~the Authority~~Council to undertake such work at the Interment Right Holder's cost. ~~The Authority~~Council will cut into and reinstate cement or gravel tops for the purpose of an interment of cremated remains~~.~~

**5.10 Removal of Memorials**

5.10.1 The removal of a Memorial must be undertaken by a Monumental Mason or other person who is authorised by ~~the Authority~~Council to undertake such work, and will be at the expense of the Interment Right Holder.

5.10.2 ~~The Authority~~Council may remove or alter any Memorial or erase any inscription that breaches these operating policies and recover, as a debt, the expense of removal or alterations of a Memorial from the Interment Right Holder.

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

**5.11 Power to dispose of unclaimed memorials**

5.11.1 ~~The Authority~~Council may, after giving notice in accordance with Section 42 of the Act, remove and dispose of unclaimed memorials.

5.11.2 The person who held the interment right immediately before its expiry may reclaim a removed Memorial at any time before disposal.

**5.12 Heritage Listed Memorials**

5.12.1 Any heritage listed memorials in cemeteries under the control of ~~the Authority~~Council are to be maintained by Interment Right Holders in accordance with the required statutory processes, and any guidelines established by ~~the Authority~~Council for the purpose of protecting historical memorials.

**5.13 Temporary Grave Markers**

5.13.1 Temporary burial interment site markers, including wooden crosses, may only be used for a maximum period of ~~six~~ twelve (12~~6~~) months following which they must be removed and replaced with a Memorial or the burial site left unmarked.

5.13.2 Temporary burial interment site markers, including wooden crosses, removed by ~~the Authority~~Council will be returned to the Interment Right Holder, or if contact is unable to be made, after a period of three (3) months from the date of removal, the temporary marker will be disposed of at ~~the Authority~~Council's discretion.

**5.14 Memorial Seats**

5.14.1 ~~The Authority~~Council provides seats in many of its Cemeteries across the district and these seats may be used to memorialise a person by attaching a memorial plaque to the seat.

5.14.2 Memorial seats provided by ~~The Authority~~Council will not be limited to an exclusive plaque, eg. seats will be available for multiple memorial plaques.

5.14.3 Applications for the installation of a plaque must complete an application form (available on Council's website: www.ahc.sa.gov.au.~~Appendix 2~~) and submit to ~~the Authority~~Council, detailing:

- the name of the person(s) to be memorialised

- the proposed inscription/text to be used on the plaque
- the preferred location of the plaque

5.14.4 Approved applicants will be responsible for the cost and installation of the plaque and a memorial fee as determined by the Council.

5.14.5 Approvals will be for a period of 25 years.

5.14.6 The plaque will be sourced through ~~the Authority~~Council's plaque supplier to ensure consistency across the district. ~~The Authority~~Council reserves the right to approve or amend the proposed inscription and the location of the plaque, in consultation with the applicant.

5.14.7 When a seat reaches the end of its useful life, ~~The Authority~~Council will replace the seat providing it is still deemed to be a suitable location. If less than 25 years has expired since approval, the memorial plaques on the expired seat will be reinstalled on the replacement seat. If 25 or more years have expired since approval, ~~the Authority~~Council will attempt to return the memorial plaque to the Applicant or if contact is unable to be made, after a period of three (3) months from the date of removal, the plaque will be disposed of at ~~the Authority~~Council's discretion.

5.14.8 Personal items are not to be placed on or fixed to the memorial seat.

5.14.9 If the plaque is vandalised or damaged, ~~the Authority~~Council will not take responsibility for the damage.

5.14.10 ~~The Authority~~Council reserves the right to remove a memorial seat and/or plaque at any time, if the seating is situated in an area to be redeveloped or the site changes significantly in character and the item is not deemed suitable for the site, in consultation with the applicant. ~~The Authority~~Council will endeavour to relocate the seat and/or memorial plaques to another suitable location within the Cemetery.

5.14.11 Any memorial seat, funded by applicants and installed prior to 23 November 2021, will remain exclusive to that applicant until such time as the seat reaches the end of its useful life. Upon reaching the end of its useful life, the applicant may choose to replace the seat and maintain its exclusivity, or ~~The Authority~~Council may replace the seat and the seat will then become available for further memorials. The existing applicant may apply for installation of a new plaque and will be responsible for the cost and installation of the plaque and a memorial fee as determined by the Council.

**5.1 Memorial Register**

5.1.1 In accordance with section 53(1)(b)(ii) of the Act, ~~The Authority~~Council will keep a register of each Memorial erected in a Cemetery that contains the following information:

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

In addition, ~~the Authority~~Council will record the following details:

- Monumental Mason
- Photograph of the completed Memorial

## 6. DELEGATION

6.1 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.

## 7. AVAILABILITY OF THE POLICY

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

**ADELAIDE HILLS COUNCIL**
**ORDINARY COUNCIL MEETING**
**Tuesday 14 October 2025**
**AGENDA BUSINESS ITEM**

| | |
|---|---|
| **Item:** | **12.3** |
| **Responsible Officer:** | **Gary Lewis**<br>**Director Corporate Services**<br>**Corporate Services** |
| **Subject:** | **Proposed Asset Accounting Policy** |
| **For:** | **Decision** |

---


**SUMMARY**

The purpose of this report is to seek endorsement from Council of the proposed *Asset Accounting Policy* ("the Policy").


**RECOMMENDATION**

**Council resolves:**

1. **That the Asset Accounting Policy report be received and noted.**

2. **To adopt the Asset Accounting Policy at *Appendix 1,* with an effective date of 16 October 2025.**

3. **To authorise the Chief Executive Officer to make any formatting, nomenclature or other minor changes to the proposed Policy.**

---

## 1. BACKGROUND

A review of Council's policies has identified that the Council does not currently have an Asset Accounting Policy. Whilst not critical to the operations of Council, an Asset Accounting Policy provides guidance to the organisation with regards to a number of matters related to assets, including:

- Clarification around what costs meet the definition of an asset and are therefore capitalised
- The setting of a capitalisation threshold
- The subsequent valuation of the assets
- The frequency and type of valuation
- Depreciation, amortisation, impairment (and useful life assessments)
- The disposal of assets (noting that the process to dispose of an asset is contained in the Asset Disposal Policy).

Additionally, the lack of a policy in this regard was flagged as part of the Asset Financial Assumptions and Reporting audit undertaken by Bentleys. The creation of this Policy has the tangential benefit of addressing this audit finding.

Finally, as part of the Better Practice Model - Internal Financial Controls it is recommended that a capitalisation threshold be set and whilst there has historically been one, this has not been articulated in a policy but rather through custom and practise. The creation of this Policy improves the control environment in this regard.

The Policy was considered at the Audit and Risk Committee meeting on 18 August, at which it was resolved as follows:

8.6 Asset Accounting Policy

Moved Leith Mudge
S/- David Moffatt ARC43/25

The Audit and Risk Committee resolves:

1. That the report on the Asset Accounting Policy be received and noted (item 8.6, 18 August 2025, Audit and Risk committee meeting).
2. To provide feedback to the Administration on the Asset Accounting Policy (item 8.6, 18 August 2025, Audit and Risk committee meeting).
3. To note that after consideration of the feedback and incorporation thereof into the Asset Accounting Policy, the Policy will be presented to Council for adoption (item 8.6, 18 August 2025, Audit and Risk committee meeting).

Carried Unanimously

## 2. ANALYSIS

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

*Strategic Plan 2024 – Your Place Your Space*

| | |
|---|---|
| Goal | Organisation |
| Objective 02 | Operate with integrity using best practice governance processes. |
| Priority 02.2 | Enhance governance structures and systems to be agile and support our legislative obligations. |

### ➢ Legal Implications

Not applicable.

### ➢ Risk Management Implications

Creation of an Asset Accounting Policy will assist in mitigating the risk of:

*Internal control failures occur which leads to greater uncertainty in the achievement of objectives and/or negative outcomes*

| Inherent Risk | Residual Risk | Target Risk |
|---|---|---|
| High (4C) | Low (2E) | Low (2E) |

The Asset Accounting Policy will improve the control environment and controls around assets.

➢ **Financial and Resource Implications**

The endorsement of the Policy will not result in Financial or Resource implications for Council.

However, the application of the Policy in Council may have financial and resourcing implications for Council.

The most significant financial implication will potentially be a decrease in the number of items which are capitalised due to the lower capitalisation threshold. This will result in more items being treated as an operating expense. However, this is simply a timing matter as the item will be depreciated over its useful life if capitalised. Over the longer term, it is expected that the depreciation charge will decrease, and the materials costs will increase.

The most significant resource implication arises from the same decrease in the capitalisation threshold. It is expected that fewer items will be capitalised, and less time demands placed upon the Strategic Assets and Finance teams as a result of having to process fewer transactions.

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

There is a high expectation that Council has appropriate financial governance processes in place including appropriate policies.

➢ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

*Council Committees:* Audit and Risk Committee.
*Council Workshops:* Not Applicable.
*Advisory Groups:* Not Applicable.
*External Agencies:* Not Applicable.
*Community:* Not Applicable.

➢ **Additional Analysis**

Attached as ***Appendix 1*** is a copy of the proposed Asset Accounting Policy for the Council's consideration.

As noted in the background, the adoption of an Asset Accounting Policy provides guidance to the organisation on asset related matters whilst simultaneously addressing a control weakness which has been identified both by Bentleys and the annual controls review process.

Feedback from the Audit and Risk Committee

Feedback on the policy was sought from the Audit and Risk Committee. This feedback has been considered and incorporated into the Policy where considered appropriate. A summary of the feedback is presented below:

Drafting

A number of comments were received regarding additional definitions, clarification of items, layout of the policy and these have been incorporated into the Policy.

Capitalisation threshold

The main focus of the discussion was around the capitalisation threshold and the appropriateness thereof, with some members concerned that it was too high. However, the majority of the members felt that it was appropriate for the size of Council and its operations.

The discussion also highlighted a point of clarification required between the Policy and the operations of Council.

The Policy provides guidance on the accounting treatment for infrastructure, property plant and equipment assets and the circumstances under which items are recognised as assets. This is distinct from their treatment when in use.

Operationally, notwithstanding that an item may not be classified as an asset, the item is still subject to operational controls which would be expected of such items, such as registers of the items. These registers may include a means of identification, the location of the items, any servicing requirements and the like.

## 3. OPTIONS

Council has the following options:

I. To endorse the Asset Accounting Policy as presented in ***Appendix 1***
II. Should Council identify the need for substantial amendments to the Asset Accounting Policy, 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) Proposed Asset Accounting Policy

# Appendix 1

*Proposed Asset Accounting Policy*

# COUNCIL POLICY

| | |
|---|---|
| Adelaide Hills COUNCIL | **ASSET ACCOUNTING POLICY** |

| | |
|---|---|
| **Policy Number:** | |
| **Responsible Department(s):** | **Corporate Services - Finance** |
| **Relevant Delegations:** | **As per the Delegations Register and as detailed in this Policy** |
| **Other Relevant Policies:** | **Asset Management Policy**<br>**Asset Disposal Policy** |
| **Relevant Procedure(s):** | List any relevant internal Council procedures |
| **Relevant Legislation:** | **Local Government Act**<br>**Australian Accounting Standards (AASB 116 – Property Plant and Equipment, AASB 13 – Fair Value Measurement, AASB 136 – Impairment of Assets)** |
| **Policies and Procedures Superseded by this policy on its Adoption:** | New policies will not have any unless superseding a previously adopted policy. Policies that are being reviewed will have this updated if a new version is adopted. |
| **Adoption Authority:** | **Council** |
| **Date of Adoption:** | **14 October 2025** |
| **Effective From:** | **16 October 2025** |
| **Minute Reference for Adoption:** | ***To be entered administratively following Council Meeting*** |
| **Next Review:** | **No later than October 2028 or as required by legislation or changed circumstances** |

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## Version Control

| Version No. | Date of Effect | Description of Change(s) | Approval |
|---|---|---|---|
| *1.0* | *7/2/2025* | *New Policy* | |
| | | | |
| | | | |
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# ASSET ACCOUNTING POLICY

## 1. INTRODUCTION

This Asset Accounting Policy (the Policy) establishes the criteria for recognising and capitalising Infrastructure Property Plant and Equipment (IPPE) assets to ensure compliance with the *Australian Infrastructure Financial Management Manual* and *Australian Accounting Standards*. It provides a framework for managing asset acquisition, depreciation, revaluation and the associated financial reporting thereof.

## 2. OBJECTIVES

The organisation adopts a systematic and consultative approach to asset management by:

- Ensuring compliance with relevant financial management standards and legislative requirements.
- Distinguishing between capital and operational expenditure through a defined threshold.
- Maintaining accurate asset records and applying consistent depreciation and amortisation practices.
- Actively engaging stakeholders in the identification, evaluation, and maintenance of assets.
- Periodically reviewing asset useful lives, residual values, and capitalisation criteria to align with changing operational needs and market conditions.

## 3. DEFINITIONS

1. **Asset** – a present economic resource controlled by the entity as a result of past events.
2. **Depreciation –** Depreciation is the systematic allocation of the depreciable amount of an asset over its useful life
3. **Economic resource** - is a right that has the potential to produce economic benefits
4. **Fair Value –** The fair value of an asset is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date
5. **IPPE –** Infrastructure, Property Plant and Equipment
6. **Recoverable amount –** The recoverable amount of an asset is the greater of it's value in use or Fair Value less costs of disposal.
7. **Useful life –** The useful life of an asset is the period over which an asset is expected to be available for use by the organisation.

## 4. SCOPE

This policy applies to all capital expenditure incurred by the organisation, covering infrastructure, property, plant, equipment, and other tangible and intangible assets. It applies to all departments, employees, and contractors involved in asset procurement, management and disposal.

## 5. POLICY STATEMENT

The organisation is committed to:

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- Ensuring assets are recorded in compliance with financial management and reporting requirements.
- Defining a capitalisation threshold to differentiate between capital and operational expenditure.
- Applying consistent financial and accounting practices for assets and asset management practises.

5.1 Capitalisation Threshold and asset definition.

All costs will be treated as operating expenses in the first instance, unless the costs meet the definition of an asset.

- The initial cost exceeds **$20,000**.
- It is intended for long-term use in operations.

Expenditure below this threshold will be treated as an operational expense unless that cost forms part of a larger capital project.

In respect of Council, economic benefits are used to provide goods and services in accordance with Council objectives. For example, community infrastructure assets provide economic benefit to Council by enabling it to meet its objectives for the provision of services to the community.

Control is the determining factor that links an asset to an entity. Council controls an asset if it has the present ability to direct its use and obtain the economic benefits that may flow from it. It includes the present ability to prevent other parties from directing the use of the economic resource and from obtaining the economic benefits that may flow from it. If one party controls an economic resource, no other party controls that resource.

5.2 Initial recognition

- IPPE shall initially be measured at cost.

5.3 Costs not capitalised

The following costs are **not** capitalised:

- Repairs and maintenance expenses even if they are greater than the capitalisation threshold. If the expenditure is required to ensure that asset meets its intended useful life, then any expenditure which maintains that useful life would be considered operating expense.
- Administrative and general overheads.
- Costs incurred after the asset is in use, unless they extend its useful life.
- Assets the organisation does not have ongoing control over. An example would be rubbish bin that are provided by Council, but Council does not have direct control over them after they have been delivered to the residents.

5.4 Costs capitalised

The cost of an asset includes:

- Purchase price, including import duties and non-refundable taxes, net of trade discounts and rebates.

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- Direct costs related to bringing the asset into operational condition (e.g., site preparation, installation, testing).
- The initial estimate of the costs of dismantling and removing the item and restoring the site on which it is located, the obligation for which the organisation incurs either when the item is acquired or as a consequence of having used the item during a particular period for a particular purpose.
- Costs incurred for major upgrades that enhance the asset's value, functionality, or lifespan.
- Costs associated with renewing an asset and bringing it back to 'as-new condition'. For example, replacing a roof on a building. These costs meet the definition of an asset as they increase the assets useful life, albeit back to the asset's original useful life.

5.5 Asset Categories

The following table provides an overview of asset types, their useful lives, and their treatment:

| Asset Category | Sub-Category | Useful Life (Years) | Maintenance and Repair | Capital Renewal | Capital New |
|---|---|---|---|---|---|
| **Infrastructure** | Roads and Pavements | 15 - 200 | Pothole repair, resurfacing, patching | Full resurfacing with same standard | Road widening, new road construction |
| | Bridges | 50 - 100 | Minor structural repairs | Deck replacement, structural reinforcement | New bridge construction |
| **Property and Buildings** | Office Buildings | 50 - 80 | Routine maintenance | Major renovation with same purpose | New office construction |
| | Community Facilities | 30 - 100 | HVAC repair, roof patching | Roof replacement, structural refurbishment | New facility construction |
| **Plant and Equipment** | Vehicles | 5 - 15 | Servicing, part replacement | Engine rebuild, chassis reinforcement | New vehicle acquisition |
| | Heavy Machinery | 10 - 25 | Oil changes, minor part replacements | Engine overhaul, structural repair | New equipment purchase |
| | ICT Equipment | 2 - 10 | Replacement of damaged components | N/a | New equipment purchase |
| **Intangible Assets *** | Software | 3 - 10 | Bug fixes, minor updates | Major version upgrade with similar function | New software acquisition |

* Most cloud software is **not** capitalised as the software is usually acquired via a service agreement (Software as a Service) (SaaS). This type of an arrangement does not meet the asset definition as the entity has limited to no control over the service received and the service provider because the service is often hosted on service provider's server. This remains true even in instances where significant customisation occurs.

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5.6 Subsequent Measurement

- After initial recognition, IPPE shall be carried at its revalued amount. The revalued amount is the Fair Value at the date of revaluation, less subsequent accumulated depreciation and subsequent accumulated impairment losses.

5.6 Revaluation

- Revaluations shall be made with sufficient regularity to ensure that the carrying amount does not differ materially from that which would be determined using fair value at the end of the reporting period.
- Assets are revalued as follows:
    - Annually – A desktop valuation is undertaken, wherein the organisation will consider the preceding June Quarter Producer Price Indices from the Australian Bureau of Statistics and adjust the annual increase based on these percentages aligned to the indices for South Australia Road and Bridge Construction and Building Non-Residential from Table 17.
    - On a 4 year basis – An external valuation is undertaken of each asset class on rolling four year basis. This valuation takes into account the latest condition audit for that asset class.

5.7 Depreciation and Amortisation

- Each part of an item of IPPE with a cost that is significant in relation to the total cost of the item shall be depreciated separately
- Depreciation is calculated using the straight-line method over the asset's useful life.
- Intangible assets are amortised based on expected benefits derived.
- Residual value and useful life are reviewed periodically including annually via desktop assessment and four yearly with condition audit and revaluation process.

5.8 Impairment

- At the end of each reporting period, the organisation shall assess whether there are any indicators that an asset may be impaired. This applies to both tangible and intangible assets.
- Indicators of impairment include but are not limited to
    - Observable indicators that an asset's value has declined significantly more than would usually be associated with the passage of time
    - There is evidence of obsolescence or significant physical damage to the asset
    - Significant changes within the organisation which affect how an asset is used. For example, if a service is discontinued, the assets which were previously utilised to provide that service may be impaired.
    - Condition assessment reports may provide indications that an asset is impaired
    - Internal reporting indicates that the economic performance of an asset differs significantly from previous estimates.
    - Technical obsolescence of an asset has occurred due to changes in technology.
- If there are indicators of impairment, the organisation shall establish the asset's Recoverable Amount.

5.9 Disposal of Assets

When an asset is no longer required or reaches the end of its useful life, it must be:

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- Assessed for potential reuse or resale.
- Disposed of in compliance with the organisation's policies and any applicable regulations.
- In certain cases, particularly where an asset is being renewed, the disposal of the remaining value of the asset occurs without an actual sale of the asset occurring.

## 6. DELEGATION

6.1 The Chief Executive Officer has the delegation to:

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

## 7. AVAILABILITY OF THE POLICY

7.1 This Policy will be available via the Council's website www.ahc.sa.gov.au.

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**ADELAIDE HILLS COUNCIL**
**ORDINARY COUNCIL MEETING**
**Tuesday 14 October 2025**
**AGENDA BUSINESS ITEM**

| | |
|---|---|
| **Item:** | **12.4** |
| **Responsible Officer:** | **Jess Charlton**<br>**Director Community and Development**<br>**Community and Development** |
| **Subject:** | **Adelaide Hills Reconciliation Working Group Terms of Reference and Membership** |
| **For:** | **Decision** |

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**SUMMARY**

The purpose of this report is to seek Council endorsement of the revised Adelaide Hills Reconciliation Working Group (AHRWG) Terms of Reference as detailed in ***Appendix 1*** and to appoint a Council Member representative and proxy until the conclusion of the current Council term in November 2026.

The Adelaide Hills Reconciliation Working Group (AHRWG) was established in August 2018 in partnership with Mount Barker District Council, to support the development of each Council's respective Reconciliation Action Plans (RAPs) and advise on Reconciliation matters.

On 25 February 2025, Council adopted an Innovate RAP as endorsed by Reconciliation Australia. The AHRWG plays a fundamental role in advising on the implementation of Council's Innovate RAP and on Reconciliation matters more generally.

The AHRWG has reviewed the Terms of Reference and recommended changes for Council's endorsement. In addition, the Council needs to appoint an elected member representative as the term of the elected member appointed to the group expired in February 2025.


**RECOMMENDATION**

**Decision 1**

**Council resolves:**

1. **That the Adelaide Hills Reconciliation Working Group Terms of Reference report be received and noted.**

2. **That Council endorses the Adelaide Hills Reconciliation Working Group Revised Terms of Reference in *Appendix 1*.**

3. **To authorise the Chief Executive Officer to make any minor alterations to the Terms of Reference, not affecting the substantive form or function of the Adelaide Hills Reconciliation Working Group, as may be required to finalise the matter.**

**Decision 2** (required if one candidate indicates intention to nominate)

**Council resolves:**

1. **To appoint _____ as representative to the Adelaide Hills Reconciliation Working Group and _____ as proxy representative until the conclusion of the current Council term in November 2026.**

**Decision 3** (required if more than one candidate indicates intention to nominate)

**Council resolves:**

1. **To determine that the method of selecting the representative and proxy to the Adelaide Hills Reconciliation Working Group be by an indicative vote, where necessary, to determine the preferred person for the position utilising the process set out in this Agenda report.**

2. **To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting indicative vote to determine the representative and proxy to the Adelaide Hills Reconciliation Working Group and for the meeting to resume once the results of the indicative voting has been declared.**

**Decision 4** (required if meeting adjourned as a result of Decision 3)

**Council resolves:**

1. **To appoint _____ as representative to the Adelaide Hills Reconciliation Working Group and _____ as proxy representative until the conclusion of the current Council term in November 2026.**

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## 1. BACKGROUND

Adelaide Hills Reconciliation Working Group Terms of Reference

The Adelaide Hills Reconciliation Working Group (AHRWG) was established in partnership with the Mount Barker District Council, recognising that the Adelaide Hills is perceived as a region by stakeholders in the Aboriginal and Torres Strait Islander community. The AHRWG provides a reference point for matters pertaining to the development of both Councils' Reconciliation Action Plans (RAPs) and other Reconciliation initiatives.

The establishment of this group and the Terms of Reference for this group were by Council resolution on 28 August 2018:

**12.4 Reconciliation Action Plan Working Group**

The Executive Manager Governance & Risk, as Returning Officer, called for nominations. Nominations were received for Cr Ian Bailey and Cr John Kemp. There being two nominations for one position, the Returning Officer indicated that an election was necessary.

Arising from the election process, the Returning Officer declared Cr Ian Bailey elected.

**Moved Cr Linda Green**
**S/- Cr Nathan Daniell** **199/18**

**Council resolves:**

1. **That the report be received and noted.**
2. **To endorse a regional approach to the establishment of a Reconciliation Action Plan Working Group in partnership with Mount Barker District Council.**
3. **Subject to a commitment to the same effect by the Mount Barker District Council, adopt the draft Terms of Reference as contained in *Appendix 1*.**
4. **To authorise the Chief Executive Officer to make any minor alterations to the Terms of Reference as may be required.**
5. **To appoint Cr Ian Bailey to the Reconciliation Action Plan Working Group for the remainder of the current term of Council.**

**Carried Unanimously**

The Terms of Reference were last revised by the Council at its meeting on 27 July 2021.

**12.2 Adelaide Hills Reconciliation Working Group Terms of Reference & Membership**

**Moved Cr John Kemp**
**S/- Cr Linda Green** **154/21**

**Council resolves that**

1. **the report be received and noted.**
2. **Council adopts the changes to the Terms of Reference of the Adelaide Hills Reconciliation Working Group as proposed in *Appendix 1* with a review to take place in two years.**
3. **Council authorises the Chief Executive Officer to make any minor alterations to the Terms of Reference, not affecting the substantive form or function of the Adelaide Hills Reconciliation Working Group, as may be required to finalise the matter.**
4. **in conjunction with the Mount Barker District Council, to commence the Adelaide Hills Reconciliation Working Group Community Member Expression of Interest process and appoints Cr Kirrilee Boyd to the selection panel with Cr Ian Bailey as proxy member.**

**Carried Unanimously**

The AHRWG members recently reviewed the Terms of Reference for the Group and recommended a number of changes which are detailed below in the analysis, with the updated version provided for Council consideration in the *AHRWG Terms of Reference* in ***Appendix 1.*** As the group operates at a regional level, it is considered appropriate and important that the Terms of Reference are endorsed by both the Adelaide Hills Council and the Mount Barker District Council.

AHRWG Membership

The term of membership of the group ended in February 2025, however the group has continued to meet and revise the Terms of Reference. One of the changes to the Terms of Reference is to extend the membership period to be four years to align with the Council term of office.

While the current membership has now expired, an extension of the term of the current members was granted by the Adelaide Hills Council Chief Executive Officer on 25 September and the MBDC is in the process of finalising CEO approval, as per the discretion provided in the existing Terms of Reference.

Elected Member Representative to the AHRWG

The Adelaide Hills Elected Member representative on the AHRWG since it was established is as follows.

On 26 February 2019, Council resolved to appoint Cr Kirrilee Boyd until 17 December 2020:

19.1.1 Reconciliation Working Group - Appointment of Council Member and Community Members - Confidential Item

Moved Cr Ian Bailey
S/- Cr Linda Green 55/19

Council resolves:

1. That the report be received and noted.
2. That Cr Kirrilee Boyd be appointed to the Reconciliation Working Group for a period of two years, expiring 17 December 2020.
3. That the appointment of the following community members to the Reconciliation Working Group for a period of two years be endorsed:
   a. Parry Agius
   b. Deanne Hanchant-Nichol
   c. Tanya Michelle
   d. Alucius Turner
   e. Skye Akbar
   f. Hayley Willis
   g. Courtney Hebbernam
   h. Helga Materne

Carried Unanimously

At its 8 September 2020 meeting, Cr Kirrilee Boyd was re-appointed as the AHC Council Member on the AHRWG until the end of that Council term.

8.6.2 Reconciliation Working Group Membership – Appointment of Council Member

Moved Cr Mark Osterstock
S/- Cr Kirsty Parkin 197/20

That Cr Kirrilee Boyd be appointed to the Reconciliation Working Group to commence from 17 December 2020 and conclude at the end of the current Council term.

Carried Unanimously

Councillor Adrian cheater was appointed by the Council at its meeting on 24 January 2023 for a two-year period.

12.1.1 Adelaide Hills Reconciliation Working Group, AHC Representative - Appointment

Moved Cr Chris Grant
S/- Cr Leith Mudge 9/23

1. That Cr Adrian Cheater be appointed to the Reconciliation Working Group for the term 28 February 2023 to 28 February 2025.

2. That Cr Kirrilee Boyd be appointed as Proxy to the Reconciliation Working Group for the term 28 February 2023 to 28 February 2025.

Carried Unanimously

Councillor Leith Mudge was appointed by the Council at its meeting on 22 August 2023 until 28 February 2025.

12.3 Appointment to Adelaide Hills Reconciliation Working Group

Moved Cr Pauline Gill
S/- Cr Kirrilee Boyd 225/23

Council resolves that Cr Leith Mudge be appointed to the Reconciliation Working Group for the term 9 August 2023 to 28 February 2025.

Carried Unanimously

Whilst the term of Councillor Mudge's appointment ended in February (and Councillor Boyd's appointment as proxy), the AHRWG has continued to meet to consider revisions to the Terms of Reference and to discuss reconciliation related matters.

## 2. ANALYSIS

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

*Strategic Plan 2024 – Your Place, Your Space*

| | |
|---|---|
| Goal 2 | Community Wellbeing |
| Objective CW 1 | Promote and support reconciliation |
| Priority CW 1.1 | Develop and implement our Innovate Reconciliation Action Plan with the support of the Adelaide Hills Reconciliation Working Group |

### ➢ Legal Implications

Not Applicable

### ➢ Risk Management Implications

Adopting Terms of Reference based on the recommendations of the AHRWG will ensure a culturally appropriate approach and assist in mitigating the risk of the AHRWG being perceived negatively by the broader community.

| Inherent Risk | Residual Risk | Target Risk |
|---|---|---|
| High 2B | Medium 3C | Low |

➢ **Financial and Resource Implications**

There are no additional budget or resource requirements.

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

The community members of the AHRWG are all residents of the Adelaide Hills /Mount Barker, the majority of whom identify as Aboriginal and bring a highly regarded and credentialed level of skills and expertise across health, education, governance and business. Members also have considerable networks and connections across both the Aboriginal and non-Aboriginal 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:* | Not Applicable |
| *Advisory Groups:* | Adelaide Hills Reconciliation Working Group members have reviewed the Terms of Reference and recommended changes |
| *External Agencies:* | Not Applicable |
| *Community:* | Not Applicable |

➢ **Additional Analysis**

<u>Recommended Changes to the Terms of Reference</u>
The AHRWG have recommended a number of changes to the Terms of Reference including to the function description, membership, selection and membership term clauses as detailed below.

Function Description

- The following paragraph has been added to the revised Terms of Reference as the group were of the view that it was important to include this clarification in the Terms of Reference to ensure that there is no confusion regarding who they do and do not represent.

*Members of the AHRWG are appointed as individuals and not as representatives of, or to speak on behalf of, the broader community. Consultation with the AHRWG does not replace or preclude consultation with other relevant stakeholders.*

Membership

- The following sentence has been added to the Terms of Reference as members felt that it is essential to offer a welcoming environment for Traditional Custodians and this may also encourage future membership of the group by Traditional Custodians.

  *In addition to appointed community members Traditional Custodians will be welcome to attend meetings and participate fully in discussions.*

Selection

- The revised Terms of Reference provide that there will be Aboriginal and/or Torres Strait Islander community members on the selection panel for new community members, per the clause below.
- This addition brings members cultural knowledge, expertise and experience of participating on the AHRWG to the selection process.

  *Community members will be selected by a panel constituted as follows:*
  - *an Elected Member from each Council (AHC and MBDC), being those currently on the AHRWG or their delegate*
  - *a staff representative from each Council*
  - *two Aboriginal and/or Torres Strait Islander community representatives, selected with consideration for gender equity and breadth of experience. The Aboriginal and/or Torres Strait Islander community representatives on the selection panel shall be nominated by the AHRWG*

Membership Term

- The revised Terms of Reference include changes to the term of office, to be four years to align with the Council's term of office.
- The current term of membership is two years. The group recommends that a four-year period that aligns with the Councils' term of office allows the group to form greater understanding of Council processes and the ability to contribute to meaningful outcomes, particularly in implementing Adelaide Hills Council's Innovate RAP.

<u>Indicative Voting Process for Determining Council Appointed Positions</u>

Due to the implications of the Material Conflict of Interest provisions under section 75 of the *Local Government Act, 1999*, it is proposed that the Council adjourn the meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote (Indicative Voting Process) to determine the elected member representative on the AHRWG.

As the Indicative Voting Process involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council Committee, it is an Information or Briefing Session that should be open to the public for the purposes of s90A(3) and the *Information and Briefing Sessions Policy* (the Policy). As an Information or Briefing Session, the Chief Executive will conduct the meeting in accordance with the Policy.

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

The proposed Indicative Voting Process is:

1. On reaching the Agenda item, and prior to any motion being moved, the Acting Mayor enquires as to how many members intend to nominate for the position of Selection Panel Member;
2. if only one (1) person indicates their candidacy per position, if that person is an elected member that member will declare a material conflict of interest and leave the meeting, whilst the Acting Mayor invites a motion to appoint that member to the position (Decision 1);
3. the meeting will then deal with the motion;
4. if there are more candidates than positions, the Acting Mayor will call for a formal motion to adjourn the meeting, until the conclusion of an informal secret ballot process (Decision 2);
5. once the meeting is adjourned, the Chief Executive Officer (or their delegate) will ask for confirmation of the candidates;
6. The method of voting will be by secret ballot utilising the preferential counting system;
7. Each Council Member (including the Acting Mayor) shall have one vote;
8. Ballot papers will be provided to each Member;
9. The nominees' names will be drawn to determine the order on the ballot paper;
10. Each nominee will have two (2) minutes to speak in support of their candidacy. The speaking order will be as listed on the ballot paper.
11. Completed ballot papers will be collected by the Returning Officer and the count will be undertaken in a separate room with an observer (another Council staff member) present.
12. In the event of a tie, the result will be decided by the Returning Officer drawing lots, the candidate first drawn being the candidate excluded.
13. After all votes have been counted, the Returning Officer shall formally declare the result of the election.
14. The ballot papers will be shredded.

## 3. OPTIONS

Council has the following options:

I. Endorse the revised Terms of Reference for the Adelaide Hills Reconciliation Working Group and appoint an elected member representative. This will ensure that the Terms of Reference align with cultural expectations and support the implementation of Council's Innovate Reconciliation Action Plan.

II. Not endorse the revised Terms of Reference for the Adelaide Hills Reconciliation Working Group or appoint an elected members representative. Should the Council consider changes to the Terms of Reference, it is recommended they be referred back to staff to enable further consideration, particularly as the group operates as a regional initiative with Mount Barker District Council and to consider any impacts on Aboriginal and Torres Strait Islander community support for the group.

## 4. APPENDICES

(1) AHRWG Revised Terms of Reference

# Appendix 1

*AHRWG Revised Terms of Reference*

# ADELAIDE HILLS RECONCILIATION WORKING GROUP

## TERMS OF REFERENCE

### BACKGROUND

***Having embarked on their individual reconciliation journeys, both Adelaide Hills Council (AHC) and Mount Barker District Council (MBDC) are dedicated to deepening their engagement and actions towards genuine reconciliation. This involves a sustained commitment to working collaboratively with Aboriginal and Torres Strait Islander community members, acknowledging shared histories, and building a more equitable future together.***

Forming a Working Group to advise on reconciliation at a regional level encompassing both Adelaide Hills Council (AHC) and Mount Barker District Council (MBDC)areas is deemed appropriate for the following reasons:

- The Adelaide Hills is recognised as a region
- This approach fosters a sharing of learnings, initiatives and resources for the region

### ROLE

The role of the Reconciliation Adelaide Hills Working Group (AHRWG) is to:

- assist AHC and MBDC with the implementation of current RAPs **and/or like commitments**
- assist AHC and MBDC with the development of next level RAPs
- advise Council staff on matters that impact the local Aboriginal and Torres Strait Islander Community

### FUNCTION

The AHRWG functions as an advice giving body, with individuals able to provide advice freely and as requested. Advice may be sought through meetings or by other means.
The AHRWG has no decision making power or authority to act in its own right. For advice on specific matters a consensus will be sought, however, the views of all individual members will be taken into consideration.

**Members of the AHRWG are appointed as individuals and not as representatives of, or to speak on behalf of, the broader community**. Consultation with the RWG does not replace or preclude consultation with other relevant stakeholders.

**The AHRWG will be guided by a Code of Conduct ~~to be established by the group as a first action~~. All who attend meetings, or undertake actions or communication on behalf of the AHRWG, will abide by the Code of Conduct.**

### REPORTING

The AHRWG will report annually on progress to both Councils.

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## STRUCTURE

The AHRWG will be ongoing until such time as, by motion of both AH and MBD Councils it is decided to cease the group.

## MEMBERSHIP

The AHRWG shall comprise of an Elected Member from each Council, and up to eight (8) community members. **In addition to appointed community members ~~a place at each meeting will be available to~~ Traditional Custodians will be welcome to attend meetings and participate fully in discussions.** The AHRWG will be supported by the AHC Community and Cultural Development Officer, MBDC ~~Senior~~ Community Development Officer and other Council staff as needed.

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## SELECTION

Nomination for the AHRWG will be by Expression of Interest. Advertisements will be placed in appropriate communication channels and mediums seeking expressions of interest.
Whilst appointment will be at the discretion of the Chief Executive Officers of AHC and MBDC a high priority will be given to people who:

- are Peramangk or Kaurna as traditional custodians of the Adelaide Hills Region
- have Aboriginal or Torres Strait Islander heritage and identify as such and live, work or have a strong connection to the Adelaide Hills Region
- are not Aboriginal or Torres Strait Islander but have experience or expertise deemed beneficial to the role and function of the group.

***Community members will be selected by a panel constituted as follows:***

- *an Elected Member from each Council (AHC and MBDC), being those currently on the AHRWG or their delegate*
- *a staff representative from each Council*
- *two Aboriginal and/or Torres Strait Islander community representatives, selected with consideration for gender equity and breadth of experience. The Aboriginal and/or Torres Strait Islander community representatives on the selection panel shall be nominated by the AHRWG*

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~~-~~Recommendations for community membership of the AHRWG will be made to each Chief Executive Officer and appointment will be made upon both endorsing each applicant.

**The term of office for community members on the AHRWG will be up to four~~two~~ (~~2~~4) years and align with Council term of office**

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An Elected Member from each Council will be appointed to the AHRWG by resolution of the respective Council. The term of office for Elected Members will as resolved by the respective Council.

**The appointment of all members, including Elected Members, is subject to agreeing to abide by the Code of Conduct.**

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Members who are unable to attend a meeting may nominate a proxy to attend in their place up to but not more than x4 occasions in the 4 ~~2~~year period.

## STATUS OF MEMBERS

Community members of the AHRWG have status as volunteers of the Councils and are insured in accordance with the Volunteer Insurance Policy (s) that are part of each Council's membership of the Mutual Liability Scheme.

Community members are not indemnified by the Councils against any liability arising as a result of their actions or omissions related to their involvement with the AHRWG or undertaken in connection with their role as a member of the AHRWG.

Elected Members' involvement with the AHRWG constitutes the exercise of official functions and duties of office of an elected member under the *Local Government Act 1999*. Elected Members are, therefore, protected from civil liability in their role as RRG members pursuant to section 39 of the *Local Government Act 1999*.

## MEETINGS

The Group will meet a minimum of quarterly.
The role of Chairperson will be shared amongst the members, a Chairperson for the meeting will be selected at the commencement of each meeting by those present.

Meeting procedure will be as determined by the Chairperson in consultation with the AHRWG.

Topics for the agenda should be forwarded to the designated member seven (7) days prior to the scheduled meeting date.

The Agenda will be distributed to members no later than five (5) days prior to the next meeting date. Members of the AHRWG will receive minutes and agendas by email unless other arrangements are agreed.

Minutes of meetings will be circulated to members no later than 5 working days following a meeting

## REIMBURSEMENT OF EXPENSES

Community members will be paid a travel allowance for the use of their private vehicle to travel to and from AHRWG meetings with the said allowance being equal to the per kilometre rate prescribed for the purposes of calculating deductions for car expenses issued from time to time by the Australian Tax Office. Reimbursable journeys should be by the shortest or most practicable route from the place of residence or workplace.

Costs incurred by AHRWG community members for travel to and from AHRWG meetings on public transport will also be reimbursed. Costs incurred by RWG community members for travel to and from AHRWG meetings by taxi or other form of paid travel may be reimbursed subject to the travel by these means being pre-approved by AHC or MBDC staff prior to those costs being incurred.

If AHRWG community members incur out of pocket expenses as a result of their attendance at meetings, these costs may be reimbursed subject to these costs being pre-approved by AHC or MBDC staff prior to those costs being incurred.

Costs incurred without pre-approval by AHC or MBDC staff may not be reimbursed.

**ADELAIDE HILLS COUNCIL**
**ORDINARY COUNCIL MEETING**
**Tuesday 14 October 2025**
**AGENDA BUSINESS ITEM**

| | |
|---|---|
| **Item:** | **12.5** |
| **Responsible Officer:** | **Zoë Gill**<br>**Executive Governance Officer**<br>**Office of the CEO** |
| **Subject:** | **Delegations made under *Planning, Development and Infrastructure Act 2016*, Regulations, Planning & Design Code and Practice Directions** |
| **For:** | **Decision** |

---

**SUMMARY**

This report seeks Council's delegation of its statutory powers and functions under the *Planning, Development and Infrastructure Act 2016* (PDI Act*)*, Regulations, Planning & Design Code and Practice Directions.

Council undertook a full review of delegations under the PID Act in September 2023. A minor review was undertaken in April 2025. There has been a minor legislative change since this date. New and updated provisions are detailed in *Appendix 1* for Council to review. There are no deleted provisions. The updated Instruments of Delegations at *Appendix 2* incorporates these new and updated provisions into the full instrument of delegations.

Delegations under the PID Act are being dealt with separately to other delegations of statutory powers and functions. This is because template delegations have been specifically developed by the Local Government Association.

Section 100 of the PDI Act allows a relevant authority, other than an accredited professional, to delegate its powers and functions under this Act.

The relevant authorities under the PDI Act are the Minister, the State Planning Commission, an assessment panel appointed by a joint planning board or by a council, an assessment panel constituted by the Minister, an assessment manager, an accredited professional and a council. The CAP, the Council and the Assessment Manager can all sub-delegate their powers and functions.

Under the PDI Act each relevant authority has a set of delegations known as an Instrument of Delegation and Council has powers as both a relevant authority and as a designated entity so there are two instruments where Council makes delegations to staff.

**RECOMMENDATION**

**Council resolves:**

1. **That the report be received and noted.**

2. **Delegations made under *Planning, Development and Infrastructure Act 2016*, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council, a Designated Authority and a Designated Entity – (Instrument A)**

    a. **In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (contained in Appendix 2 of this Report) are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.**

    b. **Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.**

3. **If two or more delegates are nominated in respect of a power or function, then each nominated person is granted a delegation and may exercise the power or function independently of any other delegate.**

4. **The delegations are granted subject to the following conditions and limitations:**

    a. **the delegate must exercise a delegated function or power in accordance with:**

        i. **applicable legislative and other legal requirements; and**

        ii. **due regard to relevant policies and guidelines adopted by the Council;**

        iii. **all other conditions and limitations noted in the instrument of delegations**

5. **Each delegation of a power or function granted under this instrument is independent of, and severable from, every other delegation granted under this instrument.**

6. **If a delegation of a power or function under this instrument is determined to be invalid or unlawful, the invalid or unlawful delegation will be deemed to be severed from this instrument and the remaining delegations will continue to operate according to their terms.**

7. **The delegations provided for in this instrument of delegation will come into operation on 20 October 2025.**

8. **Previous delegations granted by the Council of the powers and functions delegated by this instrument are revoked with effect from the date on which the delegations provided for in this instrument come into operation.**

9. **The delegations granted by this instrument will remain in force until varied or revoked by resolution of the Council.**

## 1. BACKGROUND

*The Planning, Development & Infrastructure Act 2016* delegations are separated into 4 Instruments of Delegations. These are:

Instrument A – Powers of a council as a council; designated authority; designated entity
Instrument B – Powers of a council as a relevant authority
Instrument C – Powers of an assessment panel *(Delegated by the Panel)*
Instrument D – Powers of an assessment manager *(Delegated by the Assessment Manager)*

The instruments are in essence a tool that have been created by the Local Government Association to pull together each of the powers and functions that relate to each relevant authority / entity for the purpose of issuing delegations.

Council's powers of delegations lay in Instruments A and B:

- Instrument A includes, but is not limited to its powers in relation to submissions to the Minister / Commission, ability to appoint a Council Assessment Panel etc.
- Instrument B includes, but is not limited to its powers of delegations as a relevant authority in relation to development and building assessments etc.

In addition, there is an instrument of delegation for the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017.* The delegation that relates to Council under these transitional provisions apply to any councils that may have had a Development Plan Amendment in progress during the change of Acts. This transitional provision provided the Minister the ability to approve a Development Plan Amendment during the transition period. Adelaide Hills Council did not have a Development Plan Amendment in process at the time and therefore this delegation will not be exercised by Council.

Delegations allow the Council to transfer its powers and duties to the Chief Executive Officer (CEO), and others as determined. An absence of appropriate delegations would require decisions to be made through formal meetings of Council only, inevitably resulting in significant inefficiencies, reduced customer service and excessive time delays for many of the diverse daily activities undertaken by administration.

## 2. ANALYSIS

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

*Strategic Plan 2024 – Your place, your space*

| | |
|---|---|
| Goal 4 | Organisation |
| Objective O2 | Operate with integrity using best practice governance processes. |
| Priority 02.3 | Enhance governance structures and systems to be agile and support our legislative obligations. |

The recommended delegation updates ensure that Council's delegation framework is consistent with legislative updates.

➢ **Legal Implications**

Pursuant to Section 44 (6a) of the *Local Government Act 1999*, Council must review all delegations within 12 months after the conclusion of each periodic election. A review has already been undertaken however Council may need to make periodic updates to the delegations to account for any legislative updates that occur.

Section 100 of the *Planning, Development and Infrastructure Act 2016 (*PDI Act*)* allows a relevant authority, other than an accredited professional, to delegate its powers and functions under this Act.

➢ **Risk Management Implications**

The maintenance of a robust legislative delegation regime is an important control in managing the risk of:

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

| Inherent Risk | Residual Risk | Desired Risk |
|---|---|---|
| Extreme (5C) | Low (3E) | Low (3E) |

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

➢ **Financial and Resource Implications**

There are no financial or resource implications in delegating Council's powers.

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

Delegations allow Council's legislative obligations to be discharged in an effective and efficient manner and enable the administration to provide more timely service.

➢ **Sustainability Implications**

There are no direct sustainability implications from this report.

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

Consultation on the development of this report was as follows:

*Council Committees:* Not Applicable
*Council Workshops:* Not Applicable
*Advisory Groups:* Not Applicable
*External Agencies:* Reliansys and Local Government Association of SA.
*Community:* Not Applicable

➢ **Additional Analysis**

If the powers contained in the attached instruments were not delegated all decisions must come to Council for its consideration and the Chief Executive Officer will not be empowered to act in relation to such matters.

As with all Council delegations, delegating a power under these Acts does not transfer that power from the Council to the delegate, it merely replicates it. As such, where the situation requires, matters will be brought to Council for decision.

Updates to Instruments

The following instrument requires an update:

| Instrument A |
|---|

Appendix 1 contains a summary of the legislative updates that have occurred since the last delegation review.

Appendix 2 contains the updated table of instruments. The changes to these are restricted to the updates from Appendix 1 namely the New, Updated and Deleted (nil) provisions.

A fulsome delegations review will be undertaken when required.

## 3. OPTIONS

Council has the following options:

I. To determine to delegate to the Chief Executive Officer some or all of the powers and functions contained in the appendices.

II. To determine not to delegate to the Chief Executive Officer some or all of the powers and functions contained in the appendices and that delegations be further workshopped.

## 4. APPENDICES

(1) Instrument A- New, Updated and Deleted Delegations
(2) Instrument A- Full Instruments of Delegations

# Appendix 1

*Instrument A- New, Updated and Deleted Delegation*

# ADELAIDE HILLS COUNCIL

# RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - NEW & CHANGED

# INSTRUMENT A - INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED ENTITY  INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED ENTITY

Note - Exported provisions are separated into NEW and CHANGED groupings, sorted by Delegation Source and Section.

01 OCTOBER 2025

# NEW Provisions

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations |
|---|---|---|---|---|---|
| 766255 | State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | cl 11(4) | 94. Lodgement of Proposal<br>94.1The power pursuant to clause 11(4) of PD2 to submit a completed Lodgement Form with the Department via the SA Planning Portal, to commence the process for a proposed Complying Change. | Chief Executive Officer (95) | Nil |
| 766256 | State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | cl 11(5) | 94. Lodgement of Proposal<br>94.2The power pursuant to clause 11(5) of PD2 to set out in the Lodgement Form:<br>94.2.1Affected Area<br>94.2.1.1a map of the Affected Area (confirming its consistency with the boundaries of the map(s) relating to the relevant Regional Plan recommendation);<br>94.2.2Code Mapping<br>94.2.2.1an outline of:<br>(a) any existing overlay, zone, subzone, concept plan or technical and numeric variation in the Code within the Affected Area which is proposed to be amended;<br>(b) the proposed spatial application of any overlay/s and/or amendment/s to the boundary of a zone or subzone; and<br>(c) any associated proposed application of a concept plan/s and/or all relevant technical or numeric variation/s within the Affected Area in connection with the proposed change outlined | Chief Executive Officer (95) | Nil |

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations |
|---|---|---|---|---|---|
| | | | in clause 11(5)(c)(ii) of PD2;<br>94.2.3Regional Plan Recommendation<br>94.2.3.1 a description of the relevant recommendation/s in the Regional Plan;<br>94.2.3.2confirmation that the details outlined in clauses 11(5)(c)(ii) and (iii) of PD2 are consistent with the recommendation in the Regional Plan (where relevant); and<br>confirmation that a time period of not more than two years has elapsed since the relevant recommendation in the Regional Plan was given effect pursuant to Section 73(12) of the PDI Act (unless the Commission considers that a longer period shall apply for the purposes of clause 11 of PD2). | | |
| 766257 | State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | cl 13(1) | 95.Final Determination of Minister<br>95.1The power pursuant to clause 13(1) of PD2 when consultation on a proposed Complying Change is complete, to provide the Department with:<br>95.1.1.1written instructions (in a form acceptable to the Department) that set out any changes to the Complying Change as it was initially proposed; and/or<br>95.1.1.2mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare mapping which is suitable for inclusion in the Code;<br>95.1.2the updated draft proposed Complying Change in the form of amendment instructions (once finalised by the Council, incorporating any changes); and<br>95.1.3if any submissions were received, a consultation report to be furnished to the Commission. | Chief Executive Officer (95) | Nil |
| 766258 | State | clause | 95.Final Determination of Minister | Chief Executive | Nil |

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations |
|---|---|---|---|---|---|
| | Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | 13(2) | 95.2The power pursuant to clause 13(2) of PD2 to set out in the consultation report in clause 13(1)(c) of PD2:<br>95.2.1the outcome of the consultation, including a summary of the written submissions or feedback received; and<br>95.2.2 any proposed changes to the Complying Change (when compared with the proposal that was consulted on) and the reasons for those proposed changes and specifically indicate:<br>95.2.2.1 where changes are proposed to the Complying Change as a result of the consultation; and<br>95.2.2.2 any other changes proposed as a result of additional investigations or information that was not available when the proposal was released for consultation. | Officer (95) | |

# CHANGED Provisions

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations |
|---|---|---|---|---|---|
| 753968 | State Planning Commission Practice Direction 2 - ~~2~~ Preparation and Amendment of Designated Instruments | clause ~~12~~14(1) | ~~95~~96. Early Commencement of a Code Amendment<br>~~95~~96.1 The power pursuant to clause ~~12~~14(1) of PD2 to provide a request for early commencement of a Code Amendment under Section 78 of the PDI Act to the Department and include:<br>~~95~~96.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is:<br>~~95~~96.1.1.1 necessary in the interest of the orderly and proper development of an area of the State; and<br>~~95~~96.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development<br>that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment;<br>~~95~~96.1.2 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and<br>~~95~~96.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment. | Chief Executive Officer (95) | |
| 385213 | State Planning Commission Practice | cl6(3)(b) | ~~92778196~~97. Responsibility to Undertake Notification<br>~~92~~~~77~~81<br>~~96~~97.1 The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) | Chief Executive Officer (95) | ~~NIL~~As set during the Annual |

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations |
|---|---|---|---|---|---|
| | Direction - 3 (Notification of Performance Assessed Development Applications) 2019 | | to determine the relevant fee as being appropriate to cover the relevant authority's reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act. | | Business Plan process in the Fees & Charges Register. |
| 385214 | State Planning Commission Practice Direction (Council Inspections) 2020 | cl2(2) | ~~9378829798~~. Mandatory Inspections<br>~~937882~~<br>~~9798~~.1 The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection:<br>~~937882~~<br>~~9798~~.1.1 primary structural elements;<br>~~937882~~<br>~~9798~~.1.2 structural framing and roof trusses;<br>~~937882~~<br>~~9798~~.1.3 wet areas and waterproofing;<br>~~937882~~<br>~~9798~~.1.4 barriers to prevent falls;<br>~~937882~~<br>~~9798~~.1.5 cladding;<br>~~937882~~<br>~~9798~~.1.6 egress provisions;<br>~~937882~~ | Chief Executive Officer (95) | NIL |

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations |
|---|---|---|---|---|---|
| | | | 9798.1.7 bushfire protection systems;<br>937882<br>9798.1.8 passive and active fire safety elements;<br>937882<br>9798.1.9 private bushfire shelters; and<br>937882<br>9798.1.10 performance solutions. | | |
| 385215 | State Planning Commission Practice Direction (Council Inspections) 2020 | cl3(2) | 9479839899. Additional Inspections<br>947983<br>9899.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9. | Chief Executive Officer (95) | NIL |
| 385216 | State Planning Commission Practice Direction (Council Inspections) 2020 | cl4(3) | 95808499100. Inspections Generally<br>958084<br>99100.1 The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate. | Chief Executive Officer (95) | NIL |
| 385217 | State Planning | cl1(2) | 968185100101. General Requirements<br>968185 | Chief Executive | |

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations |
|---|---|---|---|---|---|
| | Commission Practice Direction (Council Inspections) 2020 | | 100.1 The power pursuant to clause 1(2) of Part 3 of PD9 to ensure that an inspection under PD9 and subsequent assessment of each of the applicable elements in clause 2(2) of Part 2 of PD9 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9. | Officer (95) | NIL |

# Appendix 2

*Instrument A - Full Instrument of Delegations*




# ADELAIDE HILLS COUNCIL

# INSTRUMENT OF DELEGATION

# INSTRUMENT A - INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED ENTITY  INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING & DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF A COUNCIL AS A COUNCIL; A DESIGNATED AUTHORITY; A DESIGNATED ENTITY

02 OCTOBER 2025

# Preamble

NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument.

2. Refer to the relevant Council resolution(s) to identify when these delegations were made, reviewed and or amended

## Delegation Sources

- Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)
- Planning, Development and Infrastructure (General) Regulations 2017
- Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019
- State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments
- State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019
- State Planning Commission Practice Direction (Council Inspections) 2020
- State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020
- Urban Tree Canopy Off-set Scheme

## Positions

| Abbreviation | Position | Name |
|---|---|---|
| Chief Executive Officer (95) | Chief Executive Officer (95) | Greg Georgopoulos |

# Instrument A - Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity  Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s5(5)(b) | 1. Planning Regions and Greater Adelaide<br>1.1 The power pursuant to Section 5(5)(b) of the Planning, Development and Infrastructure Act 2016 (the PDI Act) to make submissions to the Minister on a proposed proclamation under Section 5 of the PDI Act. | Chief Executive Officer (95) | In consultation with the Council & Assessment Manager |
| s6(3)(b) | 2. Subregions<br>2.1 The power pursuant to Section 6(3)(b) of the PDI Act to make submissions to the Minister on the Minister's proposed course of action. | Chief Executive Officer (95) | In consultation with the Council & Assessment Manager |
| s7(5)(b) | 3. Environment and Food Production Areas – Greater Adelaide<br>3.1 The power pursuant to Section 7(5)(b) of the the PDI Act, in relation to proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | concur in the granting of the development authorisation to the development. | | |
| s22(4)(a)(i) | 4. Functions<br>4.1 The power pursuant to Section 22(4)(a)(i) of the PDI Act to, if an inquiry is conducted by the Commission under Section 22(1)(e) of the PDI Act make submissions or representations. | Chief Executive Officer (95) | Subject to consultation with Council |
| s35(1)(a) | 5. Planning Agreements<br>5.1 The power pursuant to Section 35(1)(a) of the PDI Act and subject to Section 35 of the PDI Act to enter into an agreement (a planning agreement) with the Minister relating to a specified area of the State subject to Section 35 of the PDI Act. | Chief Executive Officer (95) | In consultation with the Council & Assessment Manager |
| s35(3) | 5. Planning Agreements<br>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:<br>5.2.1 the setting of objectives, priorities and targets for the area covered by the agreement; and | Chief Executive Officer (95) | In consultation with the Council & Assessment Manager |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s35(3) | 5. Planning Agreements<br>5.2 The power pursuant to Section 35(3) of the PDI Act to, in a planning agreement, include provisions that outline the purposes of the agreement and the outcomes that the agreement is intended to achieve and to provide for:<br>5.2.2 the constitution of a joint planning board including, in relation to such a board:<br>5.2.2.1 the membership of the board, being between 3 and 7 members (inclusive); and<br>5.2.2.2 subject to Section 35(4) of the PDI Act, the criteria for membership; and<br>5.2.2.3 the procedures to be followed with respect to the appointment of members; and<br>5.2.2.4 the terms of office of members; and<br>5.2.2.5 conditions of appointment of members, or the method by which those conditions will be determined, and the grounds on which, and the procedures by which, a member may be removed from office; and<br>5.2.2.6 the appointment of deputy members; and<br>5.2.2.7 the procedures of the board; and | Chief Executive Officer (95) | In consultation with the Council & Assessment Manager |
| s41(2)(a) | 6. Appointment of Administrator<br>6.1 The power pursuant to Section 41(2)(a) of the PDI Act to make submissions to the Minister on the Minister appointing an administrator under Section 41 of | Chief Executive Officer (95) | In consultation with the Council & Assessment Manager |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | the PDI Act. | | |
| s44(6)(a) | 7. Community Engagement Charter<br>7.1 The power pursuant to Section 44(6)(a) of the PDI Act, to make submissions in relation to any proposal to prepare or amend a designated instrument under Part 5 Division 2 Subdivision 5 of the PDI Act that is relevant to the Council (unless the proposal has been initiated by the Council). | Chief Executive Officer (95) | In consultation with Council & Assessment Manager. |
| s44(9)(b) | 7. Community Engagement Charter<br>7.2 The power pursuant to Section 44(9)(b) of the PDI Act to the extent that Section 44(9)(a) of the PDI Act does not apply, have regard to, and seek to achieve, any principles or performance outcomes that apply in a relevant case. | Chief Executive Officer (95) | In consultation with Council & Assessment Manager. |
| s44(10) | 7. Community Engagement Charter<br>7.3 The power pursuant to Section 44(10) of the PDI Act to:<br>7.3.1 seek the approval of the Commission to adopt an alternative way to achieving compliance with a requirement of the charter; and<br>7.3.2 with the approval of the Commission, adopt an alternative way to achieving compliance with a requirement of the charter. | Chief Executive Officer (95) | In consultation with Council & Assessment Manager. |
| s45(2)(c) | 8. Preparation and Amendment of Charter<br>8.1 The power pursuant to Section 45(2)(c) of the PDI Act to make | Chief Executive | In consultation with Council & Assessment |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | representations (including in writing or via the SA planning portal) on a proposal to prepare or amend the charter. | Officer (95) | Manager. |
| s73(2)(b)(iv) | 9. Preparation and Amendment<br>9.1 The power pursuant to Section 73(2)(b)(iv) of the PDI Act to:<br>9.1.1 seek the approval of the Minister to initiate a proposal to amend a designated instrument; and<br>9.1.2 initiate a proposal to amend a designated instrument with the approval of the Minister acting on the advice of the Commission. | Chief Executive Officer (95) | In consultation with Council & Assessment Manager & Team Leader Statutory Planning |
| s73(6) | 9. Preparation and Amendment<br>9.2 The power pursuant to Section 73(6) of the PDI Act where the Council is authorised or approved under Section 73 of the PDI Act, after all of the requirements of Section 73 of the PDI Act have been satisfied:<br>9.2.1 to prepare a draft of the relevant proposal; and<br>9.2.2 to comply with the Community Engagement Charter for the purposes of consultation in relation to the proposal; and<br>9.2.3 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not apply, in the case of a proposed amendment to a regional plan that has been prepared by a joint planning board where the amendment is not being proposed by the joint planning board – consult with the joint planning board; and<br>9.2.4 to the extent that paragraph (b) of Section 73(6) of the PDI Act does not | Chief Executive Officer (95) | 9.2.1 - In consultation with Council & Assessment Manager & Team Leader Statutory Planning |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | apply, in the case of a proposed amendment to the Planning and Design Code that will have a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally) – to take reasonable steps to give:<br>9.2.4.1 an owner or occupier of the land; and<br>9.2.4.2 an owner or occupier of each piece of adjacent land,<br>a notice in accordance with the regulations; and<br>9.2.5 to consult with any person or body specified by the Commission and any other person or body as the delegate thinks fit; and<br>9.2.6 to carry out such investigations and obtain such information specified by the Commission; and<br>9.2.7 to comply with any requirement prescribed by the regulations. | | |
| s73(7) | 9. Preparation and Amendment<br>9.3 The power pursuant to Section 73(7) of the PDI Act, after complying with Section 73(6) of the PDI Act, to prepare a report in accordance with any practice direction that applies for the purposes of Section 73 of the PDI Act (including information about any change to the original proposal that the delegate considers should be made) and furnish a copy of the report to the Minister. | Chief Executive Officer (95) | In consultation with Council & Assessment Manager & Team Leader Statutory Planning |
| s73(8) | 9. Preparation and Amendment | Chief | |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 9.4 The power pursuant to Section 73(8) of the PDI Act, after the Council has furnished a report to the Minister under Section 73(7) of the PDI Act, to ensure that a copy of the report is published on the SA planning portal in accordance with a practice direction that applies for the purposes of Section 73 of the PDI Act. | Executive Officer (95) | NIL |
| s73(9) | 9. Preparation and Amendment<br>9.5 The power pursuant to Section 73(9) of the PDI Act to enter into an agreement with a person for the recovery of costs incurred by the Council in relation to an amendment of the Planning and Design Code or a design standard under Section 73 of the PDI Act (subject to the requirement to charge costs under Section 73(4)(b) of the PDI Act (if relevant)). | Chief Executive Officer (95) | In consultation with Council. |
| s74(8)(c) | 10. Parliamentary Scrutiny<br>10.1 The power pursuant to Section 74(8)(c) of the PDI Act if the ERD Committee is proposing to suggest an amendment under Section 74(4) of the PDI Act and the amendment is specifically relevant to the Council, to provide a comment and response within the period of 2 weeks. | Chief Executive Officer (95) | Subject to consultation with Council |
| s75(3) | 11. Complying Changes – Planning and Design Code<br>11.2 The power pursuant to Section 75(3) of the PDI Act to effect an amendment under Section 75 of the PDI Act by an instrument deposited on the SA Planning database (in accordance with requirements established by the | Chief Executive Officer (95) | In consultation with Council, Assessment Manager and Team Leader Statutory Planning. |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | Chief Executive). | | |
| s83(1)(h) | 13. Panels Established by Joint Planning Boards or Councils<br>13.2 The power pursuant to Section 83(1)(h) of the PDI Act to arrange the staffing and support required for the purposes of the operations of the panel. | Chief Executive Officer (95) | In consultation with Director Development & Regulatory Services. |
| s83(1)(i) | 13. Panels Established by Joint Planning Boards or Councils<br>13.3 The power pursuant to Section 83(1)(i) of the PDI Act to substitute the existing members of the panel with new members if directed to do so by the Minister acting on recommendation of the Commission under Section 86 of the PDI Act. | Chief Executive Officer (95) | Subject to consultation with Council |
| s83(2) | 13. Panels Established by Joint Planning Boards or Councils<br>13.4 The power pursuant to Section 83(2) of the PDI Act to form the opinion and be satisfied that a person to be appointed as a member of an assessment panel who is a member, or former member, of a council is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government. | Chief Executive Officer (95) | In Consultation with the Assessment Manager |
| s84(1)(c)(ii)(A) | 14. Panels Established by Minister<br>14.1 The power pursuant to Section 84(1)(c)(ii)(A) of the PDI Act to request the Minister to constitute a regional assessment panel in relation to the combined | Chief Executive Officer (95) | Subject to consultation with Council |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | areas of the Council and one or more other Councils. | | |
| s84(1)(c)(ii)(B) | 14. Panels Established by Minister<br>14.2 The power pursuant to Section 84(1)(c)(ii)(B) of the PDI Act to make submissions to the Minister about the constitution of a regional assessment panel in relation to the area of the Council and one or more other Councils (or parts of such areas). | Chief Executive Officer (95) | In consultation with Council & Assessment Manager & Team Leader Statutory Planning |
| s86(2)(a) | 15. Substitution of Local Panels<br>15.1 The power pursuant to Section 86(2)(a) of the PDI Act to make submissions to the Commission in relation to an inquiry. | Chief Executive Officer (95) | In consultation with Council & with Director Development & Regulatory Services. |
| s89(b) | 16. Notification of Acting<br>16.1 The power pursuant to Section 89(b) of the PDI Act to require an accredited professional to provide such information or documentation as the delegate may require. | Chief Executive Officer (95) | NIL |
| s94(1)(g) | 17. Relevant Authority - Commission<br>17.1 The power pursuant to Section 94(1)(g) of the PDI Act to make a request to the Minister that the Minister declare, by notice served on the proponent, that the Minister desires the Commission to act as the relevant authority in relation to the proposed development. | Chief Executive Officer (95) | Nil |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s102(1)(c)(iv) | 18. Matters Against which Development Must be Assessed<br>18.1 The power pursuant to Section 102(1)(c)(iv) of the PDI Act in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) where land is to be vested in the Council, to consent to the vesting. | Chief Executive Officer (95) | NIL |
| s102(1)(d)(iv) | 18. Matters Against which Development Must be Assessed<br>18.2 The power pursuant to Section 102(1)(d)(iv) of the PDI Act in relation to a proposed division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 where land is to be vested in the Council, to consent to the vesting. | Chief Executive Officer (95) | NIL |
| s102(11)(b) | 18. Matters Against which Development Must be Assessed<br>18.3 The power pursuant to Section 102(11)(b) of the PDI Act to impose a reasonable charge on account of an encroachment over land under the care, control and management of the Council when the relevant development is undertaken. | Chief Executive Officer (95) | In consultation with Council |
| s110(2)(b) | 19. Restricted Development<br>19.1 The power pursuant to Section 110(2)(b) of the PDI Act to, in accordance with the regulations and within a period prescribed by the regulations, make representations to the Commission in relation to the granting or refusal of | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | planning consent. | | |
| s110(c)(ii) | 19. Restricted Development<br>19.2 The power pursuant to Section 110(c)(ii) of the PDI Act to appear personally or by representative before the Commission to be heard in support of the Council's representation. | Chief Executive Officer (95) | NIL |
| s110(7) | 19. Restricted Development<br>19.3 The power pursuant to Section 110(7) of the PDI Act to appeal against a decision on a development classified as restricted development. | Chief Executive Officer (95) | NIL |
| s112(b) | 20. Level of Detail<br>20.1 The power pursuant to Section 112(b) of the PDI Act to express views in relation to the level of detail required in relation to an EIS. | Chief Executive Officer (95) | NIL |
| s113(5)(a)(iii) | 21. EIS Process<br>21.1 The power pursuant to Section 113(5)(a)(iii) of the PDI Act to comment and report within the time prescribed by the regulations on an EIS referred to the Council by the Minister. | Chief Executive Officer (95) | Subject to consultation with Council |
| s114(2)(b) | 22. Amendment of EIS | Chief Executive | |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 22.1 The power pursuant to Section 114(2)(b) of the PDI Act to make written submissions on the amendment to the Minister. | Officer (95) | Nil |
| s130(6) | 23. Essential Infrastructure – Alternative Assessment Process<br>23.1 The power pursuant to Section 130(6) of the PDI Act to report to the Commission on any matters contained in a notice under Section 130(5) of the PDI Act. | Chief Executive Officer (95) | NIL |
| s130(14) | 23. Essential Infrastructure – Alternative Assessment Process<br>23.2 The power pursuant to Section 130(14) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 130(5) of the PDI Act, expressed opposition to the proposed development in its report under Section 130(6) of the PDI Act, withdraw the Council's opposition. | Chief Executive Officer (95) | NIL |
| s131(7) | 24. Development Assessment – Crown Development<br>24.1 The power pursuant to Section 131(7) of the PDI Act to report to the Commission on any matters contained in a notice under Section 131(6) of the PDI Act. | Chief Executive Officer (95) | NIL |
| s131(15) | 24. Development Assessment – Crown Development<br>24.2 The power pursuant to Section 131(15) of the PDI Act to, if the Council has, in relation to any matters referred to the Council under Section 131(6) of | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | the PDI Act expressed opposition to the proposed development in its report under Section 131(7) of the PDI Act, withdraw the Council's opposition. | | |
| s138(1) | 25. Land Division Certificate<br>25.1 The power pursuant to Section 138(1) of the PDI Act to enter into a binding agreement supported by adequate security and if the regulations so require in a form prescribed by the regulations. | Chief Executive Officer (95) | NIL |
| s138(2) | 25. Land Division Certificate<br>25.2 The power pursuant to Section 138(2) of the PDI Act to furnish the Commission with appropriate information as to compliance with a particular condition and to comply with any requirement prescribed by the regulations. | Chief Executive Officer (95) | NIL |
| s141(1) | 26. Action if Development Not Completed<br>26.1 The power pursuant to Section 141(1) of the PDI Act, if:<br>26.1.1 an approval is granted under the PDI Act; but<br>26.1.2 -<br>26.1.2.1 the development to which the approval relates has been commenced but not substantially completed within the period prescribed by the regulations for the lapse of the approval; or<br>26.1.2.2 in the case of a development that is envisaged to be undertaken in stages - the development is not undertaken or substantially completed in the | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | manner or within the period contemplated by the approval,<br>to apply to the Court for an order under Section 141 of the PDI Act. | | |
| s141(5) | 26. Action if Development Not Completed<br>26.1.3 The power pursuant to Section 141(5) of the PDI Act, if the Court makes an order under Section 141(3)(a), (b) or (d) of the PDI Act and a person fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and to recover the costs of that work, as a debt from the person. | Chief Executive Officer (95) | NIL |
| s141(6) | 26. Action if Development Not Completed<br>26.1.4 The power pursuant to Section 141(6) of the PDI Act, if an amount is recoverable from a person by the Council under Section 141(5) of the PDI Act:<br>26.1.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person. | Chief Executive Officer (95) | NIL |
| s142(1) | 27. Completion of Work<br>27.1 The power pursuant to Section 142(1) of the PDI Act, if:<br>27.1.1 an approval is granted under the PDI Act; but<br>27.1.2 the development to which the approval relates has been substantially but not fully completed within the period prescribed by the regulations for the lapse | Chief Executive Officer (95) | NIL |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | of the approval,<br>to, by notice in writing, require the owner of the relevant land to complete the development within a period specified in the notice. | | |
| s142(2) | 27. Completion of Work<br>27.2 The power pursuant to Section 142(2) of the PDI Act, if an owner fails to carry out work as required by a notice under Section 142(1) of the PDI Act, to cause the necessary work to be carried out. | Chief Executive Officer (95) | NIL |
| s142(3) | 27. Completion of Work<br>27.3 The power pursuant to Section 142(3) of the PDI Act to recover as a debt due from the owner, the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 142 of the PDI Act. | Chief Executive Officer (95) | NIL |
| s142(4) | 27. Completion of Work<br>27.4 The power pursuant to Section 142(4) of the PDI Act, if an amount is recoverable from a person by the Council under Section 142 of the PDI Act:<br>27.4.1 to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person. | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s146(3) | 28. Notification During Building<br>28.1 The power pursuant to Section 146(3) of the PDI Act to, subject to Section 146(4) of the PDI Act, direct a person who is carrying out building work to stop building work when a mandatory notification stage has been reached pending an inspection by an authorised officer who holds prescribed qualifications. | Chief Executive Officer (95) | NIL |
| s151(2) | 29. Classification of Buildings<br>29.1 The power pursuant to Section 151(2) of the PDI Act to assign to a building erected in the Council's area a classification that conforms with the regulations. | Chief Executive Officer (95) | NIL |
| s151(3) | 29. Classification of Buildings<br>29.2 The power pursuant to Section 151(3) of the PDI Act, if the Council assigns a classification under Section 151 of the PDI Act, to give notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building. | Chief Executive Officer (95) | NIL |
| s152(2) | 30. Certificates of Occupancy<br>30.1 The power pursuant to Section 152(2) of the PDI Act to issue a certificate of occupancy. | Chief Executive Officer (95) | NIL |
| s152(3)(a) | 30. Certificates of Occupancy | Chief | |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 30.2 The power pursuant to Section 152(3)(a) of the PDI Act to require an application for a certificate of occupancy to include any information required by the delegate. | Executive Officer (95) | NIL |
| s152(5) | 30. Certificates of Occupancy<br>30.3 The power pursuant to Section 152(5) of the PDI Act to consider any report supplied under Section 152(4) of the PDI Act before deciding the application. | Chief Executive Officer (95) | NIL |
| s152(6) | 30. Certificates of Occupancy<br>30.4 The power pursuant to Section 152(6) of the PDI Act to issue the certificate if the delegate is satisfied (in accordance with procedures set out in the regulations and on the basis of information provided or obtained under Section 152 of the PDI Act) that the relevant building is suitable for occupation and complies with such requirements as may be prescribed by the regulations for the purposes of Section 152(6) of the PDI Act. | Chief Executive Officer (95) | NIL |
| s152(10) | 30. Certificates of Occupancy<br>30.5 The power pursuant to Section 152(10) of the PDI Act, if the Council refuses an application to notify the applicant in writing of:<br>30.5.1 the refusal; and<br>30.5.2 the reasons for the refusal; and | Chief Executive Officer (95) | Delegate report to be countersigned by either the Director Development & Regulatory Services or Assessment Manager prior to the decision being issued. |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 30.5.3 the applicant's right of appeal under the PDI Act. | | |
| s152(12) | 30. Certificates of Occupancy<br>30.6 The power pursuant to Section 152(12) of the PDI Act to issue a certificate of occupancy that applies to the whole or part of a building. | Chief Executive Officer (95) | NIL |
| s152(13) | 30. Certificates of Occupancy<br>30.7 The power pursuant to Section 152(13) of the PDI Act to, in accordance with the regulations, revoke a certificate of occupancy in prescribed circumstances. | Chief Executive Officer (95) | NIL |
| s153(1) | 31. Temporary Occupation<br>31.1 The power pursuant to Section 153(1) of the PDI Act to grant an approval to a person to occupy a building on a temporary basis without a certificate of occupancy. | Chief Executive Officer (95) | NIL |
| s153(2) | 31. Temporary Occupation<br>31.2 The power pursuant to Section 153(2) of the PDI Act to grant an approval under Section 153(1) of the PDI Act on such conditions (if any) as the delegate thinks fit to impose. | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s153(3) | 31. Temporary Occupation<br>31.3 The power pursuant to Section 153(3) of the PDI Act if the Council refuses an application to notify the applicant in writing of:<br>31.3.1 the refusal; and<br>31.3.2 the reasons for the refusal; and<br>31.3.3 the applicant's right of appeal under the PDI Act. | Chief Executive Officer (95) | NIL |
| s155(5) | 32. Emergency Orders<br>32.1 The power pursuant to Section 155(5) of the PDI Act, if an owner fails to carry out work as required by an emergency order, to cause the necessary work to be carried out. | Chief Executive Officer (95) | NIL |
| s155(6) | 32. Emergency Orders<br>32.2 The power pursuant to Section 155(6) of the PDI Act to recover as a debt due from the owner the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 155 of the PDI Act. | Chief Executive Officer (95) | NIL |
| s155(7) | 32. Emergency Orders<br>32.3 The power pursuant to Section 155(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 155 of the PDI Act to, | Chief Executive Officer (95) | NIL |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person. | | |
| s163(3)(b) | 34. Initiation of Scheme<br>34.1 The power pursuant to Section 163(3)(b) of the PDI Act to request the Minister initiate a proposal to proceed under Section 163 of the PDI Act. | Chief Executive Officer (95) | In consultation with Council & Director Environment and Infrastructure & Assessment Manager & Team Leader Statutory Planning |
| s163(10) | 34. Initiation of Scheme<br>34.2 The power pursuant to Section 163(10) of the PDI Act to make submissions to the Minister in relation to the draft outline. | Chief Executive Officer (95) | In consultation with Council & Director Environment and Infrastructure & Assessment Manager & Team Leader Statutory Planning |
| s164(3) | 35. Initiation of Scheme<br>35.1 The power pursuant to Section 164(3) of the PDI Act to request the Minister initiate a proposal to proceed under Section 164 of the PDI Act. | Chief Executive Officer (95) | In consultation with Council & Director Environment and Infrastructure & Assessment Manager & Team Leader Statutory Planning |
| s164(12) | 35. Initiation of Scheme<br>35.2 The power pursuant to Section 164(12) of the PDI Act to make submissions to the Minister in relation to the draft outline. | Chief Executive Officer (95) | In consultation with Council & Director Environment and Infrastructure & Assessment Manager & Team Leader Statutory Planning |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s166(1)(c) | 36. Consideration of Proposed Scheme<br>36.1 The power pursuant to Section 166(1)(c) of the PDI Act to consult with a scheme coordinator in relation to a scheme in accordance with the Community Engagement Charter. | Chief Executive Officer (95) | In consultation with Director Environment and Infrastructure |
| s167(7) | 37. Adoption of Scheme<br>37.1 The power pursuant to Section 167(7) of the PDI Act to make submissions to the Minister in relation to a variation to an outline of a scheme. | Chief Executive Officer (95) | In consultation with Council & Director Environment and Infrastructure & Assessment Manager & Team Leader Statutory Planning |
| s169(2)(b) | 38. Funding Arrangements<br>38.1 The power pursuant to Section 169(2)(b) of the PDI Act in relation to a scheme that provides for the collection of contributions under Subdivision 8 of the PDI Act to apply for any matter to be considered or determined by ESCOSA or some other prescribed person or body as part of a periodic review of the levels and amounts of those contributions. | Chief Executive Officer (95) | NIL |
| s169(9) | 38. Funding Arrangements<br>38.2 The power pursuant to Section 169(9) of the PDI Act to make submissions to the Commission in relation to a funding arrangement that is specifically relevant to the Council. | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s177(4) | 39. Contributions by Constituent Councils<br>39.1 The power pursuant to Section 177(4) of the PDI Act to make submissions to the Minister in relation to the Council's share. | Chief Executive Officer (95) | In consultation with Council & Director Infrastructure and Operations & Assessment Manager |
| s177(5) | 39. Contributions by Constituent Councils<br>39.2 The power pursuant to Section 177(5) of the PDI Act to, at the request of the Minister, supply the Minister with information in the possession of the Council to enable the Minister to determine shares under Sections 177(2) and (3) of the PDI Act. | Chief Executive Officer (95) | Nil |
| s180(7) | 40. Imposition of Charge by Councils<br>40.1 The power pursuant to Section 180(7) of the PDI Act, if the Council incurs costs in recovering a charge as a debt, to claim the reimbursement of those costs (insofar as they are reasonable) from the relevant fund established under subdivision 9, Division 1, Part 13 of the PDI Act. | Chief Executive Officer (95) | NIL |
| s187(1) | 41. Authorised Works<br>41.1 The power pursuant to Section 187(1) of the PDI Act, subject to Section 187(3) of the PDI Act, to carry out any infrastructure works if the Council is authorised to so do by or under the PDI Act or any other Act. | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s187(5) | 41. Authorised Works<br>41.2 The power pursuant to Section 187(5) of the PDI Act, subject to Section 187(6) of the PDI Act, to in relation to a proposal that involves disturbing the surface of a road, or that otherwise relates to a road to:<br>41.2.1 inform the relevant road maintenance authority of the proposal at least 28 days before the proposed commencement of any work; and<br>41.2.2 give the relevant road maintenance authority a reasonable opportunity to consult with the Council in relation to the matter; and<br>41.2.3 ensure that proper consideration is given to the views of the road maintenance authority. | Chief Executive Officer (95) | NIL |
| s187(5)(b) | 41. Authorised Works<br>41.3 The power pursuant to Section 187(5)(b) of the PDI Act to make submissions to the designated entity in relation to the matter. | Chief Executive Officer (95) | NIL |
| s187(6) | 41. Authorised Works<br>41.4 The power pursuant to Section 187(6) of the PDI Act, in a case of emergency, to only comply with Section 187(5) of the PDI Act to such extent as is practicable in the circumstances. | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s188(1) | 42. Entry onto Land<br>42.1 The power pursuant to Section 188(1) of the PDI Act to authorise a person for the purpose of undertaking any work or activity in connection with the exercise of a power under Division 2 of Part 13 of the PDI Act to:<br>42.1.1 enter and pass over any land; and<br>42.1.2 bring onto any land any vehicles, plant or equipment; and<br>42.1.3 temporarily occupy land; and<br>42.1.4 do anything else reasonably required in connection with the exercise of the power. | Chief Executive Officer (95) | NIL |
| s188(4) | 42. Entry onto Land<br>42.2 The power pursuant to Section 188(4) of the PDI Act to pay reasonable compensation on account of any loss or damage caused by the exercise of a power under Section 188(1) of the PDI Act. | Chief Executive Officer (95) | NIL |
| s192(5) | 44. Land Management Agreements<br>44.4 The power pursuant to Section 192(5) of the PDI Act to register agreements entered into under Section 192 of the PDI Act in accordance with the regulations. | Chief Executive Officer (95) | NIL |
| s192(8) | 44. Land Management Agreements | Chief | |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 44.5 The power pursuant to Section 192(8) of the PDI Act to carry out on private land any work for which provision is made by agreement under Section 192 of the PDI Act. | Executive Officer (95) | NIL |
| s192(12) | 44. Land Management Agreements<br>44.9 The power pursuant to Section 192(12) of the PDI Act to apply to the Registrar-General, to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land. | Chief Executive Officer (95) | NIL |
| s192(15) | 44. Land Management Agreements<br>44.10 The power pursuant to Section 192(15) of the PDI Act to apply to the Registrar-General in relation to an agreement to which a note has been made under Section 192 of the PDI Act that has been rescinded or amended, to enter a note of the recission or amendment against the instrument of title, or against the land. | Chief Executive Officer (95) | NIL |
| s192(18) | 44. Land Management Agreements<br>44.14 The power pursuant to Section 192(18) of the PDI Act to take into account the existence of an agreement under Section 192 of the PDI Act when assessing an application for a development authorisation under the PDI Act. | Chief Executive Officer (95) | NIL |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s193(1) | 45. Land Management Agreements – Development Applications<br>45.1 The power pursuant to Section 193(1) of the PDI Act to, subject to Section 193 of the PDI Act, enter into an agreement under Section 193 of the PDI Act with a person who is applying for a development authorisation under the PDI Act that will, in the event that the relevant development is approved, bind:<br>45.1.1 the person; and<br>45.1.2 any other person who has the benefit of the development authorisation; and<br>45.1.3 the owner of the relevant land (if he or she is not within the ambit of Sections 193(a) or (b) of the PDI Act and if the other requirements of Section 193 of the PDI Act are satisfied). | Chief Executive Officer (95) | Excludes variation to waiver of terms or rescission to of Agreements signed under Seal of Council. |
| s193(2) | 45. Land Management Agreements – Development Applications<br>45.2 The power pursuant to Section 193(2) of the PDI Act to enter into an agreement under Section 193 of the PDI Act in relation to any matter that the delegate agrees is relevant to the proposed development (including a matter that is not necessarily relevant to the assessment of the development under the PDI Act). | Chief Executive Officer (95) | Excludes variation to waiver of terms or rescission to of Agreements signed under Seal of Council. |
| s193(3) | 45. Land Management Agreements – Development Applications | Chief Executive | |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 45.3 The power pursuant to Section 193(3) of the PDI Act to have regard to:<br>45.3.1 the provisions of the Planning and Design Code; and<br>45.3.2 the principle that the entering into of an agreement under Section 193 of the PDI Act by the Council should not be used as a substitute to proceeding with an amendment to the Planning and Design Code under the PDI Act. | Officer (95) | NIL |
| s193(5) | 45. Land Management Agreements – Development Applications<br>45.4 The power pursuant to Section 193(5) of the PDI Act to register agreements entered into under Section 193 of the PDI Act in accordance with the regulations. | Chief Executive Officer (95) | NIL |
| s193(10) | 45. Land Management Agreements – Development Applications<br>45.5 The power pursuant to Section 193(10) of the PDI Act to consent to an application to note the agreement against the relevant instrument of title or the land. | Chief Executive Officer (95) | NIL |
| s193(11) | 45. Land Management Agreements – Development Applications<br>45.6 The power pursuant to Section 193(11) of the PDI Act to consent to an owner of land entering into an agreement or giving a consent under Section 192(10) of the PDI Act where the Council has a legal interest in the land. | Chief Executive Officer (95) | NIL |
| s193(13) | 45. Land Management Agreements – Development Applications | Chief | |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 45.7 The power pursuant to Section 193(13) of the PDI Act to apply to the Registrar-General to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the Real Property Act 1886, against the land. | Executive Officer (95) | NIL |
| s193(15) | 45. Land Management Agreements – Development Applications<br>45.8 The power pursuant to Section 193(15) of the PDI Act to apply to the Registrar-General in relation to an agreement under Section 193 that has been rescinded or amended, to enter a note of the rescission or amendment against the instrument of title, or against the land. | Chief Executive Officer (95) | NIL |
| s193(16) | 45. Land Management Agreements – Development Applications<br>45.9 The power pursuant to Section 193(16) of the PDI Act, if an agreement under Section 193 of the PDI Act does not have effect under Section 193 of the PDI Act within the period prescribed by the regulations, to by notice given in accordance with the regulations, lapse the relevant development approval. | Chief Executive Officer (95) | NIL |
| s197(1)(b) | 46. Off-setting Contributions<br>46.1 The power pursuant to Section 197(1)(b) of the PDI Act to seek the approval of the Minister to act under Section 197 of the PDI Act. | Chief Executive Officer (95) | In consultation with Council. |
| s197(2) | 46. Off-setting Contributions | Chief Executive | |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 46.2 The power pursuant to Section 197(2) of the PDI Act to establish a scheme under Section 197 of the PDI Act that is designed to support or facilitate:<br>46.2.1 development that may be in the public interest or otherwise considered by the delegate as being appropriate in particular circumstances (including by the provision of facilities at a different site); or<br>46.2.2 planning or development initiatives that will further the objects of the PDI Act or support the principles that relate to the planning system established by the PDI Act; or<br>46.2.3 any other initiative or policy:<br>46.2.3.1 designated by the Planning and Design Code for the purposes of Section 197(2)(c)(i) of the PDI Act;<br>46.2.3.2 prescribed by the regulations for the purposes of Section 197(2)(c)(ii) of the PDI Act. | Officer (95) | NIL |
| s197(3) | 46. Off-setting Contributions<br>46.3 The power pursuant to Section 197(3) of the PDI Act to include in a scheme established under Section 197 of the PDI Act:<br>46.3.1 an ability or requirement for a person who is proposing to undertake development (or who has the benefit of an approval under the PDI Act): | Chief Executive Officer (95) | NIL |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 46.3.1.1 to make a contribution to a fund established as part of the scheme; or<br>46.3.1.2 to undertake work or to achieve some other goal or outcome (on an 'in kind' basis); or<br>34.2.1.3 to proceed under a combination of Sections 197(3)(a)(i) and (ii) of the PDI Act,<br>in order to provide for or address a particular matter identified by the scheme; and<br>46.3.2 an ability for a provision of the Planning and Design Code to apply with a specified variation under the terms of the scheme; and<br>46.3.3 an ability for any relevant authority to act under or in connection with Sections 197(3)(a) or (b) of the PDI Act. | | |
| s197(4) | 46. Off-setting Contributions<br>46.4 The power pursuant to Section 197(4)(b) of the PDI Act to apply the fund towards the purposes of the scheme in accordance with any directions or approvals of the Treasurer made or given after consultation with the Minister. | Chief Executive Officer (95) | NIL |
| s197(4)(c) | 46. Off-setting Contributions<br>46.5 The power pursuant to Section 197(4)(c) of the PDI Act to invest money that is not immediately required for the purposes of the fund in accordance with provisions included in the scheme. | Chief Executive Officer (95) | NIL |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s197(7) | 46. Off-setting Contributions<br>46.6.1 seek the approval of the Minister to vary or wind up a scheme under Section 197 of the PDI Act; and<br>46.6.2 to vary or wind up a scheme under Section 197 of the PDI Act with the approval of the Minister. | Chief Executive Officer (95) | In consultation with Council. |
| s198(1) | 47. Open Space Contribution Scheme<br>47.1 The power pursuant to Section 198(1) of the PDI Act, where an application for a development authorisation provides for the division of land in the Council's area into more than 20 allotments, and 1 or more allotments is less than 1 hectare in area to require:<br>47.1.1 that up to 12.5% in area of the relevant area be vested in the Council to be held as open space; or<br>47.1.2 that the applicant make the contribution prescribed by the regulations in accordance with the requirements of Section 198 of the PDI Act; or<br>47.1.3 that land be vested in the Council under Section 198(1)(c) of the PDI Act and that the applicant make a contribution determined in accordance with Section 198(8) of the PDI Act,<br>according to the determination and specification of the delegate, and to have regard to any relevant provision of the Planning and Design Code that designates land as open space and to seek the concurrence of the Commission to taking any action that is at variance with the Planning and Design Code. | Chief Executive Officer (95) | Where Vesting of land is proposed then this shall be Subject to Agreement by way of a Council resolution. |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s198(3) | 47. Open Space Contribution Scheme<br>47.2 The power pursuant to Section 198(3) of the PDI Act to enter into an agreement referred to in Section 198(2)(d) of the PDI Act. | Chief Executive Officer (95) | NIL |
| s198(4)(a) | 47. Open Space Contribution Scheme<br>47.3 The power pursuant to Section 198(4)(a) of the PDI Act to concur with an area being vested in the Council. | Chief Executive Officer (95) | Where Vesting of land is proposed then this shall be Subject to Agreement by way of a Council resolution. |
| s198(11) | 47. Open Space Contribution Scheme<br>47.4 The power pursuant to Section 198(11) of the PDI Act in relation to money received under Section 198 of the PDI Act to immediately pay it into a fund established for the purposes of Section 198 of the PDI Act and apply it for the purpose of acquiring or developing land as open space. | Chief Executive Officer (95) | NIL |
| s198(12) | 47. Open Space Contribution Scheme<br>47.5 The power pursuant to Section 198(12) of the PDI Act to form the opinion that the division of land is being undertaken in stages. | Chief Executive Officer (95) | NIL |
| s200(1) | 48. Urban Trees Fund<br>48.1 The power pursuant to Section 200(1) of the PDI Act to, | Chief Executive Officer (95) | Subject to Council resolution. |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 48.1.1 seek the approval of the Minister to establish a fund (an urban trees fund) for an area designated by the delegate; and<br>48.1.2 to, with the approval of the Minister establish a fund (an urban trees fund) for an area designed by the delegate (a designated area). | | |
| s200(2) | 48. Urban Trees Fund<br>48.2 The power pursuant to Section 200(2) of the PDI Act to effect the establishing of the fund by notice published in the Gazette. | Chief Executive Officer (95) | Subject to Council resolution. |
| s200(3) | 48. Urban Trees Fund<br>48.3 The power pursuant to Section 200(3) of the PDI Act to define a designated area by reference to an area established by the Planning and Design Code. | Chief Executive Officer (95) | NIL |
| s200(5) | 48. Urban Trees Fund<br>48.4 The power pursuant to Section 200(5) of the PDI Act to invest any money in an urban trees fund that is not immediately required for the purpose of the fund and to pay any resultant income into the fund. | Chief Executive Officer (95) | NIL |
| s200(6) | 48. Urban Trees Fund<br>48.5 The power pursuant to Section 200(6) of the PDI Act to apply money standing to the credit of an urban trees fund: | Chief Executive Officer (95) | NIL |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 48.5.1 to maintain or plant trees in the designated area which are or will (when fully grown) constitute significant trees under the PDI Act; or<br>48.5.2 to purchase land within the designated area in order to maintain or plant trees which are or will (when fully grown) constitute significant trees under the PDI Act. | | |
| s200(7) | 48. Urban Trees Fund<br>48.6 The power pursuant to Section 200(7) of the PDI Act if, the Council subsequently sells land purchased under Section 200(6)(b) of the PDI Act, to pay the proceeds of sale into an urban trees fund maintained by the Council under Section 200 of the PDI Act, subject to the qualifications in Sections 200(7)(a) and (b). | Chief Executive Officer (95) | NIL |
| s210(1) | 49. Appointment of Authorised Officers<br>49.1 The power pursuant to Section 210(1) of the PDI Act to:<br>49.1.1 appoint a person to be an authorised officer for the purposes of the PDI Act; and<br>49.1.2 appoint a person who holds the qualifications prescribed by the regulations to be an authorised officer for the purposes of the PDI Act if the Council is required to do so by the regulations. | Chief Executive Officer (95) | NIL |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s210(2) | 49. Appointment of Authorised Officers<br>49.2 The power pursuant to Section 210(2) of the PDI Act to make an appointment of an authorised officer subject to conditions. | Chief Executive Officer (95) | NIL |
| s210(3) | 49. Appointment of Authorised Officers<br>49.3 The power pursuant to Section 210(3) of the PDI Act to issue each authorised officer an identity card:<br>49.3.1 containing a photograph of the authorised officer; and<br>49.3.2 stating any conditions of appointment limiting the authorised officer's appointment. | Chief Executive Officer (95) | NIL |
| s210(5) | 49. Appointment of Authorised Officers<br>49.4 The power pursuant to Section 210(5) of the PDI Act to, at any time, revoke an appointment which the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition. | Chief Executive Officer (95) | NIL |
| s213(1) | 50. Enforcement Notices<br>50.1 The power pursuant to Section 213(1) of the PDI Act, if the delegate has reason to believe on reasonable grounds that a person has breached the PDI Act or the repealed Act, to do such of the following as the delegate considers necessary or appropriate in the circumstances: | Chief Executive Officer (95) | NIL |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 50.1.1 direct a person to refrain, either for a specified period or until further notice, from the PDI Act, or course of action, that constitutes the breach;<br>50.1.2 direct a person to make good any breach in a manner, and within a period, specified by the delegate;<br>50.1.3 take such urgent action as is required because of any situation resulting from the breach | | |
| s213(2) | 50. Enforcement Notices<br>50.2 The power pursuant to Section 213(2) of the PDI Act to give a direction under Section 213(1) of the PDI Act by notice in writing unless the delegate considers that the direction is urgently required. | Chief Executive Officer (95) | NIL |
| s213(5) | 50. Enforcement Notices<br>50.3 The power pursuant to Section 213(5) of the PDI Act, if a person fails to comply with a direction under Section 213(1)(b) of the PDI Act within the time specified in the notice, to cause the necessary action to be taken. | Chief Executive Officer (95) | NIL |
| s213(6) | 50. Enforcement Notices<br>50.4 The power pursuant to Section 213(6) of the PDI Act to recover the reasonable costs and expenses incurred by the Council (or any person acting on behalf of the Council) under Section 213 of the PDI Act, as a debt due from the person whose failure gave rise to the PDI Action | Chief Executive Officer (95) | NIL |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s213(7) | 50. Enforcement Notices<br>50.5 The power pursuant to Section 213(7) of the PDI Act, if an amount is recoverable from a person by the Council under Section 213 of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person. | Chief Executive Officer (95) | NIL |
| s214(1) | 51. Applications to Court<br>51.1 The power pursuant to Section 214(1) of the PDI Act to apply to the Court for an order to remedy or restrain a breach of the PDI Act or the repealed Act. | Chief Executive Officer (95) | NIL |
| s214(2) | 51. Applications to Court<br>51.2 The power pursuant to Section 214(2) of the PDI Act to consent to proceedings under Section 214 of the PDI Act being brought in a representative capacity on behalf of the Council. | Chief Executive Officer (95) | NIL |
| s214(4) | 51. Applications to Court<br>51.3 The power pursuant to Section 214(4) of the PDI Act to make an application without notice to any person and to make an application to the Court to serve a summons requiring the respondent to appear before the Court to show cause why an order should not be made under Section 214 of the PDI Act. | Chief Executive Officer (95) | NIL |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s214(6) | 51. Applications to Court<br>51.4 The power pursuant to Section 214(6) of the PDI Act to make submissions to the Court on the subject matter of the proceedings. | Chief Executive Officer (95) | NIL |
| s214(9) | 51. Applications to Court<br>51.5 The power pursuant to Section 214(9) of the PDI Act to appear before a final order is made and be heard in proceedings based on the application. | Chief Executive Officer (95) | NIL |
| s214(10) | 51. Applications to Court<br>51.6 The power pursuant to Section 214(10) of the PDI Act to make an application to the Court to make an interim order under Section 214 of the PDI Act. | Chief Executive Officer (95) | NIL |
| s214(11) | 51. Applications to Court<br>51.7 The power pursuant to Section 214(11) of the PDI Act to make an application for an interim order without notice to any person. | Chief Executive Officer (95) | NIL |
| s214(12) | 51. Applications to Court<br>51.8 The power pursuant to Section 214(12) of the PDI Act, if the Court makes an order under Section 214(6)(d) of the PDI Act and the respondent fails to comply with the order within the period specified by the Court, to cause any work contemplated by the order to be carried out, and recover the costs of that | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | work, as a debt, from the respondent | | |
| s214(13) | 51. Applications to Court<br>51.9 The power pursuant to Section 214(13) of the PDI Act, if an amount is recoverable from a person by the Council under Section 214(12) of the PDI Act to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person. | Chief Executive Officer (95) | NIL |
| s214(17) | 51. Applications to Court<br>51.10 The power pursuant to Section 214(17) of the PDI Act to apply to the Court to vary or revoke an order previously made under Section 214 of the PDI Act. | Chief Executive Officer (95) | NIL |
| s219(1) | 52. Proceedings for Offences<br>52.1 The power pursuant to Section 219(1) of the PDI Act to commence proceedings for an offence against the PDI Act. | Chief Executive Officer (95) | The concurrence of the Assessment Manager must be obtained prior to commencement of proceedings. |
| s223(2) | 53. Adverse Publicity Orders<br>53.1 The power pursuant to Section 223(2) of the PDI Act to make an application to the Court for an adverse publicity order. | Chief Executive Officer (95) | The concurrence of the Assessment Manager must be obtained prior to commencement of |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | | | proceedings. |
| s223(4) | 53. Adverse Publicity Orders<br>53.2 The power pursuant to Section 223(4) of the PDI Act, if the offender fails to give evidence to the Council in accordance with Section 224(1)(b) of the PDI Act to:<br>53.2.1 take the PDI Action or actions specified in the order; and<br>53.2.2 authorise a person in writing to take the PDI Action or actions specified in the order. | Chief Executive Officer (95) | NIL |
| s223(5) | 53. Adverse Publicity Orders<br>53.3 The power pursuant to Section 223(5) of the PDI Act, if:<br>53.3.1 the offender gives evidence to the Council in accordance with Section 223(1)(b) of the PDI Act; and<br>53.3.2 despite the evidence, the delegate is not satisfied that the offender has taken the PDI Action or actions specified in the order in accordance with the order,<br>to apply to the court for an order authorising the Council, or a person authorised in writing by the Council, to take the PDI Action or actions and to authorise a person in writing to take the PDI Action or actions. | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s223(6) | 53. Adverse Publicity Orders<br>53.4 The power pursuant to Section 223(6) of the PDI Act, if the Council, or a person authorised in writing by the Council, takes an action or actions in accordance with Section 223(4) of the PDI Act or an order under Section 223(5) of the PDI Act, to recover from the offender an amount in relation to the reasonable expenses of taking the PDI Action or actions, as a debt, due to the Council. | Chief Executive Officer (95) | NIL |
| s225(1) | 54. Civil Penalties<br>54.1 The power pursuant to Section 225(1) of the PDI Act, subject to Section 225 of the PDI Act, if the delegate is satisfied that a person has committed an offence by contravening a provision of the PDI Act, to, as an alternative to criminal proceedings, recover, by negotiation or by application to the Court, an amount as a civil penalty in respect of the contravention. | Chief Executive Officer (95) | NIL |
| s225(2) | 54. Civil Penalties<br>54.2 The power pursuant to Section 225(2) of the PDI Act, in respect of a contravention where the relevant offence does not require proof of intention or some other state of mind, to determine whether to initiate proceedings for an offence or take action under Section 225 of the PDI Act, having regard to the seriousness of the contravention, the previous record of the offender and any other relevant factors. | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| s225(3) | 54. Civil Penalties<br>54.3 The power pursuant to Section 225(3) of the PDI Act to serve on the person a notice in the prescribed form advising the person that the person may, by written notice to the Council, elect to be prosecuted for the contravention. | Chief Executive Officer (95) | NIL |
| s225(13) | 54. Civil Penalties<br>54.4 The power pursuant to Section 225(13) of the PDI Act to seek the authorisation of the Attorney-General to the commencement of proceedings for an order under Section 225 of the PDI Act. | Chief Executive Officer (95) | NIL |
| s225(17) | 54. Civil Penalties<br>54.5 The power pursuant to Section 225(17) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 225 of the PDI Act. | Chief Executive Officer (95) | NIL |
| s228(7) | 55. Make Good Order<br>55.1 The power pursuant to Section 228(7) of the PDI Act to apply to the Court to vary or revoke an order under Section 228 of the PDI Act. | Chief Executive Officer (95) | NIL |
| s229(5) | 56. Recovery of Economic Benefit<br>56.1 The power pursuant to Section 229(5) of the PDI Act to apply an amount paid to the Council in accordance with an order under Section 229(1) of the PDI | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | Act for the purpose of acquiring or developing land as open space and to hold it in a fund established for the purposes of Section 198 of the PDI Act. | | |
| s230(1) | 57. Enforceable Voluntary Undertakings<br>57.1 The power pursuant to Section 230(1) of the PDI Act to accept (by written notice) a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the PDI Act. | Chief Executive Officer (95) | NIL |
| s230(4) | 57. Enforceable Voluntary Undertakings<br>57.2 The power pursuant to Section 230(4) of the PDI Act if the delegate considers that a person has contravened an undertaking accepted by the Council, to apply to the Court for enforcement of the undertaking. | Chief Executive Officer (95) | NIL |
| s230(7) | 57. Enforceable Voluntary Undertakings<br>57.3 The power pursuant to Section 230(7) of the PDI Act to agree in writing with a person who has made an undertaking to:<br>57.3.1 vary the undertaking; or<br>57.3.2 withdraw the undertaking. | Chief Executive Officer (95) | Subject to concurrence by the Assessment Manager. |
| s230(11) | 57. Enforceable Voluntary Undertakings<br>57.4 The power pursuant to Section 230(11) of the PDI Act to accept an | Chief Executive | |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | undertaking in respect of a contravention or alleged contravention before proceedings in respect of that contravention have been finalised. | Officer (95) | NIL |
| s230(12) | 57. Enforceable Voluntary Undertakings<br>57.5 The power pursuant to Section 230(12) of the PDI Act if the delegate accepts an undertaking before the proceedings are finalised, to take all reasonable steps to have the proceedings discontinued as soon as possible. | Chief Executive Officer (95) | NIL |
| s230(14) | 57. Enforceable Voluntary Undertakings<br>57.6 The power pursuant to Section 230(14) of the PDI Act to seek an authorisation from the Commission for the Council to act under Section 230 of the PDI Act. | Chief Executive Officer (95) | NIL |
| s231(1) | 58. Advertisements<br>58.1 The power pursuant to Section 231(1) of the PDI Act, if, in the opinion of the delegate, an advertisement or advertising hoarding:<br>58.1.1 disfigures the natural beauty of a locality or otherwise detracts from the amenity of a locality; or<br>58.1.2 is contrary to the character desired for a locality under the Planning and Design Code,<br>to, by notice served in accordance with the regulations on the advertiser or the owner or occupier of the land on which the advertisement or advertising | Chief Executive Officer (95) | Concurrence by Assessment Manager or Team Leader Statutory Planning required prior to notice being issued. |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | hoarding is situated, whether or not a development authorisation has been granted in respect of the advertisement or advertising hoarding, order that person to remove or obliterate the advertisement or to remove the advertising hoarding (or both) within a period specified in the notice (of at least 28 days from the date of service of the notice). | | |
| s231(3) | 58. Advertisements<br>58.2 The power pursuant to Section 231(3) of the PDI Act if a person on whom a notice is served under Section 231(1) of the PDI Act fails to comply with a notice within the time allowed in the notice to enter on the land and take the necessary steps for carrying out the requirements of the notice and to recover the costs of so doing, as a debt, from the person on whom the notice was served. | Chief Executive Officer (95) | NIL |
| s235(1) | 59. Professional Advice to be Obtained in Relation to Certain Matters<br>59.1 The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications. | Chief Executive Officer (95) | NIL |
| s235(2) | 59. Professional Advice to be Obtained in Relation to Certain Matters<br>59.2 The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought. | | |
| s239(1) | 60. Charges on Land<br>60.1 The power pursuant to Section 239(1) of the PDI Act if a charge on land is created under a provision of the PDI Act in favour of the Council, to deliver to the Registrar-General a notice in a form determined by the Registrar-General, setting out the amount of the charge and the land over which the charge is claimed. | Chief Executive Officer (95) | NIL |
| s239(6) | 60. Charges on Land<br>60.2 The power pursuant to Section 239(6) of the PDI Act if a charge in the Council's favour exists and the amount to which the charge relates is paid, to by notice to the appropriate authority in a form determined by the Registrar-General, apply for the discharge of the charge. | Chief Executive Officer (95) | Subject to concurrence from the Assessment Manager. |
| s240(1) | 61. Registering Authorities to Note Transfer<br>61.1 The power pursuant to Section 240(1) of the PDI Act to apply to the Registrar General or another authority required or authorised under a law of the State to register or record transactions affecting assets, rights or liabilities, or documents relating to such transactions, to register or record in an appropriate manner the transfer to the Council of an asset, right or liability by regulation, | Chief Executive Officer (95) | NIL |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | proclamation or notice under the PDI Act. | | |
| cl13(3)(b) sch2 | 62. Reporting<br>62.1 The power pursuant to Clause 13(3)(b) of Schedule 2 of the PDI Act to require a report under Clause 13(2) of Schedule 2 of the PDI Act to contain any other information or report required by the delegate. | Chief Executive Officer (95) | If a Joint Planning Board and subsidiary is established. |
| cl3(3) | 63. Review of Performance<br>63.1 The power pursuant to Clause 3(3) of Schedule 4 of the PDI Act to explain the Council's actions, and to make submissions (including, if relevant, an indication of undertakings that the Council is willing to give in order to take remedial action), to the Minister. | Chief Executive Officer (95) | Must be reported to Council. |
| cl3(14) | 63. Review of Performance<br>63.2 The power pursuant to Clause 3(14) of Schedule 4 of the PDI Act to make submissions to the Minister on the report on which the PDI Action to be taken by the Minister under Clause 3(13) of Schedule 4 of the PDI Act is based. | Chief Executive Officer (95) | Must be reported to Council. |
| cl3(15) | 63. Review of Performance<br>63.3 The power pursuant to Clause 3(15) of Schedule 4 of the PDI Act, if the Minister makes a recommendation to the Council under Clause 3(13)(a) of Schedule 4 of the PDI Act and the Minister subsequently considers that the | Chief Executive Officer (95) | Must be reported to Council. |

| Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A) | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | Council has not, within a reasonable period, taken appropriate action in view of the recommendation, to make submissions to the Minister in relation to the directions of the Minister. | | |
| cl3(16) sch4 | 63. Review of Performance<br>63.4 The power pursuant to Clause 3(16) of Schedule 4 of the PDI Act to comply with a direction under Clauses 3(13) or (15) of Schedule 4 of the PDI Act. | Chief Executive Officer (95) | Must be reported to Council. |
| cl9(6)(a) | 64. Planning and Design Code<br>64.1 The power pursuant to Clause 9(6)(a) of Schedule 8 of the PDI Act to apply to the Minister for approval to commence the process under Section 25 of the repealed Act. | Chief Executive Officer (95) | In consultation with Council & Assessment Manager. |
| cl30(3) | 65. General Schemes<br>65.1 The power pursuant to Clause 30(3) of Schedule 8 of the PDI Act to request the Minister make a declaration under Clause 30(2) of Schedule 8 of the PDI Act in relation to a scheme. | Chief Executive Officer (95) | In consultation with Council & Assessment Manager. |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
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| r11B(1) | 67. Mutual Liability Scheme – Rights of Indemnity<br>67.1 The power pursuant to Regulation 11B(1) of the Planning, Development and Infrastructure (General) Regulations 2019 (the General Regulations) to:<br>67.1.1 in being responsible under Section 83(1)(h)(ii) of the PDI Act for the costs and other liabilities associated with the activities of an assessment panel appointed by the Council; and<br>67.1.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 84(1)(a) and (i) of the PDI Act,<br>have arrangements in place to indemnify the members of any such panel in respect of a claim against a member of the panel arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith of their functions, powers or duties under the PDI Act in their role as a member of the panel. | Chief Executive Officer (95) | NIL |
| r11B(5) | 67. Mutual Liability Scheme – Rights of Indemnity<br>67.2 The power pursuant to Regulation 11B(5) of the General Regulations to:<br>67.2.1 in being responsible under Section 87(f) of the PDI Act for the costs and other liabilities associated with the activities of an assessment manager for an assessment panel appointed by the Council; and<br>67.2.2 in being responsible for the costs associated with the activities of a regional assessment panel in accordance with a scheme set out in a notice under Section 87(1)(a) and (i) of the PDI Act,<br>have arrangements in place to indemnify an assessment manager for any such panel in respect of a claim against the assessment manager arising out of the performance, exercise or discharge (or purported performance, exercise or discharge) in good faith | Chief Executive Officer (95) | NIL |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | of their functions, powers or duties under the PDI Act in their role as an assessment manager. | | |
| r47(4)(d) | 68. Performance Assessed Development and Restricted Development<br>68.1 The power pursuant to Regulation 47(4)(d) of the General Regulations to determine the fee payable by the applicant as being appropriate to cover the reasonable costs of placing the notice on the land. | Chief Executive Officer (95) | As set during the Annual Business Plan process in the Fees & Charges Register. |
| r78(1) | 69. Underground Main Areas<br>69.1 The power pursuant to Regulation 78(1) of the General Regulations if the delegate considers an area should be declared an underground mains area to seek a report from the relevant electricity authority in relation to the matter. | Chief Executive Officer (95) | NIL |
| r78(2) | 69. Underground Main Areas<br>69.2 The power pursuant to Regulation 78(2) of the General Regulations after having received and considered a report from the electricity authority to declare the area to be an underground mains area. | Chief Executive Officer (95) | NIL |
| r81(4) | 70. Width of Roads and Thoroughfares<br>70.1 The power pursuant to Regulation 81(4) of the General Regulations to dispense with a width prescribed by Regulations 81(1) or (3) of the General Regulations (and specify a different width) if the delegate is of the opinion that the width so prescribed is not necessary for the safe and convenient movement of vehicles or pedestrians, or for | Chief Executive Officer (95) | In Consultation with Council's Engineering and Assets Officers |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | underground services. | | |
| r81(5) | 70. Width of Roads and Thoroughfares<br>70.2 The power pursuant to Regulation 81(5) of the General Regulations to subject to Regulation 81(6) of the General Regulations specify the width of the road at the head of every cul-de-sac in such dimensions as may be acceptable to the delegate. | Chief Executive Officer (95) | In Consultation with Council's Engineering and Assets Officers |
| r81(6) | 70. Width of Roads and Thoroughfares<br>70.3 The power pursuant to Regulation 81(6) of the General Regulations to dispense with a requirement under Regulation 81(5) of the General Regulations if it appears to the delegate that the cul-de-sac is likely to become a through road. | Chief Executive Officer (95) | In Consultation with Council's Engineering and Assets Officers |
| r82(1) | 71. Road Widening<br>71.1 The power pursuant to Regulation 82(1) of the PDI Act, subject to Regulation 82(2) of the General Regulations, if an existing road abuts land which is proposed to be divided, to form the view that the road should be widened in order to provide a road of adequate width having regard to existing and future requirements of the area. | Chief Executive Officer (95) | In Consultation with Council's Engineering and Assets Officers |
| r83(1) | 72. Requirement as to Forming of Roads<br>72.1 The power pursuant to Regulation 83(1) of the General Regulations, subject to Regulation 83(2) of the General Regulations, to specify the width and manner of the formation of the roadway of every proposed road on a plan of division. | Chief Executive Officer (95) | In Consultation with Council's Engineering and Assets Officers |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| r83(2) | 72. Requirement as to Forming of Roads<br>72.2 The power pursuant to Regulation 83(2) of the General Regulations to form the opinion that it is necessary to specify a width for a roadway to be formed under Regulation 83(1) in excess of 7.4m, in view of the volume or type of traffic that is likely to traverse that road. | Chief Executive Officer (95) | In Consultation with Council's Engineering and Assets Officers |
| r83(4) | 72. Requirement as to Forming of Roads<br>72.3 The power pursuant to Regulation 83(4) of the General Regulations, to dispense with the requirements under Regulation 83(3) of the General Regulations, if the delegate is of the opinion that the cul-de-sac is likely to become a through road. | Chief Executive Officer (95) | In Consultation with Council's Engineering and Assets Officers |
| r83(5) | 72. Requirement as to Forming of Roads<br>72.4 The power pursuant to Regulation 83(5) of the General Regulations, subject to Regulation 83(6) of the General Regulations to require every footpath, water-table, kerbing, culvert and drain of every proposed road to be formed in a manner satisfactory to the delegate. | Chief Executive Officer (95) | In Consultation with Council's Engineering and Assets Officers |
| r83(6) | 72. Requirement as to Forming of Roads<br>72.5 The power pursuant to Regulation 83(6) of the General Regulations, to dispense with a requirement under Regulation 83(5) of the General Regulations. | Chief Executive Officer (95) | In Consultation with Council's Engineering and Assets Officers |
| r84(1) | 73. Construction of Roads, Bridges, Drains and Services<br>73.1 The power pursuant to Regulation 84(1) of the General Regulations to require the | Chief Executive | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | roadway of every proposed road within the relevant division to be constructed and paved and sealed with bitumen, tar or asphalt or other material approved by the delegate. | Officer (95) | In Consultation with Council's Engineering and Assets Officers |
| r85(1) | 74. Supplementary Provisions<br>74.1 The power pursuant to Regulation 85(1) of the General Regulations to approve the road location and grading plan for the manner of forming any proposed road, footpath, water-table, kerbing, culvert or drain required under Division 6 of the General Regulations. | Chief Executive Officer (95) | In Consultation with Council's Engineering and Assets Officers |
| r85(2) | 74. Supplementary Provisions<br>74.2 The power pursuant to Regulation 85(2) of the General Regulations, subject to Regulation 85(4) of the General Regulations, to require all work referred to in Regulations 83 and 84 of the General Regulations to be carried out in a manner satisfactory to the delegate and in conformity with detailed construction plans and specifications signed by a professional engineer or, at the discretion of the delegate, a licensed surveyor, and approved by the delegate before the commencement of the work. | Chief Executive Officer (95) | In Consultation with Council's Engineering and Assets Officers |
| r85(4) | 74. Supplementary Provisions<br>74.3 The power pursuant to Regulation 85(4) of the General Regulations to form the opinion that all connections for water supply and sewerage services to any allotment delineated on the plan which, in the opinion of the Chief Executive of the South Australian Water Corporation and any other water industry entity identified under | Chief Executive Officer (95) | In Consultation with Council's Engineering and Assets Officers |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | Regulation 79(1) of the General Regulations in relation to any such allotment are necessary and need to be laid under the surface of the proposed road, have been made. | | |
| r89(1) | 75. General Provisions<br>75.1 The power pursuant to Regulation 89(1) of the General Regulations to form the opinion that another form of arrangement is satisfactory for the purposes of Section 138(1) of the PDI Act. | Chief Executive Officer (95) | NIL |
| r89(3) | 75. General Provisions<br>75.2 The power pursuant to Regulation 89(3) of the General Regulations to provide a certificate which:<br>75.2.1 evidences the consent of the Council to an encroachment by a building over other land; and<br>75.2.2 sets out:<br>75.2.2.1 the date on which any relevant building was erected (if known); and<br>75.2.2.2 the postal address of the site. | Chief Executive Officer (95) | NIL |
| r89(6)(b) | 75. General Provisions<br>75.3 The power pursuant to Regulation 89(6)(b) of the General Regulations to request | Chief Executive | |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | a written copy of the certificate and plan (or certificates and plans) referred to in Regulation 89(3) of the General Regulations. | Officer (95) | NIL |
| r89(8) | 75. General Provisions<br>75.4 The power pursuant to Regulation 89(8) of the General Regulations to make submissions to the Commission before the Commission grants an extension of the period prescribed by Regulation 89(7). | Chief Executive Officer (95) | NIL |
| r93(1)(b) | 76. Notifications During Building Work<br>76.1 The power pursuant to Regulation 93(1)(b) of the General Regulations to specify by notice to the building owner and to the licensed building work contractor responsible for carrying out the relevant building work (if any), when development approval is granted in respect of the work, any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate. | Chief Executive Officer (95) | NIL |
| r93(1)(c) | 76. Notifications During Building Work<br>76.2 The power pursuant to Regulation 93(1)(c) of the General Regulations to specify by notice in writing to the building owner on the granting of development approval in respect of the work any stage of the building work to which the periods and stages prescribed for the purposes of Section 146(1) of the PDI Act relate. | Chief Executive Officer (95) | NIL |
| r94(13) | 77. Essential Safety Provisions<br>77.1 The power pursuant to Regulation 94(13) of the General Regulations to require | Chief Executive | NIL |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | compliance with Regulation 94(10) of the General Regulations if:<br>77.1.1 the essential safety provisions were installed<br>77.1.1.1 under a condition attached to a consent or approval that is expressed to apply by virtue of a variance with the performance requirements of the Building Code; or<br>77.1.1.2 as part of a performance solution under the Building Code; or<br>77.1.2 the building has been the subject of a notice under Section 157 of the PDI Act. | Officer (95) | |
| r102(3) | 78. Classification of Buildings<br>78.1 The power pursuant to Regulation 102(3) of the General Regulations to require an application under Regulation 102(1) or (2) of the General Regulations to be accompanied by:<br>78.1.1 such details, particulars, plans, drawings, specifications, certificates and other documents as the delegate may reasonably require to determine the building's classification. | Chief Executive Officer (95) | NIL |
| r102(4) | 78. Classification of Buildings<br>78.2 The power pursuant to Regulation 102(4) of the General Regulations, to subject to Regulation 102(5) of the General Regulations, assign the appropriate classification under the Building Code to a building if the delegate is satisfied, on the basis of the | Chief Executive Officer (95) | NIL |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | owner's application, and accompanying documentation, that the building, in respect of the classification applied for, possesses the attributes appropriate to its present or intended use. | | |
| r102(5) | 78. Classification of Buildings<br>78.3 The power pursuant to Regulation 102(5) of the General Regulations, if an application under Regulation 102 of the General Regulations is made in respect of an existing Class 2 to Class 9 building, to require the applicant to satisfy the delegate that the provisions of any relevant Ministerial building standard relating to upgrading health and safety in existing buildings has been complied with (to the extent reasonably applicable to the building and its present or intended use). | Chief Executive Officer (95) | NIL |
| r102(6) | 78. Classification of Buildings<br>78.4 The power pursuant to Regulation 102(6) of the General Regulations, on assigning a classification to a building (or part of a building) to, if relevant, determine and specify in the notice to the owner under Section 151(3) of the PDI Act:<br>78.4.1 the maximum number of persons who may occupy the building (or part of the building); and<br>78.4.2 if the building has more than 1 classification—the part or parts of the building to which each classification relates and the classifications currently assigned to the other parts of the building. | Chief Executive Officer (95) | NIL |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| Regulation 103A(1) | 79. Required Documentation<br>79.1 The power pursuant to Regulation 103A(1) of the General Regulations to, in relation to an application for the issuing of a certificate of occupancy relating to a Class 1b to 9 (inclusive) building under the Building Code, require the following documentation:<br>79.1.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that the conditions have been satisfied;<br>79.1.2 if the application relates to the construction or alteration of part of a building and further building work is envisaged in respect of the remainder of the building, such further evidence as the delegate may reasonably require to show –<br>79.1.2.1 in the case of a building more than 1 storey – that the requirements of any relevant Ministerial building standard have been complied with; or<br>79.1.2.2 in any other case – that the building is suitable for occupation. | Chief Executive Officer (95) | Nil |
| Regulation 103A(2) | 79. Required Documentation<br>79.2 The power pursuant to Regulation 103A(2) of the General Regulations to, in relation to an application for the issuing on or after 1 October 2024 of a certificate of occupancy relating to a Class 1a building under the Building Code, to require the following documentation:<br>79.2.1 if the development has been approved subject to conditions, such evidence as the delegate may reasonably require to show that any conditions relevant to the | Chief Executive Officer (95) | Nil |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | suitability of the building for occupation have been satisfied, | | |
| Regulation 103A(3) | 79. Required Documentation<br>79.3 The power pursuant to Regulation 103A(3) of the General Regulations to, other than in relation to a designated building on which building work involving the use of a designated building product is carried out after 12 March 2018, dispense with the requirement to provide a Statement of Compliance under subregulation (1)(a) or (2)(a) if –<br>79.3.1 the delegate is satisfied that a person required to complete 1 or both parts of the statement has refused or failed to complete that part and that the person seeking the issuing of the certificate of occupancy has taken reasonable steps to obtain the relevant certification or certifications; and<br>79.3.2 it appears to the delegate, after undertaking an inspection, that the relevant building is suitable for occupation. | Chief Executive Officer (95) | Subject to concurrence by the Team Leader Building Services or an Accredited Professional Level 1 Building. |
| Regulation 103C(1)(c) | 80. Statement of site suitability<br>80.1 The power pursuant to Regulation 103C(1)(c) of the General Regulations, in relation to a building on a site to which Schedule 8 clause 2A of the General Regulations applies and upon which remediation on the site is necessary, to not grant a certificate of occupancy until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use. | Chief Executive Officer (95) | Nil |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| Regulation 103D(1) | 81. Report from fire authority<br>81.1 The power pursuant to Regulation 103D(1) of the General Regulations, if –<br>81.1.1 a building is –<br>81.1.1.1 to be equipped with a booster assembly for use by a fire authority; or<br>81.1.1.2 to have installed a fire alarm that transmits a signal to a fire station or to a monitoring service approved by the relevant authority; and<br>81.1.2 facilities for fire detection, fire fighting or the control of smoke must be installed in the building pursuant to an approval under the Act,<br>to not grant a certificate of occupancy unless or until the delegate has sought a report from the fire authority as to whether those facilities have been installed and operate satisfactorily. | Chief Executive Officer (95) | Nil |
| Regulation 103D(2) | 81. Report from fire authority<br>81.2 The power pursuant to Regulation 103D(2) of the General Regulations, if a report from the fire authority is not received within 15 business days, to presume that the fire authority does not desire to make a report. | Chief Executive Officer (95) | Nil |
| Regulation 103D(3) | 81. Report from fire authority<br>81.3 The power pursuant to Regulation 103D(3) of the General Regulations to have regard to any report received from a fire authority under subregulation (1) before it issues a certificate of occupancy. | Chief Executive Officer (95) | Nil |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| Regulation 103E(1)(b) | 82. Issue of certificate of occupancy<br>82.1 The power pursuant to Regulation 103E(1)(b) of the General Regulations to, on receipt of notification of intended completion of building work under Regulation 93(1)(f) of the General Regulations, determine that the building work will be inspected by an authorised officer. | Chief Executive Officer (95) | Nil |
| Regulation 103E(3)(c) | 82. Issue of certificate of occupancy<br>82.2 The power pursuant to Regulation 103E(3)(c) of the General Regulations, in respect of a Class 1a building, to determine not to inspect the building work. | Chief Executive Officer (95) | Nil |
| Regulation 103F | 83. Revocation<br>83.1 The power pursuant to Regulation 103F of the General Regulations to revoke a certificate of occupancy –<br>83.1.1 if –<br>83.1.1.1 there is a change in the use of the building; or<br>83.1.1.2 the classification of the building changes; or<br>83.1.1.3 building work involving an alteration or extension to the building that will increase the floor area of the building by more than 300m2 is about to commence, or is being or has been carried out; or<br>83.1.1.4 the building is about to undergo, or is undergoing or has undergone, major refurbishment,<br>83.1.2 if the delegate considers that the building is no longer suitable for occupation | Chief Executive Officer (95) | Subject to concurrence by the Team Leader Building Services or an Accredited Professional Level 1 Building. |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | because of building work undertaken, or being undertaken, on the building, or because of some other circumstance; or<br><br>83.1.3 if the schedule of essential safety provisions has been issued in relation to the building and the owner of the building has failed to comply with the requirements of Regulation 94(10); or<br><br>83.1.4 if the delegate considers –<br><br>83.1.4.1 that a condition attached to a relevant development authorisation has not been met, or has been contravened, and that, in the circumstances, the certificate should be revoked; or<br><br>83.1.4.2 that a condition attached to the certificate of occupancy has not been met, or has been contravened, or is no longer appropriate. | | |
| r109(1)(b) | 84. Mining Production Tenements<br><br>84.1 The power pursuant to Regulation 109(1)(b) of the General Regulations to make submissions to the appropriate Authority and object to the granting of the tenement. | Chief Executive Officer (95) | Subject to consultation with Council |
| r111(2) | 85. Register of Land Management Agreements (Section 193)<br><br>85.1 The power pursuant to Regulation 111(2) of the General Regulations to establish a register of agreements entered into by the Council under Section 193 of the PDI Act. | Chief Executive Officer (95) | NIL |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
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| r111(3) | 85. Register of Land Management Agreements (Section 193)<br>85.2 The power pursuant to Regulation 111(3) of the General Regulations to include in a register, or provide access to a copy of each agreement entered into by the Council under Section 193 of the PDI Act and such other information the delegate considers appropriate. | Chief Executive Officer (95) | NIL |
| r112(1) | 86. Authorised Officers and Inspections<br>86.1 The power pursuant to Regulation 112(1) of the General Regulations to appoint at least 1 authorised officer under Section 210(1)(b) of the PDI Act:<br>86.1.1 who is an accredited professional who is:<br>86.1.1.1 an Accredited professional - building level 1; or<br>86.1.1.2 an Accredited professional - building level 2; or<br>86.1.1.3 an Accredited professional - building level 3; or<br>86.1.1.4 an Accredited professional - building level 4; or<br>86.1.2 who holds a current accreditation recognised by the Chief Executive for the purposes of this Regulation; or<br>86.1.3 who holds an approval from the Chief Executive. | Chief Executive Officer (95) | NIL |

| Planning, Development and Infrastructure (General) Regulations 2017 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
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| Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| r5(1) | 87. Calculation of Assessment of Fees<br>87.1 The power pursuant to Regulation 5(1) of the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 (the Fees Regulations) in relation to an application which is duly lodged under a related set of regulations (including via the SA planning portal):<br>87.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and<br>87.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the Council is not a relevant authority). | Chief Executive Officer (95) | NIL |
| r5(2) | 87. Calculation of Assessment of Fees<br>87.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the | Chief Executive | NIL |

| Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | delegate acting under Regulation 5(1) of the Fees Regulations, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate. | Officer (95) | |
| r5(3) | 87. Calculation or Assessment of Fees<br>87.3 The power pursuant to Regulation 5(3) of the Fees Regulations to at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of Regulations. | Chief Executive Officer (95) | NIL |
| r7 | 88. Waiver or Refund of Fee<br>88.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:<br>88.1.1 waive the payment of the fee, or the payment of part of the fee; or<br>88.1.2 refund the whole or a part of the fee. | Chief Executive Officer (95) | In accordance with Council Fee Waiver Policy. Refunds are limited to Manager Development Services, Assessment Manager, Team Leader Building, Team Leader Statutory Planning and Team Leader Administration. |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| clause | 89. Initiating a Code Amendment | Chief | |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| 5(1) | 89.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction – 2 Preparation and Amendment of Designated Instrument (PD2), to initiate a Code Amendment and lodge the following documents to the Department via the SA Planning Portal:<br>89.1.1 a Proposal to Initiate;<br>89.1.2 SA Planning Portal Publication Instructions – for Initiation;<br>89.1.3 Heritage Report with datasheet(s) and analysis of historic themes (relevant proposals only);<br>89.1.4 Significant Tree Report with description/s and assessment/s (relevant proposals only). | Executive Officer (95) | In consultation with Council and Assessment Manager and Team Leader Statutory Planning. |
| clause 5(2) | 89. Initiating a Code Amendment<br>89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate:<br>89.2.1 Code Policy<br>89.2.1.1 an outline of:<br>(a) any overlay, general development policy, zone, subzone or technical or numeric variation in the Code being proposed for amendment; and/or | Chief Executive Officer (95) | Nil |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | (b) the intended spatial application of an overlay, zone, subzone or technical or numeric variation in the Code over an identified area; | | |
| clause 5(2) | 89. Initiating a Code Amendment<br>89.2.2 Affected Area<br>89.2.2.1 a map or description of the Affected Area; | Chief Executive Officer (95) | In consultation with Council and Assessment Manager and Team Leader Statutory Planning. |
| clause 5(2) | 89. Initiating a Code Amendment<br>89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate:<br>89.2.3 State Planning Policies<br>89.2.3.1 identification of the relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code<br>Amendment's alignment with those State Planning Policies; | Chief Executive Officer (95) | Nil |
| clause 5(2) | 89. Initiating a Code Amendment | Chief Executive | |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate:<br>89.2.4 Regional Plan<br>89.2.4.1 identification of relevant regional plans and assessment of how the matters or issues proposed to be addressed by the<br>proposed Code Amendment will relate to the relevant regional plan; | Officer (95) | Nil |
| clause 5(2) | 89. Initiating a Code Amendment<br>89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate:<br>89.2.5 Consultation<br>89.2.5.1 information regarding any consultation that has already occurred with respect to the proposed Code Amendment;<br>89.2.5.2 details of further consultation proposed to be undertaken with respect to the proposed Code Amendment; | Chief Executive Officer (95) | Nil |
| clause 5(2) | 89. Initiating a Code Amendment<br>89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate:<br>89.2.6 Planning Merit Statement<br>89.2.6.1 provide a statement detailing how the proposed Code Amendment relates to strategic directions and outlines desired<br>policy/development outcomes and anticipated residential/ employment yields; | Chief Executive Officer (95) | Nil |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
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| clause 5(2) | 89. Initiating a Code Amendment<br>89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate:<br>89.2.7 Investigation Information<br>89.2.7.1 information regarding any investigations which have already been undertaken with respect to the proposed Code Amendment;<br>89.2.7.2 commitment to undertake further investigations to support the proposed Code Amendment including the following as<br>applicable:<br>(a) infrastructure (road, civil, corridor);<br>(b) service infrastructure (water, wastewater, stormwater, electricity, gas, telecommunications);<br>(c) cultural and heritage significance (search of the Register of Aboriginal Sites and Objects);<br>(d) Code policy (zone, overlay, TNVs, concept plan);<br>(e) hazard risk (analysis of relevant overlays and site conditions);<br>(f) the extent to which there are social, economic, land use, built form or environmental features that present a barrier to the outcomes sought;<br>89.2.7.3 high-level details of any infrastructure required to support development arising | Chief Executive Officer (95) | Nil |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | through the proposed Code Amendment<br>and how that infrastructure will be provided (for example potable water and sewerage connection requirements);<br>89.2.7.4 where known, details of any infrastructure agreement (or agreements) or infrastructure scheme which will need to be<br>established or entered into in connection with the proposed Code Amendment. | | |
| clause 5(2) | 89. Initiating a Code Amendment<br>89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate:<br>89.2.8 The power pursuant to clause 5(3) of PD2 to set out in the SA Planning Portal Publication Instructions – for Initiation:<br>89.2.8.1 a summary of the Code Amendment in plain English, which will be published on the SA Planning Portal;<br>89.2.8.2 where possible, an indication of when consultation may begin. | Chief Executive Officer (95) | Nil |
| clause 5(2) | 89. Initiating a Code Amendment<br>89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate:<br>89.2.9 The power pursuant to clause 5(4) of PD2 to, in relation to initiating a Code Amendment which is intended to designate a place as a place of local heritage value, provide a report which:<br>89.2.9.1 includes a heritage datasheet for each proposed Local Heritage Place, which | Chief Executive Officer (95) | Nil |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | includes:<br>(a) all relevant property details and descriptions (including images);<br>(b) historical background and thematic analysis;<br>(c) a statement of heritage value;<br>(d) an assessment against the Local Heritage Criteria; and<br>(e) the extent of listing (including any exclusions);<br>89.2.9.2 includes an analysis of historic themes of importance to the area;<br>89.2.9.3 is prepared by a heritage architect, historian or person with similar qualifications, skills or experience; and<br>89.2.9.4 is otherwise prepared in accordance with any guidelines prepared and published by the Commission under Section<br>67(2)(c) of the PDI Act. | | |
| clause 5(2) | 89. Initiating a Code Amendment<br>89.2 The power pursuant to clause 5(2) of PD2 to set out in the Proposal to Initiate:<br>89.2.10 The power pursuant to clause 5(5) of PD2 to, in relation to initiating a Code Amendment which is intended to designate a tree (or stand of trees) as a significant tree (or trees), provide a report which:<br>89.2.10.1 includes relevant details and descriptions of the tree or stand of trees (including | Chief Executive Officer (95) | Nil |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | images as necessary);<br>89.2.10.2 includes an assessment of the tree (or stand of trees) against the Significant Tree Criteria;<br>89.2.10.3 is prepared by an urban planner, arborist or person with qualifications, skills or experience relevant to the assessment in<br>the report. | | |
| clause 6(1) | 90. Preparation of a Draft Code Amendment (Prior to Consultation)<br>90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment:<br>90.1.1 carry out investigations and obtain such information:<br>90.1.1.1 as provided in the Proposal to Initiate approved by the Minister;<br>90.1.1.2 as required under any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act; and<br>90.1.1.3 as specified by the Commission under Sections 73(6)(e) or 73(6)(f) of the PDI Act; | Chief Executive Officer (95) | Nil |
| clause 6(1) | 90. Preparation of a Draft Code Amendment (Prior to Consultation)<br>90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment:<br>90.1.2 provide the Department with:<br>90.1.2.1 written instructions (in a form acceptable to the Department) that set out the intent | Chief Executive Officer (95) | Nil |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and<br>90.1.2.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the<br>Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Agreement; | | |
| clause 6(1) | 90. Preparation of a Draft Code Amendment (Prior to Consultation)<br>90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment:<br>90.1.3 prepare the draft Code Amendment in accordance with the approved Proposal to Initiate and any conditions imposed by the Minister under Section 73(5)(b) of the PDI Act and the requirements of this Practice Direction; | Chief Executive Officer (95) | In consultation with Council and Assessment Manager and Team Leader Statutory Planning |
| clause 6(1) | 90. Preparation of a Draft Code Amendment (Prior to Consultation)<br>90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment:<br>90.1.4 provide the Department with written instructions (in a form acceptable to the Department) to prepare the SA Planning Portal for consultation on the draft Code Amendment; and | Chief Executive Officer (95) | Nil |
| clause | 90. Preparation of a Draft Code Amendment (Prior to Consultation) | Chief Executive | |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| 6(1) | 90.1 The power pursuant to clause 6(1) of PD2, to prior to consultation occurring on a draft Code Amendment:<br>90.1.5 provide the Department with the engagement plan prepared (and approved, if required) under these Practice Directions, for the purpose of the Department publishing the engagement plan on the SA Planning Portal. | Officer (95) | Nil |
| clause 6(2) | 90. Preparation of a Draft Code Amendment (Prior to Consultation)<br>90.2 The power pursuant to clause 6(2) of PD2, where an engagement plan is amended during any period of consultation or any time prior to finalisation of the engagement report under PD2, to provide the Department with the engagement plan (as updated) for the purpose of the Department publishing the updated engagement plan on the SA Planning Portal | Chief Executive Officer (95) | Nil |
| clause 7(1) | 91. Requirements for a Draft Code Amendment<br>91.1 The power pursuant to clause 7(1) of PD2 to support a draft Code Amendment by the following information:<br>91.1.1 an explanation of the current code policy as it applies to the Affected Area (at the time of preparation of the draft Code Amendment);<br>91.1.2 an explanation of the amendments to the Code policy proposed for the Affected Area;<br>91.1.3 an assessment of the strategic planning outcomes intended to be achieved through the draft Code Amendment, including an analysis of the consistency of the draft Code | Chief Executive Officer (95) | In consultation with Council and Assessment Manager and Team Leader Statutory Planning |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | Amendment with the relevant provisions of State Planning Polices, the Regional Plan and any other relevant strategic plans;<br>91.1.4 a summary and explanation of the investigations undertaken and how these support the draft Code Amendment; and<br>91.1.5 an explanation of any infrastructure or services required to support development facilitated by the proposed Code Amendment, and an explanation of how and when the infrastructure will be provided. | | |
| clause 9(1) | 92. Preparation of an Engagement Plan (Prior to Consultation)<br>92.1 The power pursuant to clause 9(1) of PD2 to prepare an engagement plan that:<br>92.1.1 meets the principles and performance outcomes of the Charter;<br>92.1.2 describes the persons or bodies to be consulted on the proposed amendment of the Designated Instrument, which must include any persons or bodies:<br>92.1.2.1 required to be consulted with under a condition imposed by the Minister under Section 73(5) of the PDI Act;<br>92.1.2.2 specified by the Commission under Section 73(6)(e) of the PDI Act; and<br>92.1.2.3 who must be consulted with under the Charter;<br>92.1.3 outlines any relevant previous engagement undertaken to inform the proposal;<br>92.1.4 describes the evaluation framework for the engagement. | Chief Executive Officer (95) | Nil |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| clause 9(2) | 92. Preparation of an Engagement Plan (Prior to Consultation)<br>92.2 The power pursuant to clause 9(2) of PD2 to, in relation to engagement plans which relate to proposed preparation of or amendment to a State Planning Policy or a Regional Plan submit the engagement plan to the Commission for approval prior to commencement of formal engagement on the proposal. | Chief Executive Officer (95) | Nil |
| clause 9(3) | 92. Preparation of an Engagement Plan (Prior to Consultation)<br>92.3 The power pursuant to clause 9(3) of PD2 to, in relation to an engagement plan relating to a proposed amendment to the Code or a Design Standard, submit the engagement plan to the Commission or the Minister for approval, if a condition has been imposed by the Minister under Section 73(5) of the PDI Act which requires such approval. | Chief Executive Officer (95) | Nil |
| clause 10(1) | 93. Preparation of an Engagement Report (Following Consultation)<br>93.1 The power pursuant to clause 10(1) of PD2 to, at the completion of engagement on a proposal prepare or amend a Designated Instrument, provide the Department with:<br>93.1.1 if amendments to the proposal are required:<br>93.1.1.1 written instructions (in a form acceptable to the Department) that set out any changes to the draft Designated Instrument for the purposes of the Department updating and providing the draft policy for inclusion in the draft Designated Instrument; and/or<br>93.1.1.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the | Chief Executive Officer (95) | Nil |

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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Designated<br>Instrument;<br>93.1.2 the updated draft Designated Instrument or amendment to the Designated Instrument in the form of amendment instructions (once finalised by the Designated Entity, incorporating any amendments); and<br>93.1.3 a final engagement report as required under Section 73(7) of the PDI Act and prepared in accordance with PD2, for the purpose of the Department arranging for the engagement report and draft Designated Instrument to be furnished to the Minister. | | |
| clause 10(2) | 93. Preparation of an Engagement Report (Following Consultation)<br>93.2 The power pursuant to clause 10(2) of PD2 to set out in an engagement report required under Section 73(7) of the PDI Act:<br>93.2.1 details of the engagement undertaken and how that engagement met the engagement plan and reasons for variations (if any) to the engagement plan;<br>93.2.2 the outcome of the engagement including a summary of the written submissions or feedback received;<br>93.2.3 any proposed changes to the proposal to prepare or amend a Designated Instrument (when compared with the proposal that was engaged on) and the reasons for those proposed changes. This should specifically indicate:<br>93.2.3.1 where changes are proposed to the Designated Instrument based on or as a | Chief Executive Officer (95) | In consultation with Council and Assessment Manager and Team Leader Statutory Planning |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
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| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | result of the engagement; and<br>93.2.3.2 any other changes which are proposed based on or as a result of additional investigations or information which was not<br>available when the proposal was released for engagement. | | |
| cl 11(4) | 94. Lodgement of Proposal<br>94.1 The power pursuant to clause 11(4) of PD2 to submit a completed Lodgement Form with the Department via the SA Planning Portal, to commence the process for a proposed Complying Change. | Chief Executive Officer (95) | |
| cl 11(5) | 94. Lodgement of Proposal<br>94.2 The power pursuant to clause 11(5) of PD2 to set out in the Lodgement Form:<br>94.2.1 Affected Area<br>94.2.1.1 a map of the Affected Area (confirming its consistency with the boundaries of the map(s) relating to the relevant Regional Plan recommendation);<br>94.2.2 Code Mapping<br>94.2.2.1 an outline of: | Chief Executive Officer (95) | |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | (a) any existing overlay, zone, subzone, concept plan or technical and numeric variation in the Code within the Affected Area which is proposed to be amended;<br><br>(b) the proposed spatial application of any overlay/s and/or amendment/s to the boundary of a zone or subzone; and<br><br>(c) any associated proposed application of a concept plan/s and/or all relevant technical or numeric variation/s within the Affected Area in connection with the proposed change outlined in clause 11(5)(c)(ii) of PD2;<br><br>94.2.3 Regional Plan Recommendation<br><br>94.2.3.1 a description of the relevant recommendation/s in the Regional Plan;<br><br>94.2.3.2 confirmation that the details outlined in clauses 11(5)(c)(ii) and (iii) of PD2 are consistent with the recommendation in the Regional Plan (where relevant); and<br><br>confirmation that a time period of not more than two years has elapsed since the relevant recommendation in the Regional Plan was given effect pursuant to Section 73(12) of the PDI Act (unless the Commission considers that a longer period shall apply for the purposes of clause 11 of PD2). | | |
| clause 10(3) | 93. Preparation of an Engagement Report (Following Consultation)<br><br>93.3 The power pursuant to clause 10(3) of PD2 to also include in the engagement report an evaluation of the effectiveness of the engagement that considers whether:<br><br>93.3.1 the principles of the Charter have been activated; and | Chief Executive Officer (95) | Nil |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 93.3.2 all mandatory requirements identified in the Charter have been met (where the consultation category is applicable). | | |
| cl 13(1) | 95. Final Determination of Minister<br>95.1 The power pursuant to clause 13(1) of PD2 when consultation on a proposed Complying Change is complete, to provide the Department with:<br>95.1.1.1 written instructions (in a form acceptable to the Department) that set out any changes to the Complying Change as it was initially proposed; and/or<br>95.1.1.2 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare mapping which is suitable for inclusion in the Code;<br>95.1.2 the updated draft proposed Complying Change in the form of amendment instructions (once finalised by the Council, incorporating any changes); and<br>95.1.3 if any submissions were received, a consultation report to be furnished to the Commission. | Chief Executive Officer (95) | |
| clause 13(2) | 95. Final Determination of Minister<br>95.2 The power pursuant to clause 13(2) of PD2 to set out in the consultation report in clause 13(1)(c) of PD2: | Chief Executive Officer (95) | |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | 95.2.1 the outcome of the consultation, including a summary of the written submissions or feedback received; and<br>95.2.2 any proposed changes to the Complying Change (when compared with the proposal that was consulted on) and the reasons for those proposed changes and specifically indicate:<br>95.2.2.1 where changes are proposed to the Complying Change as a result of the consultation; and<br>95.2.2.2 any other changes proposed as a result of additional investigations or information that was not available when the proposal was released for consultation. | | |
| clause 14(1) | 96. Early Commencement of a Code Amendment<br>96.1 The power pursuant to clause 14(1) of PD2 to provide a request for early commencement of a Code Amendment under Section 78 of the PDI Act to the Department and include:<br>96.1.1 explanation, justification and evidence as necessary to demonstrate how early commencement of the Code Amendment is:<br>96.1.1.1 necessary in the interest of the orderly and proper development of an area of the State; and<br>96.1.1.2 required in order to counter applications for undesirable development (which should identify possible future development | Chief Executive Officer (95) | In consultation with Council and Assessment Manager |

| State Planning Commission Practice Direction 2 - Preparation and Amendment of Designated Instruments | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| | that would detract from or negate the object of the proposed Code Amendment) ahead of the outcome of consideration of the Code Amendment;<br><br>96.1.2 written instructions (in a form acceptable to the Department) that set out the intent of the proposed Code Amendment for the purposes of the Department writing the draft policy for inclusion in the draft Code Amendment; and<br><br>96.1.3 mapping instructions or a description of the Affected Area (in a form acceptable to the Department) in order to enable the Department to prepare and provide to the Designated Entity, mapping which is suitable for inclusion in the draft Code Amendment. | | |

| State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| cl6(3)(b) | 97. Responsibility to Undertake Notification<br><br>97.1 The power pursuant to clause 6(3)(b) of the State Planning Commission Practice Direction – 3 (Notification of Performance Assessed Development Applications) 2019 (PD3) to determine the relevant fee as being appropriate to cover the relevant authority's reasonable costs in giving public notice of the application under Section 107(3)(a)(i) of the PDI Act. | Chief Executive Officer (95) | As set during the Annual Business Plan process in the Fees & Charges Register. |

| State Planning Commission Practice Direction (Council Inspections) 2020 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| cl2(2) | 98. Mandatory Inspections<br>98.1 The power pursuant to clause 2(2) of Part 2 of the State Planning Commission Practice Direction (Council Inspections) 2020 (PD9) to, in carrying out an inspection under PD9, take all reasonable steps to ensure each inspection includes an inspection and assessment of the following elements (elements), as may be present at the time of inspection:<br>98.1.1 primary structural elements;<br>98.1.2 structural framing and roof trusses;<br>98.1.3 wet areas and waterproofing;<br>98.1.4 barriers to prevent falls;<br>98.1.5 cladding;<br>98.1.6 egress provisions;<br>98.1.7 bushfire protection systems;<br>98.1.8 passive and active fire safety elements;<br>98.1.9 private bushfire shelters; and<br>98.1.10 performance solutions. | Chief Executive Officer (95) | NIL |
| cl3(2) | 99. Additional Inspections<br>99.1 The power pursuant to clause 3(2) of Part 2 of PD9 to consider carrying out an inspection in addition to any specified in clause 2 of Part 2 of PD9 (additional inspections) if the delegate has information to indicate that the circumstances warrant it, having regard to the objects of PD9. | Chief Executive Officer (95) | NIL |

| State Planning Commission Practice Direction (Council Inspections) 2020 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| cl4(3) | 100. Inspections Generally<br>100.1 The power pursuant to clause 4(3) of Part 2 of PD9, in relation to building work listed in Schedule 7 of the General Regulations to consider if an additional inspection may be appropriate. | Chief Executive Officer (95) | NIL |
| cl1(2) | 101. General Requirements<br>100.1 The power pursuant to clause 1(2) of Part 3 of PD9 to ensure that an inspection under PD9 and subsequent assessment of each of the applicable elements in clause 2(2) of Part 2 of PD9 is carried out by a person who has the appropriate qualifications, skills, knowledge and experience to carry out an inspection assigned to that officer under PD9. | Chief Executive Officer (95) | NIL |

| State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings) 2020 | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| cl5(2) | 102. Conditions that Must be Met for the Staged Occupation of a Partially Completed Building<br>102.1 The power pursuant to clause 5(2) of the State Planning Commission Practice Direction 10 (Staged Occupation of Multi-Storey Buildings 2020 (PD10) to, agree to partial occupancy of a partially completed multistorey building. | Chief Executive Officer (95) | In consultation with an Accredited Professional Building Level 1. |

| Urban Tree Canopy Off-set Scheme | | | |
|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** |
| cl 9 | 83. Use of Money from Fund<br>83.1 The power pursuant to clause 9 of the Urban Tree Canopy Off-set Scheme (UTCOS) to use money distributed from the fund for any of the following purposes (and for no other purpose):<br>83.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a<br>designated local government area; or<br>83.1.2 the purchase of land within a designated local government area to ensure:<br>83.1.2.1 the preservation of trees; or<br>83.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy loss. | Chief Executive Officer (95) | In consultation with Council |

**ADELAIDE HILLS COUNCIL**
**ORDINARY COUNCIL MEETING**
**Tuesday 14 October 2025**
**AGENDA BUSINESS ITEM**

| | |
|---|---|
| **Item:** | **12.6** |
| **Responsible Officer:** | **Zoë Gill**<br>**Executive Governance Officer**<br>**Office of the CEO** |
| **Subject:** | **Delegations under the Local Government Act 1999 and other legislation (excluding the Development Act 1993 and Planning, Development and Infrastructure Act 2016)** |
| **For:** | **Decision** |

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**SUMMARY**

This report seeks Council's delegation of its statutory powers and functions pursuant to section 44 of the *Local Government Act 1999*, along with delegations under legislation.

Delegations allow the Council to transfer its powers and duties to the Chief Executive Officer (CEO), and others as determined. An absence of appropriate delegations would require decisions to be made through formal meetings of Council only, inevitably resulting in significant inefficiencies, reduced customer service and excessive time delays for many of the diverse daily activities undertaken by administration.

Council undertook a full review of delegations under the *Local Government Act 1999* in September 2023. Council undertook a review of delegations for minor changes in April 2025.

There have been one minor legislative change since this date. New provisions are detailed in *Appendix 1* for Council to review. There are no updated and deleted provisions. The updated Instruments of Delegations at *Appendix 2* incorporate these new provisions into the full instrument of delegations.

The instrument of delegation does not include delegations under the Development Act or the Planning, Development and Infrastructure Act. These delegations are considered in a separate report.


**RECOMMENDATION**

**Council resolves:**

**1. That the report be received and noted**

**2. The Adelaide Hills Council (Council) delegates each function or power of the Council:**

**a. listed in the attached table (Appendix 2) to the delegate or delegates identified in respect of the function or power**

**3. The delegations granted pursuant to:**

**a. the Local Government Act to the Council's Chief Executive Officer (CEO) may be sub-delegated by the Chief Executive Officer in accordance with sections 44(4)(b) and 101 of the Local Government Act, but subject to section 44(3a) of the Local Government Act;**

**4. If two or more delegates are nominated in respect of a power or function, then each nominated person is granted a delegation and may exercise the power or function independently of any other delegate.**

**5. The delegations are granted subject to the following conditions and limitations:**

**a. the delegate must exercise a delegated function or power in accordance with:**

**i. applicable legislative and other legal requirements; and**

**ii. due regard to relevant policies and guidelines adopted by the Council;**

**iii. all other conditions and limitations noted in the instrument of delegations (Appendix 2)**

**b. in regard to the following delegations under the Local Government Act:**

**i. section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the Local Government Act;**

**ii. section 137: the power to expend funds in the performance or discharge of the council's powers, functions or duties in accordance is limited to funds allocated as part of a budget adopted by the council;**

**iii. section 143(1): the power to write off debts is limited to debts not exceeding $5000;**

**iv. section 188(3): the powers in regard to fees and charges are limited to fees and charges imposed under sections 188(1)(a), 188(1)(b) and 188(1)(c);**

**6. Each delegation of a power or function granted under this instrument is independent of, and severable from, every other delegation granted under this instrument.**

**7. If a delegation of a power or function under this instrument is determined to be invalid or unlawful, the invalid or unlawful delegation will be deemed to be severed from this instrument and the remaining delegations will continue to operate according to their terms.**

**8. The delegations provided for in this instrument of delegation will come into operation on 20 October 2025.**

**9. Previous delegations granted by the Council of the powers and functions delegated by this instrument are revoked with effect from the date on which the delegations provided for in this instrument come into operation.**

**10. The delegations granted by this instrument will remain in force until varied or revoked by resolution of the Council.**

## 1. BACKGROUND

Section 44 of the *Local Government Act 1999* (Act) enables Council to delegate powers or functions vested or conferred under this, or any other Act, for the day-to-day activities of the Council to be carried out in an effective and efficient manner. Delegations may be subject to conditions and limitations determined by Council or as specified in the Instrument of Delegation.

Council may delegate powers and functions to:

- A Committee of Council
- A subsidiary of Council
- An employee of Council
- An authorised person.

In line with general practice, all proposed delegations have been made to the position of Chief Executive Officer (CEO), unless otherwise specified. This enables Administration to undertake its functional and operational roles and responsibilities effectively and efficiently. In the case of the powers delegated to the CEO, these may be further delegated by the CEO as the CEO sees fit pursuant to s44 and s101 of the Act.

The instrument of delegation identifies:

(a) the statutory power or powers to delegate the powers or functions subject to the instrument of delegation;
(b) the statutory basis for any power to sub-delegate a delegated power or function;
(c) the conditions and limitations applying to the exercise of a delegated power or function; and
(d) in an attached table for each Act or regulation under which a delegation is granted by the instrument of delegation:

    i. the delegated power or function; and
    ii. the identity of the delegate or delegates in respect of that power or function.

If the Council resolves to grant the delegations provided for in the attached instrument of delegation, then delegations will come into operation on 20 October 2025.

If the Council resolves to grant the delegations provided for in the attached instrument of delegation, then previous delegations of the powers and functions subject to the instrument of delegation will be revoked from the date on which the delegations in the attached instrument of delegation come into operation.

## 2. ANALYSIS

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

*Strategic Plan 2024 – Your place, your space*

| | |
|---|---|
| Goal | Organisation |
| Objective O2 | Operate with integrity using best practice governance processes. |
| Priority 02.3 | Enhance governance structures and systems to be agile and support our legislative obligations. |

The recommended delegation updates ensure that Council's delegation framework is consistent with legislative updates.

- **Legal Implications**

*Local Government Act 1999*

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

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

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

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

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

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

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

Section 44(6) of the *Local Government Act 1999* provides that the Council must cause a separate record to be kept of all delegations made under Section 44, and the Council may at any time, and must within 12 months after the conclusion of each periodic election, review the delegations.

Section 44(7) of the *Local Government Act 1999* provides that a person is entitled to inspect (without charge) the record of delegations under Section 44(6) at the principal office of the Council during ordinary office hours.

Section 101 of the *Local Government Act 1999* provides that the Chief Executive Officer may delegate (or sub-delegate) a power or function vested or conferred in or on the Chief Executive Officer under the *Local Government Act 1999*. Section 101 sets out various other matters in relation to delegations (or sub-delegations) by the Chief Executive Officer.

A delegation by the Chief Executive Officer made under Section 101 of the *Local Government Act 1999* may be made to an employee of the Council, or to the employee for the time being occupying a particular office or position, a committee comprising employees of the Council, or an authorised person.

- **Risk Management Implications**

The maintenance of a robust legislative delegation regime is an important control in managing the risk of:

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

| Inherent Risk | Residual Risk | Desired Risk |
|---|---|---|
| Extreme (5C) | Medium (3D) | Low (3E) |

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

- **Budget, Financial and Resource Implications**

There are no financial or resource implications in delegating Council's powers.

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

Delegations allow Council's legislative obligations to be discharged in an effective and efficient manner and enable the administration to provide more timely service.

- **Sustainability Implications**

There are no direct sustainability implications from this report.

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

Consultation on the development of this report was as follows:

*Council Committees:* Not Applicable
*Council Workshops:* Not Applicable
*Advisory Groups:* Not Applicable
*External Agencies:* Reliansys and Local Government Association of SA.
*Community:* Not Applicable

- **Additional Analysis**

If the powers contained in the attached instruments were not delegated all decisions must come to Council for its consideration and the Chief Executive Officer will not be empowered to act in relation to such matters.

As with all Council delegations, delegating a power under these Acts does not transfer that power from the Council to the delegate, it merely replicates it. As such, where the situation requires, matters will be brought to Council for decision.

Updates to Instruments

The following instrument requires an update:

| Local Government (General) Regulations 2013 |
|---|

Appendix 1 contains a summary of the legislative updates that have occurred since the last delegation review.

Appendix 2 contains the updated instrument. The changes to this is restricted to the updates from Appendix 1 including New (nil), Updated (nil) and Deleted provisions.

A fulsome delegations review will be undertaken when required.

## 3. OPTIONS

Council has the following options:

Council has the following options:

I. To determine to delegate to the Chief Executive Officer the powers and functions contained in the appendices. The previous delegations must be revoked and replaced with the new delegations.

II. To determine not to delegate to the Chief Executive Officer the powers and functions contained in the appendices and that it be further workshopped.

## 4. APPENDICES

(1) New, Updated and Deleted Delegations – **Appendix 1** (detailed in the table below)

| Instrument of Delegation | Appendix Number |
|---|---|

| | |
|---|---|
| ***Local Government (General) Regulations 2013*** | **Appendix 1** |

(2) Full Instrument of Delegation – **Appendix 2** (detailed in the table below)

| Instrument of Delegation | Appendix Number |
|---|---|
| ***Local Government (General) Regulations 2013*** | **Appendix 2** |

# Appendix 1

*New, Updated and Deleted Delegations*

# ADELAIDE HILLS COUNCIL

# RELIANSYS® DELEGATIONS - EXPORT OF UPDATES BY REGISTER - COMPLETE

# LOCAL GOVERNMENT (GENERAL) REGULATIONS 2013

Note - Exported provisions are separated by category into NEW and then CHANGED and then DELETED.

## 01 OCTOBER 2025

# DELETED Provisions

| # | Delegation Source | Provision | Item Delegated | Delegate | Conditions & Limitations | Capacity of Council |
|---|---|---|---|---|---|---|
| 755320 | Local Government (General) Regulations 2013 | clause 2(1), Schedule 2A | Prepare and maintain a policy relating to complaints against employees | Chief Executive Officer (95) | | |

# Appendix 2

*Combined Instrument of Delegation*




# ADELAIDE HILLS COUNCIL

# INSTRUMENT OF DELEGATION

# LOCAL GOVERNMENT (GENERAL) REGULATIONS 2013

02 OCTOBER 2025

# Preamble

## Delegation Sources

- Local Government (General) Regulations 2013

## Positions

| Abbreviation | Position | Name |
|---|---|---|
| Chief Executive Officer (95) | Chief Executive Officer (95) | |
| Elected Body | Elected Body | |

# Instrument of Delegation under the Local Government (General) Regulations 2013

| Local Government (General) Regulations 2013 | | | | |
|---|---|---|---|---|
| **Provision** | **Power and Functions Delegated** | **Delegate** | **Conditions and Limitations** | **Capacity of Council** |
| regulation 8AB | Publish information listed in regulation 8AB of the Local Government (General) Regulations on a website determined by the chief executive officer as soon as practicable after the holding of an information or briefing session | Chief Executive Officer (95) | Nil | council |

**ADELAIDE HILLS COUNCIL**
**ORDINARY COUNCIL MEETING**
**Tuesday 14 October 2025**
**AGENDA BUSINESS ITEM**

| | |
|---|---|
| **Item:** | **12.7** |
| **Responsible Officer:** | **Zoë Gill**<br>**Executive Governance Officer**<br>**Office of the CEO** |
| **Subject:** | **Confidential Items Review – October 2025** |
| **For:** | **Decision** |

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**SUMMARY**

A review of the Register of Confidential Items has been undertaken and there are:

- 1 item that requires a new confidentiality order
- 6 items recommended for release from confidentiality
- 2 item recommended for partial release from confidentiality


**NB: If the meeting wishes to discuss the status of any item in a manner that will result in the disclosure of information currently under an s91(7) confidentiality order, it should first consider making a s90 order to move into confidence.**

**RECOMMENDATION**

**Council resolves:**

**DECISION 1**

1. **To receive and note the report titled "Confidential Items Review" (Agenda item 12.7, 14 October 2025 Council Meeting).**
2. **To note the items held as confidential in the Confidential Items Register (*Appendix 1* of Agenda item 12.7, 14 October 2025 Council Meeting).**

**DECISION 2 – 273/24 - Land Management Agreement – Burial on Private Land**

1. **That the report, related attachments, minutes and other (presentation, documents, or similar) of item 19.1 of 23 July 2024, 273/24, Land Management Agreement – Burial on Private Land be released to the public.**

**DECISION 3 – 359/24 - HR Consultant Update**

**1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) and (h) of the Act:**

- **The report, related attachments, minutes and other (presentation, documents, or similar) of 24 September 2024, Item No. 19.2, HR Consultant Update, 359/24 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months.**

**On the grounds that the document(s) (or part) relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and information that is legal advice.**

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

**DECISION 4 – PRP33/24- CEO Performance Review Process Recommendations**

**1. That the minutes of item 10.1 of 12 August 2024, PRP33/24, CEO Performance Review Process Recommendations be released to the public.**

**DECISION 5 – 303/24– Question Without Notice**

**1. That the report, related attachments, minutes and other (presentation, documents, or similar) of item 19 of 27 August 2024, 303/24, Question Without Notice be released to the public.**

**DECISION 6 – PRP41/24 - CEO Performance Review Process and Performance Criteria**

**1. That the report, related attachments, minutes and other (presentation, documents, or similar) of item 10.2 of 18 September 2024, PRP41/24, CEO Performance Review Process and Performance Criteria be released to the public.**

**DECISION 7 – 356/24 - CEO Performance Review Panel Recommendations to Council – CEO Review Process**

**1. That the report, related attachments, minutes and other (presentation, documents, or similar) of item 19.1 of 24 September 2024, 356/24- CEO Performance Review Panel Recommendations to Council – CEO Review Process be released to the public.**

**DECISION 8 – 408/24 - Proposed CEO Leave Policy**

**1. That the report, related attachments, minutes and other (presentation, documents, or similar) of item 19.3 of 12 November 2024, 408/24 - Proposed CEO Leave Policy be released to the public.**

**DECISION 9 – PRP48 and PRP49 - 2024 Remuneration Review**

**1. That the report, related attachments except for appendix 1, minutes and other (presentation, documents, or similar) of item 10.2 of 18 December 2024, PRP48 and PRP49 - 2024 Remuneration Review be released to the public.**

**DECISION 10 – PRP45/24- CEO Key Performance Indicators**

1. **That the report, related attachments, minutes and other (presentation, documents, or similar) of item 10.1 of 18 December 2024– PRP45/24- CEO Key Performance Indicators be released to the public.**

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## 1. BACKGROUND

An Extract of the Confidential Items Register is contained on Council's website and is reviewed and updated on a quarterly basis. Items that have progressed to the specified point and are no longer of a confidential nature are released in accordance with the respective council resolution. Items that remain in confidence are displayed on the Register. The CEO also considers his discretion to release confidential items where appropriate.

For administrative and Council efficiencies, items may be included in reviews even though they may not be due for such. Processing items in this way eliminates the need for additional reports to Council whilst maintaining the confidential status of items.

## 2. ANALYSIS

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

*Strategic Plan 2024 – Your place, your space*

| | |
|---|---|
| Goal | Organisation |
| Objective 02 | Operate with integrity using best practice governance processes. |
| Priority O2.2. | Support decision making through the use of timely data-driven analysis and reporting. |

The review of Council's *Confidential Items Register* is an important element of Council's commitment to open and transparent decision making which facilitates public accountability.

### ➢ Legal Implications

Section 91(7) of the *Local Government Act 1999* sets out the provisions regarding the making of orders to retain documents and discussions considered at Council and Council Committees in confidence.

Section 91(9) requires that these orders must specify the duration of the order or the circumstances in which the order will cease to apply or must be reviewed. Any order that operates for a period exceeding 12 months must be reviewed at least once in every year.
To enable management of any order made under Section (90) a Confidential Orders Register is maintained.

### ➢ Risk Management Implications

Reviewing confidentiality orders assists with mitigating the risks of:

*Confidential information is released which prejudices Council's and/or third parties' interests.*

| Inherent Risk | Residual Risk | Desired Risk |
|---|---|---|
| Extreme (3A) | Low (3E) | Low (3E) |

*Information scheduled for release under a confidentiality order is not duly released resulting in a breach of legislation and depriving the community of public information.*

| Inherent Risk | Residual Risk | Desired Risk |
|---|---|---|
| Extreme (3A) | Low (3E) | Low (3E) |

Note: there are a number of other controls that assist with managing these risks.

➢ **Budget, Financial and Resource Implications**

Not applicable.

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

There is a high expectation that Council has appropriate corporate governance processes in place including effective management and regular review of the Confidential Items Register.

➢ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

| | |
|---|---|
| *Council Committees:* | Not applicable |
| *Council Workshops:* | Not applicable |
| *Advisory Groups:* | Not applicable |
| *External Agencies:* | Not applicable |
| *Community:* | Not applicable |

➢ **Additional Analysis**

Confidential documents are available for review on the Council Members Portal. Refer to the below table for relevant items that have been reviewed at this Confidential Items Review:

| Register Number: | Item Name: | Resolution Number: | Documents | Recommended Action: |
|---|---|---|---|---|
| 454 | Correspondence from PC Infrastructure | 241/24 | All documents | Reviewed, remain in confidence. |

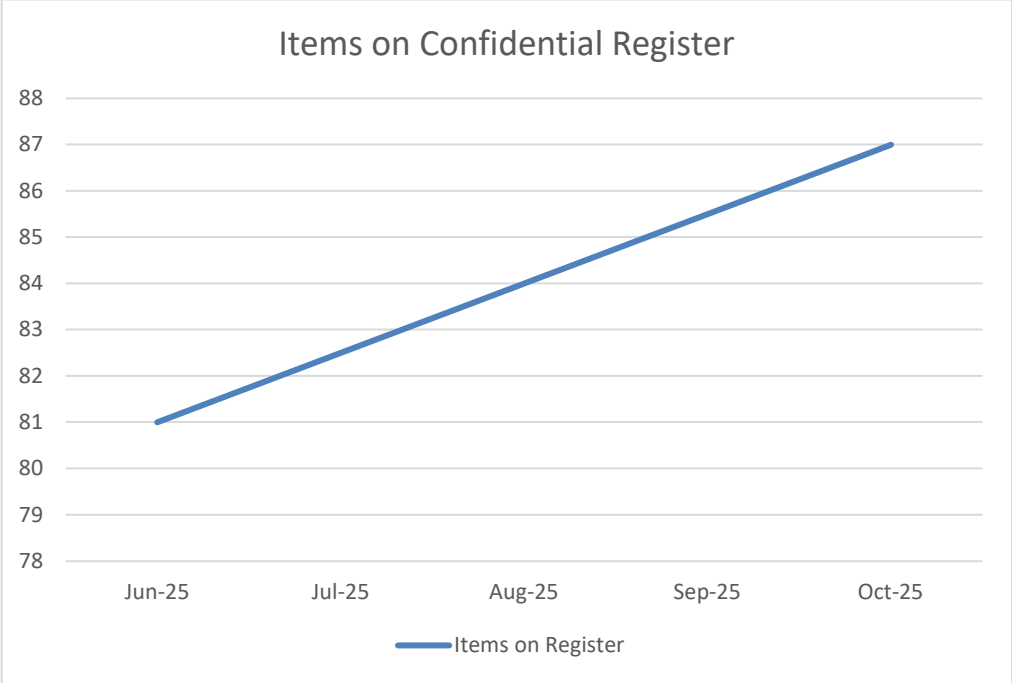
| | | | | |
|---|---|---|---|---|
| 455 | Land Management Agreement – Burial on Private Land | 273/24 | All documents | Reviewed, release all documents. |
| 457 | CEO Performance Review Process Recommendations | PRP33/24 | All documents | Reviewed, release minutes. Retain report in confidence |
| 456 | Financial Management | 286/24 | All documents | Reviewed, remain in confidence. |
| 458 | Financial Management Council Report | AC29/24 | All documents | Reviewed, remain in confidence. |
| 461 | Mayor's Use of Mayor Seeking Legal Advice Policy | 308/24 | Minutes-released Attachments – in confidence | Reviewed, remain in confidence. |
| 459 | QWON | 303/24 | All documents | Reviewed, release all documents. |
| 465 | Strategic Communication & Engagement Plan Updates | BCC22/24 | All documents | Reviewed, remain in confidence. |
| 464 | Boundary Change Advocacy Strategy | BCC19/24 | All documents | Reviewed, remain in confidence. |
| 463 | Boundary Change Proposal Project and Governance Arrangements | BCC10/24 | All documents | Reviewed, remain in confidence. |
| 489 | CEO Performance Review Process and Performance Criteria | PRP41/24 | All documents | Reviewed, release all documents. |
| 466 | CEO Performance Review Panel Recommendations to Council – CEO Review Process | 356/24 | All documents | Reviewed, release all documents. |
| 425 | Electricity Procurement – Legal Matter | 263/23 | All documents | Reviewed, remain in confidence. |
| 471 | Work, Health and Safety Update | 412/24 | All documents | Reviewed, remain in confidence. |
| 470 | Proposed CEO Leave Policy | 408/24 | Minutes – released Report – In confidence | Reviewed, release all documents. |
| 9,998 | CEO Performance Review Process | 345/23 | All documents | Reviewed, remain in confidence. |

| | | | | |
|---|---|---|---|---|
| 399 | CEO Probation Review Process and MWON | PRP26/23 and PRP27/23 | All documents | Reviewed, remain in confidence. |
| 475 | Deputy Mayor Seeking Legal Advice | 438/24 | All documents | Reviewed, remain in confidence. |
| 472 | Behavioural Standards Complaint | 428/24 | Minutes – partially in confidence Agenda Report – in public Attachments – appendix 1 in confidence and Appendix 2 in public | Reviewed, remain in confidence. |
| 76 | Inquiry into the Campbelltown City Council Boundary Change Proposal | BCC27/24 | All documents | Reviewed, remain in confidence. |
| 488 | 2024 Remuneration Review | PRP48 and PRP49 | All documents | Reviewed, release all documents except Appendix 1 |
| 487 | CEO Key Performance Indicators | PRP45/24 | All documents | Reviewed, release all documents. |
| 467 | HR Consultant Update | 359/24 | All documents | Reviewed, extend duration. |
| 9997 | CEO Performance Review Panel Minutes of Meeting - 12 December 2023 | 341/23 | All documents | Reviewed, remain in confidence. |

Confidential Register Tracking

| **Total Items on Register (as at October 2025)** | **Items added since last review (as at October 2025)** | **Items released since last review (as at October 2025)*** |
|---|---|---|
| 87 | 12 | 8 |

Graph: Items on Confidential Register




*Items released since last review does not include items partially released from confidence

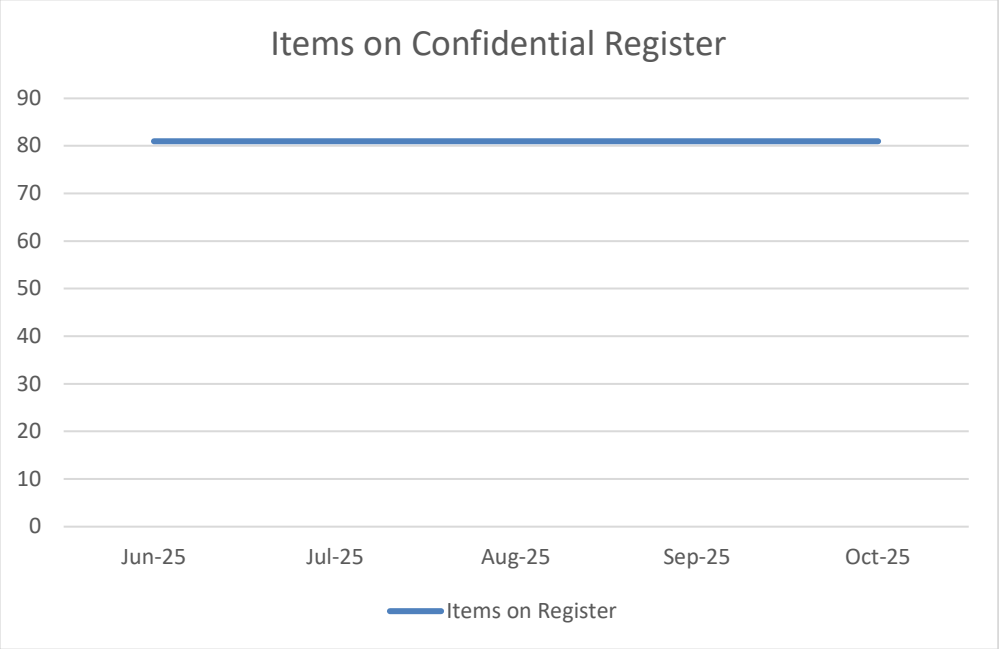
Note that as this data has not been tracked previously this graph will not yet provide a useful tracking mechanism. Over time as this is tracked it will allow for this to occur.

Should Council decide to release the 6 items recommended by the Administration this would take the total released items to 15.

| **Total Items on Register (as at October 2025)** | **Items added since last review (as at October 2025)** | **Items released since last review (as at October 2025) *** |
|---|---|---|
| 87 | 12 | 14 |

*Items released since last review does not include items recommended for partial release from confidence

Graph: Items on Confidential Register




## 3. OPTIONS

Council has the following options:

I. To extend the period of confidentiality as per the recommendations.
II. To release items as per the recommendations.
III. Determine an alternative period of confidentiality.
IV. Allow the confidentiality order to expire thus releasing the information.

**NB: If the meeting wishes to discuss the status of any item in a manner that will result in the disclosure of information currently under an s91(7) confidentiality order, it should first consider making a s90 order to move into confidence.**

## 4. APPENDICES

(1) Confidential Items Register – October 2025

# Appendix 1

*Confidential Items Register – October 2025*

| Register No | Date of Meeting | Council/Committee | Agenda No | Resolution Nu | Report Title | LG Act S90 Provision | Review Date | Original Resolution regardingPeriod of Confidentiality | Revised Period of Confidentiality |
|---|---|---|---|---|---|---|---|---|---|
| 515 | 23/09/2025 | Council | 19.1 | 320/25 | CEO PRP Independent Member Appointment and Presiding Member Appointm | 90(3)(a) | 23/09/2025 | Report Until the appointment has been confirmed<br>Related Attachments Not applicableMinutes Until the appointment has been confirmed<br>Other (presentation, documents, or similar) Not applicable | |
| 514 | 9/09/2025 | Council | 19.5 | 305/25 | Workplace Matter (verbal report) | 90(3)(a)and(h) | 9/09/2026 | Report NA<br>Related Attachments NA<br>Minutes Until Further Order<br>Other (presentation, documents, or similar) Until Further Order | |
| 513 | 9/09/2025 | Council | 19.4 | 301/25 | CEO 2025 Remuneration Review | 90(3) (a) | 9/06/2026 | Report Until Further Order<br>Related Attachments Until Further Order<br>Minutes After the CEO is notified of the decision<br>Other (presentation, documents, or similar) Until Further Order | |
| 512 | 9/09/2025 | Council | 19.3 | | Trans Tasman Energy Group Matter | 90(3)(h) and (i) | 9/09/2026 | Report Until Further Order<br>Related Attachments Until Further Order<br>Minutes Until Further Order<br>Other (presentation, documents, or similar) Until Further Order | |
| 511 | 9/09/2025 | Council | 19.2 | | 2 September 2025 Boundary Change Committee Minutes | 90(3)(b) and (i) | 9/09/2026 | Report Nil<br>Related Attachments Until Further Order<br>Minutes Nil<br>Other (presentation, documents, or similar) Nil | |
| 510 | 9/09/2025 | Council | 19.1 | 290/25 | 27 August 2025 CEO Performance Review Panel Minutes | 90(3)(a) | 9/09/2026 | Report Nil<br>Related Attachments Until Further Order<br>Minutes Nil<br>Other (presentation, documents, or similar) Nil | |
| 509 | 18/06/2025 | CEO PRP | 10.1 | PRP19/25 | Qualified Independent Person Report | 90(3)(a) and (h) | 18/06/2026 | Report:Nil<br>Related Attachments:Until Further Order<br>Minutes:Nil<br>Other (presentation, documents, or similar):Until Further Order | |
| 508 | 27/08/2025 | CEO PRP | 10.1 | PRP26 and PRI | CEO Annual Remuneration Review | 90(3)(a) | 27/08/2026 | Report: Until further order<br>Related Attachments: Until further order<br>Minutes: Until further order<br>Other (presentation, documents, or similar): Until further order | |
| 507 | 4/08/2025 | Council - Special | 8.1 | 260/25 | 1 Lobethal Road, Lobethal site | 90(3)(d) and (h) | 4/08/2026 | Report: Until Further Order<br>Related Attachments: Until Further Order<br>Minutes: Until Further Order<br>Other (presentation, documents, or similar):Until Further Order | |
| 506 | 2/09/2025 | Boundary Change Committee | 12.1.2 | BCC11/25 | Activity Update: Campbelltown City Coucil Boundary Change Inquiry - Duratio | 90(3)(b), 90(3)(i) | 30/09/2026 | Report: Until further notice<br>Related Attachments: Until further notice<br>Minutes: Until further notice<br>Other: Nil | |
| 505 | 22/07/2025 | Council | 19.1 | 257/25 | Planning Policy Matter – Confidential Item | 90(3)(m) | 22/07/2026 | Report: Until Further Order<br>Related Attachments: Until Further Order<br>Minutes: Until Further Order<br>Other (presentation, documents, or similar): Until Further Order | |
| 503 | 8/07/2025 | Council | 19.1 | 240/25 | Qualified Independent Person Report | 90(3)(a) | 8/07/2026 | Report: Nil<br>Related Attachments:Nil for the CEO PRP Agenda Report<br>Until further order for "Letter to Acting Mayor (Qualified Independent Person Advice – CEO Performance Review)" (Appendix 1 to CEO PRP Agenda Report)<br>Minutes Nil<br>Other (presentation, documents, or similar) Until Further Order | |
| 9998 | 13/02/2024 | Council | 19.1 | 34/24 | CEO Performance Review Panel Recommendation (Decision 2) (Deferred Item | 90(3)(a) | 10/06/2026 | Report Until further order<br>Related Attachments Until further order<br>Minutes Until further order<br>Other (including legal advice from Norman Waterhouse Lawyers relating to this matter) Until further order | |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 501 | 27/05/2025 | Council | 19.3 | 193/25 | Behavioural Standards Complaint 3 | 90 (3)(a)(h)(i) | 10/06/2026 | Report<br>Until Further Order<br>Related Attachments<br>Until further order for Appendix 1<br>Nil for Appendix 2<br>Minutes<br>Nil<br>Other (presentation, documents, or similar)<br>Until further order |
| 500 | 27/05/2025 | Council | 19.2 | 190/25 | Behavioural Standards Complaint 2 | 90(a)(h)(i) | 27/05/2026 | Report<br>Until further order<br>Related Attachments<br>Until further order for Appendix 1<br>Nil for Appendix 2<br>Minutes<br>Nil<br>Other (presentation, documents, or similar)<br>Until further order |
| 499 | 27/05/2025 | Council | 19.1 | 187/25 | Behavioural Standards Complaint 1 | 90(a) and (h) | 27/05/2026 | Report<br>Until further order<br>Related Attachments<br>Until further order for Appendix 1<br>Nil for Appendix 2<br>Minutes<br>Nil<br>Other (presentation, documents, or similar)<br>Until further order |
| 498 | 13/05/2025 | Council | 19.2 | 169/25 | Adelaide Hills Region Waste Management Authority Independent Chair Appoin | 90(3)(a) | 13/02/2026 | Report: Until Further Order<br>Related Attachments: Until Further Order<br>Minutes: Until Further Order<br>Other (presentation, documents, or similar): Until Further Order |
| 497 | 13/05/2025 | Council | 19.1 | 166/25 | Sustainable Infrastructure Systems (SIS) – Commence winding up proceedings | 90(3)(h) and (i) | 13/05/2026 | Report: Until further order<br>Related Attachments: Until further order<br>Minutes: Until further order<br>Other: Until further order |
| 496 | 15/04/2025 | Boundary Change | 12.1 | BCC5/25 | Activity Update: Campbelltown City Council Boundary Change Inquiry– | 90(3)(b) | 15/04/2026 | Report<br>Until Further Order<br>Related Attachments<br>Until Further Order<br>Minutes<br>Nil<br>Other (presentation, documents, or similar)<br>Nil |
| 495 | 22/04/2025 | Council | 19.1 | 144/25 | Boundary Change Committee Confidential Minutes (15 April 2025) | 90(3)(b) | 22/04/2026 | Report<br>Nil<br>Related Attachments<br>Until Further Order<br>Minutes<br>Nil<br>Other (presentation, documents, or similar)<br>Nil |
| 494 | 22/04/2025 | Council | 19.4 | 150/25 | CEO Performance Review Panel Recommendations (CEO Annual Remuneratio | 90(3)(a) and (h) | 22/04/2026 | Report<br>Until Further Order<br>Related Attachments<br>Until further order, except appendices 2-4 of Appendix 1 which are to be publicly released<br>Minutes<br>Nil<br>Other (presentation, documents, or similar)<br>Until Further Order |
| 493 | 22/04/2025 | Council | 19.3 | 147/25 | CEO Performance Review Panel Recommendations (CEO Review Report) | 90(3)(a) | 22/04/2026 | Report<br>Until Further Order<br>Related Attachments<br>Until further order, except Appendix 2 CEO's Response to the CEO Performance Review Report which is to be publicly released<br>Minutes<br>Nil<br>Other (presentation, documents, or similar)<br>Until Further Order |
| 492 | 22/04/2025 | Council | 19.1 | 125/25 | CEO Performance Review Panel Confidential Minutes (2 April 2025) | 90(3)(a) | 22/04/2026 | Report<br>Nil<br>Related Attachments<br>Until Further Order<br>Minutes<br>Nil<br>Other (presentation, documents, or similar)<br>Nil |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | Report<br>Until further order<br>Related Attachments<br>Until further order<br>Minutes<br>Once Council has considered and determined the item<br>Other (presentation, documents, or similar) |
| 491 | 16/04/2025 | CEO PRP | 10.2 | PRP11/25 | CEO Remuneration Annual Review | 90(3)(a) | 16/04/2026 | Until further order |
| | | | | | | | | Report<br>Until further order<br>Related Attachments<br>Until further order<br>Minutes<br>Once Council has considered and determined the item<br>Tabled document<br>Once Council has considered and determined the item<br>Other (presentation, documents, or similar) |
| 490 | 16/04/2025 | CEO PRP | CEO Review R | PRP8/25 | CEO Review Report | 90(3)(a) | 16/04/2026 | Until further order |
| | | | | | | | | Report<br>Until further order<br>Related Attachments<br>Until further order<br>Minutes<br>Until further order<br>Other (presentation, documents, or similar) |
| 489 | 18/09/2024 | CEO PRP | 10.2 | PRP41/24 | CEO Performance Review Process and Performance Criteria | 90(3)(a) | 18/09/2025 | Until further order |
| | | | | | | | | Report<br>Until further order<br>Related Attachments<br>Until further order<br>Minutes<br>Until further order<br>Other (presentation, documents, or similar) |
| 488 | 18/12/2024 | CEO PRP | 10.2 | PRP48 and PRI | 2024 Remuneration Review | 90(3)(a) | 18/12/2025 | Until further order |
| | | | | | | | | Report<br>Until further Order<br>Related Attachments<br>Until further Order<br>Minutes<br>Until further Order<br>Other (presentation, documents, or similar) |
| 487 | 18/12/2024 | CEO PRP | 10.1 | PRP45/24 | CEO Key Performance Indicators | 90(3)(a) | 18/12/2025 | Until further Order |
| | | | | | | | | Report<br>Until further order<br>Related Attachments<br>Until further order<br>Minutes<br>Until further order<br>Other (presentation, documents, or similar) |
| 486 | 2/04/2025 | CEO Performance Review Panel | 10.1 | PRP3/25 | CEO Review Report | 90(3)(a) | 2/04/2026 | Until further order |
| | | | | | | | | Res: 101/25 - 11 March 2025<br>Report: Until Further Order<br>Related Attachments: Until Further Order<br>Minutes: Until Further Order<br>Other (presentation, documents, or similar): Until Further Order |
| 485 | 11/03/2025 | Council | 19.1 | 100/25 | Technology Risk and Opportunites Review | 90(3)(b) | 11/03/2026 | |
| | | | | | | | | Report Until Further Order<br>Related Attachments Nil<br>Minutes Nil<br>Other (presentation, documents, or similar) Nil |
| 484 | 25/02/2025 | Council | 19.2 | 87/25 | Policy Amendments - Elected Members access to Legal Advice Policy | 90(3)(a) | 25/02/2026 | |
| | | | | | | | | Report Nil<br>Related Attachments Until Further Order<br>Minutes Nil<br>Other (presentation, documents, or similar) Nil |
| 483 | 25/02/2025 | Council | 19.1 | 84/25 | Audit Committee Confidential Minutes (17 February 2025) | 90 (3)(b) and (e) | 25/02/2026 | |
| | | | | | | | | Report Until Further Order<br>Related Attachments Until Further Order<br>Minutes Until Further Order<br>Other (presentation, documents, or similar) NIL |
| 482 | 25/02/2025 | Council | 19.3 | 81/25 | Ashton Landfill | 90 (3)(a) and (h) | 25/02/2026 | |
| | | | | | | | | Report Until Further Order<br>Related Attachments Until Further Order<br>Minutes Nil<br>Other (presentation, documents, or similar) Until Further Order |
| 481 | 28/01/2025 | Council | 19.6 | 41/25 | 19.6CEO PRP Recommendations to Council – CEO Key Performance Indicators | 90(3)(a) | 28/01/2026 | |
| | | | | | | | | Report Until Further Order<br>Related Attachments Until Further Order<br>Minutes Until Further Order<br>Other (presentation, documents, or similar) Until Further Order |
| 480 | 28/01/2025 | Council | 19.5 | 37/25 and 38/ | CEO PRP Recommendations – 2024 CEO Remuneration Review Process | 90(3)(a) | 28/01/2026 | |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | Report Until Further Order<br>Related Attachments Until further Order<br>Minutes Nil<br>Other (presentation, documents, or similar) Nil | |
| 479 | 28/01/2025 | Council | 19.4 | 34/25 | Review into late reports | 90(3)(a) | 28/01/2026 | |
| | | | | | | | Report Until Further Order<br>Related Attachments Until Further Order<br>Minutes Nil<br>Other (presentation, documents, or similar) Nil | |
| 478 | 28/01/2025 | Council | 19.3 | 31/25 | Review into the accuracy of reports | 90(3)(a) | 28/01/2026 | |
| | | | | | | | Report Until the council is authorised to make the matter public with council to review every 12 months.<br>Related Attachments Until the council is authorised to make the matter public with council to review every 12 months.<br>Minutes Until the council is authorised to make the matter public with council to review every 12 months.<br>Other (presentation, documents, or similar) Until the council is authorised to make the matter public with council to review every 12 months. | |
| 477 | 28/01/2025 | Council | 19.2 | 28/25 | Motion on Notice – Behavioural Matter – Cr Nathan Daniell | 90(3)(a) | 28/01/2026 | |
| | | | | | | | Report: Until either the negotiations for sale are completed or a settlement reached or until legal proceedings have concluded, but no longer than 12 months.<br>Related Attachments: Until either the negotiations for sale are completed or a settlement reached or until legal proceedings have concluded, but no longer than 12 months.<br>Minutes: Until either the negotiations for sale are completed or a settlement reached or until legal proceedings have concluded, but no longer than 12 months. | |
| 476 | 28/01/2025 | Council | 19.1 | 25/25 | S184 - Recovery of Unpaid Rates | 90(3)(i) | 28/01/2026 | |
| | | | | | | | Report - Until Further Order<br><br>Related Attachments<br>1. Appendix 1 (the information request) - until further order | |
| 76 | 3/12/2024 | Boundary Change Committee | 14.1.2 | BCC27/24 | Inquiry into the Campbelltown City Council Boundary Change Proposal - Durat | 90(2) and 90(3)(b) and ( | 12/12/2025 | 2. Appendix 2 (the submission) - until released publicly |
| | | | | | | | Report:<br>Until further order<br>Related Attachments:<br>Until further order<br>Minutes:<br>Nil<br>Other: | |
| 475 | 26/11/2024 | Council | 19.4 | 438/24 | Deputy Mayor Seeking Legal Advice | 90(3)(a) | 26/11/2025 | Until further order |
| | | | | | | | Report:Nil<br>Related Attachments:<br>Until further order for Appendix 1<br>Nil for Appendix 2<br>Minutes:<br>Until further order for the minutes and part 4 of the resolution<br>Nil for the remainder of the resolution<br>Other (presentation, documents, or similar): | |
| 472 | 26/11/2024 | Council | 19.1 | 428/24 | Behavioural Standards Complaint | 90(3)(a) and (h) | 26/11/2025 | Until further order |
| | | | | | | | Report:Until Further Order<br>Related Attachments:Until Further Order<br>Minutes:Until Further Order<br>Other (presentation, documents, or | |
| 471 | 12/11/2024 | Council | 19.4 | 412/24 | Work, Health and Safety Update | 90(3)(a) and (h) | 12/11/2025 | similar):Until Further Order |
| 470 | 12/11/2024 | Council | 19.3 | 408/24 | Proposed CEO Leave Policy | 90(3)(a) | 12/11/2025 | Report: Until Further Order |
| | | | | | | | Report: Reviewed at end of Financial Year 2024/25<br>Related Attachments: Reviewed at end of Financial Year 2024/25<br>Minutes: Nil<br>Other (presentation, documents, or similar): | |
| 468 | 12/11/2024 | Council | 19.1 | 403/24 | Community Renewables Program | 90(3) (d) and (h) | 30/06/2026 | Reviewed at end of Financial Year 2024/25 30 June 2025: Extended "Until Further Order" 225/25 |
| | | | | | | | Report 31 December 2025, must be reviewed by Council prior to release.<br>Related Attachments 31 December 2025, must be reviewed by Council prior to release.<br>Minutes 31 December 2025, must be reviewed by Council prior to release.<br>Other (presentation, documents, or similar) 31 December 2025, must be reviewed by Council prior to release. | |
| 467 | 24/09/2024 | Council | 19.2 | 359/24 | HR Consultant Update | s 90(3)(a) and (h) | 31/12/2025 | |
| | | | | | | | Report Until Further Order<br>Related Attachments Until Further Order<br>Minutes Until Further Order<br>Other (presentation, documents, or similar) Until Further Order | |
| 466 | 24/09/2024 | Council | 19.1 | 356/24 | CEO Performance Review Panel Recommendations to Council – CEO Review P | 90(3) (a) | 24/09/2025 | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 465 | 28/08/2024 | Boundary Change Committee | 12.3 | BCC22/24 | Strategic Communication & Engagement Plan Updates | 90(3)(b)(i) | 28/08/2025 | Report: Until Further Order<br>Related Attachments: Until Further Order<br>Minutes: Until Further Order<br>Other (presentation, documents, or similar): Until Further Order | |
| 464 | 28/08/2024 | Boundary Change Committee | 12.2.1 | BCC19/24 | Boundary Change Advocacy Strategy | 90(3)(b)(i) | 28/08/2025 | Report: Until further order<br>Related Attachments: Until further order<br>Minutes: Until further order<br>Other (presentation, documents, or similar): Until further order | |
| 463 | 28/08/2024 | Boundary Change Committee | 12.1 | BCC10/24 | Boundary Change Proposal Project and Governance Arrangements | 90(3)(b)(i) | 28/08/2025 | Report: Until further order<br>Related Attachments: Until further order<br>Minutes: Until further order<br>Other (presentation, documents, or similar): Until further order | |
| 462 | 27/08/2024 | Ordinary Council | 19.3 | 316/24 and 31 | Work, Health and Safety Matters | Section 90(3)(a) and (h | 10/06/2026 | Report: Until Further Order<br>Related Attachments: Until Further Order<br>Minutes with the exception of Decision One: part 1 to 5, part 8<br>Decision Two: Until Further Order<br>That the exceptions not be released until the Mayor is advised<br>Other (presentation, documents, or similar):Until Further Order | |
| 461 | 27/08/2024 | Ordinary Council | 19.2 | 308/24 | Mayor's Use of the Mayor Seeking Legal Advice Policy - Confidential | Section 90(3)(a) and (h | 27/08/2025 | Report: Until further order<br>Related Attachments: Until further order<br>Minutes: Until the Mayor is Informed<br>Other (presentation, documents, or<br>similar): Until further order | |
| 459 | 27/08/2024 | Ordinary Council | 19 | 303/24 | Question without Notice | Section 90(3)(g) and (h | 27/08/2025 | Minutes: Until Further Order | |
| 458 | 19/08/2024 | Audit Committee | 11.1 | AC29/24 | Financial Management Council Report | 90(3)(g) and (h) | 19/08/2025 | Report: Until further order<br>Related Attachments: Until further order<br>Minutes: Until further order<br>Other (presentation, documents, or similar): Until further order | |
| 457 | 12/08/2024 | CEO Performance Review Panel | 10.1 | PRP33/24 | CEO Performance Review Process Recommendations | 90(3)(a) | 12/08/2025 | Report: Until Further Order<br>Related Attachments: Until Further Order<br>Minutes: Until Further Order<br>Other: Until Further Order | |
| 456 | 13/08/2024 | Ordinary Council Meeting | 19.1 | 286/24 | Financial Management | 90(3)(g) and 90(3)(h) | 13/08/2025 | Report Until Further Order<br>Related Attachments Until Further Order<br>Minutes Until Further Order<br>Other (presentation, documents, or<br>similar) Until Further Order | |
| 455 | 23/07/2024 | Ordinary Council | 19.1 | 273/24 | Land Management Agreement - Burial on Private Land - Confidential Item | 90 (3)(a) | 23/07/2025 | Report Until further order<br>Related Attachments Until further order<br>Minutes Until further order<br>Other (presentation, documents, or similar) Until further order | |
| 454 | 1/07/2024 | Special Council Meeting | 8.1 | 241/24 | Correspondence from PC Infrastructure | s90(2) and s90 (3) (h) a | 1/07/2025 | Report: Until Further Order<br>Related Attachments: Until Further Order<br>Minutes: Until Further Order<br>Other (presentation, documents, or similar): Until Further Order | |
| 453 | 25/06/2024 | Ordinary Council | 19.1 | 230/24 | Electricity Procurement - Legal Matter | s90 (3)(h) and (i) | 10/06/2026 | Report: Until further order<br>Related Attachments: Until further order<br>Minutes: Until further order | |
| 452 | 25/06/2024 | Ordinary Council | 12.6 | 227/24 | Confidential Item Review | 90 (3) (j) | 10/06/2026 | Report: Until further Order<br>Related Attachments: Not Applicable<br>Minutes: Until further order<br>Other (discussion and considerations of the subject matter): Until further order | |
| 450 | 11/06/2024 | Ordinary Council | 19.2 | 210/24 | CEO Review Process | 90(3)(a) | 10/06/2026 | Report: 11 June 2028<br>Related attachments:11 June 2028<br>Minutes:11 June 2028<br>Other:11 June 2028 | |
| 449 | 11/06/2024 | Ordinary Council | 19.1 | 207/24 | Event Opportunity Santos Tour Down Under 2025 | 91 (7) (9) | 30/06/2026 | Report:Until Council receives written confirmation from the South Australian Tourism Commission that the event information is no longer confidential, but not longer than 30 June 2025.<br>Related Attachments: Not Applicable<br>Minutes: Until Council receives written confirmation from the South Australian Tourism Commission that the event information is no longer confidential, but not longer than 30 June 2025.<br>Other: Until Council receives written confirmation from the South Australian Tourism Commission that the event information is no longer confidential, but not longer than 30 June 2025. | 30 June 2025: Extended "Until Further Order" 226/25 |

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|---|---|---|---|---|---|---|---|---|---|
| 9999 | 19/12/2023 | Ordinary | 19.4 | 345/23 | CEO Performance Review Process | S90(2) S90(3)(a)(h) | 12/11/2025 | Report - until further order<br>Related Attachments - Until further order<br>Minutes - CEO to be advised at the conclusion of the meeting and the minutes to be publicly released after the Mayor has advised staff, no later than COB 22 December 2023 | Pursuant to Section 91(7) of the Local Government Act 1999, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) and (h) of the Act:<br>•<br>The Report and Related Attachments of 19 December 2023, Item No. 19.4, CEO Performance Review Process, 345/23 unless previously released remain confidential until further order and that this order be reviewed every twelve (12) months.<br>On the grounds that the document(s) (or part) relates to 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 a person; and information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would waive privilege to legal advice received by the Council; and information to be received, discussed or considered in relation to this.<br>2.<br>Pursuant to section 91(9)(c) of the Local Government Act 1999, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer. |
| 9997 | 19/12/2023 | Ordinary | 19.3.1 | 341/23 | CEO Performance Review Panel Minutes of Meeting - 12 December 2023 | S90(2) S90(3)(a)(h) | 19/12/2025 | Report - Until further order and reviewed every twelve months<br>Related Attachments - Until further order and reviewed every twelve months<br>Minutes - Until further order and reviewed every twelve months<br>Other - Until further order and reviewed every twelve months | |
| 448 | 14/05/2024 | Ordinary Council | 19.2 | 165/24 | 19.2Strategic Communication and Engagement Plan Woodforde, Teringie and F | s90(2), s90(3)(b), s90(3 | 22/04/2026 | Report 22 April 2028<br>Related Attachments 22 April 2028<br>Minutes 22 April 2028<br>Other (presentation, documents, or similar) 22 April 2028 | |
| 447 | 14/05/2024 | Ordinary Council | 19.1 | 160/24 | 19.1Forensic Analysis of Boundary Change Submission – Exclusion of the Publ | 90(2), 90(3)(b), 90(3)(i) | 22/04/2026 | Report 22 April 2028<br>Related Attachments 22 April 2028<br>Minutes 22 April 2028<br>Other (presentation, documents, or similar) 22 April 2028 | |
| 444 | 9/04/2024 | Ordinary Council | 19.4 | 119/24 | CEO Development Plan | 90(3)(a) | 9/05/2026 | Report - 4 April 2027<br>Related Attachments 4 April 2027<br>Minutes 4 April 2027<br>Other (presentations, documents or similar) 4 April 2027 | |
| 445 | 9/04/2024 | Ordinary Council | 19.3 | 117/24 | CEO Performance Review Process 2024/25 | 90(3)(a) | 9/05/2026 | Report - 28 March 2027<br>Related Attachments - 28 March 2027<br>Minutes - 28 March 2027<br>Other (presentation, documents or similar) - 28 March 2027 | |
| 429 | 9/04/2024 | Ordinary Council | 19.1 | 112/24 | CEO PRP Special Meeting - Minutes of meeting 28 March 2024 | 90(2) and 90(3)(a) | 9/04/2026 | report, related attachments and the minutes of Committee and the discussion and considerations of the subject matter be retained in confidence until further order and be reviewed every twelve months | |
| 430 | 26/03/2024 | Ordinary Council | 19.3 | 100/24 | Special CEO PRP Committee Minutes of Meeting - 21 March 2024 | 90(2) and 90(3)(a) | 11/02/2026 | Council resolved confidence for 12 months. | 11 February 2025 - Revised period of confidentiality (resolution 54/25)<br><br>The report, related attachments and minutes of 26 March 2024 Item No. 19.3, Special CEO PRP Minutes of Meeting, 100/24 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months. |
| 431 | 26/03/2024 | Ordinary Council | 19.2 | 97/24 | Trans Tasman Energy Group | 90(2) and 90(3)(i) 90(3) | 11/02/2026 | Council resolved 26 March 2025 or until legal release date | 11 February 2025 - Revised period of confidentiality (res 55/25)<br><br>The report and related attachments of 26 March 2024, Item No. 19.2, Trans Tasman Energy Group, 97/24 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months. |
| 432 | 26/03/2024 | Ordinary Council | 19.1 | 94/24 | Ashton Landfill | 90(2) and 90(3)(a) and ( | 26/03/2027 | Council resolved duration of confidentiality to 26 March 2027 | |
| 441 | 27/02/2024 | Ordinary Council | 19.1 | 52/24 | Recovery of Unpaid Rates | 90(2) and 90(3)(i) | 11/02/2026 | Council resolved until either negotiations for sale are completed or a settlement reached or until legal proceedings have concluded but no longer than 12 months | 11 February 2025 - Resolution 50/25<br><br>The report, related attachments and minutes of 27 February 2024, Item No. 19.1, Recovery of Unpaid Rates, 52/24 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months. |
| 399 | 12/12/2023 | CEO PRP | 9.2 and 9.3 | PRP26/23 and | CEO Probation Review Process and MWON | 90(2) and 90(3)a and h | 12/11/2025 | Report: Ongoing, Reviewed every 12 months<br>Related Attachments: Ongoing, Reviewed every 12 months<br>Minutes: Ongoing, Reviewed every 12 months<br>Other (presentation, documents, or similar): Ongoing, Reviewed every 12 months | The Report, Related Attachments, Minutes and Other (presentation, documents or similar) of 12 December 2023, Item No. 9.3, CEO Probation Review Process, PRP27/23 unless previously released remain confidential until further order and that this order be reviewed every twelve (12) months. |

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| 427 | 6/11/2023 | Special Council Meeting | 8.1 | 277/23 | CEO Performance Review Process | S90(2) and Section 90( | 10/06/2026 | Report Until further order<br>Related Attachments Until further order<br>Minutes Until further order<br>Other (including legal advice from Norman Waterhouse Lawyers relating to this matter) Until further order | The Report, related attachments, minutes or other (presentation, documents or similar) of 6 November 2023, Item No. 8.1.1, CEO Performance Review Process, 277/23 remain confidential until the matter is determined and that this order be reviewed every twelve (12) months.<br>The document(s) in relation to resolution 277/23 be kept confidential for 3 years to 31 May 2027. |
| 425 | 10/10/2023 | 231010 Ordinary Council Meeti | 18.1 | 263/23 | Electricity Procurement - Legal Matter | 90(2) and 90(3)(h) | 10/10/2025 | Duration of Confidentiality 26 October 2024 or until legal release date | The report, related attachments, minutes and other (presentation, documents or similar) of 10 October 2023, Item 18.1, Electricity Procurement – Legal Matter, 263/23, unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months. |
| 421 | 27/06/2023 | Council | 18.1 | 183/23 - 210/2 | Appointment of GRFMA Chairperson | 90/(3)(a) | 10/06/2026 | Report until the appointment has been confirmed, but not longer than 30 September 2023<br>Related Attachments until the appointment has been confirmed, but not longer than 30 September 2023<br>Minutes until the appointment has been confirmed, but not longer than 30 September 2023<br>Other (presentation, documents, or similar) N/A | Due to withdrawal of successful applicant. GRFMA Executive Officer requested a further extension to end 2024 is required.<br>13 February 2024 - review of confidentiality order a further 12 months was resolved to 27 June 2025<br>10 June 2025 reviewed and duration extended until further order 210/25 |
| 413 | 14/02/2023 | Council | 9.1 | 23/23 and 28/2 | 9.1South Australian Tourism Commission re Santos Tour Down Under | 90(3)(j) | 13/02/2026 | Report Nil<br>Related Attachments Nil<br>Minutes Nil<br>Other (presentation, documents, or similar) 12 months – 14 Feb 2024 | Extend for a further 12 months due to SATC advice<br>13 February 2024 - Reviewed confidentiality order and extended for further 12 months to 14 February 2025 |
| 404 | 23/08/2022 | Council | 18.5 | 236/22 - 154/2 | Ministerial Exemption | 90(3)(i) | 10/06/2026 | Report 23 August 2024<br>Related Attachments 23 August 2024<br>Minutes 23 August 2024<br>Other 23 August 2024 | Council resolved on the 14 May 2024 that:<br>• The Report of 23 August 2022, Item No. 18.5, Ministerial Exemption – Ashton Landfill, 236/22 & 154/23 remain confidential and that this order be reviewed every twelve (12) months.<br>• The Report of 23 August 2022, Item No. 18.5, Ministerial Exemption – Ashton Landfill, 236/22 & 154/23 remain confidential and that this order be reviewed every twelve (12) months. |
| 403 | 23/08/2022 | Council | 18.4 | 234/22 - 158/2 | Revised East Waste 2022-23 Annual Plan & Budget | 90(3)(d) | 13/05/2026 | Report Nil<br>Related Attachments<br>Appendix 1<br>Appendix 2<br>23 August 2024<br>Nil<br>Minutes Nil<br>Other Nil | Council resolves on 14 May 2024 that:<br>To note that in relation to resolution 234/22 and 158/23 Council resolved the following:<br>The report, related attachments, minutes and other (presentation, documents or similar) of 23 August 2022, Item No. 18.4, Revised East Waste 2022-23 Annual Plan & Budget, 234/22, unless previously released, remain confidential until 23 August 2024 and that this order be reviewed every twelve (12) months.<br>The document(s) in relation to resolution 234/22 and 158/23 be kept confidential for a period of 12 months to 23 August 2025. |
| 402 | 23/08/2022 | Council | 18.3 | 229/22 - 157/2 | East Waste Recycling Contract | 90(3)(d) | 10/06/2026 | Report 23 August 2024<br>Related Attachments 23 August 2024<br>Minutes 23 August 2024<br>Other 23 August 2024 | Council resolves on 14 May 2024 that:<br>The report, related attachments, minutes and other (presentation, documents or similar) of 23 August 2022, Item No. 18.3, East Waste Recycling Contract, 229/22, unless previously released, remain confidential until 23 August 2024 and that this order be reviewed every twelve (12) months.<br>The document(s) in relation to resolutions 229/22 and 157/23 be kept confidential for a period of 12 months to 23 August 2025.<br>Reviewed 10 June 2025 - new duration until further order 208/25. |
| 395 | 28/06/2022 | Council | 18.3 | 171/22 - 155/2 | Ashton Landfill | 90(3)(i) | 10/06/2026 | Report 28 June 2024<br>Related Attachments 28 June 2024<br>Minutes 28 June 2024<br>Other NIL | Revised to 28 June 2025<br>Reviewed 10 June 2025 to until further order 211/25. |

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| 393 | 28/06/2022 | Council | 18.1 | 165/22 - 153/2 | Warren Road Birdwood Blackspot | 90(3)(d) | 30/06/2026 | Report Until all resolutions are executed, but not longer than 28 June 2023<br>Related Attachments Until all resolutions are executed, but not longer than 28 June 2023<br>Minutes Until all resolutions are executed, but not longer than 28 June 2023 | Council resolves on the 14 May 2024 that:<br><br>The report, related attachments, minutes and other (presentation, documents or similar) of 28 June 2022, Item No. 18.1, Warren Road Birdwood Blackspot, 165/22, unless previously released, remain confidential until this matter has concluded and that this order be reviewed every twelve (12) months.<br><br>The document(s) in relation to resolution 165/22 be kept confidential for a period of 12 months to 28 June 2025.<br><br>30/6/2025 - Extended "Until Further Order" 224/25 |
| 387 | 26/04/2022 | Council | 11.1.2 | 87/22 | Property Lobethal Road, Lenswood - Confidential | 90(3)(a)(h)(i) | 11/02/2026 | Report Two year term<br>Related Attachments Two year term<br>Minutes NIL<br>Other (presentation, documents, or similar) NIL | Resolved 14 March 2023<br><br>The Report of 26 April 2022, Item No. 11.1, Property Lobethal Road, Lenswood, 87/22 remain confidential until 14 March 2024 and that this order be reviewed every twelve (12) months.<br><br>13 February 2024 - Reviewed confidentiality order and revised new date to 14 March 2025.<br><br>Resolved 11 February 2025 (res 52/25)<br><br>The report and related attachments of 26 April 2022, Item No. 11.1.2, Property Lobethal Road - Lenswood, 86/22 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months. |
| 382 | 26/10/2021 | Council | 18.1 | 238/21 - 156/2 | Electricity Procurement Legal Matter | 90(3)(h) | 10/06/2026 | that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the matter is determined, but not longer than 26 October 2022. | The Report of 26 October 2021, Item No. 18.1, Electricity Procurement Legal Matter, 238/21 remain confidential until 27 September 2023 and that this order be reviewed every twelve (12) months.<br><br>Reviewed 10 June 2025 until further order 209/25.<br><br>Council further resolved on 14 May 2024 that:<br><br>The report, related attachments, minutes and other (presentation, documents or similar) of 26 October 2021, Item No. 18.1, Electricity Procurement Legal Matter, 238/21, unless previously released, remain confidential until the matter is concluded and that this order be reviewed every twelve (12) months.<br><br>The document(s) to be kept confidential for a period of 12 months to 13 June 2025. |
| 381 | 26/10/2021 | Council | 18.2 | 236/21 | Ashton Landfill | 90(3)(i) | 10/06/2026 | that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until 26 October 2024. | The Report of 26 October 2021, Item No. 18.2, Ashton Landfill, 236/21 remain confidential until 27 September 2023 and that this order be reviewed every twelve (12) months.<br><br>Council further resolves on 14 May 2024 that:<br><br>To note that in relation to resolution 236/21 Council resolved the following:<br><br>The report, related attachments, minutes and other (presentation, documents or similar) of 26 October 2021, Item No. 18.2, Ashton Landfill, 236/21, unless previously released, remain confidential until the matter is concluded and that this order be reviewed every twelve (12) months.<br><br>2. The document(s) in relation to resolution 236/21 be kept confidential until a further order of Council is resolved.<br><br>Council further resolves on 14 May 2024 that:<br><br>The report, related attachments, minutes and other (presentation, documents or similar) of 28 June 2022, Item No. 18.3, Ashton Landfill, 171/22, unless previously released, remain confidential until this matter has concluded and that this order be reviewed every twelve (12) months.<br><br>The document(s) in relation to resolution 236/21 be kept confidential until a further order of Council is resolved. |

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| 240 | 22/04/2014 | Council | 18.2.1 | 85/14 | AHRWMA | | 90(3)(b,d,i) | 11/02/2026 | Report of 22 April 2014, Item No. 18.2Adelaide Hills Regional Waste Management Authority<br>This order shall operate until further order of the Council and will be reviewed at least annually in accordance with the Act. | Resolved - 14 March 2023<br>The Report of 22 April 2014, Item No. 18.2.1, AHRWMA, 85/14 remain confidential until the matter is determined and that this order be reviewed every twelve (12) months.<br>13 Feb 24 - Revised confidentiality order and extended for further 12 months to 14 March 2025.<br>11 February 2025 -duration of confidentiality extension (resolution 53/25)<br>The report and related attachments of 22 April 2014, Item No. 18.2.1, AHRWMA, 85/14 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months. |

**ADELAIDE HILLS COUNCIL**
**ORDINARY COUNCIL MEETING**
**Tuesday 14 October 2025**
**AGENDA BUSINESS ITEM**

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| **Item:** | **12.8** |
| **Responsible Officer:** | **Zoë Gill**<br>**Executive Governance Officer**<br>**Office of the CEO** |
| **Subject:** | **Acting Deputy Mayor Appointment** |
| **For:** | **Decision** |

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**SUMMARY**

The purpose of this report is to undertake the process for the appointment of the Acting Deputy Mayor position for a specified term, should Council determine to do so.

Following the resignation of Mayor Jan-Claire Wisdom on 23 September 2025, Cr Nathan Daniell, who was appointed Acting Mayor on 28 January 2025 for a 12-month term, is serving as Acting Mayor. Cr Adrian Cheater was appointed Acting Deputy Mayor until 10 September 2025, aligning with the anticipated return of the Mayor from a six-month leave of absence on 10 September 2025. However, with the Mayor's resignation on 23 September 2025, and Cr Daniell in the Acting Mayor role, the Acting Deputy Mayor position is now vacant.

A supplementary election for Mayor will be held, with timing currently under discussion with the Electoral Commission of South Australia. In the interim, Council may wish to appoint an Acting Deputy Mayor to fill the current vacancy.

The *Local Government Act 1999* provides that a council may resolve to have a position of Deputy Mayor (s51(3)).

**RECOMMENDATION**

**Council resolves:**

**Decision 1** ***(required if one candidate indicates intention to nominate***

1. **That the report on the Acting Deputy Mayor Appointment be received and noted.**

2. **To appoint Cr_____ to the position of Acting Deputy Mayor to commence 15 October 2025 and conclude on 28 January 2026, or close of the supplementary election, whichever is earlier.**

3. **To note that the Deputy Mayor has a number of roles and functions under Council's policies.**

4. **That, for the avoidance of doubt:**

a. **the Acting Mayor, as the substantive Deputy Mayor, retains the roles and functions of the Deputy Mayor under Council's policies unless the Deputy Mayor is unavailable or unable to perform the roles and functions or delegates these roles and functions**

b. **the Acting Deputy Mayor only takes on the roles and functions of the Deputy Mayor under Council's policies if the Acting Mayor is unavailable or unable to perform the roles or functions or is delegated these roles and functions.**

**Decision 2** ***(required if more than one candidate indicates intention to nominate)***

**Council resolves:**

1. **That the report on the Acting Deputy Mayor Appointment be received and noted.**

2. **To determine that the method of selecting the Acting Deputy Mayor be by an indicative vote to determine the preferred person utilising the process as set out within this report.**

3. **To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Acting Deputy Mayor role and for the meeting to resume once the results of the indicative voting has been declared.**

**Decision 3** **(required if meeting adjourned)**

1. **To appoint Cr_____ to the position of Acting Deputy Mayor to commence 15 October 2025 and conclude on 28 January 2026, or close of the supplementary election, whichever is earlier.**

2. **To note that the Deputy Mayor has a number of roles and functions under Council's policies.**

3. **That, for the avoidance of doubt:**

a. **the Acting Mayor, as the substantive Deputy Mayor, retains the roles and functions of the Deputy Mayor under Council's policies unless the Deputy Mayor is unavailable or unable to perform the roles and functions or delegates these roles and functions**

b. **the Acting Deputy Mayor only takes on the roles and functions of the Deputy Mayor under Council's policies if the Acting Mayor is unavailable or unable to perform the roles or functions or is delegated these roles and functions.**

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## 1. BACKGROUND

At the 28 January 2025 Council Meeting, Cr Nathan Daniell was appointed Deputy Mayor for a 12-month term concluding on 28 January 2026 (resolution 11/25 refers).

12.5 Nominations for Deputy Mayor

Moved Cr Chris Grant
S/- Cr Mark Osterstock

11/25

Council resolves:

1. That the report on the Deputy Mayor Appointment be received and noted.
2. To appoint Cr Nathan Daniell to the position of Deputy Mayor for a 12 month term to commence 28 January 2025 and conclude on 28 January 2026 inclusive.

Carried Unanimously

At the 11 March 2025 Council Meeting, Mayor Jan-Claire Wisdom was granted a leave of absence from 11 March 2025 to 10 September 2025. During this period, it was approved that Deputy Mayor Daniell would assume all Mayoral duties including committee and panel memberships (resolution 89/25 refers):

MOTION AS VARIED

Moved Cr Mark Osterstock
S/- Cr Lucy Huxter

89/25

1 That a Leave of Absence from all duties of office be granted to Mayor Jan-Claire Wisdom from 11 March 2025 to 10 September 2025, and in doing so, Council requests that Mayor WISDOM, pursuant to the provisions of Section 76 (12) of the Local Government Act 1999, in the Financial interests of the Adelaide Hills Community, [noting that Mayor WISDOM will not be performing any Mayoral duties whatsoever during this period] declines to accept payment of an allowance during this period of Leave of Absence.

2 That any committee or panel membership currently held by Mayor Jan-Claire Wisdom be undertaken by Deputy Mayor DANIELL during the period of Leave of Absence.

3 That the CEO writes to Mayor WISDOM, as soon as practicable, informing her of Councils decision and requests that Mayor WISDOM provides Council [and in doing so the Adelaide Hills Community] with a written response as to whether she will be declining to accept an allowance during the Leave of Absence by 25 March 2025.

Carried Unanimously

At the 26 March 2025 Council Meeting, Cr Adrian Cheater was appointed Acting Deputy Mayor for the duration of the Mayor's leave, concluding on 10 September 2025 (resolution 112/25 refers):

Moved Cr Pauline Gill
S/- Cr Kirrilee Boyd 112/25

Council resolves:

1. To appoint Cr Adrian Cheater to the position of Acting Deputy Mayor to commence 26 March 2025 and conclude on 10 September 2025 inclusive.
2. To note that the Deputy Mayor has a number of roles and functions under Council's policies.
3. That, for the avoidance of doubt:
   a. the Acting Mayor, as the substantive Deputy Mayor, retains the roles and functions of the Deputy Mayor under Council's policies unless the Deputy Mayor is unavailable or unable to perform the roles and functions or delegates these roles and functions
   b. the Acting Deputy Mayor only takes on the roles and functions of the Deputy Mayor under Council's policies if the Acting Mayor is unavailable or unable to perform the roles or functions or is delegated these roles and functions.

Carried Unanimously

On 23 September 2025, Mayor Jan-Claire Wisdom resigned. Under s51(6) Cr Daniell, as the substantive Deputy Mayor, becomes the Acting Mayor. This applies until 28 January 2026. Council may wish to appoint a new Acting Deputy Mayor.

## 2. ANALYSIS

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

*Strategic Plan 2024 – Your Place, Your Space*

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| Goal 4 | Organisation |
| Objective 02 | Operate with integrity using best practice governance processes. |
| Priority 02.01 | Demonstrate accountable and transparent decision making. |

### ➢ Legal Implications

Section 51(4) states that if there is to be a Deputy Mayor, he or she will be chosen by the members of the council from amongst their own number and will hold office for a term determined by the council. A term is not to exceed 4 years.

Section 51(5) states that on expiration of a term of office, the Deputy Mayor is eligible to be chosen for a further term.

Section 51(6) states that in the absence of the Mayor, a Deputy Mayor may act in the Office of the Mayor. In doing so, the Deputy Mayor assumes the key duties of presiding over Council meetings and being the principal spokesperson of the Council.

By default, the Deputy Mayor assumes the role of Acting Mayor when the Mayor is on a leave of absence.

*Section 74 – General conflicts of interest* of the Act set out the provisions regarding General Conflicts of Interest. 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. For this matter, Council Members seeking to be appointed may have a General COI and should consider declaring the interest and acting in accordance with *s75B – Dealing with general conflicts of interest*.

*Section 75 – Material conflicts of interest* of the Act set out the provisions regarding Material Conflicts of Interest. 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. For this matter, Council Members seeking to be appointed to the Deputy Mayor position may have a Material COI due to the additional allowance payable and should consider declaring the interest and acting in accordance with *s75C – Dealing with material conflicts of interest*.

Council's *Information or Briefing Sessions Policy* created under s90A(1) sets out the provisions for the conduct of an Information or Briefing Session such as the session recommended for the purposes of indicative voting. The above COI provisions do not apply to an Information or Briefing Session if it occurs.

- **Risk Management Implications**

The Council's consideration of the requirement for a Deputy Mayor will assist in mitigating the risk of:

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

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

- **Financial and Resource Implications**

An Independent Remuneration Tribunal has jurisdiction under section 76 of the Act to determine the allowances payable to council members. The Tribunal determines the annual allowance for councillors, principal members, deputy mayor, prescribed and non-prescribed committee presiding members and travel time allowances with the applicable determination of this term of council being *Determination 2 of 2022 – Allowances for Members of Local Government Councils*.

The Determination sets the annual allowance for a councillor who is a deputy mayor at 1.25 times the annual councillor allowance.

As a Group 2 Council for the purposes of the Determination, the Deputy Mayor's allowance will be $26,106.36pa. This will increase by CPI, from 23 November 2025. The Determination further prescribes that the Deputy Mayor will receive the equivalent of the Mayoral allowance (4 times the annual councillor allowance) in circumstances where they are required to act in the office of the Mayor for a period exceeding one month.

Council's *Council Member Allowances & Support* policy provides for additional facilities and supports for the Mayor. It also provides for additional supports for the Deputy Mayor.

The cost of appointing an Acting Deputy Mayor is the addition of the 1.25 Deputy Mayor allowance to the Councillor who is appointed.

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

Not applicable.

- **Sustainability Implications**

Not applicable.

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

There is no requirement for community consultation in relation to the appointment of a Deputy Mayor as Section 51(4) of the Act is clear that the Deputy Mayor is chosen by resolution of the Council.

Consultation on the development of this report was as follows:

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| *Council Committees:* | Not Applicable |
| *Council Workshops:* | Not Applicable |
| *Advisory Groups:* | Not Applicable |
| *External Agencies:* | Not Applicable |
| *Community:* | Not Applicable |

- **Additional Analysis**

Role of the Deputy Mayor

During the 2018-2022 Council term, the Deputy Mayor deputised for the Mayor on several occasions and acted in the Office of the Mayor during periods of absence (i.e. illness and leave).

During the current 2022-2026 period, the person in the role of Deputy Mayor has deputised for the Mayor on several occasions and acted in the Office of the Mayor during periods of absence (i.e. leave of absence).

In considering the Acting Deputy Mayor position, Council may wish to consider suitability factors including (but not limited to):

- understanding of, or the ability to acquire the same in, the role, function, and strategic intent of the Council;
- understanding of, or the ability to acquire the same in, meeting procedure generally and the meeting procedure set out in the *Local Government (Procedures at Meetings) Regulations 2013* and Council's *Code of Practice for Council Meeting Procedures* more specifically;
- expertise in chairing meetings of comparable boards/committees in other organisations, public and private;

- ability to preside efficiently, firmly, impartially, and fairly over Council meetings;
- ability to manage conflict and differing opinions;
- ability and availability to represent and have an affinity with the community as a whole;
- ability and availability to represent the Council in the presence of members of Parliament, dignitaries, and peers;
- ability and availability to act in the Office of the Mayor during periods of absence;
- ability to deal with matters delegated under Council Policies to the Deputy Mayor (i.e. training and development, Council Member conduct);
- leadership, social and communication skills;
- relationship with the CEO, directors/departmental managers, and staff of the Council;
- the opportunity to provide professional development in presiding member skills;
- the opportunity to consider diversity in the role;
- current and future time commitments (i.e. there are a number of Council Committees, Regional Subsidiaries and Advisory Groups that will also require Council Member representation).

Substantive Deputy Mayor and Implications of recent Policy Changes as a result of resolutions

In 2024, Council allocated a number of roles traditionally held by the Mayor to the Deputy Mayor, including being the Principal Spokesperson for Council, being on the CEO Performance Review Panel and all functions, duties, responsibilities and roles (inclusive of any representative role) given to the Mayor under any Council policy, resolution, direction or convention (see particularly resolutions 10 September 2024, 316/24, 317/24, and 26 November 2024 430/24).

Additionally, as a result of resolution 430/24, a number of policies were revised and endorsed by Council at the 25 February 2025 Council Meeting:

MOTION AS VARIED

Moved Cr Mark Osterstock 77/25
S/- Cr Chris Grant

1. To receive and note the report.
2. With an effective date of 4 March 2025, to revoke the *Code of Practice for Access to Council Policy* and to adopt the revised *Code of Practice for Access to Council Policy* at Appendix 2.
3. With an effective date of 4 March 2025, to revoke the *Complaint Handling Policy* and to adopt the revised *Complaint Handling Policy* at Appendix 3.
4. With an effective date of 4 March 2025, to revoke the *Council Member Training and Development Policy* and to adopt the revised *Council Member Training and Development Policy* at Appendix 5.
5. With an effective date of 4 March 2025, to revoke the *Council Member Training and Development Approval Form* and to adopt the revised *Council Member Training and Development Approval Form* at Appendix 5.
6. With an effective date of 4 March 2025, to revoke the *Caretaker Policy* and to adopt the revised *Caretaker Policy* at Appendix 6.
7. With an effective date of 4 March 2025, to revoke the *Internal Review of Council Decision Policy* and to adopt the revised *Internal Review of Council Decision Policy* at Appendix 7.
8. With an effective date of 4 March 2025, to revoke the *Internal Audit Policy* and to adopt the revised *Internal Audit Policy* at Appendix 8.
9. With an effective date of 4 March 2025, to revoke the *Behavioural Management Policy* and to adopt the revised *Behavioural Management Policy* at Appendix 9.
10. With an effective date of 4 March 2025, to revoke the *Advisory Group Operation Conduct Policy* and to adopt the revised *Advisory Group Operation Conduct Policy* at Appendix 10.
11. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the above policies.
13. That the changes listed in the policies which remove powers from the Mayor and allocate them to the Deputy Mayor, are current until the end of this current Council term.

9:42pm Cr Louise Pascale left the meeting room and did not return.

Carried Unanimously

These policy changes allocated a number of functions and roles to the Deputy Mayor.

It is proposed, in the recommended resolution, that Deputy Mayor Nathan Daniell retains these roles and functions in his substantive position as Deputy Mayor. If he is unable to perform these roles and functions, then the Acting Deputy Mayor would take on these roles and functions.

Administration is currently working on a report to Council reviewing these policies in light of the Mayor's resignation.

Conflict of Interest and Voting Process

Due to the implications of the Material Conflict of Interest provisions under s75 (see Legal Implications above), it is proposed that the Council adjourn the meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote (Indicative Voting Process) to determine the preferred person for the position of Deputy Mayor.

As the Indicative Voting Process involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council Committee, it is an Information or Briefing Session for the purposes of s90A and the *Information or Briefing Sessions Policy* (the Policy). As an Information or Briefing Session, the Chief Executive will conduct the session in accordance with the Policy.

The proposed Indicative Vote Process below is based on the Appointments to Positions Process contained in Clause 4.7 Council's *Code of Practice for Council Meeting Procedures* with modifications to suit the legislative requirements of the conflict of interest and Information or Briefing Session provisions and section 51(8) of the Local Government Act.

The proposed Indicative Voting Process is:

1. On reaching the Agenda item, and prior to any motion being moved, the Mayor enquires as to how many members intend to nominate for the position of Deputy Board Member;
2. if only one (1) elected member or staff member indicates their candidacy, that member will declare a material conflict of interest and leave the meeting, whilst the Mayor invites a motion to appoint that member to the position (Decision 1);
3. the meeting will then deal with the motion;
4. if there are two (2) or more candidates, the Mayor will call for a formal motion to adjourn the meeting, until the conclusion of an informal secret ballot process (Decision 2);
5. once the meeting is adjourned, the Chief Executive Officer (or their delegate) will ask for confirmation of the candidates;
6. The method of voting will be by secret ballot utilising the preferential counting system;
7. Each Council Member (including the Mayor) shall have one vote;
8. Ballot papers will be provided to each Member;
9. The nominees' names will be drawn to determine the order on the ballot paper;
10. Each nominee will have two (2) minutes to speak in support of their candidacy. The speaking order will be as listed on the ballot paper.
11. Completed ballot papers will be collected by the Returning Officer and the count will be undertaken in a separate room with an observer (another Council staff member) present.

12. In the event of a tie, the result will be decided by the Returning Officer drawing lots, the candidate first drawn being the candidate excluded.
13. After all votes have been counted, the Returning Officer shall formally declare the result of the election.
14. The ballot papers will be shredded.

## 3. APPENDICES

Nil

# Correspondence for Noting

12 September 2025

Acting Mayor and Chief Executive Officer
Adelaide Hills Council
28 Onkaparinga Valley Road
WOODSIDE SA 5244
Email: mail@ahc.sa.gov.au

Dear Acting Mayor Daniell and Mr Greg Georgopoulos,

**SUBJECT: Invitation to Join Advocacy for the High Productivity Vehicle Network / Greater Adelaide Freight Bypass**

Your Council's commitment to advocating for the High Productivity Vehicle Network (HPVN), including the Greater Adelaide Freight Bypass (GAFB), is commendable. While individual councils have consistently demonstrated leadership on this issue, we believe our collective voice, representing thirty (30) councils across South Australia, will carry greater influence with both State and Federal Governments.

This strategic infrastructure project, developed by the Department for Infrastructure and Transport (DIT), proposes a corridor stretching from the South Australia-Victoria border to the South Australia-Western Australia border. Of particular significance is the GAFB, which would divert heavy vehicles away from residential suburbs in Adelaide, including Portrush, Cross and Glen Osmond Roads, and route them via Murray Bridge and Sedan.

Adelaide remains the only capital city in Australia where the National Heavy Vehicle Regulator's network runs directly through residential suburbs. This results in over 1,390,800 heavy vehicle movements annually through the City of Burnside alone - past schools, aged care homes, and community spaces.

The benefits of this project is substantial:

- Improved freight productivity through smarter logistics design.
- Enhanced safety for vulnerable road users.
- Reduced emissions and improved health outcomes for residents.
- Support for active transport through reduced congestion.

We are encouraged by recent developments, including:

- Inclusion of the HPVN/GAFB in the Greater Adelaide Regional Plan.
- A Federal Government commitment of $525 million over 10 years in the 2025/26 Budget.

We now seek a matching $525 million commitment from the State Government, or an additional commitment from the Federal Government, and believe a united voice across local government will strengthen this advocacy. We invite your Council to co-sign a joint letter to all relevant State and Federal Ministers and Department Heads (list attached). A draft of this shared correspondence is attached for your consideration.

Please let us know by Wednesday, 29 October 2025 if your Council is willing to join this important initiative.

Yours sincerely,

**Anne Monceaux**
Mayor

**Julia Grant**
Chief Executive Officer

Enc. 1. Proposed Joint Letter - Local Government Authorities Supporting HPVN / GAFB Project
2. List of Ministers and Departmental Heads

[DD Month] 2025

[Minister Name / Department Head]
[Role/Position]
[Street address]
[SUBURB  SA  Postcode]
[Email: email address]

Dear [Minister Name / Department Head],

**SUBJECT: Joint Advocacy for the High Productivity Vehicle Network / Greater Adelaide Freight Bypass**

We, the undersigned Mayors and Chief Executive Officers of thirty (30) South Australia Local Government Authorities, write to express our strong support for the High Productivity Vehicle Network (HPVN) and the Greater Adelaide Freight Bypass (GAFB) projects.

The GAFB is a critical component of the HPVN, designed to divert heavy freight vehicles away from residential suburbs in Adelaide to a purpose-built corridor via Murray Bridge and Sedan. This initiative will:

- Enhance national freight productivity.
- Improve safety for vulnerable road users.
- Reduce emissions and improve public health.
- Support active transport and community wellbeing.

Adelaide is currently the only capital city where the National Heavy Vehicle Regulator’s network runs through densely populated residential areas. Recent estimates suggest that the Greater Adelaide Freight Bypass (GAFB) will divert around 420,000 trucks per year from metropolitan Adelaide roads. This equates to approximately one truck per minute, a significant pressure on key corridors such as Portrush Road, Glen Osmond Road, Cross Road, and the South Eastern Freeway, impacting schools, aged care homes, and community spaces.

We commend the Federal Government's commitment of $525 million over ten (10) years in the 2025/26 Budget and acknowledge the State Government's recognition of the project as a priority. We now call on both levels of government to commit to full and coordinated funding to ensure the complete delivery of this transformative infrastructure initiative, and:

1. Proceed with the HPVN and GAFB project as a priority;
2. Fully fund the initiative through matched State and Federal contributions; and
3. Engage with local governments and communities throughout the planning and implementation phases.

This is a transformative opportunity to enhance freight logistics, improve community safety, and deliver better environmental outcomes across South Australia.

Yours faithfully,

**Acting Mayor Nathan Daniell**
Adelaide Hills Council

**Mr Greg Georgopoulos**
Adelaide Hills Council

**Mayor Jillian Whittaker**
Campbelltown City Council

**Mr Paul Di Iulio**
Campbelltown City Council

**Lord Mayor Jane Lomax-Smith**
City of Adelaide

**Mr Michael Sedgman**
City of Adelaide

**Mayor Anne Monceaux**
City of Burnside

**Ms Julia Grant**
City of Burnside

**Mayor Angela Evans**
City of Charles Sturt

**Mr Paul Sutton**
City of Charles Sturt

**Mayor Amanda Wilson**
City of Holdfast Bay

**Ms Pamela Jackson**
City of Holdfast Bay

**Mayor Kris Hanna**
City of Marion

**Mr Tony Harrison**
City of Marion

**Mayor Heather Holmes-Ross**
City of Mitcham

**Mr Matthew Pears**
City of Mitcham

**Mayor Robert Bria**
City of Norwood Payneham & St Peters

**Mr Mario Barone**
City of Norwood Payneham & St Peters

**Mayor Moira Were**
City of Onkaparinga

**Mr Phu Nguyen**
City of Onkaparinga

**Mayor Glenn Docherty**
City of Playford

**Mr Sam Green**
City of Playford

**Mayor Claire Boan**
City of Port Adelaide Enfield

**Mr Mark Withers**
City of Port Adelaide Enfield

**Mayor Matt Larwood**
City of Prospect

**Mr Chris White**
City of Prospect

**Mayor Gillian Aldridge**
City of Salisbury

**Mr John Harry**
City of Salisbury

**Mayor Marijka Ryan**
City of Tea Tree Gully

**Mr Ryan McMahon**
City of Tea Tree Gully

**Mayor Michael Hewitson**
City of Unley

**Mr Peter Tsokas**
City of Unley

**Mayor Michael Coxon**
City of West Torrens

**Mr Angelo Catinari**
City of West Torrens

**Mayor Melissa Jones**
Corporation of the Town of Walkerville

**Dr Andrew Johnson**
Corporation of the Town of Walkerville

**Mayor Keith Parkes**
Alexandrina Council

**Mr Nigel Morris**
Alexandrina Council

**Mayor Ella Winnall**
Berri Barmera Council

**Mr Tim Pfeiffer**
Berri Barmera Council

**Mayor Dr Moira Jenkins**
City of Victor Harbor

**Ms Victoria MacKirdy**
City of Victor Harbor

**Mayor Trevor (Nobby) Norton**
District Council of Loxton Waikerie

**Mr David Beaton**
District Council of Loxton Waikerie

**Mayor Darryl Houston**
District Council of Yankalilla

**Mr Nathan Cunningham**
District Council of Yankalilla

**Acting Mayor Bill O'Brien**
Light Regional Council

**Mr Richard Dodson**
Light Regional Council

**Mayor Simone Bailey**
Mid Murray Council

**Mr Ben Scales**
Mid Murray Council

**Mayor Lynette Martin**
Mount Barker District Council

**Ms Sarah Philpott**
Mount Barker District Council

**Mayor Peter Hunter**
Renmark Paringa Council

**Mr Tony Siviour**
Renmark Paringa Council

**Mayor Michael (Bim) Lange**
The Barossa Council

**Mr Martin McCarthy**
The Barossa Council

**Mayor Wayne Thorley**
The Rural City of Murray Bridge

**Ms Heather Barclay**
The Rural City of Murray Bridge

**Acting Mayor Nathan Shanks**
Town of Gawler

**Mr Chris Cowley**
Town of Gawler

**High Productivity Vehicle Network (HPVN) / Greater Adelaide Freight Bypass (GAFB)**

**Councils Joint Advocacy Letter**

# List of Ministers and Departmental Heads

Hon. Tom Koutsantonis MP
Minister for Infrastructure and Transport

Hon. Stephen Mullighan MP
Minister for Police (with responsibility for road safety)

Hon. Clare Scriven MLC
Minister for Primary Industries and Regional Development

Hon. Nick Champion MP
Minister for Planning

Hon. Catherine King MP
Minister for Infrastructure, Transport, Regional Development and Local Government

Hon. Kristy McBain MP
Minister for Regional Development, Local Government and Territories

Senator the Hon. Anthony Chisholm MP
Assistant Minister for Regional Development

Mr. Jon Whelan
Chief ExecutiveDepartment of Infrastructure and Transport

Mr. Craig Holden
ChairpersonState Planning Commission

63 Mount Barker Road
Stirling SA 5152
Phone: 08 8408 0400
Fax: 08 8389 7440
mail@ahc.sa.gov.au
**www.ahc.sa.gov.au**

8 October 2025

ATT: Mayor and Chief Executive Officer
City of Burnside
PO Box 9
GLENSIDE SA 5065

Via email: bhatswell@burnside.sa.gov.au

Dear Mayor Monceaux and Ms Julia Grant,

**Subject: Response to invitation to Join Advocacy for the High Productivity Vehicle Network / Greater Adelaide Freight Bypass**

Following your letter of invitation received on 12 September 2025, Adelaide Hills Council's writes to convey its full support and endorsement of the Greater Adelaide Freight Bypass Initiative which has formed part of Council's priority projects for serval years. We welcome the opportunity to work in collaboration with thirty (30) SA Local Government Authorities for the timely completion and the necessary resources to implement this important project of regional significance and be prepared to co-sign a joint letter of advocacy for State and Federal funding.

At the Ordinary Council meeting on 22 April 2025, Adelaide Hills Council resolved the following:

**MOTION AS VARIED**

**Moved Cr Leith Mudge**
**S/- Cr Mark Osterstock** **129/25**

**Council:**

1. **Welcomes the commitment of both Federal Government and Opposition parties to funding for the High Productivity Vehicle Network Project which includes funding for a Greater Adelaide Freight Bypass. This includes an allocation in the recent Federal budget towards this project.**

2. **Notes that the Greater Adelaide Freight Bypass has the potential to reduce large freight vehicles by a significant amount down the South Eastern Freeway, Portrush, Glen Osmond and Cross Roads, including areas that pass through and/or are used by Adelaide Hills Council residents and businesses.**

3. **Notes that a reduction of large freight vehicles along the Freeway, Portrush, Glen Osmond and Cross Roads will reduce congestion, accidents and noise while improving safety for all road users.**

4. **Directs the Acting Mayor and CEO to write to other greater eastern Adelaide councils that will benefit from this project including the District Council of Mt Barker, City of Burnside, City of Unley and City of Norwood, Payneham and St Peters, asking them to join with us in advocating for the completion of this project.**

5. **Directs the Acting Mayor and CEO to write to the Prime Minister, Federal Leader of the Opposition, Federal Minister for Transport and Infrastructure, Premier, State Minister for Transport and Infrastructure, State Leader of the Opposition, Federal Member for Mayo and candidates, and State Members for Heysen and Kavel, and the Local Government Association and Southern and Hills Local Government Association informing them of Council's support for the Greater Adelaide Freight Bypass and asking them to provide advocacy and resources necessary for the completion of this project.**

6. **Provides material on the Council website for residents and businesses on the scope and benefits of this project for the Adelaide Hills Council district.**

**Carried Unanimously**

Please contact our Executive Assistant, Brittany Priwer at bpriwer@ahc.sa.gov.au or 08 8408 0400 to arrange signatures accordingly.

Yours sincerely

**Greg Georgopoulos**
**Chief Executive Officer**
**Adelaide Hills Council**

**Nathan Daniell**
**Acting Mayor**
**Adelaide Hills Council**

DeanNewbery

Chartered Accountants

HEAD OFFICE
214 Melbourne Street
North Adelaide SA 5006

PO Box 755
North Adelaide SA 5006

T: (08) 8267 4777
www.deannewbery.com.au

Dean Newbery
ABN: 48 007 865 081

7 August 2025

Mr Peter Brass
Chair – Audit & Risk Committee
Gawler River Floodplain Management Authority

Dear Mr Brass

**RE: External Audit Management Letter - Financial Year Ended 30 June 2025**

We are pleased to report that we have completed our external audit of the Gawler River Floodplain Management Authority (**Authority**) for the financial year ended 30 June 2025.

The purpose of this report is to provide members the Audit & Risk Committee a summary of the significant matters that have arisen from our audit which we believe covers material matters dealt within our work completed.

As at the time of preparing this report, we have completed a sufficient level of work to enable us to provide you with our expected audit opinion subject to finalisation of the outstanding matters outlined within this report.

We are pleased to report that we expect to issue an unmodified audit report subject to the successful completion of the outstanding matters noted.

## 1. Executive Summary

### 1.1 Scope

The audit procedures have been designed and carried out by the audit team in accordance with Australian Auditing Standards and per the audit scope prescribed under the *Local Government Act 1999* and applicable Regulations for the financial year ended 30 June 2025.

### 1.2 Audit Status

All requested audit adjustments have been processed and disclosures within the financial report appropriately modified based on audit testing completed.

All requested information has been provided by the Administration during the course of the audit.

Subject to the finalisation of the matters outlined in this report, our audit opinion for the financial year ended 30 June 2025 will be signed without reference to any qualification.

### 1.3 Independence

In accordance with our professional ethical requirements, we confirm that for the financial year ended 30 June 2025, all members of our audit team have maintained their independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Part 4A, published by the Accounting Professional and Ethical Standards Board and in accordance with *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011.*



Liability limited by a scheme approved under Professional Standards Legislation

### 1.4 Outstanding Matters

Subject to the following work being satisfactorily completed, we expect an unmodified audit opinion to be issued for the financial year:

- Undertake a review of the Confidential Items Register.
- Undertake a review of the Solicitors Representation Letter.
- Undertake a review of subsequent events since balance date.
- Obtain certified financial statements as required.
- Receipt of the signed Management Representation Letter.

## 2. Summary of Misstatements

Audit procedures did not identify any material misstatements.

## 3. Key Audit Matters Considered

### 3.1 Management Override of Internal Controls

The Australian Auditing Standards mandate that the external auditor must assume there is a risk that the Authority's Administration can override internal controls, even those that appear to be functioning effectively, leading to potential manipulation of accounting records.

The following audit work was undertaken:

- Review and observation of controls in operation to assess whether controls are operating effectively as intended throughout the period.
- Perform analytical reviews and recalculation of transactions.
- Test the appropriateness of journal entries processed to prepare the financial statements.
- Review of accounting estimates and assumptions applied to the preparation of those estimates to evaluate its appropriateness and relevance.

No matters were identified during the course of our audit as a result of sample testing conducted.

### 3.2 Accounting for Grant Income

The following audit work was undertaken:

- Examined the key assumptions used in recognising and treating grant income to ensure it is appropriately recognised and classified (e.g. operating versus capital) in accordance with *AASB 1058 Income of Not-for-Profit Entities* and the Model Financial Statements.

Our audit procedures have not identified any material misstatements.

### 3.3 Budget Review – Compliance with Regulations

Audit procedures identified the following:

- Regulation 10 – Report on the financial results - the Authority did not prepare a report showing the audited financial results of each item shown in the statement of comprehensive income and balance sheet of the budgeted financial statements for the previous year compared with the estimated financial results set out in the budget presented in a manner consistent with the Model Financial Statements for the 2023/24 financial year.

- Regulation 9 – Budget Review 3 – The budget review was adopted on 19/06/2025 which is past the statutory deadline date being 30/05/2025.

The non-compliance matters noted above are deemed minor and recommend that the Board and Audit & Risk Committee note these matters so that they can be address moving forward.

## 4. Other Matters for Those Charged with Governance and Management

### 4.1 Risk Assessment Review – Insurance Cover Options

Our review of the insurance cover held by the Authority identified that the Dam asset may not be insured for reinstatement in the event of damage, failure, and/or natural disaster – or for third party property damage.

Given the critical nature of the asset and the potential consequences of a seriously adverse event, we recommend that the Board and the Audit & Risk Committee assess insurance options to ensure that risks are appropriately considered.

A risk-based assessment should clearly identify a formal 'cost benefit' considered approach to available market placed options.

### Conclusion

I would like to thank the Authority's Administration for the assistance provided during the course of the financial year.

Should you require further information, please contact me on 8267 4777 or samanthac@deannewbery.com.au.

Yours sincerely
**DEAN NEWBERY**



**Samantha Creten**
**Director**

**C.** Executive Officer

## GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

## ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 June 2025
## CERTIFICATION OF FINANCIAL STATEMENTS

We have been authorised by the Gawler River Floodplain Management Authority to certify the financial statements in their final form.

In our opinion:

- the accompanying financial statements comply with the Local Government Act 1999, Local Government (Financial Management) Regulations 2011 and Australian Accounting Standards.
- the financial statements present a true and fair view of the Authority's financial position at 30 June 2025 and the results of its operations and cash flows for the financial year.
- internal controls implemented by the Authority provide a reasonable assurance that the Authority's financial records are complete, accurate and reliable and were effective throughout the financial year.
- the financial statements accurately reflect the Authority's accounting and other records.

.....

David Hitchcock

EXECUTIVE OFFICER

28/8/2025

.....

Lino Di Lernia

CHAIRMAN

28/8/2025

## GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

## ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 June 2025

### CERTIFICATION OF AUDITOR INDEPENDENCE

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of the Gawler River Floodplain Management Authority for the year ended 30 June 2025 the Authority's Auditor Dean Newbery and Partners has maintained its independence in accordance with the requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.

.....

David Hitchcock

EXECUTIVE OFFICER

.....

Peter Brass

PRESIDING MEMBER AUDIT and RISK COMMITTEE

.....

Lino Di Lernia

CHAIRMAN

# GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

## STATEMENT OF COMPREHENSIVE INCOME
### for the year ended 30 June 2025

| | Notes | 2025 $ | 2024 $ |
|---|---|---|---|
| **INCOME** | | | |
| Subscriptions | 4 | **416,922** | 289,386 |
| Investment income | | **1,426** | 762 |
| State Government Grants | 3 | **85,094** | - |
| Other Income | | **-** | 270,520 |
| **Total Income** | | **503,442** | 560,668 |
| | | | |
| **EXPENSES** | | | |
| Contractual Services | 5 | **175,815** | 421,404 |
| Finance Charges | | **6,439** | 23,069 |
| Depreciation | 1(e), 9 | **706,098** | 706,099 |
| Other | | **44,681** | 31,955 |
| **Total Expenses** | | **933,033** | 1,182,526 |
| | | | |
| **OPERATING SURPLUS / (DEFICIT)** | | **(429,591)** | (621,858) |
| | | | |
| **NET SURPLUS / (DEFICIT)** | | **(429,591)** | (621,858) |
| | | | |
| **Other Comprehensive Income** | | | |
| *Amounts which will not be reclassified subsequently to operating result* | | | |
| Changes in revaluation surplus - infrastructure, property, plant & equipment | 1(e), 9 | **-** | 21,699,347 |
| **Total Other Comprehensive Income** | | **-** | 21,699,347 |
| **TOTAL COMPREHENSIVE INCOME** | | **(429,591)** | 21,077,489 |

This Statement is to be read in conjunction with the attached Notes.

## GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

## STATEMENT OF FINANCIAL POSITION
### as at 30 June 2025

| | Notes | 2025 $ | 2024 $ |
|---|---|---|---|
| **ASSETS** | | | |
| **Current Assets** | | | |
| Cash and cash equivalents | 1(d) | **24,685** | 41,309 |
| Trade and Other Receivables | | **53,433** | 210,404 |
| **Total Current Assets** | | **78,118** | 251,713 |
| **Non-current Assets** | | | |
| Infrastructure, property, plant & equipment | 1(e) 9 | **41,900,845** | 42,606,943 |
| **Total Non-current Assets** | | **41,900,845** | 42,606,943 |
| **Total Assets** | | **41,978,963** | 42,858,657 |
| **LIABILITIES** | | | |
| **Current Liabilities** | | | |
| Trade & other payables | | **99,485** | 201,605 |
| Borrowings | 1(g) | **5,404** | 353,388 |
| **Total Liabilities** | | **104,890** | 554,993 |
| **NET ASSETS** | | **41,874,073** | 42,303,664 |
| **EQUITY** | | | |
| Accumulated Surplus | | **11,509,753** | 11,939,344 |
| Asset Revaluation Reserves | 1(e) | **30,364,320** | 30,364,320 |
| **TOTAL EQUITY** | | **41,874,073** | 42,303,664 |

This Statement is to be read in conjunction with the attached Notes.

## GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

## STATEMENT OF CHANGES IN EQUITY
**as at 30 June 2025**

| **2025** | Notes | **Accumulated Surplus** $ | **Asset Revaluation Reserve** $ | **TOTAL EQUITY** $ |
|---|---|---|---|---|
| Balance at end of previous reporting period | | **11,939,344** | **30,364,320** | **42,303,664** |
| Restated opening balance | | **11,939,344** | **30,364,320** | **42,303,664** |
| **Net Surplus / (Deficit) for Year** | | **(429,591)** | **-** | **(429,591)** |
| **Other Comprehensive Income** | | | | |
| Gain on revaluation of infrastructure, property, plant & equipment | | **-** | **-** | **-** |
| Transfers between reserves | | **-** | **-** | **-** |
| **Balance at end of period** | | **11,509,753** | **30,364,320** | **41,874,073** |

| **2024** | | | | |
|---|---|---|---|---|
| Balance at end of previous reporting period | | 12,561,202 | 8,664,973 | 21,226,175 |
| Restated opening balance | | 12,561,202 | 8,664,973 | 21,226,175 |
| **Net Surplus / (Deficit) for Year** | | (621,858) | - | (621,858) |
| **Other Comprehensive Income** | | | | |
| Gain on revaluation of infrastructure, property, plant & equipment | | - | 21,699,347 | 21,699,347 |
| **Balance at end of period** | | 11,939,344 | 30,364,320 | 42,303,664 |

This Statement is to be read in conjunction with the attached Notes

## GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

## STATEMENT OF CASHFLOWS
**as at 30 June 2025**

| | Notes | **2025** **$** | 2024 $ |
|---|---|---|---|
| **CASH FLOWS FROM OPERATING ACTIVITIES** | | | |
| Receipts | | | |
| Subscriptions | | **416,922** | 305,428 |
| State Government Grants | | **165,482** | - |
| Other Income | | **11,044** | 275,151 |
| Interest Receipts | | **1,354** | 811 |
| Payments | | | |
| Contractual Services | | | |
| Materials, contracts & other expenditure | | **(251,426)** | (459,576) |
| Finance Charges | | **(12,016)** | (22,979) |
| **Net Cash provided by (or used in) Operating Activities** | 8 | **331,360** | 98,835 |
| **CASH FLOWS FROM INVESTING ACTIVITIES** | | | |
| Payments | | | |
| Expenditure on renewal/replacement of assets | | **-** | - |
| **Net Cash provided by (or used in) Investing Activities** | | **-** | - |
| **CASH FLOWS FROM FINANCING ACTIVITIES** | | | |
| Receipts | | | |
| Proceeds from borrowings | | **-** | - |
| Payments | | | |
| Repayments of borrowings | | **(347,983)** | (87,021) |
| **Net Cash provided by (or used in) Financing Activities** | | **(347,983)** | (87,021) |
| **Net Increase (Decrease) in cash held** | | **(16,623)** | 11,814 |
| Cash & cash equivalents at beginning of period | | **41,309** | 29,496 |
| **Cash & cash equivalents at end of period** | 8 | **24,685** | 41,309 |

This Statement is to be read in conjunction with the attached Notes

# Gawler River Floodplain Management Authority
# Notes to and forming part of the Financial Statements
# for the year ended 30 June 2025

## Note 1 – Summary of Material Accounting Policy Information

### a) The Local Government Reporting Entity

This general purpose financial report has been prepared in accordance with Australian Accounting Standards as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board, Interpretations and relevant South Australian legislation.

The Gawler River Floodplain Management Authority is a Regional Subsidiary under Section 43 and Schedule 2 of the Local Government Act 1999. The Constituent Councils are the Adelaide Hills Council, The Barossa Council, Town of Gawler, Light Regional Council, Adelaide Plains Council and The City of Playford.

All funds received and expended by the Authority have been included in the financial statements forming part of this financial report.

### b) Basis of Accounting

This financial report has been prepared on an accrual basis and is based on historical costs and does not take into account changing money values, or except where specifically stated, current valuation of non-current assets.

### c) Employees

The Authority has no employees.

### d) Cash

For purposes of the statement of cash flows, cash includes cash deposits which are readily convertible to cash on hand and which are used in the cash management function on a day to day basis, net of outstanding bank overdraft.

### e) Infrastructure Assets

**Initial Recognition**

All assets are initially recognised at cost. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. All non-current assets purchased or constructed are capitalised as the expenditure is incurred and depreciated as soon as the asset is held “ready for use”. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition, including architects' fees and engineering design fees and all other costs incurred. The cost of non-current assets constructed by the Authority includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

***Infrastructure Dam***

The Bruce Eastick North Para Flood Mitigation Dam was constructed in 2007. The valuation includes all materials, contractor’s costs plus costs incidental to the acquisition, including engineering design and supervision fees and all other costs incurred.

***Land***

Land includes the land on which the dam is constructed, rights of way access to the land and ‘right to flood’ easements over the land upstream from the dam that will be inundated by dam waters for short periods of time during a flood event. Additional Land surrounding the dam was purchased in 2017/18 and was revalued by North Projects Pty Ltd as at 1 July 2023.

**Subsequent Recognition**
All material asset classes are revalued on a regular basis such that the carrying values are not materially different from fair value. Significant uncertainties exist in the estimation of fair value of a number of asset classes including land and infrastructure. Further detail of these uncertainties, and of existing valuations, methods and valuers are provided below.

The Board sought an independent valuation to be applied as at 1st July 2023, of the Bruce Eastick North Para Flood Mitigation Dam. The Board recognises that the dam is a unique infrastructure. The Board sought the advice of North Projects Pty Ltd, who provided a replacement cost valuation based on the actual construction contract costs, including some 'owner's costs' which would be incurred in the event of a replacement being necessary. In accordance with Accounting Standard (AASB)13 Fair Value Measurement, the valuation was undertaken as at 1 July 2023 and recorded as a level 3 restricted asset valuation. The next Valuation is scheduled to be undertaken in 2028/2029. Fair value level 3 valuations of buildings, infrastructure and other assets – There is no known market for these assets and they are valued at depreciated current replacement cost.

The method involves:
The determination of the cost to construct the asset (or its modern engineering equivalent) using current prices for materials and labour, the quantities of each being estimated based on recent experience of this or similar Councils, or on industry construction guides where these are more appropriate. The calculation of the depreciation that would have accumulated since original construction using current estimates of residual value and useful life under the straight line depreciation method adopted by the Authority. The method has significant inherent uncertainties, relying on estimates of quantities of materials and labour, residual values and useful lives, and the possibility of changes in prices for materials and labour, and the potential for development of more efficient construction techniques.

**Depreciation**
Other than land, all infrastructure, property, plant and equipment assets recognised are systematically depreciated over their useful lives on a straight-line basis which, in the opinion of the Authority, best reflects the consumption of the service potential embodied in those assets.

Depreciation methods, useful lives and residual values of classes of assets are reviewed annually.

Major depreciation periods for each class of asset are listed below. Depreciation periods for infrastructure assets have been estimated based on the best information available to the Authority, but appropriate records covering the entire life cycle of these assets are not available, and extreme care should be used in interpreting financial information based on these estimates.

*Asset Classes*

- Bruce Eastick North Para Flood Mitigation Dam 80 years.
- Dam Renewals/improvements 15 years.
- Access Road 15 years.

**Impairment**

Assets whose future economic benefits are not dependent on the ability to generate cash flows, and where the future economic benefits would be replaced if the Authority were deprived thereof, are not subject to impairment testing. Other assets that are subject to depreciation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount (which is the higher of the present value of future cash inflows or value in use). Where an asset that has been revalued is subsequently impaired, the impairment is first offset against such amount as stands to the credit of that class of assets in Asset Revaluation Reserve, any excess being recognised as an expense.

An impairment has occurred due to the revaluation of Land in 2023.

**f) Revenue**

The Authority recognises revenue under AASB 1058 Income of Not-for-Profit Entities (AASB 1058) or AASB 15 Revenue from Contracts with Customers (AASB 15) when appropriate.

In cases where there is an 'enforceable' contract with a customer with 'sufficiently specific' performance obligations, the transaction is accounted for under AASB 15 where income is recognised when (or as) the performance obligations are satisfied (i.e. when it transfers control of a product or service to a customer). Revenue is measured based on the consideration to which the Authority expects to be entitled in a contract with a customer.

In other cases, AASB 1058 applies when a not-for-profit (NFP) entity enters into transactions where the consideration to acquire an asset is significantly less than the fair value of the asset principally to enable the entity to further its objectives. The excess of the asset recognised (at fair value) over any 'related amounts' is recognised as income immediately, except in the case where a financial asset has been received to enable the authority to acquire or construct a recognisable non-financial asset that is to be controlled by the authority. In this case, the authority recognises the excess as a liability that is recognised over time in profit and loss when (or as) the entity satisfies its obligations under the transfer.

Revenue from the Subscriptions is recognised upon the delivery of the service to customers.

Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets.

Revenue is stated net of the amount of goods and services tax (GST).

**g) Borrowings**

Borrowings are initially recognised at fair value, net of transaction costs incurred and are subsequently measured at amortised cost. Any difference between the proceeds (net of transaction costs) and the redemption amount is recognised in the income statement over the period of the borrowings using the effective interest method.

Borrowings are carried at their principal amounts which represent the present value of future cash flows associated with servicing the debt. Interest is accrued over the period to which it relates, and is recorded as part of "Payables"

Internal lending is used to offset the outstanding balance of the Cash Advance Debenture (CAD) facility if this had not been utilised in the financial year the balance of the CAD at the 30/6/25 would have been $303,388.

### l) Economic Dependence

The Gawler River Floodplain Management Authority (GRFMA) was formed as a Regional Subsidiary under Section 43 and Schedule 2 of the Local Government Act 1999 in August 2002, by a Charter that was amended and published in The South Australian Government Gazette on 27th February 2020 at page 474.

The Gawler River Floodplain Management Authority (GRFMA) is dependent upon subscriptions levied on the Constituent Councils in accordance with Clause 10.2 of the Charter to fund the construction, operation and maintenance of flood mitigation infrastructure of the Authority which it owns and manages.

# Gawler River Floodplain Management Authority
# Notes to and forming part of the Financial Statements
# for the year ended 30 June 2025

### Note 2 - Schedule of Constituent Council's Interest in Net Assets as at 30th June 2025
### Prepared to meet the requirements of Clause 16.6 of the Charter

"The 'Schedule of Constituent Councils' Interests in Net Assets' will reflect the proportionate contribution each Constituent Council has made to the growth of the net assets of the Authority having regard to the proportionate contribution to subscriptions. The Schedule when updated by the Board at the end of each financial year will reflect the proportionate contribution of each Constituent Council since the commencement of the Authority and once accepted by each Constituent Council will be evidence of the agreed proportion of a Constituent Council's interests in the net assets as at 30 June in that year."

For the purposes of this Clause all subscriptions by Constituent Councils have been included.

**Calculation of Net Equity**

| | |
|---|---|
| **Assets** | |
| Investments / Debtors | $ 78,118 |
| Infrastructure, property plant & Equipment | $ 41,900,845 |
| | **$ 41,978,963** |
| **Less Liabilities** | |
| Accounts Payable / Creditors | $ 99,485 |
| Borrowings | $ 5,404 |
| **NET EQUITY** | **$ 41,874,073** |

**Allocation of Councils Interest in Net Assets**

| Constituent Councils | Accumulated Subscriptions for Operations to 30 June 2025 $ | Accumulated Subscriptions for Maintenance to 30 June 2025 $ | Accumulated Subscriptions for Scheme Works to 30 June 2025 $ | All Subscriptions to 30 June 2025 $ | Percentage of Contributions to the Total | **Council's Interests in Net Assets $** |
|---|---|---|---|---|---|---|
| Adelaide Hills Council | 325,048 | 8,766 | 76,527 | 410,341 | 5.97% | **2,500,504** |
| The Barossa Council | 325,048 | 43,912 | 383,250 | 752,210 | 10.95% | **4,583,760** |
| Town of Gawler | 325,048 | 87,784 | 765,408 | 1,178,240 | 17.15% | **7,179,868** |
| Light Regional Council | 325,048 | 43,912 | 383,250 | 752,210 | 10.95% | **4,583,760** |
| Adelaide Plains Council | 325,048 | 146,409 | 1,275,673 | 1,747,130 | 25.43% | **10,646,527** |
| City of Playford | 325,048 | 175,664 | 1,530,826 | 2,031,542 | 29.55% | **12,379,654** |
| | **1,950,292** | **506,447** | **4,414,934** | **6,871,673** | **100%** | **41,874,073** |

Schedule of Constituent Councils' Interests in Net Assets' as at the 30th June 2025 adopted by the Board in accordance with Clause 16.6 of the Charter on 28 August 2025.

### Note 3 - Functions / Activities of the Authority

a) Revenues and expenses have been attributed to the following functions / activities, descriptions of which are set out in Note b.

b) The activities of the Authority are categorised into the following function / activities:

**Administration:** The operations of the Authority and its Board

**Other Environment:** Flood Mitigation

c) Functions of the Gawler River Floodplain Management Authority (excluding depreciation and impairment)

| | | Revenue | | | Expenses | |
|---|---|---|---|---|---|---|
| | Year | Grants $ | Other $ | Total Revenue $ | Expenses Total $ | Surplus (Deficit) $ |
| Administration | 2025 | - | 278,798 | 278,798 | 118,227 | **160,571** |
| | 2024 | - | 150,490 | 150,490 | 102,537 | **47,953** |
| Other Environment: Flood Mitigation | 2025 | 85,094 | 139,550 | 224,644 | 108,708 | **115,936** |
| | 2024 | - | 410,178 | 410,178 | 373,890 | **36,288** |
| Total | 2025 | 85,094 | 418,348 | 503,442 | 226,935 | **276,507** |
| | 2024 | - | 560,668 | 560,668 | 476,427 | **84,241** |

### Note 4 - Subscriptions

The following subscriptions were levied on the Constituent Councils in accordance with Clause 10.2 of the Charter for the year:

| | Maintenance | | Operations | | TOTALS | |
|---|---|---|---|---|---|---|
| | **2025** | **2024** | **2025** | **2024** | **2025** | **2024** |
| Constituent Council | **$** | **$** | **$** | **$** | **$** | **$** |
| Adelaide Hills Council | **2,414** | **1,418** | **46,228** | **24,638** | **48,642** | **27,326** |
| The Barossa Council | **12,099** | **12,117** | **46,228** | **24,638** | **58,327** | **37,055** |
| Town of Gawler | **24,198** | **24,334** | **46,228** | **24,638** | **70,426** | **49,172** |
| Light Regional Council | **12,099** | **12,117** | **46,228** | **24,638** | **58,327** | **37,055** |
| Adelaide Plains Council | **40,330** | **40,390** | **46,228** | **24,638** | **86,558** | **65,328** |
| City of Playford | **48,410** | **48,485** | **46,232** | **24,638** | **94,642** | **73,420** |
| TOTAL | **139,550** | **139,758** | **277,372** | **149,628** | **416,922** | **289,386** |

### Note 5- Contractual Services

| | 2025 | 2024 |
|---|---|---|
| | $ | $ |
| Chairperson Honorarium | **20,400** | **14,032** |
| Executive Officer | **62,977** | **59,981** |
| Audit Committee | **2,600** | **3,250** |
| Audit Fees | **5,799** | **5,509** |
| Legal Fees | **-** | **1,545** |
| Consultancies | **18,427** | **47,687** |
| Business Case | **65,612** | **270,420** |
| Asset Valuations | **-** | **18,980** |
| Totals | **175,815** | **421,404** |

### Note 6 - Comparison of Budget and Actual Results (excluding depreciation)

| | 2025 | | 2024 | |
|---|---|---|---|---|
| | **Budget** | Actual | **Budget** | Actual |
| | **$** | $ | **$** | $ |
| Revenue | | | | |
| Administration | **278,341** | 278,798 | **151,514** | 150,490 |
| Other Environment: Flood Mitigation | **139,550** | 139,550 | **410,178** | 410,178 |
| State Grant | **156,000** | 85,094 | **146,000** | - |
| Total Revenue | **573,891** | 503,442 | **707,692** | 560,668 |
| | | | | |
| Expenditure | | | | |
| Administration | **117,315** | 118,227 | **105,073** | 102,537 |
| Other Environment: Flood Mitigation | **310,000** | 83,842 | **340,178** | 284,155 |
| Maintenance | **94,750** | 24,866 | **116,080** | 89,735 |
| Total Expenditure | **522,065** | 226,935 | **561,331** | 476,427 |
| Surplus (deficit) | **51,826** | 276,507 | **146,361** | 84,241 |

### Note 7 - Expenditure Commitment

i. GRFMA agreed to the engagement of David Hitchcock trading as LUVROK Pty Ltd to provide executive services to the GRFMA for the period 1 July 2023 through 31 December 2027.

# Gawler River Floodplain Management Authority
# Notes to and forming part of the Financial Statements
# for the year ended 30 June 2025

## Note 8 - Reconciliation Statement of Cash Flows

### (a) Reconciliation of Cash

Cash Assets comprise highly liquid investments with short periods to maturity subject to insignificant risk of changes of value. Cash at the end of the reporting period as shown in the Cash Flow Statement is reconciled to the related items in the Balance Sheet as follows:

| | 2025 | 2024 |
|---|---|---|
| | $ | $ |
| Total cash & equivalent assets | **24,685** | **41,309** |
| Balances per Cash Flow Statement | **24,685** | **41,309** |

### (b) Reconciliation of Change in Net Assets to Cash from Operating Activities

| | | |
|---|---|---|
| Net Surplus (Deficit) | **(429,591)** | **(475,858)** |
| Non-cash items in Income Statement | | |
| Depreciation, amortisation & impairment | **706,099** | **706,099** |
| | **276,508** | **230,241** |
| Add (Less): Changes in Net Current Assets | | |
| Net (increase) decrease in receivables | **156,971** | **(119,279)** |
| Net increase (decrease) in trade & other payables | **(102,120)** | **(12,127)** |
| **Net Cash provided by (or used in) operations** | **331,360** | **98,835** |

# Gawler River Floodplain Management Authority
# Notes to and forming part of the Financial Statements
# for the year ended 30 June 2025

## Note 9 - Non-Current Assets Summary

| | | 2025 | | | | 2024 | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Fair Value Level | **At Fair Value $** | **At Cost $** | **Accum Dep'n $** | **Carrying Amount $** | At Fair Value $ | At Cost $ | Accum Dep'n $ | Carrying Amount $ |
| Land and Easements | | **477,000** | **-** | **-** | **477,000** | 477,000 | - | - | 477,000 |
| Infrastructure - Dam | 3 | **53,559,054** | **-** | **(12,135,209)** | **41,423,845** | 53,559,054 | - | (11,429,110) | 42,129,944 |
| Total Infrastructure Property Plant & Equipment | | **54,036,054** | **-** | **(12,135,209)** | **41,900,845** | 54,036,054 | - | (11,429,110) | 42,606,944 |
| Comparatives | | 54,036,054 | - | (11,429,110) | 42,606,944 | 25,789,000 | 591,880 | (4,767,184) | 21,613,696 |

| | 2024 | Carying Amount Movements During the Year | | | | | | | 2025 |
|---|---|---|---|---|---|---|---|---|---|
| | | Additions | | | | | | | |
| | Carrying Amount $ | New / Upgrade $ | Renewals $ | Disposals $ | Depreciation $ | Impairment $ | Transfers $ | Net Valuation $ | Carrying Amount $ |
| Land and Easements | 477,000 | - | - | - | - | - | - | - | 477,000 |
| Infrastructure - Dam | 42,129,944 | - | - | - | (706,099) | - | - | - | 41,423,845 |
| Total Infrastructure Property Plant & Equipment | **42,606,944** | - | - | - | (706,099) | - | - | - | **41,900,845** |
| Comparatives | 21,613,696 | - | - | - | (706,099) | - | - | 21,699,347 | 42,606,944 |

## Note 10 - Financial Instruments

**All financial instruments are categorised as *loans and receivables.***

**Accounting Policies - Recognised Financial Instruments**

| | |
|---|---|
| **Bank, Deposits at Call, Short Term Deposits** | **Accounting Policy:** initially recognised at fair value and subsequently measured at amortised cost, interest is recognised when earned<br>**Terms & conditions:** Deposits are returning fixed interest rates between 4.15% and 4.55% (2024: 4.30% and 4.55%).<br>**Carrying amount:** approximates fair value due to the short term to maturity. |
| **Receivables** - Fees & other charges | **Accounting Policy:** initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method<br>**Terms & conditions:** Unsecured, and do not bear interest. Although the authority is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Authorities boundaries.<br>**Carrying amount:** approximates fair value (after deduction of any allowance). |
| **Liabilities** - Creditors and Accruals | **Accounting Policy:** Liabilities are recognised for amounts to be paid in the future for goods and services received, whether or not billed to the Authority.<br>**Terms & conditions:** Liabilities are normally settled on 30 day terms.<br>**Carrying amount:** approximates fair value. |
| **Liabilities** – Interest Bearing Borrowings | **Accounting Policy:** initially recognised at fair value and subsequently amortised cost, interest is charged as an expense using the effective interest rate.<br>**Terms & conditions:** secured over future revenues, borrowings are repayable; interest is charged at fixed or variable rates between 5.50% and 6.15% (2024: 6.05% and 6.15%).<br>**Carrying amount:** approximates fair value. |

**Liquidity Analysis**

| **2025** | Due < 1 year | Due > 1 year ≤ 5 years | Due > 5 years | Total Contractual Cash Flows | Carrying Values |
|---|---|---|---|---|---|
| **Financial Assets** | $ | $ | $ | $ | $ |
| Cash & Equivalents | **24,685** | **-** | **-** | **24,685** | **24,685** |
| Receivables | **53,433** | **-** | **-** | **53,433** | **53,433** |
| **Total** | **78,118** | **-** | **-** | **78.118** | **78,118** |
| **Financial Liabilities** | | | | | |
| Payables | **99,348** | **-** | **-** | **99,348** | **99,348** |
| Borrowings | **137** | **-** | **5,404** | **5,541** | **5,404** |
| **Total** | **99,485** | **-** | **5,404** | **104,889** | **104,752** |

| 2024 | Due < 1 year | Due > 1 year ≤ 5 years | Due > 5 years | Total Contractual Cash Flows | Carrying Values |
|---|---|---|---|---|---|
| **Financial Assets** | $ | $ | $ | $ | $ |
| Cash & Equivalents | **41,309** | **-** | **-** | **41,309** | **41,309** |
| Receivables | **210,404** | **-** | **-** | **210,404** | **210,404** |
| **Total** | **251,713** | **-** | **-** | **251,713** | **251,713** |
| **Financial Liabilities** | | | | | |
| Payables | **195,605** | **-** | **-** | **195,605** | **195,605** |
| Borrowings | **91,733** | **323,883** | **3,596** | **419,212** | **353,388** |
| **Total** | **287,338** | **323,883** | **3,596** | **614,817** | **548,993** |

The following interest rates were applicable to the Authority's Borrowings at balance date:

| | 2025 | | 2024 | |
|---|---|---|---|---|
| | Weighted Av Interest Rate | Carrying Value $ | Weighted Av Interest Rate | Carrying Value $ |
| Variable Interest Rates | **5.50%** | **5,404** | **6.15%** | **353,388** |
| | | **5,404** | | **353,388** |

**Risk Exposures:**

***Credit Risk*** represents the loss that would be recognised if counterparties fail to perform as contracted. The maximum credit risk on financial assets of the Authority is the carrying amount, net of any impairment. All Authority investments are made with the SA Local Government Finance Authority and are guaranteed by the SA Government. Exposure in relation to individual classes of receivables is concentrated within the Authorities boundaries, and there is no material exposure to any individual debtor.

***Market Risk*** is the risk that fair values of financial assets will fluctuate as a result of changes in market prices. All of the Authority's financial assets are denominated in Australian dollars and are not traded on any market, and hence neither market risk nor currency risk apply.

***Liquidity Risk*** is the risk that Authority will encounter difficulty in meeting obligations with financial liabilities. In accordance with the model Treasury Management Policy (LGA Information Paper 15), liabilities have a range of maturity dates.

***Interest Rate Risk*** is the risk that future cash flows will fluctuate because of changes in market interest rates. The Authority has a balance of both fixed and variable interest rate borrowings and investments. Cash flow fluctuations are managed holistically in seeking to minimise interest costs over the longer term in a risk averse manner.

### Note 11 Uniform Presentation of Financial Statements

The following is a high level summary of both operating and capital investment activities of the Authority prepared on a simplified Uniform Presentation Framework basis.

All Local Government Councils and Authorities have agreed to summarise annual budgets and long-term financial plans on the same basis.

The arrangements ensure that all Councils provide a common 'core' of financial information, which enables meaningful comparisons of each Authorities finances.

**GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY**

**UNIFORM PRESENTATION OF FINANCIAL STATEMENTS**

**as at 30 June 2025**

| | 2025 | 2024 |
|---|---|---|
| | $ | $ |
| **Income** | | |
| Subscriptions | **416,922** | 289,386 |
| Investment income | **1,426** | 762 |
| State Government Grants | **85,094** | |
| Other Income | | 270,520 |
| **Total Income** | **503,442** | **560,668** |
| | | |
| **Expenses** | | |
| Contractual Services | **175,815** | 421,404 |
| Finance Charges | **6,439** | 23,069 |
| Depreciation | **706,098** | 706,099 |
| Other | **44,681** | 31,955 |
| **Total Expenses** | **933,033** | **1,182,527** |
| **Operating Surplus / (Deficit)** | **(429,591)** | **(621,859)** |
| | | |
| **Less Net Outlays in Existing Assets** | | |
| Capital Expenditure on renewal and replacement of Exising Assets | - | - |
| Add back Depreciation Amortisation and Impairment | **706,098** | **706,099** |
| Add back proceeds from sale of replaced assets | - | - |
| | **706,098** | **706,099** |
| | | |
| **Less Net Outlays on New and Upgraded Assets** | | |
| Capital Expenditure on New and Upgraded Assets | - | - |
| Add back amounts specifically for new or upgraded assets | - | - |
| | - | - |
| | | |
| **Annual net impact to financing activities (surplus / (deficit))** | **276,508** | 84,240 |

### Note 12 – Contingencies & Assets & Liabilities not recognised in the Balance Sheet

There are no contingencies, asset or liabilities not recognised in the financial statements for the year ended 30 June 2025.

### Note 13 - Events Occurring After Reporting Date

There were no events subsequent to 30 June 2025 that need to be disclosed in the financial statements.

### Note 14 - Related Parties Disclosures

**Key Management Personnel**

The Key Management Personnel of the Gawler River Floodplain Management Authority (GRFMA) include the Chairman, Board Members, Deputy Board Members and Executive Officer.

Two KMP's own businesses from which Services were contracted. Total contracted services from these businesses was $83,377.

| | Amounts received from Related Party during the financial year | Amounts received from Related Party during the financial year |
|---|---|---|
| | 2025<br>$ | 2024<br>$ |
| Adelaide Hills Council | 53,506 | 57,551 |
| The Barossa Council | 64,160 | 97,983 |
| Town of Gawler | 77,469 | 135,505 |
| Light Regional Council | 84,540 | 77,602 |
| Adelaide Plains Council | 95,214 | 129,061 |
| City of Playford | 104,106 | 137,962 |
| **TOTAL** | **478,995** | **635,664** |

The Authority has been established for the following purposes:

1. To co-ordinate the construction, operation and maintenance of flood mitigation infrastructure for the Gawler River. This purpose is the core business of the Authority;
2. To raise finance for the purpose of developing, managing and operating and maintaining works approved by the board;
3. To provide a forum for the discussion and consideration of topics relating to the Constituent Council's obligations and responsibilities in relation to management of flood mitigation for the Gawler River;
4. Upon application of one or more Constituent Councils pursuant to clause 12.4:
    1. to coordinate the construction, maintenance and promotion and enhancement of the Gawler River and areas adjacent to the Gawler River as recreational open space for the adjacent communities: and
    2. to enter into agreements with one or more of the Constituent Councils for the purpose of managing and developing the Gawler River.

**From:** David Hitchcock
**To:** Georgie Mckeon
**Cc:** Zoe Gill
**Subject:** Re: Independent external auditor certification required for GRFMA 2024/2025 Financial Year Statements.
**Date:** Tuesday, 23 September 2025 1:45:43 PM
**Attachments:** image001.png
image002.png
image211771.png
Outlook-0ae1pfax.png

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Hi Georgie

The GRFMA Audit and Risk Committee has resolved

- *Risk Assessment Review – Insurance Cover Options for the Dam asset in the event of damage, failure, and/or natural disaster – or for third party property damage.* - The GRFMA Executive Officer to facilitate a risk-based assessment that incorporates a formal cost-benefit analysis of available market options.

Once this process is finalized a further report will be provided to the A&R Committee and the Board.

David E Hitchcock
Executive Officer
Gawler River Floodplain Management Authority
Mob 0407717368
eo@grfma.com

The Gawler River Floodplain Management Authority is established as a regional subsidiary pursuant to section 43 and Schedule 2 of the Local Government Act 1999 to co-ordinate the construction, operation and maintenance of flood mitigation infrastructure for the Gawler River. Constituent councils are City of Playford, Adelaide Plains Council,Town of Gawler, the Barossa Council, Light Reginal Council, Adelaide Hills Council.

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**From:** Georgie Mckeon <gmckeon@ahc.sa.gov.au>
**Sent:** Wednesday, September 17, 2025 11:13 AM
**To:** David Hitchcock <eo@grfma.com>
**Cc:** Zoe Gill <zgill@ahc.sa.gov.au>
**Subject:** RE: Independent external auditor certification required for GRFMA 2024/2025 Financial Year Statements.

Good morning David

A copy of your recent email regarding the annual certification of the GRFMA External Auditor's independence for the 2024/2025 financial year, along with the accompanying External Audit Management Letter from DeanNewbery, was forwarded to me for information.

In relation to the following passage from the letter:

**4. Other Matters for Those Charged with Governance and Management**

**4.1 Risk Assessment Review – Insurance Cover Options**

Our review of the insurance cover held by the Authority identified that the Dam asset may not be insured for reinstatement in the event of damage, failure, and/or natural disaster – or for third party property damage.

Given the critical nature of the asset and the potential consequences of a seriously adverse event, we recommend that the Board and the Audit & Risk Committee assess insurance options to ensure that risks are appropriately considered.

A risk-based assessment should clearly identify a formal 'cost benefit' considered approach to available market placed options.

Could you please advise what actions are being taken to address the insurance coverage issues raised in the audit? We're particularly seeking clarity on whether the under-insurance has been resolved, what the financial implications are for constituent councils, and whether any increase to council contributions is anticipated.

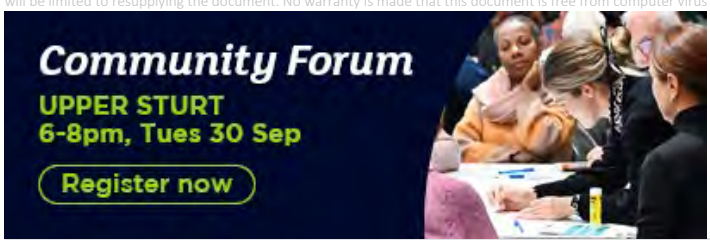
We will need to provide Council with advice if there is a financial risk.

Kind regards

Georgie

**Georgie Mckeon**
Policy Officer
8375 7905
gmckeon@ahc.sa.gov.au
ahc.sa.gov.au

Council acknowledges that we meet on the traditional Country of the Peramangk and Kaurna people. We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land.
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**From:** David Hitchcock <eo@grfma.com>
**Sent:** Tuesday, 2 September 2025 2:21 PM
**To:** Greg Georgopoulos <ggeorgopoulos@ahc.sa.gov.au>; James Miller <jcmiller@apc.sa.gov.au>; Martin McCarthy <mmccarthy@barossa.sa.gov.au>; Richard Dodson <rdodson@light.sa.gov.au>; Chris Cowley <chris.cowley@gawler.sa.gov.au>; Sam Green <sgreen@playford.sa.gov.au>
**Subject:** Independent external auditor certification required for GRFMA 2024/2025 Financial Year Statements.

Hello constituent council CEO's.

Local Government (Financial Management) Regulations 2011 Division 3—Independence of council auditor

This email relates to requirement for the Chief Executive Officer of each constituent council of the GRFMA to provide on an annual basis, a statement that provides certification of the independence of the GRFMA External Auditor.

This process was also previously undertaken for the 2023/2024 financial year processes.

**The certification process is now required for the purpose of the 2024/2025 Financial Year Statements.**

As there are six individual signatures required, I have engaged assistance from Ms. Patrica Coonan of Think Purple Solutions to facilitate a suitable digital document signature process that will facilitate all signatures on the required document.

Ms. Coonan patricia@thinkpurple.com.au will separately email you, in due process, with the digital document and relevant information .
Your signature will be required to be applied to the document Ms. Coonan will provide to you.

For your refence and clarity of process please find attached a copy of.

- External Audit Management Letter (GRFMA) by GRFMA Auditor DeanNewbery
- Certification of financial statements signed by GRFMA Chairman and GRFMA EO which includes(last page) the Auditor Independence Declaration, signed by GRFMA Chairman, Audit Committee Chairman and GRFMA EO.

Should you require any further information please contact me .

Regards David

*Local Government (Financial Management )Regulations 2011*

*Division 3—Independence of council auditor 22—Independence of council auditor (1) Subject to subregulation (2), a council, council subsidiary or regional subsidiary must not engage its auditor to provide services to the council outside the scope of the auditor's functions under the Act. (2) A council, council subsidiary or regional subsidiary may engage its auditor to certify that a grant or subsidy received by the council, council subsidiary or regional subsidiary (as the case may be) has been acquitted in accordance with any conditions required by the provider of the grant or subsidy. (3) The following persons must each provide, on an annual basis, a statement that provides a certification as to compliance for the relevant financial year with the requirement that the auditor be independent of the council, council subsidiary or regional subsidiary (as the case may be): (a) in a case involving a council or council subsidiary—the chief executive officer of the relevant council and the presiding member of the audit committee of the relevant body; (b) in a case involving a regional subsidiary— (i) the chief executive officer of each constituent council; and (ii) the chair of the board of management of the regional subsidiary; and 31.5.2018—Local Government (Financial Management) Regulations 2011 Audit—Part 6 Independence of council auditor—Division 3 Published under the Legislation Revision and Publication Act 2002 11 (iii) the presiding member of the audit committee of the regional subsidiary (unless the subsidiary is exempt from the requirement to have an audit committee)*

David E Hitchcock

Executive Officer
Gawler River Floodplain Management Authority
Mob 0407717368
eo@grfma.com




The Gawler River Floodplain Management Authority is established as a regional subsidiary pursuant to section 43 and Schedule 2 of the Local Government Act 1999 to co-ordinate the construction, operation and maintenance of flood mitigation infrastructure for the Gawler River. Constituent councils are City of Playford, Adelaide Plains Council,Town of Gawler, the Barossa Council, Light Reginal Council, Adelaide Hills Council.

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AHRWMA
ADELAIDE HILLS REGION WASTE MANAGEMENT AUTHORITY

30 September 2025

Greg Georgopoulos
Chief Executive Officer
Adelaide Hills Council
63 Mount Barker Road
STIRLING SA 5152
*(sent via email: ggeorgopoulos@ahc.sa.gov.au)*

**Re: AHRWMA Annual Report 2024-25**

Dear Greg,

I am pleased to present to you the Adelaide Hills Region Waste Management Authority Annual Report for the 2025 financial year.

The report is attached and can also be found on our website on the Governance page. The report gives a very high-level snapshot of the activities undertaken over the past year and coupled with the FY26 Business Plan, highlights strongly the diverse and high number of deliverables that the AHRWMA is committed to, in order to ensure our advancement and continued success for our valued member councils.

The report was adopted by the AHRWMA Board at its 25 September meeting and, as with last year, includes an appendix containing the Annual Report from the Authority's Audit and Risk Committee. While not required under the Act for Section 43 subsidiaries, the Committee chooses to provide this report to enhance accountability, transparency and align with new legislative standards.

I would welcome an opportunity, at a time suitable for yourself, to come and present to Elected Members on the activities and future vision of the Authority. Should you have any questions in relation to the Annual Report, or the activities more broadly of the Authority, please do not hesitate to reach out.

Regards

Rob Gregory
**Chief Executive Officer**

**Adelaide Hills Region Waste Management Authority**
**M** PO Box 519, Murray Bridge, SA, 5253
**T** (08) 8532 6385
**E** info@ahrwma.com
**www.ahrwma.com**

29 September 2025

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**W** ecsa.sa.gov.au

ABN 99 891 752 468

Greg Georgopoulos
Chief Executive Officer
Adelaide Hills Council

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

Dear Mr Georgopoulos

**Re: Adelaide Hills Council Supplementary Elections of 1 Councillor for Ranges Ward and 2 Councillors for Valleys Ward**

The council elections were conducted by post (and telephone assisted voting for blind and low vision electors, and electors who were interstate or overseas). Voting material comprising of ballot papers, candidate profiles, a postal voting guide, a ballot paper envelope containing the elector's declaration and return envelope were sent to electors, bodies corporate and groups whose names appeared on the certified voters roll.

Voting closed at 12 noon, Monday 22 September 2025 with the scrutiny and count for both elections commencing at 9:30am on Tuesday 23 September 2025 at 7 Hudson Court, Netley. Provisional declaration of the results for Ranges Ward occurred at 5:06pm, Tuesday 23 September 2025, and the provisional declaration of the results for Valleys Ward occurred at 5:58pm, Tuesday 23 September 2025.

In accordance with section 50 of the *Local Government (Elections) Act 1999* (the Act), I, Mick Sherry, Returning Officer, confirm the provisional declarations and certify the results for the elections, and declare Lisa Clare Woolcock elected to the position of Councillor for Ranges Ward, and Richard Gladigau and Alex Trescowthick elected to the position of Councillor for Valleys Ward.

All candidates will be notified in writing of the results of the election, and copies of the full scrutiny and count details are available on the ECSA website for Ranges Ward and Valleys Ward.

Public notice of the election results will be placed in the South Australian Government Gazette and the Mount Barker Courier.

If you have any questions, please contact my office via Electoral.Commissioner@sa.gov.au or on 08 7424 7400.

Yours sincerely

Mick Sherry
**RETURNING OFFICER**

# 2024 2025 ANNUAL REPORT



Adelaide Hills Council

Alexandrina

Mount Barker District Council

The Rural City of Murray Bridge

AHRWMA
Adelaide Hills Region Waste Management Authority



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# ABOUT AHRWMA

The Adelaide Hills Region Waste Management Authority (AHRWMA) is a Local Government Regional Subsidiary established by the Adelaide Hills Council, Alexandrina Council, Mount Barker District Council and Rural City of Murray Bridge, pursuant to Section 43 of the *Local Government Act, 1999*.

The AHRWMA's primary business activity is the operation of a landfill and management of two Resource Recovery centres, and continues to grow offering logistical, processing, sale of recovered materials, education, advice and contract management services to our Member Councils. Several 'client Councils' also utilise the services of AHRWMA, highlighting the high-quality and cost effective service offered and the broader commitment to provide a true regional partnership.




The AHRWMA operates a landfill facility, currently receiving over 56,000 tonnes of material annually, with approximately 43,000 tonnes being disposed to the active landfill cells. We have a strong focus to divert waste from landfill, extracting materials such as metals, construction and demolition waste, tyres and mattresses for processing and reuse.

The Brinkley and Heathfield Resource Recovery Centres receive and process more than 14,400 tonnes of material each year, with over 85% of the material successfully recovered and diverted from landfill – achieving a strong resource recovery rate and reducing environmental impact. Resources recovered include e-waste, chemical containers, polystyrene, cardboard, tyres, mattresses, green organics and concrete. We also receive household chemicals and batteries for environmentally appropriate storage, management and disposal.



**POPULATION**

# 138,874

5,047
**SQUARE KMS**

27.5
**PEOPLE PER SQUARE KM**

## OUR REGION

Light Regional Council
Adelaide Plains Council
The Barossa Council
Mid Murray Council
DC of Loxton Waikerie
Adelaide Hills Council
Mount Barker DC
Rural City of Murray Bridge
DC of Karoonda East Murray
City of Onkaparinga
Alexandrina Council
Southern Mallee DC
DC of Yankalilla
Coorong DC
Tatiara DC

**Current AHRWMA Constituent Councils**

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# FROM THE OUTGOING INDEPENDENT CHAIRPERSON

## Serving as the inaugural Independent Chair of AHRWMA over the last three years has been a privilege and a rewarding experience.

The Authority has grown in capability, confidence, ambition, and strategic clarity and with the delivery of the *Strategic Plan 2024–34* and the *Regional Education Plan 2024–29*, AHRWMA has clear, future-focused roadmaps to guide regional waste management, resource recovery, and community engagement for the decade ahead.

These plans are the product of sustained collaboration – between the Board, staff, Member Councils, and stakeholders. They reflect where AHRWMA aspires to be: innovative, collaborative, and a leader in the circular economy.

The Authority's achievements over the last three years have been possible due to having strong and committed leadership. I would like to acknowledge the significant contribution of Ms Leah Maxwell, who concluded her tenure as Executive Officer in late 2024 after over seven years in the Executive Officer role (including time in an acting capacity). Leah guided AHRWMA through a range of operational and strategic challenges with integrity, insight, and a firm resolve to deliver efficient, reliable, and cost-effective services to our Member Councils.

Leah's leadership laid the foundations for much of what has been achieved in recent years — from strengthened governance to AHRWMA's entry into the circular economy space, which is now the centrepiece of our new Strategic Plan. Her legacy is enduring, and AHRWMA is stronger for her efforts.

Over the past year, AHRWMA has delivered on numerous initiatives. The successful tender for hooklift truck services with Tatiara District Council marked a step forward in regional collaboration. The inaugural Strategy Day for Mayors and CEOs was another highlight — solidifying alignment and gaining commitment to the delivery of the strategy and for continued open dialogue on future challenges and shared opportunities.

AHRWMA also secured four Green Industries SA grants during the year, supporting infrastructure upgrades and site development planning. These successful applications reflect a proactive, well-aligned approach to planning and investment — and position AHRWMA to meet future regional needs with confidence.

Operationally, the business continues to deliver services effectively and efficiently, with prudent fiscal management and investment infrastructure needed to support long-term sustainability. Provisions for end-of-life landfill requirements have been independently verified and are now fully integrated into AHRWMA's long-term financial plan.

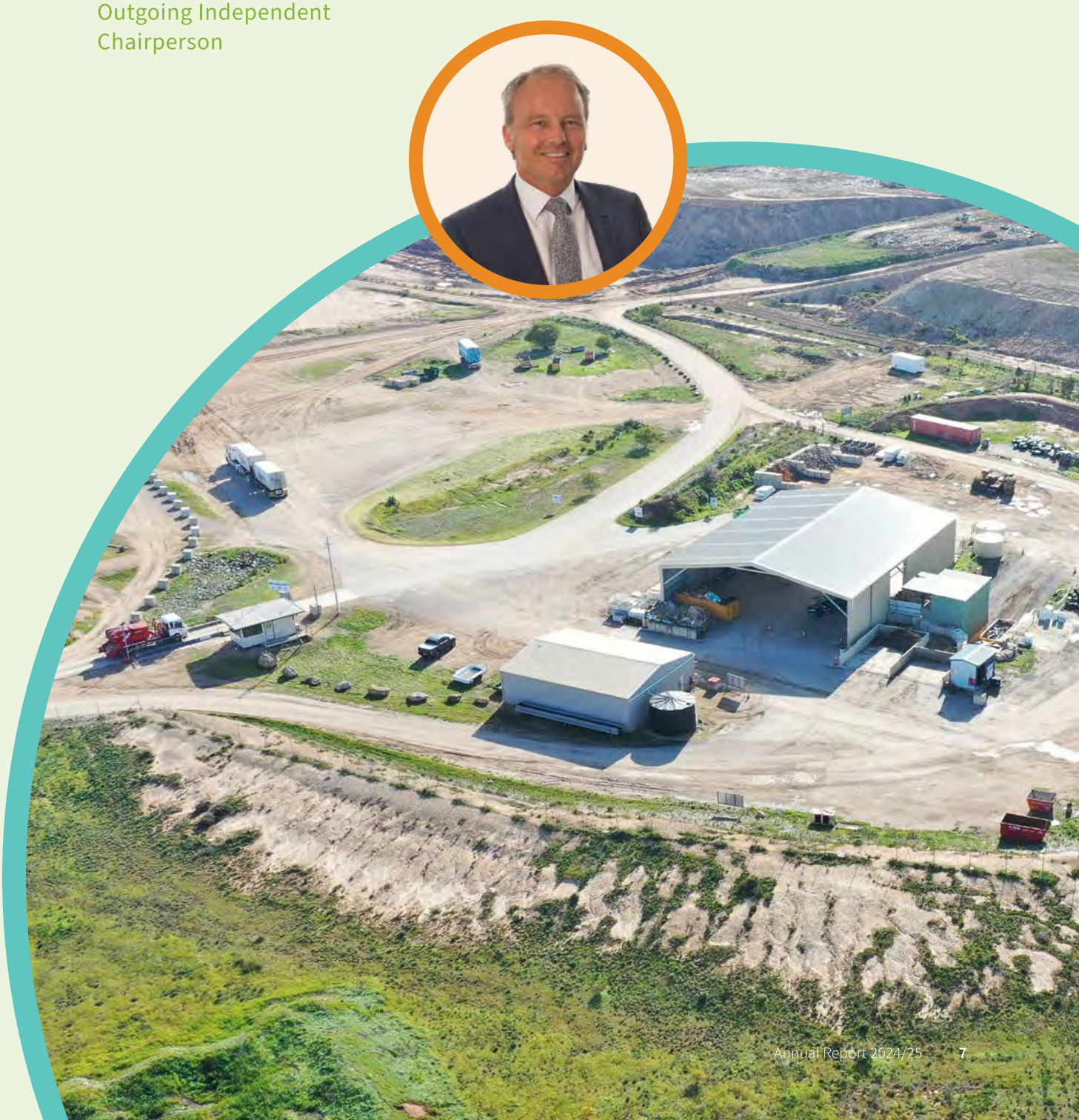
The objectives set out in the Strategic Plan are ambitious. Progressing these goals will require strong governance, solid partnerships, and a continued focus on value for our Member Councils and their communities.

**"AHRWMA HAS CLEAR, FUTURE-FOCUSED ROADMAPS TO GUIDE REGIONAL WASTE MANAGEMENT, RESOURCE RECOVERY, AND COMMUNITY ENGAGEMENT"**

I am pleased to 'hand the reins' to Mr. Paul Sandercock, who commences as Independent Chair at a time of considerable opportunity. With his leadership and the dedication of AHRWMA's capable staff and engaged Board, and the support of Member Councils, I have every confidence the Authority will continue to thrive and deliver impactful environmental and economic outcomes for the region. To the Board, the CEO, the staff, and our valued stakeholders — thank you for your professionalism, collaboration, and commitment. It has been an honour to serve as Chair, and I look forward to applauding AHRWMA's continued success.

And finally, I am pleased to present the Annual Report for the 2024/25 fiscal year.

**ADRIAN SKULL**
Outgoing Independent Chairperson



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# GOVERNANCE

## BOARD MEMBERS JUNE 2025

The AHRWMA is administered by a Board in accordance with the requirements of the *Local Government Act 1999*, the AHRWMA's Charter and applicable policies. The Board is responsible for the overall governance, management and strategic direction, ensuring that the Authority acts in accordance with its Charter. The Board's responsibilities include development of strategic and business directions and strategies, aimed at improving the business of the Authority. The Board appoints a Chief Executive Officer, responsible for implementing the Board's vision and managing the day-to-day operations of the Authority.

### INDEPENDENT CHAIR



PAUL SANDERCOCK
1 of 1 Meeting

### MOUNT BARKER DISTRICT COUNCIL



ALEX OULIANOFF
Board Member
5 of 6 Meetings



CR IAN GROSSER
Deputy Board Member
1 Meeting

### ADELAIDE HILLS COUNCIL



CR CHRIS GRANT
Board Member
4 of 4 Meetings



JOHN MCARTHUR
Deputy Board Member
1 Meeting

### RURAL CITY OF MURRAY BRIDGE



CR TOM HAIG
Board Member
5 of 6 Meetings



BRAD WARNCKEN
Deputy Board Member

### ALEXANDRINA COUNCIL



CR MICHAEL SCOTT
Board Member
5 of 6 Meetings



ALAN HARVEY
Deputy Board Member

Note: Deputy Board Members attend meetings only as required.




## AUDIT AND RISK COMMITTEE

The Audit and Risk Committee provides independent assurance and strategic advice to the Board on matters relating to accounting, financial management, internal controls, risk management, and governance. Collectively, the Committee possesses extensive expertise across finance, governance, law, local government, commerce, and strategic planning. This depth of knowledge makes the Committee a valuable asset to the AHRWMA. The Committee has prepared an Annual Report for the Board, which is an appendix to this report.

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# ACHIEVEMENT **HIGHLIGHTS**

## GOAL 1: BEST PRACTICE

### PHYTOCAP PLAN PROGRESSION FOR CELL 6A CAPPING

Engineering designs for the cap on Cell 6A have been submitted to the EPA for approval. Once approved, construction will begin on a cap specifically designed to support indigenous flora. This cap will serve the dual purpose of minimising rainwater from infiltrating the waste mass and containing the landfill gases generated within.



## GOAL 2: COLLABORATE

### INAUGURAL MAYORS AND CEOS STRATEGY DAY – SETTING THE SCENE FOR THE FUTURE

In 2024/25, AHRWMA held its first Mayors and CEOs Strategy Day, strengthening engagement with Constituent Councils and aligning leaders on bold strategic priorities. With a clear focus on reducing reliance on landfill and moving toward a circular economy, the event positioned AHRWMA for stronger partnerships and long-term sustainability and viability.

The successful event is set to become a standing annual fixture, to cement two-way strategic engagement with Constituent Councils leaders and ensure a shared understanding of the priorities and direction of the AHRWMA in an ever-changing and highly regulated industry.

### SUPPORTING COUNCILS WITH KERBSIDE SERVICE IMPROVEMENTS

AHRWMA played a central role in supporting both the Mount Barker District Council (MBDC) and the Rural City of Murray Bridge (RCMB) with technical guidance on kerbside collection services.

Starting in May, all residential and business kerbside bins across RCMB were replaced due to age, with lid colours updated to meet national standards. AHRWMA provided coordination across logistics, community communications, and stakeholders including SOLO, Green Industries SA, and RCMB's communications team. The outcome delivered a durable bin fleet, compliant with Australian Standards AS 4123.7-2006, and enhanced community waste and recycling education through the "Which Bin?" campaign.

For MBDC, AHRWMA supported an assessment of alternative kerbside service models with the goal to improve landfill diversion and service efficiency. This feasibility work—aligned with MBDC's Waste to Resources Management Plan—evaluated environmental and financial impacts, legislative requirements, and community consultation approaches. It also contributed to MBDC's successful bid for a Green Industries SA grant to advance the investigation.





## SHAPING POLICY AND STRATEGY – GREEN INDUSTRIES SA AND SOUTH AUSTRALIA'S WASTE STRATEGY 2025-2030

AHRWMA actively contributed advice and feedback to both the EPA and Green Industries SA on the Environmental Protection (Waste to Resources) Policy and the State Waste Strategy 2025–2030.

This engagement included detailed written submissions, participation in consultation sessions, and close coordination with our Member Councils to ensure their operational experiences and regional perspectives were strongly represented. Through this work, AHRWMA is helping to shape the future direction of waste management policy in South Australia.

## COMMUNITY EDUCATION AND TOURS

AHRWMA delivered a wide-ranging community education program to promote waste awareness, behaviour change, and understanding of local resource recovery initiatives.

- **Educational Tours**
  In partnerships with KESAB Environmental Solutions and the Murraylands and Riverland Local Government Association, AHRWMA hosted bus tours for residents and elected members of Client and Constituent Councils, visiting Peats Soils, the Brinkley Waste and Recycling Facility, and the Brinkley ReUse Centre. Participants gained insights into organics processing, landfill operations, recycling, and reuse initiatives, fostering knowledge-sharing and appreciation for local circular economy efforts.
- **'Which Bin?' Campaign**
  AHRWMA actively supported the 'Which Bin?' campaign, promoting consistent kerbside bin messaging and sharing educational resources through the My Local Services app, workshops, social media, and library displays. This initiative is supported by Green Industries SA (GISA), providing funding, guidance, and resources to ensure statewide consistency and quality.

Through these initiatives, AHRWMA strengthened community understanding of waste management, encouraged positive behaviour change, and supported sustainable practices across its Client and Constituent Councils.

## MONARTO SAFARI PARK REUSE INITIATIVE

The reuse of material can come in many different forms. In December 2024, AHRWMA delivered a hooklift load of aged timber stumps to Monarto Safari Park, where they were repurposed as enrichment items for the white rhinos and elephants. This initiative diverted organic material from landfill, demonstrated innovative resource recovery, and strengthened community partnerships. The project was well received by the Park and featured in the Murray Valley Standard for its environmental and animal welfare benefits. At AHRWMA we have a strong community and environmental focus that reaches beyond the strict waste and recycling realm, as this project highlights.

## TATIARA COUNCIL HOOKLIFT TRUCK SERVICES

In 2024/25, AHRWMA commenced hooklift truck services for Tatiara Council following a successful tender. AHRWMA now manages the Council's waste transport to the Brinkley site and delivers recyclables to the Northern Adelaide Waste Management Authority Materials Recovery Facility, providing an efficient and reliable service.

This new contract represents a significant achievement, creating an alternate income stream while supporting regional collaboration, community needs, and reinforces AHRWMA's standing as a trusted and capable service provider.

## EMBEDDED BATTERY DROP-OFF EVENT AT HEATHFIELD

In November 2024, the Heathfield Resource Recovery Centre hosted a state-funded Embedded Battery Drop-Off Event, giving the community a safe way to dispose of hazardous items like electric bikes, scooters, and headphones. With over 1,000 battery-related fires reported nationally last year in waste facilities, the initiative reinforced AHRWMA's commitment to sustainability, fire risk reduction, and practical community solutions.

## DID YOU KNOW?

**Lithium ion batteries can be dropped off free of charge at anytime at the Brinkley & Heathfield Resource Recovery Centres**



# GOAL 3: EMPOWERED COMMUNITY

## RECYCLING HUB EXPANSION

AHRWMA has been hard at work, rolling out recycle hubs to help communities responsibly dispose of recyclables that don't belong in landfill. It's not enough to say "don't throw it out" — AHRWMA is giving people real, green solutions. A new hub installed at the Mount Barker District Library, adds to the existing library locations at Stirling, Woodside, Gumeracha and Murray Bridge.

Each hub has dedicated slots for batteries (nickel recovery), e-waste (copper recovery), x-rays (mercury recovery), and more.

AHRWMA collects the materials, and already, thousands of kilos have been recovered! The community is excited, with many expressing how thrilled they are to finally have a simple solution for their recyclables. Libraries are happy too, with increased foot traffic thanks to the hubs.




## HUB'S RESOURCE RECOVERY IN ACTION 2024/25

| | Mobile Phone (Kg) | Cords (Kg) | Batteries (Kg) | X-Rays (Kg) | E-Waste (Kg) | Total (Kg) |
|---|---|---|---|---|---|---|
| **Stirling** | 65.5 | 134.5 | 256.5 | 338.5 | 237.5 | **1,032.5** |
| **Woodside** | 19 | 18.5 | 87.25 | 82.25 | 71.5 | **276** |
| **Gumeracha** | 10 | 19 | 75.75 | 44.5 | 39 | **188.25** |
| **Mt Barker** | 19 | 49.75 | 101.25 | 74.25 | 162 | **406.25** |
| **Murray Bridge** | 45.5 | 74.75 | 181.5 | 218.5 | 234.75 | **755** |
| **Total (Kg)** | | | | | | **2,658** |

# GOAL 4: GOOD GOVERNANCE

## APPOINTMENT OF NEW INDEPENDENT BOARD CHAIR



AHRWMA welcomed Paul Sandercock as its new Independent Chairperson. Paul brings over 30 years of senior leadership experience across public and private sectors, with expertise in sustainability, strategic performance, and the circular economy.

His extensive background in manufacturing, agritech, and resource recovery, combined with board experience at Green Industries SA, positions him well to guide AHRWMA's next growth phase.

## APPOINTMENT OF CHIEF EXECUTIVE OFFICER



AHRWMA welcomed Rob Gregory as Chief Executive Officer on 25 November 2024. Rob brings extensive leadership experience across local government and environmental sectors.

He previously served as General Manager of East Waste for seven years, overseeing waste collection services for eight member councils. In this role, he managed significant operational budgets, a large workforce, and a substantial asset portfolio. Rob is recognised for his collaborative leadership style commitment to continuous improvement and positive organisational change.



## ADOPTION OF THE 2024-34 STRATEGIC PLAN

Ongoing changes in the waste and resource recovery landscape offered AHRWMA the opportunity to adapt and refine its services to maximise benefits for our Constituent Councils. This Strategic Plan acknowledges AHRWMA's role as a leader, service provider, and educator in waste and resource management not only for our Constituent Councils but the wider region. Developed during a period of shifting priorities and increased environmental focus, the plan addresses the need for future waste reduction, the promotion of a circular economy, and the implications of evolving compliance requirements. This plan has been approved by the Constituent Councils, adopted by the Board, and is now in action!

## ADOPTION OF THE REGIONAL EDUCATION PLAN 2024-29

This Regional Education Plan is designed to deliver impactful, targeted education programs across the region. Aligned with the South Australian government's priorities for building a Circular Economy, the plan focuses on enhancing community knowledge, attitudes, and behaviours to maximise resource recovery and reduce landfill waste at Brinkley. It supports the AHRWMA's Strategic Plan, particularly the goal of fostering an empowered community.

## INDEPENDENT VERIFICATION OF CAPPING AND POST CLOSURE PROVISIONS

An independent assessment of capping and post-closure liabilities was conducted to validate the adequacy of financial provisions for long-term landfill obligations. The review, led by Don Richardson of WSP, underpins the AHRWMA's calculation methodology. The review highlighted the previous planning provisions were well-considered and accurate and, in a move to reduce future potential risk, a decision to move from a 20-year to a 30-year post-closure timeframe was endorsed. This adjustment reflects industry best practice and aligns with EPA guidelines. The Board and Audit and Risk Committee endorsed the findings, reinforcing the Authority's commitment to prudent financial and environmental stewardship.

## GRANT SUCCESS WITH GREEN INDUSTRIES SA

In 2024/25, AHRWMA secured four Green Industries SA grants to advance its strategic priorities. The funding will deliver new Brinkley site signage under the "Which Bin?" campaign, an opportunities assessment for future site use, additional hooklift bins to boost service capacity, and a new forklift to modernise equipment. These outcomes highlight AHRWMA's commitment to innovation, sustainability, and regional collaboration. AHRWMA acknowledges the positive working relationship and support provided by Green Industries SA in driving improved and more efficient recycling and reuse of materials.



# MANAGING DIFFICULT WASTE STREAMS AND DRIVING A CIRCULAR ECONOMY




| Diverted, Recovered and Reprocessed | |
|---|---|
| 542 tonnes | of steel |
| 128 tonnes | of non-ferrous metals (including copper) |
| 325 tonnes | of cardboard |
| 136 tonnes | of mattresses |
| 89 tonnes | of e-waste |
| 24 tonnes | of tyres |
| 17.5 tonnes | of polystyrene and hard plastics |
| 3 tonnes | of household batteries |
| 1 tonnes | of x-rays |

**Over 4,500 tonnes**

**OF SOIL, CONSTRUCTION AND DEMOLITION MATERIAL DIVERTED FROM LANDFILL**

**Over 5,375 tonnes**

**OF GREEN ORGANICS PROCESSED INTO MULCH AND COMPOST**

**SAFELY DISPOSED**

60 tonnes

**OF CHEMICALS**

5

# PERFORMANCE AGAINST BUSINESS PLAN

## GOAL 1: BEST PRACTICE

| Strategic Plan Action | 2024/25 Performance Indicator | Rationale | Status |
|---|---|---|---|
| **Investigate and implement a bulk up facility at Brinkley or a central locale to increase transport efficiencies.** | Feasibility study commenced. | Increase economies of scale and achieve better outcomes for Council. | Opportunity assessment for Brinkley Waste and Recycling Facility underway. |
| **Consider land tenure.** | Progress land tenure review. | Ensure forward planning. | Action deferred to 2025/26. |
| **Continue to investigate and implement circular economy programs and projects that increase resource recovery and create community benefit.** | Programs and projects are considered and implemented where deemed viable and beneficial, as determined by the Circular Economy Officer, Chief Executive Officer and Constituent Councils where applicable. | Increase resource recovery and create community benefit. | Business case for sale of crushed concrete aggregate; opportunity assessment for Brinkley Waste and Recycling Facility; textile recycling information report; all in progress. |
| **Review and enhance construction and demolition processes.** | Review completed Business case and findings implemented. | Increase resource recovery and create community benefit. | Business case for sale of crushed concrete aggregate in progress. |
| **Continue to monitor advances in the latest developments in waste management nationally and internationally and share this information with stakeholders.** | Attend industry meetings and relevant forums/ conferences/ information sessions. | Continue to establish the AHRWMA as a leader in the field and ensure knowledge sharing. | Active engagement of senior staff through industry representative groups, forums and conferences. Operations Manager attended the National Waste Conference. |
| **Evaluate kerbside service models and consider best practice options for Constituent Councils to minimise waste to landfill.** | An evaluation of kerbside service models will be undertaken, with a report presented to the Board and communicated to Constituent Councils. | Assist Constituent Councils in assessing their options to increase resource recovery and decrease waste to landfill. | AHC is currently progressing plans to implement alternative kerbside service in some areas. MBDC has deferred until 2025/26. |
| **Measure emissions and set an emissions reduction target.** | Emissions baseline will be established and a reduction target will be set. | Prioritise projects that minimise carbon emissions and assist Constituent Councils to meet emissions. | Action deferred to 2025/26. Attending Net Zero Accelerate Workshops facilitated by LGA(SA). 3 of 4 workshops completed. |

## GOAL 2: COLLABORATE

| Strategic Plan Action | 2024/25 Performance Indicator | Rationale | Status |
|---|---|---|---|
| **Provide responses on behalf of Constituent Councils to State, Federal and other communications regarding legislation/ policy changes etc.** | Regional responses to organisations and agencies provided as required. | Represent Constituent Councils, the region and Local Government, on waste management issues to all stakeholders.<br>Position the AHRWMA as a leader in the field. | LGA Circular Economy Snapshot survey; Federal Government review of Recycling and Waste Act; Review of (SA) Environmental Protection Policy. Feedback on draft GISA SA Waste Strategy (2025-30) all completed. |
| **Maximise our presence across Constituent Councils and within the waste and Local Government sectors.** | Attend WMRR meetings and actively participate in State and Federal waste/resource recovery LGA/State/Federal/ industry groups. Represent Constituent Councils in all relevant forums, with Constituent Councils' support. | Encourage the Constituent Councils to consider the AHRWMA as the point of contact for waste and resource matters. | Active engagement of senior staff through industry representative groups, forums and conferences. The Operations Manager attended National Waste Conference. |
| **Implement projects that engage and connect with Constituent Councils and other stakeholders across the region.** | Facilitate quarterly knowledge sharing forum with Constituent Councils. | | Knowledge Sharing Forum hosted at Brinkley in March. Attended by AHC and MBDC. The June Knowledge Sharing Forum was hosted by MBDC. |
| | Distribute a quarterly newsletter. | | Complete |
| **Support Constituent Councils to utilise the AHRWMA and the services we offer and collaborate regionally to achieve economies of scale.** | Facilitate individual annual meetings and collective biannual meetings with Constituent Council CEOs. | | Inaugural Mayor's and CEOs Strategy Day was held in February 2025. This was a success and now scheduled as an annual event. |
| | Deliver annual presentations to Constituent Council Elected Members. | | Consultation on the Annual Plan was offered to all Constituent Councils. 2 out of 4 Constituent Councils accepted. |
| **Pursue considered opportunities to expand the scope of input streams to the Brinkley Landfill and identify additional revenue streams.** | Host annual meetings with neighbouring Local Government Council representatives and major commercial customers. | Expand service provisions to ensure long term financial sustainability. | Landfill tour for Renmark and Paringa was hosted in June. Engagement with Murraylands Riverland LGA. |

## GOAL 3: EMPOWERED COMMUNITY

| Strategic Plan Action | 2024/25 Performance Indicator | Rationale | Status |
|---|---|---|---|
| **Implement a wide-reaching regional education program in collaboration with Constituent Councils, other stakeholders such as GISA, collection partners and other subsidiaries.** | Regional Education Plan finalised and program implemented. | Develop and delivered a regional education plan and program. | Plan finalised and adopted. Delivery is ongoing. |
| **Support community groups by providing information on resource recovery and waste management.** | Presentations and education sessions undertaken with community groups across the region. | Connect with community groups that align with the values of the AHRWMA. | KESAB tours conducted 2024/25 and will continue in 2025/26. Plastic Free July resources to be distributed. |
| **Implement an annual awards program for community groups and businesses for efforts relating to resource recovery and the circular economy.** | Awards program implemented. | Recognise community and business efforts with an annual award. | No action taken. Action on hold. |

## GOAL 4: GOOD GOVERNANCE

| Strategic Plan Action | 2024/25 Performance Indicator | Rationale | Status |
|---|---|---|---|
| **Commence Brinkley site master plan.** | Site master plan commenced. | Ensure adequate future planning. | Drafting of RFT documentation commenced. |
| **Achieve best practice hazard reporting.** | Strengthen staff training and awareness programs to encourage increased hazard recognition and reporting. | Continue to implement and improve WHS and governance programs. | A new risk inspection tool has been introduced, based on our maturing WHS system, to monitor our processes. |
| **Achieve no lost time injuries.** | | | Achieved. No time lost to injuries. |
| **Complete a landfill pricing review.** | Pricing review completed to inform future pricing adjustments. | Ensure adequate fees are charged. | Complete |
| **Review Audit and Risk Committee's Terms of Reference.** | Terms of reference reviewed in accordance with the Local Government Act. | Ensure good governance practices. | Complete |

# FINANCIAL INDICATORS

## The AHRWMA's financial indicator performance targets assist in ensuring the long term financial sustainability of the Authority.

| Indicators | Adopted Target | Original Budget | Year End Actual |
|---|---|---|---|
| **Operating Surplus/(Deficit)** | 2% to 6% | 3% | 1.3% |
| **Net Financial Liabilities Ratio** | <55% | 31% | 18% |
| **Asset Renewal Funding Ratio** | 90% to 110% | 100% | 22% |

The AHRWMA recorded a modest operating surplus of $142K for 2024/25. The operating surplus ratio ended at 1.3%, falling short of the 3% budget target and the adopted target of 2–6%. This result reflects tighter margins driven by lower-than-expected user charges, increased employee costs, and higher finance costs linked to reinstatement provisions.

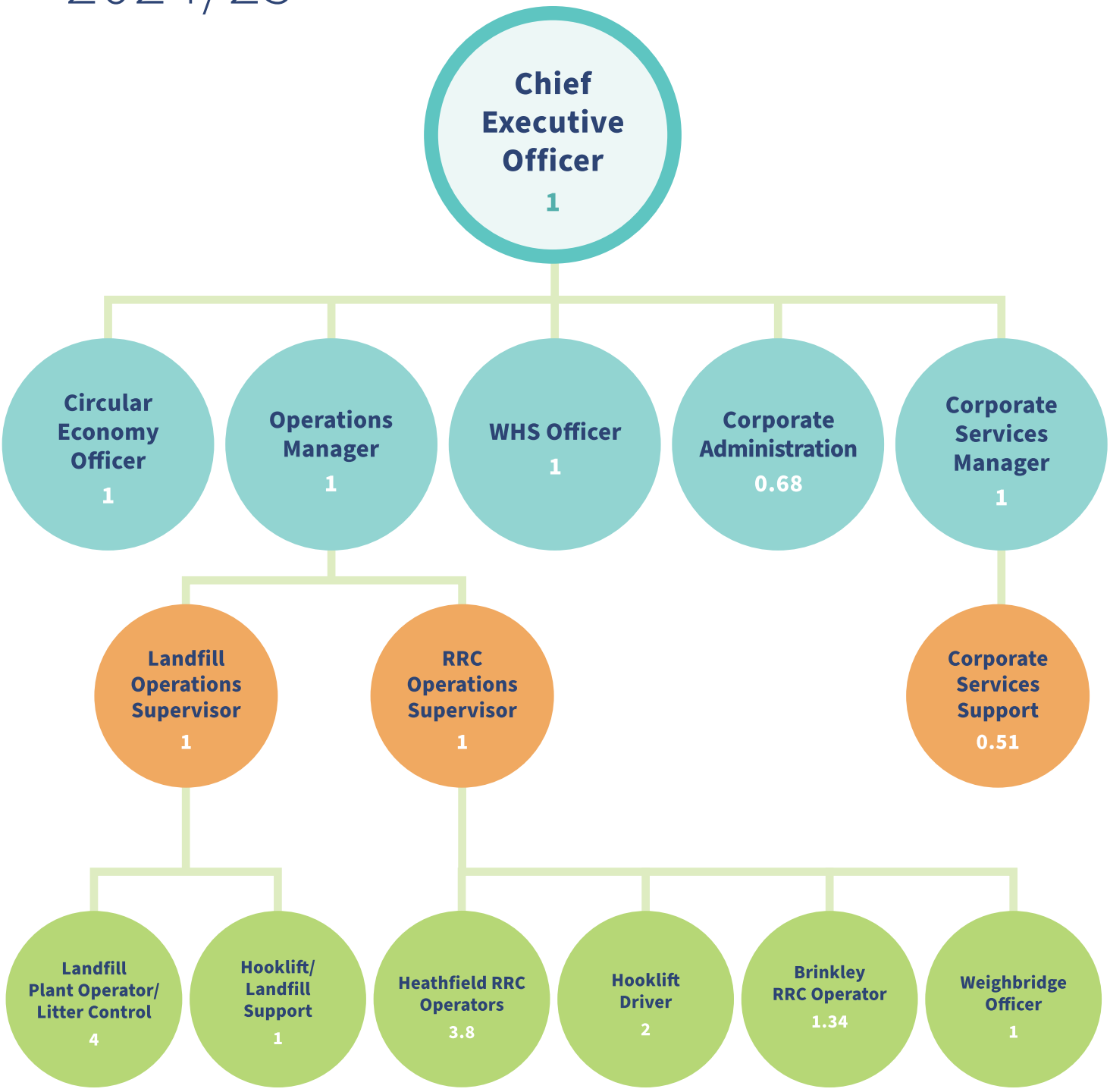
The net financial liabilities ratio for 2024/25 was 18%, an improvement on the original budgeted ratio of 31% and well within the adopted target of less than 55%. This favourable outcome reflects strong cash reserves at year-end, boosted by the delayed renewal of the compactor, and a conservative approach to borrowings, with no new debt incurred during the year. The result demonstrates the Authority's sound financial position and capacity to meet its obligations without placing undue pressure on future revenue streams.

The AHRWMA's asset renewal funding ratio for 2024/25 was 22%, falling below the adopted target of 90–110% and the original budget of 100%. This outcome was primarily driven by strategic adjustments to the capital replacement schedule, including the deferral of the landfill compactor renewal due to supply chain delays, the retention of the dump truck following a favourable condition assessment, and the decision to expand the hooklift truck service by purchasing a second truck rather than replacing the existing one. These changes reflect a responsive and efficiency-focused approach to asset management, balancing operational needs with financial prudence. While the ratio is temporarily impacted, the AHRWMA remains committed to aligning future renewal investment with long-term asset sustainability and service delivery goals.



6

# ORGANISATION CHART
2024/25



7

# AUDIT AND RISK COMMITTEE **ANNUAL REPORT**



AHRWMA
ADELAIDE HILLS REGION WASTE MANAGEMENT AUTHORITY

# AUDIT & RISK COMMITTEE

## ANNUAL REPORT 2024/25



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## 1 THE ROLE OF THE COMMITTEE

Audit and Risk Committees are an important, legislatively required and key component of the local government framework.

Their function is to provide an independent, high level resource to support good governance and strong public financial management. Their purpose is to provide the Board independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes.

The Audit and Risk Committee operates in accordance with the AHRWMA Audit and Risk Committee Terms of Reference (ToR) and Authority Charter. The ToR details the objectives and role of the Committee.

The Committee's responsibilities include, but are not limited to, the following matters with a view to bringing any relevant issues to the attention of the Board:

- Oversight of the integrity of the Authority's financial reporting and sustainability;
- Oversight of governance, risk management and internal control arrangements;
- Oversight of the external auditors' performance, objectivity, and independence;
- Oversight of the performance of the internal audit function;
- Provide independent assurance and advice to the Board on accounting, internal audit, financial management, internal controls, risk management and governance matters; and
- Provide effective liaison between the External Auditor and the Board.



## 2 LETTER FROM THE CHAIR

Dear Board Members,

As Chair of the Audit and Risk Committee, I am pleased to present our annual report for the 2024/25 financial year.

This past year, the Committee has continued to provide strong and independent oversight of the Authority's financial reporting, internal controls, risk management, and governance practices. We remain committed to supporting the Board by reviewing and advising on key documents, including the Long Term Financial Plan, Asset Management Plan, Annual Business Plan and Budget, Annual Report, financial statements, budget reviews, and major policies.

In 2024/25, the Committee sought to strengthen internal controls by the appointment of an internal auditor and commencement of assurance mapping to inform the development of a three year internal audit plan. We monitored the implementation of the Authority's internal control framework and reviewed updates to key risk and compliance registers. We progressed a review of landfill gate pricing and finalised the review of capping and post closure liabilities ensuring an informed financial position. We supported audit actions and the refinement of financial and governance processes that align with best practice and the Authority's strategic direction. The Committee oversaw the appointment of a new external auditor for 2024/25 and expresses its thanks to our previous auditor Dean Newbery & Partners.

We also undertook our annual self-assessment and made further improvements to the Committee's work program to ensure our activities continue to add value and remain aligned with the Board's expectations. I would like to take this opportunity to thank my fellow Committee members, Rebecca Wilson and Alex Oulianoff, for their continued commitment and thoughtful contributions. Their combined expertise has ensured that the Committee remains focused, effective, and constructive in its approach.

Looking ahead, the Audit and Risk Committee remains dedicated to strengthening the Authority's governance framework and supporting the Board in managing risk, achieving compliance, and ensuring financial accountability.

We appreciate the Board's continued trust and support and look forward to the year ahead.

Yours sincerely,

**Elizabeth Williams**
**Independent Chair, Audit and Risk Committee**
**Adelaide Hills Region Waste Management Authority**

## 3 MEMBERSHIP OF THE COMMITTEE

During 2024/25, the Audit and Risk Committee comprised three members: two independent members (including the Independent Chair) and one AHRWMA board member. The Committee met on five occasions throughout the year, with the external auditor in attendance at the September 2024 meeting.

Through its annual self-assessment process, the Committee has confirmed that its current members possess the necessary competence, along with recent, relevant, and extensive experience.

To further strengthen governance and reduce the risk of quorum issues, the Board has resolved to expand the Committee to four members. In line with the Committee's Terms of Reference, the additional member will be appointed as an independent member and this will occur in early 2026.

The current Committee membership is as follows:

**Audit and Risk Committee Membership**

| Member | Representative | Initial Appointment | Current Term | Expires |
|---|---|---|---|---|
| Independent Member | **Elizabeth Williams** | 8 February 2023 | 3 Years | 8 February 2028 |
| Independent Member | **Rebecca Wilson** | 8 February 2023 | 2 Years | 8 August 2026 |
| AHRWMA Board Member | **Alex Oulianoff** | 2 September 2022 | 3 Years | 21 September 2027 |

| Office Bearers | Chairperson | Term | Appointed | Expires |
|---|---|---|---|---|
| Independent Member | **Elizabeth Williams** | 3 Years | 8 February 2023 | 8 February 2028 |

## 4 COMMITTEE MEMBER OVERVIEW

**Elizabeth Williams**



Elizabeth Williams is an accomplished Masters and CPA qualified senior executive with extensive public service experience. As the Chair of the Audit and Risk Committee, she brings a wealth of knowledge and a deep understanding of various organisational functions.

Her dedication to long-term planning, coupled with her passion for process improvement and best practice customer service, underscores her commitment to excellence. With a strong background as a former AHRWMA board member, Elizabeth is unwavering in her pursuit of the sustainable growth and continued success of the Authority.

**Rebecca Wilson**



Rebecca is a seasoned leader with expertise in legal, governance, risk, and compliance, having worked across industries like banking, finance, local government, and statutory bodies. After practicing law, she transitioned to governance roles, including Company Secretary for the Seafood Cooperative Research Centre and Chief Risk Officer at the Royal Automobile Association (RAA).

Currently, she is the Registrar for the Veterinary Surgeons Board of South Australia. She is the director of the Boards of St John Ambulance SA, the Mary Potter Hospice Foundation, Kudos and Green Industries SA, and she is a member of the Flinders Law School Advisory Board.

**Alex Oulianoff**



Alex is an experienced and dynamic finance professional with over 18 years of experience in both the public and private sectors. Currently the General Manager of Corporate Services for Mount Barker District Council and Board member of the Authority, he brings a wealth of knowledge and strategic insight.

Holding a bachelor's degrees in Commerce, Laws, and Legal Practice, along with a FCPA and GAICD accreditation, Alex has spent the last 14 years in local government, demonstrating how commercial acumen can deliver exceptional public value.

## 5 HOW THE COMMITTEE DISCHARGED ITS RESPONSIBILITIES

| KEY AUDIT AND RISK COMMITTEE ACTIVITIES | Sept 2024 | Nov 2024 | Feb 2025 | March 2025 | May 2025 |
|---|---|---|---|---|---|
| FINANCIAL REPORTING | ✓ | | | | |
| BUDGET REVIEWS | | ✓ | ✓ | | ✓ |
| CONSIDERED FY2024 FINANCIAL RESULT COMPARISON | ✓ | | | | |
| REVIEWED 2024/25 BUDGET AND ANNUAL BUSINESS PLAN | | | | ✓ | |
| REVIEWED EXTERNAL AUDITOR SERVICES RFQ AND CONSIDERED THE APPOINTMENT OF THE EXTERNAL AUDITOR | | ✓ | | | |
| REVIEWED INTERNAL AUDIT SERVICE RFQ | | ✓ | | | |
| CONSIDERED THE FY2024 MANAGEMENT REPRESENTATION LETTER | ✓ | | | | |
| SKILLS MATRIX AND SELF-ASSESSMENT | | | | | ✓ |
| CONSIDERED CAPITAL REPLACEMENT OF SIGNIFICANT PLANT | | | ✓ | | |
| CONSIDERED ASSURANCE MAPPING AND THE DEVELOPMENT OF AN INTERNAL AUDIT PLAN | | | | | ✓ |
| MET WITH EXTERNAL AUDITORS | ✓ | | | | |
| REVIEWED THE CREDIT CARD FACILITY | | | ✓ | | |
| CONSIDERED FY2025 ARC WORK PLAN | ✓ | | | | |
| ARC ANNUAL REPORT TO THE BOARD | ✓ | | | | |

| KEY AUDIT AND RISK COMMITTEE ACTIVITIES | | | | | |
|---|---|---|---|---|---|
| | Sept 2024 | Nov 2024 | Feb 2025 | March 2025 | May 2025 |
| CONSIDERED THE REVISION OF THE ASSET MANAGEMENT PLAN | | ✓ | | | |
| CONSIDERED FY2024 AUDIT COMPLETION REPORT | ✓ | | | | |
| FY2024 EXTERNAL AUDIT PLAN | | | | ✓ | |
| POLICY REVIEWS | ✓ | ✓ | | ✓ | ✓ |
| REVIEWED GENERAL PURPOSE FINANCIAL REPORTS AND ANNUAL REPORTS FOR THE YEAR ENDED 30 JUNE 2024 | ✓ | | | | |
| CONSIDERED THE LONG TERM FINANCIAL PLAN REVIEW | | | | | ✓ |
| BUSINESS CONTINUITY PLAN REVIEW | | | | | ✓ |
| CONSIDERED THE LANDFILL GATE PRICING REVIEW | | | ✓ | | |
| CONSIDERED THE INDEPENDENT REVIEW CAPPING AND POST CLOSURE LIABILITIES | | | | | ✓ |
| STRATEGY DAY SUMMARY | | | ✓ | | |
| CONSIDERED THE ADDITION OF BANK SIGNATORIES | | | | | ✓ |

## 6 KEY ACTIVITIES AND ACHIEVEMENTS

Below is a summary of the Committee's key activities and areas where advice and guidance was provided to the Board. All Committee recommendations were adopted by the Board.

**Plans and Policies**

The Audit and Risk Committee reviewed a range of the Authority's key governance and financial plans and policies to ensure they remain fit-for-purpose and aligned with strategic, financial, and operational objectives. This review included the:

- Budget Management Policy;
- Disposal of Assets Policy;
- Behaviour Standards Policy;
- Asset Management Policy;
- Debt Recovery Policy;
- Risk Management Policy (including the Risk Rating Matrix);
- Treasury Management Policy; and
- Business Continuity Plan.

**Draft Financial Statements FY2024 and Annual Report**

The Audit and Risk Committee oversaw the completion of AHRWMA's 2023/24 financial reporting cycle, including review of the General Purpose Financial Reports, CCI Schedule, and Annual Report. The Audit and Risk Committee received and considered the external audit report from Dean Newbery, which confirmed the financial statements fairly present the Authority's position and identified no significant deficiencies, fraud, or compliance issues.

The Audit and Risk Committee noted the Authority achieved a net surplus, with financial ratios exceeding targets, and recommended Board adoption of the financial statements. The Committee also requested and reviewed an independent assessment of landfill capping and post-closure provisions, ensuring long-term financial sustainability and alignment with best practice.

**Capital Replacement of Significant Plant Update**

The Audit and Risk Committee reviewed Administration's proposed adjustments to the replacement schedule for three key plant assets: the dump truck, one landfill compactor, and the hooklift truck. The Committee considered the supporting technical assessments, operational requirements, and financial implications.

The Audit and Risk Committee supported retaining the dump truck for a further two to five years, subject to maintenance requirements, and noted the delay in delivery of the replacement landfill compactor, with expenditure to be carried forward to the 2026 financial year. The Committee also endorsed retaining the existing hooklift truck to increase the fleet to two, reducing reliance on rentals and ensuring service reliability. The Audit and Risk Committee further supported updating the Long-term Financial Plan, Asset Management Plan, and the 2026 budget to reflect these changes.

**Landfill Gate Pricing Review**
The Audit and Risk Committee undertook a review of the proposed landfill gate pricing structure. The Committee considered the methodology used to set fees, including cost recovery principles, benchmarking against other regional landfills, and the financial impact on both member and non-member councils. The review also examined the long-term sustainability of pricing in the context of increasing operational costs and compliance obligations.

The Audit and Risk Committee endorsed the revised landfill gate pricing schedule, recognising it as financially sustainable, equitable, and aligned with the Authority's strategic objectives. The recommendation was made to the Board to adopt the new pricing structure, ensuring cost recovery while maintaining competitive rates within the sector.

**Internal Auditor Appointment**
Following on from a recommendation in the FY2024 year, regarding the engagement of an internal auditor and establishment of an internal audit plan, the Audit and Risk Committee closely monitored the process undertaken by Administration. This included reviewing the request for quote documentation prior to market release, reviewing proposals and supporting a recommendation to the Board on the preferred auditor. This thorough process has set the basis for a strong internal audit process for the next 3 years.

**Assurance Mapping and Development of Internal Audit Plan**
The Audit and Risk Committee reviewed the proposed assurance mapping process presented by its internal auditors and supported its use to inform the development of a three-year rolling internal audit plan. The Committee endorsed an initial focus on cost/financial, climate/circular economy, and compliance areas, while noting that community-based assurance activities may be considered in future years.

**Independent Review Capping and Post Closure Liabilities**
The Audit and Risk Committee received and reviewed the 2025 independent assessment of landfill capping and post-closure liabilities and provisions prepared an independent expert company.

The assessment validated the Authority's approach and recommended extending the post-closure provision timeframe from 20 to 30 years, aligning with industry practice and EPA guidance. The Committee noted the recommendation to adopt a 30-year post-closure timeframe, acknowledged the resulting increase in provision requirements, and recommended Board adoption of the updated provisions to ensure prudent long-term financial planning.

## 7 AUDIT AND RISK COMMITTEE EVALUATION

The Committee recently completed its annual self-assessment, reviewing both its collective skills and overall performance. This evaluation involved all Committee members and considered a range of factors, including:

- The Committee's work program
- The Committee's makeup and design
- The Committee's support advisory role for the Board
- How effectively the Committee is fulfilling its role and responsibilities
- The Committee's overall effectiveness
- The working relationship with senior management
- The Authority's broader risk and control environment
- The Committee's role in regards to the Authority's strategic direction

The results were highly positive. Of the 42 assessment measures, 24 were rated 'strongly agree,' 16 as 'agree', 1 'neutral' response and one 'disagree' that related to the Committee's size and the need for a fourth independent member.

The assessment also identified some constructive opportunities for further improvement, such as:

- It would be beneficial to engage more with the Board to better understand its key areas of concern and how to best support them.
- Supporting the Administration and Board in understanding the risks and opportunities associated with its adopted strategy and how it will continue to value to Constituent Councils as their collective and individual needs change over time.
- To be making some further strategic recommendations to the Board.

By reflecting on the outcomes of this self-assessment, the Committee continues to refine its practices and strengthen the value it brings to the Authority.



## 8 AUDIT AND RISK COMMITTEE SKILLS ASSESSMENT

In addition to the self-assessment survey, the Committee undertook a formal skills assessment. This assessment evaluated each member against the competencies prescribed in the AHRWMA Audit and Risk Committee Terms of Reference and the requirements of the applicable legislative framework. The outcomes provide assurance that the Committee maintains the necessary expertise to discharge its responsibilities effectively and to support strong governance across the Authority.

**Audit and Risk Committee Skills Matrix**

| Required / Desired Committee Skills | Member 1 | Member 2 | Member 3 |
|---|---|---|---|
| Financial – Accounting Knowledge | ✓✓✓ | ✓✓✓ | ✓✓ |
| Financial – Auditing Expertise | ✓✓ | ✓✓ | ✓✓ |
| Financial – Risk Management | ✓✓✓ | ✓✓✓ | ✓✓✓ |
| Financial – Strategic Financial | ✓✓✓ | ✓✓✓ | ✓✓✓ |
| Financial – Financial - Planning | ✓✓✓ | ✓✓✓ | ✓✓✓ |
| Legal - Qualifications | ✓✓✓ | ✓ | ✓✓✓ |
| Legal – Contract review | ✓✓✓ | ✓✓✓ | ✓✓✓ |
| Legal – Policy Development | ✓✓✓ | ✓✓✓ | ✓✓✓ |
| Legal – Regulatory Knowledge | ✓✓✓ | ✓✓✓ | ✓✓✓ |
| Governance – Ethical Oversight | ✓✓✓ | ✓✓✓ | ✓✓✓ |
| Governance – Regulatory Compliance | ✓✓✓ | ✓✓✓ | ✓✓✓ |
| Governance – Risk Governance | ✓✓✓ | ✓✓✓ | ✓✓✓ |
| Commercial – Waste and Recycling | ✓✓ | ✓✓ | ✓✓ |
| Commercial – S/Holder Engagement | ✓✓✓ | ✓✓✓ | ✓✓✓ |
| Commercial - Marketing | ✓✓ | ✓ | ✓✓✓ |
| Commercial – Regulatory Awareness | ✓✓ | ✓✓ | ✓✓✓ |
| Commercial – Innovation and Tech | ✓✓ | ✓✓ | ✓ |
| Strategic Planning | ✓✓✓ | ✓✓✓ | ✓✓✓ |
| Local Government Expertise | ✓✓✓ | ✓✓✓ | ✓✓ |

## 9 PLANS FOR FY2026

The Audit and Risk Committee's work plan for the 2025/26 fiscal year has been developed to align with the Authority's strategic objectives and to ensure robust oversight of the Authority's functions as per the Committees Terms of Reference.

**Audit and Risk Committee Work Plan FY2026**

| **Financial Reporting** | **Nov** | **Feb** | **Mar** | **May** | **Sep** |
|---|---|---|---|---|---|
| Review statutory financial statements | | | | | |
| Comparison of original budget to audited financial result | | | | | |
| Review quarterly financial position (budget review) | | | | | |
| **Risk Management** | | | | | |
| Risk Register | | | | | |
| **External Audit** | | | | | |
| Consider and make recommendations re appointment of external auditor | | | | | |
| Review and make recommendation on external audit plan | | | | | |
| Meeting with external auditor and review findings | | | | | |
| Review external audit management report and management's response | | | | | |
| **Governance** | | | | | |
| Review Draft Annual Business Plan | | | | | |
| Review Long Term Financial Plan | | | | | |
| Review of other policies and documents endorsed by Board | | | | | |
| ARC self-assessment and review | | | | | |
| **Internal Audit** | | | | | |
| Endorse Internal Audit work plan | | | | | |
| Review internal audit report | | | | | |
| **Work, Health & Safety** | | | | | |
| Review of annual Risk Management Action Plan & Annual Statistics | | | | | |
| | | | | | |
| **Delivery of Strategic Plan** | **2025** | **2026** | **2027** | **2028** | **2029** |
| Inform delivery of Brinkley Site Master Plan | | | | | |
| Inform delivery of Landfill Gas Project | | | | | |
| Review Brinkley Lease & Resource Recovery Centre | | | | | |
| Inform review of Brinkley Tenure Process | | | | | |
| Review and seek future business opportunities (eg. RRC Management) | | | | | |
| Investigate Financial Diversity | | | | | |
| Investigate & seek aligned circular economy opportunities | | | | | |
| Assist with Development of Site | | | | | |
| Charter Review | | | | | |
| Assist with an overhaul of Industrial Relations and Hunman Resources | | | | | |
| Inform the Strategic Plan Review | | | | | |

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# AUDITED
# **FINANCIAL STATEMENTS**



# Adelaide Hills Region Waste Management Authority

## General Purpose Financial Reports

## for the year ended 30 June 2025

# Adelaide Hills Region Waste Management Authority

## General Purpose Financial Reports

## for the year ended 30 June 2025

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# Adelaide Hills Region Waste Management Authority

## Annual Financial Statements

## for the year ended 30 June 2025

### CERTIFICATION OF FINANCIAL STATEMENTS

We have been authorised by the Authority to certify the financial statements in their final form. In our opinion:

- the accompanying financial statements comply with the *Local Government Act 1999, Local Government (Financial Management) Regulations 2011* and Australian Accounting Standards.
- the financial statements present a true and fair view of the Authority's financial position at 30 June 2025 and the results of its operations and cash flows for the financial year.
- internal controls implemented by the Authority provide a reasonable assurance that the Authority's financial records are complete, accurate and reliable and were effective throughout the financial year.
- the financial statements accurately reflect the Authority's accounting and other records.



……

Rob Gregory
**CHIEF EXECUTIVE OFFICER**



……

Paul Sandercock
**CHAIRPERSON**

Date: 25 September 2025

## Adelaide Hills Region Waste Management Authority

### Statement of Comprehensive Income

### for the year ended 30 June 2025

| | Notes | 2025 $ | 2024 $ |
|---|---|---|---|
| **INCOME** | | | |
| User charges | 2 | **7,033,843** | 6,726,942 |
| Grants, subsidies and contributions - Operating | 2 | **19,462** | 21,600 |
| Investment income | 2 | **68,505** | 62,843 |
| Other income | 2 | **3,487,442** | 3,036,761 |
| **Total Income** | | **10,609,252** | 9,848,146 |
| **EXPENSES** | | | |
| Employee costs | 3 | **2,443,268** | 2,230,086 |
| Materials, contracts & other expenses | 3 | **6,858,094** | 6,162,497 |
| Depreciation, amortisation & impairment | 3 | **1,129,129** | 1,049,320 |
| Finance costs | 3 | **36,615** | 36,837 |
| **Total Expenses** | | **10,467,106** | 9,478,740 |
| **OPERATING SURPLUS / (DEFICIT)** | | **142,146** | 369,406 |
| Asset disposal & fair value adjustments | 4 | **16,425** | 80,282 |
| **NET SURPLUS / (DEFICIT)** transferred to Equity Statement | | **158,571** | 449,688 |
| **TOTAL COMPREHENSIVE INCOME** | | **158,571** | 449,688 |

This Statement is to be read in conjunction with the attached Notes.

## Adelaide Hills Region Waste Management Authority

### Statement of Financial Position

### as at 30 June 2025

| ASSETS | Notes | 2025 $ | 2024 $ |
|---|---|---|---|
| **Current Assets** | | | |
| Cash and cash equivalents | 5 | **2,181,685** | 1,740,142 |
| Trade & other receivables | 5 | **904,281** | 850,340 |
| Inventories | 5 | **10,542** | 14,321 |
| **Total Current Assets** | | **3,096,508** | 2,604,803 |
| **Non-current Assets** | | | |
| Infrastructure, property, plant & equipment | 6 | **6,282,734** | 6,377,037 |
| **Total Non-current Assets** | | **6,282,734** | 6,377,037 |
| **Total Assets** | | **9,379,242** | 8,981,840 |
| **LIABILITIES** | | | |
| **Current Liabilities** | | | |
| Trade & other payables | 7 | **1,277,200** | 1,202,165 |
| Borrowings | 7 | **36,836** | 53,598 |
| Provisions | 7 | **291,616** | 301,946 |
| **Total Current Liabilities** | | **1,605,652** | 1,557,709 |
| **Non-current Liabilities** | | | |
| Borrowings | 7 | **-** | 36,836 |
| Provisions | 7 | **3,392,532** | 3,164,808 |
| **Total Non-current Liabilities** | | **3,392,532** | 3,201,644 |
| **Total Liabilities** | | **4,998,184** | 4,759,353 |
| **NET ASSETS** | | **4,381,058** | 4,222,487 |
| **EQUITY** | | | |
| Accumulated surplus | | **4,381,058** | 4,222,487 |
| **TOTAL EQUITY** | | **4,381,058** | 4,222,487 |

This Statement is to be read in conjunction with the attached Notes.

# Adelaide Hills Region Waste Management Authority

## Statement of Changes in Equity

## for the year ended 30 June 2025

| 2025 | Notes | Accumulated Surplus $ | TOTAL EQUITY $ |
|---|---|---|---|
| Balance at end of previous reporting period | | **4,222,487** | **4,222,487** |
| **Net Surplus / (Deficit) for Year** | | **158,571** | **158,571** |
| **Balance at end of period** | | **4,381,058** | **4,381,058** |

| 2024 | Notes | Accumulated Surplus $ | TOTAL EQUITY $ |
|---|---|---|---|
| Balance at end of previous reporting period | | 3,772,799 | 3,772,799 |
| **Net Surplus / (Deficit) for Year** | | 449,688 | 449,688 |
| **Balance at end of period** | | 4,222,487 | 4,222,487 |

This Statement is to be read in conjunction with the attached Notes

# Adelaide Hills Region Waste Management Authority

## Statement of Cash Flows

## for the year ended 30 June 2025

| | Notes | 2025 $ | 2024 $ |
|---|---|---|---|
| **CASH FLOWS FROM OPERATING ACTIVITIES** | | | |
| ***Receipts:*** | | | |
| User charges | | **6,984,312** | 6,742,683 |
| Investment receipts | | **16,815** | 62,584 |
| Grants utilised for operating purposes | | **19,462** | 21,600 |
| Other revenues | | **3,567,723** | 3,105,246 |
| ***Payments:*** | | | |
| Employee costs | | **(2,401,337)** | (2,190,117) |
| Materials, contracts & other expenses | | **(6,899,343)** | (5,903,535) |
| Finance payments | | **(8,045)** | (8,267) |
| **Net Cash provided by (or used in) Operating Activities** | | **1,279,587** | 1,830,194 |
| **CASH FLOWS FROM INVESTING ACTIVITIES** | | | |
| ***Receipts:*** | | | |
| Grants utilised for capital purposes | | **26,000** | - |
| Sale of replaced assets | | **145,000** | 145,528 |
| Sale of surplus assets | | **30,000** | - |
| ***Payments:*** | | | |
| Expenditure on renewal/replacement of assets | | **(384,981)** | (688,528) |
| Expenditure on new/upgraded assets | | **(600,465)** | (974,300) |
| **Net Cash provided by (or used in) Investing Activities** | | **(784,446)** | (1,517,300) |
| **CASH FLOWS FROM FINANCING ACTIVITIES** | | | |
| ***Receipts:*** | | | |
| Proceeds from borrowings | | **-** | - |
| ***Payments:*** | | | |
| Repayments of borrowings | | **-** | |
| Repayment of principal portion of lease liabilities | | **(53,598)** | (51,170) |
| **Net Cash provided by (or used in) Financing Activities** | | **(53,598)** | (51,170) |
| **Net Increase (Decrease) in cash held** | | **441,543** | 261,724 |
| Cash & cash equivalents at beginning of period | 8 | **1,740,142** | 1,478,418 |
| **Cash & cash equivalents at end of period** | 8 | **2,181,685** | 1,740,142 |

This Statement is to be read in conjunction with the attached Notes.

# Adelaide Hills Region Waste Management Authority

## Notes to and forming part of the Financial Statements

## for the year ended 30 June 2025

### Note 1 - Material Accounting Policies

The principal accounting policies adopted in the preparation of the financial report are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

**1 Basis of Preparation**

**1.1 Compliance with Australian Accounting Standards**

This general purpose financial report has been prepared on a going concern basis using the historical cost convention in accordance with Australian Accounting Standards as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board, Interpretations and relevant South Australian legislation.

The Adelaide Hills Region Waste Management Authority is a Local Government Section 43 regional subsidiary under the control of Adelaide Hills Council, Alexandrina Council, Mount Barker District Council and Rural City of Murray Bridge.

**1.2 Historical Cost Convention**

Except as stated below, these financial statements have been prepared in accordance with the historical cost convention.

**1.3 Critical Accounting Estimates**

The preparation of financial statements in conformity with Australian Accounting Standards requires the use of certain critical accounting estimates and requires management to exercise its judgement in applying the Authority's accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are material to the financial statements are specifically referred to in the relevant sections of these Notes.

**1.4 Rounding**

All amounts in the financial statements have been rounded to the nearest dollar.

**2 The Local Government Reporting Entity**

Adelaide Hills Region Waste Management Authority operates as a regional subsidiary pursuant to Section 43 of the Local Government Act 1999 and Secion 25 of the Local Government Implementation Act 1999, and has its principal place of business at c/- of Mount Barker District Council, 6 Dutton Road, Mount Barker. These financial statements have been prepared for use by Constituent Councils of the Authority.

**3 Income recognition**

**3.1 Revenue**

Income is measured at the fair value of the consideration received or receivable. Income is recognised when the Authority obtains control over the assets comprising the income, or when the amount due constitutes an enforceable debt, whichever first occurs.

**4 Cash, Cash Equivalents and Other Financial Instruments**

**4.1 Cash, Cash Equivalent Assets**

Cash assets include all amounts readily convertible to cash on hand at the Authority's option with an immaterial risk of changes in value with a maturity of three months or less from the date of acquisition.

**4.2 Other Financial Instruments**

Receivables are generally unsercured and do not bear interest. All receivables are reviewed as at the reporting date and adequate allowance made for amounts the receipt of which is considered doubtful.

All financial instruments are recognised at fair value at the date of recognition. A detailed statement of the accounting policies applied to financial instruments also form part of Note 9.

**5 Inventories**

Inventories held in respect of stores have been valued by using the weighted average cost on a continual basis, after adjustment for loss of service potential. Inventories held in respect of business undertakings have been valued at the lower of cost and net realisable value.

**6 Infrastructure, Property, Plant & Equipment**

**6.1 Initial Recognition**

All assets are initially recognised at cost. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition.

All non-current assets purchased or constructed are capitalised as the expenditure is incurred and depreciated as soon as the asset is held "ready for use". Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition, including architects' fees and engineering design fees and all other costs incurred. The cost of non-current assets constructed by the Authority includes the cost of all materials used in construction, direct labour on the project and other overhead cost directly attributed to bringing the asset to the location and condition necessary for it to be capable of operating in the manner by management.

**6.2 Materiality**

Assets with an economic life in excess of one year are only capitalised where the cost of acquisition exceeds materiality thresholds established by the Authority for each type of asset. In determining (and in annually reviewing) such thresholds, regard is had to the nature of the asset and its estimated service life. Examples of capitalisation thresholds applied during the year are given in Note 6. No capitalisation threshold is applied to the acquisition of land or interests in land.

**6.3 Subsequent Recognition**

All material asset classes are revalued on a regular basis such that the carrying values are not materially different from fair value. Signifigant uncertainties exist in the estimation of fair value of a number of asset classes including land, buildings and associated structures and infrastructure.

**6.4 Depreciation of Non-Current Assets**

Other than land, all infrastructure, property, plant and equipment assets recognised are systematically depreciated over their useful lives on a straight-line basis which, in the opinion of the Authority, best reflects the consumption of the service potential embodied in those assets.

Major depreciation periods for each class of asset are shown in Note 6. Depreciation periods for infrastructure assets have been estimated based on the best information available to the Authority, but appropriate records covering the entire life cycle of these assets are not available, and extreme care should be used in interpreting financial information based on these estimates.

**6.5 Borrowing Costs**

Borrowing costs in relation to qualifying assets (net of offsetting investment revenue) have been capitalised in accordance with AASB 123 "Borrowing Costs". The amounts of borrowing costs recognised as an expense or as part of the carrying amount of qualifying assets are disclosed in Note 3, and the amount (if any) of interest revenue offset against borrowing costs in Note 2.

**7 Payables**

**7.1 Goods & Services**

Creditors are amounts due to external parties for the supply of goods and services and are recognised as liabilities when the goods and services are received. Creditors are normally paid 30 days after the month of invoice. No interest is payable on these amounts.

**7.2 Payments Received in Advance**

Amounts (other than grants) received from external parties in advance of service delivery, are recognised as liabilities until the service is delivered.

### 8 Borrowings

Borrowings are carried at their principal amounts which represent the present value of future cash flows associated with servicing the debt. Interest is accrued over the period to which it relates and is recorded as part of "Payables".

### 9 Provisions

#### 9.1 Employee Benefits

Liabilities for employees' entitlements to salaries, wages and compensated absences expected to be paid or settled within 12 months of reporting date are accrued at nominal amounts (including payroll based on costs) measured in accordance with AASB 119.

Liabilities for employee benefits not expected to be paid or settled within 12 months are measured as the present value of the estimated future cash outflows (including payroll based on-costs) to be made in respect of services provided by employees up to the reporting date. Present values are calculated using government guaranteed securities rates with similar maturity terms.

No accrual is made for sick leave as Authority experience indicates that, on average, sick leave taken in each reporting period is less than the entitlement accruing in that period, and this experience is expected to recur in future reporting periods. The Authority does not make payment for untaken sick leave.

The Authority makes employer superannuation contributions in respect of its employees to the Hostplus Superannuation Scheme. The Scheme has two types of membership, each of which is funded differently. Details of the accounting policies applied and the Authority's involvement with the schemes are reported in Note 16.

#### 9.2 Provisions for reinstatement, restoration, rehabilitation

Expenditures relating to ongoing rehabilitation and restoration reduce any provision previously established.

The Authority recognises a capping liability for all past and active landfill cell operational areas, for which capping rehabilitation works have not yet been completed.

The Authority has recognised a liability for capping and post-closure rehabilitation costs, reflecting stakeholder expectations that it will underatke the works in the future. These expectations arise from the Authority's ongoing management of the site and its past conduct in planning and preparing for such works. Whilst the Authority operates the landfill under a rental agreement with a constituent council and is not the legal owner, a constructive obiligation exists under AASB 137 *Provisions, Contingent Liabilities and Contingent Assets*. Accordingly, a liability has been recognised for future capping and rehabilitation costs, notwithstanding that legal responsibility remains with the site owner.

The Authority has estimated the liability based on the capping design approved by the South Australian Environment Protection Authority (EPA). The current assumptions and calcuations underpinning this provision has been verified by an independent qualified consultant. ACT Williams has been engaged to undertake a capping trial, which is expected to be completed in the 2026–27 financial year. The outcomes of this trial will provide more accurate cost data, which may result in an adjustment to the recognised liability in future reporting periods.

The Authority annually monitors the liability recorded for landfill rehabilitation and restoration estimates and make adjustment to the liability as required ensuring an accurate projected cost of the liability is showing in the Statement of Financial Position. The Authority plans to undertake further detailed reviews of all rehabilitation and restoration liability costs every three years with the assistance of external consultants to ensure all projected costs have been independently verified. This was last reviewed and revalued by WSP on 09 April 2025.

### 10 Leases

The Authority recognises lease liabilities to make lease payments and right-of-use assets representing the right to use the underlying assets, being the land leased at Brinkley Landfill.

i) Right-of-use assets

The Authority recognises right-of-use assets as at comencement date of the lease. Right-of-use assets are measured at cost, less any accumulated depreciation and impairment losses, and adjusted for any remeasurement of lease liabilities. The cost of right-of-use assets includes the amount of lease liabilities recognised, initial direct costs incurred, lease payments made at or before the commencement date less any lease incentives received and the estimate of costs to be incurred to restore the leased asset. Right-of-use assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful life.

ii) Lease liabilities

At the commencement date, the Authority recognises lease liabilities measured at the present value of lease payments to be made over the lease term. In calculating the present value of lease payments, the Authority uses its incremental borrowing rate or the interest rate implicit in the lease.

**11 Goods & Services Tax**

In accordance with interpretation of Abstract 1031 “Accounting for the Goods & Services Tax”

- Receivables and Creditors include GST receivable and payable.
- Except in relation to input taxed activities, revenues and operating expenditures exclude GST receivable and payable.
- Non-current assets and capital expenditures include GST net of any recoupment.
- Amounts included in the Statement of Cash Flows are disclosed on a gross basis.

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

**Note 2 - INCOME**

| | Notes | 2025 $ | 2024 $ |
|---|---|---|---|
| **USER CHARGES** | | | |
| Waste Processing and disposal fees | | **7,033,843** | 6,726,942 |
| | | **7,033,843** | 6,726,942 |
| **INVESTMENT INCOME** | | | |
| Interest on investments | | **68,505** | 62,843 |
| | | **68,505** | 62,843 |
| **OTHER INCOME** | | | |
| Consultancy service | | **864** | 2,959 |
| Resource recovery centre income | | **2,368,814** | 2,137,862 |
| Resource recover centre recuperation | | **100,365** | 85,632 |
| Transport income | | **672,461** | 437,066 |
| Fuel tax rebate | | **75,372** | 78,928 |
| Machinery charge out | | **117,645** | 118,577 |
| Recycled income | | **19,031** | 27,425 |
| Sundry | | **132,890** | 148,312 |
| | | **3,487,442** | 3,036,761 |
| **GRANTS, SUBSIDIES, CONTRIBUTIONS** | | | |
| Sundry | | **19,462** | 21,600 |
| ***Sources of grants*** | | | |
| *Other* | | **19,462** | 21,600 |
| | | **19,462** | 21,600 |

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

#### Note 3 - EXPENSE

| | Notes | 2025 $ | 2024 $ |
|---|---|---|---|
| **EMPLOYEE COSTS** | | | |
| Salaries and Wages | | **1,817,740** | 1,642,869 |
| Employee leave expense | | **269,085** | 245,101 |
| Superannuation - defined contribution plan contributions | 17 | **217,098** | 197,647 |
| Superannuation - defined benefit plan contributions | 17 | **8,430** | 7,979 |
| Workers' Compensation Insurance | | **44,672** | 44,887 |
| Other employment related costs | | **86,243** | 91,603 |
| **Total Operating Employee Costs** | | **2,443,268** | 2,230,086 |
| | | | |
| ***Total Number of Employees*** | | ***19*** | *19* |
| *(Full time equivalent at end of reporting period)* | | | |
| **MATERIALS, CONTRACTS & OTHER EXPENSES** | | | |
| Prescribed Expenses | | | |
| Auditor's Remuneration | | | |
| - Auditing the financial reports | | **7,991** | 5,582 |
| Subtotal - Prescribed Expenses | | **7,991** | 5,582 |
| Other Materials, Contracts & Expenses | | | |
| Materials, contractors and other | | **349,771** | 190,327 |
| Resource recovery centre expenses | | **1,737,781** | 1,513,172 |
| Consultants | | **88,920** | 19,706 |
| Administration and Board | | **137,050** | 127,629 |
| EPA licence fee | | **11,648** | 10,469 |
| Repairs and maintenance | | **304,520** | 279,455 |
| Insurance and legal | | **65,558** | 63,200 |
| EPA waste levy paid | | **3,784,269** | 3,574,650 |
| Parts, accessories & consumables | | **361,243** | 363,998 |
| Sundry | | **9,343** | 14,309 |
| Subtotal - Other Materials, Contracts & Expenses | | **6,850,103** | 6,156,915 |
| | | **6,858,094** | 6,162,497 |

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

**Note 3 - EXPENSE con't**

| | Notes | 2025 $ | 2024 $ |
|---|---|---|---|
| **DEPRECIATION, AMORTISATION & IMPAIRMENT** | | | |
| **Depreciation** | | | |
| Road infrastructure | | **8,410** | 5,672 |
| Buildings | | **16,326** | 15,853 |
| Vehicles | | **48,882** | 43,608 |
| Plant and equipment | | **503,413** | 440,813 |
| Landfill cells | | **248,397** | 208,781 |
| Leachate pond | | **8,697** | 8,696 |
| Landfill rehabilitation | | **20,161** | 73,882 |
| Landfill cell capping | | **226,300** | 203,472 |
| Right of use assets | 16 | **48,543** | 48,543 |
| | | **1,129,129** | 1,049,320 |
| **FINANCE COSTS** | | | |
| Interest on Leases | | **8,045** | 8,267 |
| Unwinding of present value discounts | | **28,570** | 28,570 |
| | | **36,615** | 36,837 |

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

**Note 4 - ASSET DISPOSALS AND FAIR VALUE ADJUSTMENTS**

| | Notes | 2025 $ | 2024 $ |
|---|---|---|---|
| **INFRASTRUCTURE, PROPERTY, PLANT & EQUIPMENT** | | | |
| ***Assets renewed or directly replaced*** | | | |
| Proceeds from disposal | | **145,000** | 145,528 |
| Less: Carrying amount of assets sold | | **125,533** | 65,246 |
| **Gain (Loss) on disposal** | | **19,467** | **80,282** |
| ***Assets surplus to requirements*** | | | |
| Proceeds from disposal | | **30,000** | - |
| Less: Carrying amount of assets sold | | **33,042** | - |
| **Gain (Loss) on disposal** | | **(3,042)** | **-** |
| **NET GAIN (LOSS) ON DISPOSAL OR REVALUATION OF ASSETS** | | **16,425** | 80,282 |

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

#### Note 5 - CURRENT ASSETS

| | | 2025 | 2024 |
|---|---|---|---|
| **CASH & EQUIVALENT ASSETS** | **Notes** | **$** | $ |
| Cash on Hand and at Bank | | **690,963** | 421,383 |
| Deposits at Call | | **1,490,722** | 1,318,759 |
| | | **2,181,685** | 1,740,142 |
| **TRADE & OTHER RECEIVABLES** | | | |
| Accrued Revenues | | **43,315** | 39,760 |
| Debtors - general | | **805,892** | 758,692 |
| Prepayments | | **55,074** | 51,888 |
| | | **904,281** | 850,340 |
| **INVENTORIES** | | | |
| Stores & Materials | | **10,542** | 14,321 |
| | | **10,542** | 14,321 |

## Adelaide Hills Region Waste Management Authority

**Notes to and forming part of the Financial Statements**

**for the year ended 30 June 2025**

**Note 6 - INFRASTRUCTURE, PROPERTY, PLANT & EQUIPMENT (IPP&E)**

| | | 2024 $ | | | | 2025 $ | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Fair Value Level | Fair Value | Cost | Acc' Dep'n | Carrying Amount | Fair Value | Cost | Acc' Dep'n | Carrying Amount |
| Road infrastructure | | - | 145,243 | (61,081) | 84,162 | - | **158,080** | **(69,491)** | **88,589** |
| Buildings | | - | 283,676 | (152,783) | 130,893 | - | **294,006** | **(169,109)** | **124,897** |
| Vehicles | | - | 276,895 | (50,021) | 226,874 | - | **276,895** | **(98,903)** | **177,992** |
| Plant and equipment | | - | 4,484,979 | (1,959,687) | 2,525,292 | - | **4,921,191** | **(2,118,037)** | **2,803,154** |
| Landfill cells | | - | 3,421,264 | (1,955,937) | 1,465,327 | - | **3,421,264** | **(2,204,334)** | **1,216,930** |
| Leachate pond | | - | 173,938 | (88,893) | 85,045 | - | **173,938** | **(97,590)** | **76,348** |
| Landfill rehabilitation | | 644,938 | - | (382,845) | 262,093 | **1,326,818** | - | **(403,006)** | **923,812** |
| Landfill cell capping | | 2,554,283 | - | (1,037,840) | 1,516,443 | **2,080,358** | - | **(1,264,140)** | **816,218** |
| WIP | | - | - | - | - | - | **22,429** | - | **22,429** |
| Right of use assets | | - | 323,623 | (242,715) | 80,908 | - | **323,623** | **(291,258)** | **32,365** |
| Reinstatement costs | | - | - | - | - | - | - | - | - |
| **Total IPP&E** | | 3,199,221 | 9,109,618 | (5,931,802) | 6,377,037 | **3,407,176** | **9,591,426** | **(6,715,868)** | **6,282,734** |
| ***Comparatives*** | | *2,040,475* | *7,784,512* | *(5,154,958)* | *4,670,029* | *3,199,221* | *9,109,618* | *(5,931,802)* | *6,377,037* |

*This Note continues on the following pages.*

## Adelaide Hills Region Waste Management Authority

**Notes to and forming part of the Financial Statements**

**for the year ended 30 June 2025**

**Note 6 - INFRASTRUCTURE, PROPERTY, PLANT & EQUIPMENT**

| | 2024 $ | Carrying Amounts Movement During the Year $ | | | | | | | | 2025 $ |
|---|---|---|---|---|---|---|---|---|---|---|
| | Carrying Amount | Additions | | Disposals | Dep'n | Impair't | Transfers | | Adjustments | Carrying Amount |
| | | New / Upgrade | Renewals | | | | In | Out | | |
| Road infrastructure | 84,162 | 12,837 | - | - | (8,410) | - | - | - | - | **88,589** |
| Buildings | 130,893 | 10,330 | - | - | (16,326) | - | - | - | - | **124,897** |
| Vehicles | 226,874 | - | - | - | (48,882) | - | - | - | - | **177,992** |
| Plant and equipment | 2,525,292 | 554,869 | 384,981 | (158,575) | (503,413) | - | - | - | - | **2,803,154** |
| Landfill cells | 1,465,327 | - | - | - | (248,397) | - | - | - | - | **1,216,930** |
| Leachate pond | 85,045 | - | - | - | (8,697) | - | - | - | - | **76,348** |
| Landfill rehabilitation | 262,093 | - | - | - | (20,161) | - | - | - | 681,880 | **923,812** |
| Landfill cell capping | 1,516,443 | - | - | - | (226,300) | - | - | - | (473,925) | **816,218** |
| WIP | - | 22,429 | - | - | - | - | - | - | - | **22,429** |
| Right of use assets | 80,908 | - | - | - | (48,543) | - | - | - | - | **32,365** |
| Reinstatement costs | - | - | - | - | - | - | - | - | - | **-** |
| **Total IPP&E** | **6,377,037** | **600,465** | **384,981** | **(158,575)** | **(1,129,129)** | **-** | **-** | **-** | **207,955** | **6,282,734** |
| ***Comparatives*** | *4,670,029* | ***974,300*** | ***688,528*** | ***(65,246)*** | ***(1,049,320)*** | **-** | ***18,413*** | ***(18,413)*** | ***1,158,746*** | *6,377,037* |

*This note continues on the following pages.*

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

**Note 6 (con't) – INFRASTRUCTURE, PROPERTY, PLANT & EQUIPMENT**

**Valuation of Assets**

**General Valuation Principles**

Certain asset classes are revalued on a regular basis such that the carrying values are not materially differenent from fair value. For infrastructure and other asset classes where no active market exists, fair value is determined to be the current replacement cost of an asset. Where applicable, accumulated depreciation calculated on the basis of such cost reflects the already consumed or expired future economic benefis of the asset.

***Capitalisation thresholds*** used by the Authority for a representative range of assets are shown below. No capitalisation threshold is applied to the acquisition of land or interests in land.

| | |
|---|---|
| Office Furniture & Equipment | 1,000 |
| Network/IT Assets | 1,000 |
| Other Plant & Equipment | 2,000 |
| Landfill Assets | 2,000 |
| Road construction & reconstruction | 10,000 |

***Estimated Useful Lives:*** Useful lives are estimated for each individual asset. In estimating useful lives, regard is had to technical and commercial obsolescence, as well as legal and other limitations on continued use. The range of useful lives for a representative range of assets is shown below, although individual assets may have an estimated total useful life of greater or lesser amount:

| | |
|---|---|
| Plant, Furniture & Equipment | |
| Office Equipment | 3 to 5 years |
| Other Plant & Equipment | 3 to 10 years |
| Infrastructure | |
| Unsealed Roads | 15 years |
| Litter Fence | 15 years |
| Water Tanks | 30 years |
| Pumps | 5 years |
| Monitor Bore | 10 years |
| Buildings | 20 - 50 years |
| Roads | 20 - 30 years |

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

**Note 7 - LIABILITIES**

| | | 2025 $ | | 2024 $ | |
|---|---|---|---|---|---|
| **TRADE & OTHER PAYABLES** | **Notes** | **Current** | **Non-current** | Current | Non-current |
| Goods & Services | | **969,911** | **-** | 1,022,026 | - |
| Payments received in advance | | **26,000** | **-** | 2,331 | - |
| Accrued expenses - employee entitlements | | **89,320** | **-** | 78,609 | - |
| GST Payable | | **54,041** | **-** | 21,895 | - |
| Other | | **137,928** | **-** | 77,304 | - |
| | | **1,277,200** | **-** | 1,202,165 | - |
| **BORROWINGS** | | | | | |
| Leases Liabilities | 16 | **36,836** | **-** | 53,598 | 36,836 |
| | | **36,836** | **-** | 53,598 | 36,836 |

*All interest bearing liabilities are secured over the future revenues of the Council.*

| | | | | |
|---|---|---|---|---|
| **PROVISIONS** | | | | |
| LSL Employee entitlements (including oncosts) | **146,892** | **135,008** | 146,500 | 93,800 |
| AL Employee entitlements (including oncosts) | **144,724** | **-** | 155,446 | - |
| Future reinstatement / restoration, etc | **-** | **3,257,524** | - | 3,071,008 |
| | **291,616** | **3,392,532** | 301,946 | 3,164,808 |

| ***Movements in Provisions - 2025 year only*** | *Future Reinstate-ment* | *Cell Capping* | *Post Closure* |
|---|---|---|---|
| *Opening Balance* | *3,071,008* | *2,397,500* | *673,508* |
| *Add Unwinding of present value discounts* | *28,570* | - | *28,570* |
| *(Less) Payments* | *(50,009)* | *(50,009)* | - |
| *Add (Less) Remeasurement Adjustments* | *207,955* | *(473,925)* | *681,880* |
| *Closing Balance* | *3,257,524* | *1,873,566* | *1,383,958* |

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

#### Note 8 - RECONCILIATION TO CASH FLOW STATEMENT

**(a) Reconciliation of Cash**

Cash Assets comprise highly liquid investments with short periods to maturity subject to insignificant risk of changes of value. Cash at the end of the reporting period as shown in the Cash Flow Statement is reconciled to the related items in the Balance Sheet as follows:

| | Notes | 2025 $ | 2024 $ |
|---|---|---|---|
| Total cash & equivalent assets | 5 | **2,181,685** | 1,740,142 |
| **(b) Reconciliation of Change in Net Assets to Cash from Operating Activities** | | | |
| Net Surplus (Deficit) | | **158,571** | 449,688 |
| Non-cash items in Income Statement | | | |
| Depreciation, amortisation & impairment | | **1,129,129** | 1,049,320 |
| Net increase (decrease) in unpaid employee benefits | | **41,589** | 39,969 |
| Premiums & discounts recognised & unwound | | **28,570** | 28,570 |
| Grants for capital acquisitions treated as Investing Activity | | **(26,000)** | - |
| Net (Gain) Loss on Disposals | | **(16,425)** | (80,282) |
| | | **1,315,434** | 1,487,265 |
| Add (Less): Changes in Net Current Assets | | | |
| Net (increase) decrease in receivables | | **(21,795)** | 81,636 |
| Net (increase) decrease in inventories | | **3,779** | (3,767) |
| Net increase (decrease) in trade & other payables | | **32,178** | 265,060 |
| Net increase (decrease) in other provisions | | **(50,009)** | - |
| **Net Cash provided by (or used in) operations** | | **1,279,587** | 1,830,194 |
| **(c) Non-Cash Financing and Investing Activities** | | | |
| Estimated future reinstatement etc. costs | | **157,946** | 1,158,746 |
| | | **157,946** | 1,158,746 |

**(d) Financing Arrangements**

Unrestricted access was available at balance date to the following lines of credit:

| | | |
|---|---|---|
| Corporate Credit Cards | **10,000** | 10,000 |
| LGFA Cash Advance Debenture facility | **1,650,000** | 1,650,000 |

The bank overdraft facilities may be drawn at any time and may be terminated by the bank without notice.

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

#### Note 9 - FINANCIAL INSTRUMENTS

**All financial instruments are categorised as *loans and receivables.***

**Accounting Policies - Recognised Financial Instruments**

| | |
|---|---|
| **Bank, Deposits at Call, Short Term Deposits** | **Accounting Policy:** initially recognised at lower of cost and net realisable value, interest is recognised when earned.<br><br>**Terms & conditions:** deposits on call have an average interest rate of 3.9% (2024: 4.65%).<br><br>**Carrying amount:** approximates fair value due to the short term to maturity. |
| **Receivables -** Fees and other charges | **Accounting Policy:** carried at nominal values less any allowances for doubtful debts. |
| **Liabilities -** Creditors and accruals | **Accounting Policy:** liabilities are recognised for amounts to be paid in the future for goods and services received, whether or not billed to the Authority.<br><br>**Terms & conditions:** liabilities are normally settled on 30 days after the month of invoice.<br><br>**Carrying amount:** approximates fair value. |
| **Liabilities -** Interest bearing borrowings | **Accounting Policy:** carried at the principle amounts. Interest is charged as an expense as it accrues.<br><br>**Terms & conditions:** secured over future revenues, interest is payable quarterly and principle due at CAD end date.<br><br>**Carrying amount:** approximates fair value. |
| **Liabilities -** Leases | **Accounting Policy:** accounted for in accordance with AASB 16 as stated in Note 1. |

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

**Note 9 - FINANCIAL INSTRUMENTS (con't)**

**Liquidity Analysis**

| 2025 | | Due < 1 year | Due > 1 year ≤ 5 years | Due > 5 years | Total Contractual Cash Flows | Carrying Values |
|---|---|---|---|---|---|---|
| **Financial Assets** | | $'000 | $'000 | $'000 | $'000 | $'000 |
| Cash & Equivalents | | **2,181,685** | | | **2,181,685** | **2,181,685** |
| Receivables | | **849,207** | **-** | **-** | **849,207** | **849,207** |
| | **Total** | **3,030,892** | **-** | **-** | **3,030,892** | **3,030,892** |
| **Financial Liabilities** | | | | | | |
| Payables | | **1,161,880** | | | **1,161,880** | **1,161,880** |
| Lease Liabilities | | **37,793** | **-** | **-** | **37,793** | **36,836** |
| | **Total** | **1,199,673** | **-** | **-** | **1,199,673** | **1,198,716** |

| 2024 | | Due < 1 year | Due > 1 year; ≤ 5 years | Due > 5 years | Total Contractual Cash Flows | Carrying Values |
|---|---|---|---|---|---|---|
| **Financial Assets** | | $'000 | $'000 | $'000 | $'000 | $'000 |
| Cash & Equivalents | | 1,740,142 | | | 1,740,142 | 1,740,142 |
| Receivables | | 850,340 | - | - | 850,340 | 850,340 |
| | **Total** | 2,590,482 | - | - | 2,590,482 | 2,590,482 |
| **Financial Liabilities** | | | | | | |
| Payables | | 1,199,835 | - | - | 1,199,835 | 1,123,556 |
| Lease Liabilities | | 55,949 | 37,793 | - | 93,742 | 90,434 |
| | **Total** | 1,255,784 | 37,793 | - | 1,293,577 | 1,213,990 |

### Note 9 - FINANCIAL INSTRUMENTS (con't)

**Net Fair Value**

All carrying values approximate fair value for all recognised financial instruments. There is no recognised market for the financial assets of the Authority.

Risk Exposures:

Credit Risk represents the loss that would be recognised if counterparties fail to perform as contracted. The maximum credit risk on financial assets of the Authority is the carrying amount, net of any impairment. All Authority investments are made with the SA Local Government Finance Authority and are guaranteed by the SA Government. Except as detailed in Notes 5 in relation to individual classes of receivables, exposure is concentrated within the Authority's boundaries, and there is no material exposure to any individual debtor.

Market Risk is the risk that fair values of financial assets will fluctuate as a result of changes in market prices. All of Authority's financial assets are denominated in Australian dollars and are not traded on any market, and hence neither market risk nor currency risk apply.

Liquidity Risk is the risk that the Authority will encounter difficulty in meeting obligations with financial liabilities. In accordance with the model Treasury Management Policy (LGA Information Paper 15), liabilities have a range of maturity dates. The Authority also has available a range of bank overdraft and standby borrowing facilities that it can access.

Interest Rate Risk is the risk that future cash flows will fluctuate because of changes in market interest rates. The Authority uses a balance of both fixed and variable interest rate borrowings and investments. Cash flow fluctuations are managed holistically in seeking to minimise interest costs over the longer term in a risk averse manner.

### Note 10 - CONTINGENT ASSETS AND CONTINGENT LIABILITIES

There were no contingencies, assets or liabilities not recognised subsequent to 30 June 2025 that need to be disclosed in the financial statements.

### Note 11 - EVENTS AFTER THE STATEMENT OF FINANCIAL POSITION DATE

The Authority's current lease agreement for the landfill site, held with a constituent council, is due to expire during the 2025/26 financial year. Subsequent to balance date, the Authority has commenced negotiations with the council regarding the renewal of the lease, including the amounts payable and the terms and conditions of the arrangement. As these negotiations are ongoing, the financial effect of the new lease cannot be reliably measured at this time.

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

#### Note 12 - CAPITAL EXPENDITURE AND INVESTMENT PROPERTY COMMITMENTS

| | Notes | 2025 $'000 | 2024 $'000 |
|---|---|---|---|
| **Capital Commitments** | | | |
| Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities: | | | |
| Plant & Equipment | | - | 465,945 |
| | | - | 465,945 |
| These expenditures are payable: | | | |
| Not later than one year | | - | 465,945 |
| | | - | 465,945 |

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

**Note 13 - FINANCIAL INDICATORS**

These Financial Indicators have been calculated in accordance with *Information Paper 9 - Local Government Financial Indicators* prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia. Detailed methods of calculation are set out in the SA Model Statements.

| | **2025** | 2024 | 2023 |
|---|---|---|---|
| **Operating Surplus Ratio** | | | |
| Operating Surplus / Total Operating Income | 1.3% | 3.8% | 4.6% |

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

| | | | |
|---|---|---|---|
| **Net Financial Liabilities Ratio** | | | |
| Net Financial Liabilities / Total Operating Income | 18% | 22% | 10% |

*Net Financial Liabilities are defined as total liabilities less financial assets. These are expressed as a percentage of total operating revenue.*

| | | | |
|---|---|---|---|
| **Asset Renewal Funding Ratio** | | | |
| Outlays on Existing Assets / Asset Renewals - IAMP | **22%** | 74% | 337% |

*Asset renewals expenditure is defined as capital expenditure on the renewal and replacement of existing assets relative to the optimal level planned, and excludes new capital expenditure on the acquisition of additional assets.*

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

#### Note 14 - UNIFORM PRESENTATION OF FINANCES

The following is a high level summary of both operating and capital investment activities of the Authority prepared on a modified Uniform Presentation Framework basis.

All local government entities in South Australia have agreed to summarise annual budgets and long-term financial plans on the same basis.

The arrangements ensure that all local government entities provide a common 'core' of financial information, which enables meaningful comparisons of each local government entitie's finances.

| | **2025** | 2024 |
|---|---|---|
| | **$** | $ |
| **Income** | | |
| *User charges* | **7,033,843** | 6,726,942 |
| *Grants, subsidies and contributions` - Operating* | **19,462** | 21,600 |
| *Investment income* | **68,505** | 62,843 |
| *Other income* | **3,487,442** | 3,036,761 |
| | **10,609,252** | 9,848,146 |
| **Expenses** | | |
| *Employee costs* | **(2,443,268)** | (2,230,086) |
| *Materials, contracts and other expenses* | **(6,858,094)** | (6,162,497) |
| *Depreciation, amortisation and impairment* | **(1,129,129)** | (1,049,320) |
| *Finance costs* | **(36,615)** | (36,837) |
| | **(10,467,106)** | (9,478,740) |
| **Operating Surplus / (Deficit)** | **142,146** | 369,406 |
| **Net Outlays on Existing Assets** | | |
| Capital Expenditure on renewal and replacement of Existing Assets | **(384,980)** | (688,528) |
| Add back Depreciation, Amortisation and Impairment | **1,129,129** | 1,049,320 |
| Proceeds from Sale of Replaced Assets | **145,000** | 145,528 |
| | **889,149** | 506,320 |
| **Net Outlays on New and Upgraded Assets** | | |
| Capital Expenditure on New and Upgraded Assets | **(600,465)** | (974,300) |
| Proceeds from Sale of Surplus Assets | **30,000** | - |
| | **(570,465)** | (974,300) |
| **Adjusted Annual Net Impact to Financing Activities surplus/ (deficit)** | **460,830** | (98,574) |

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

**Note 15 - LEASES**

***The Authority as a Lessee***

***Right of Use Assets***

The Authority recognises lease liabilities to make lease payments and righ-of-use assets representing the right to use the underlying assets, being the land leased at Brinkley Landfill.

Set out below are the carrying amounts (written down value) of right of use assets recognised within Infrastructure Propery, Plant & Equipment and the movements during the period:

| **Right of Use Assets** *(Carrying Value)* | **Land** |
|---|---|
| At 1 July 2024 | **80,908** |
| Depreciation Charge | **(48,543)** |
| **At 30 June 2025** | **32,365** |

Set out below are the carrying amounts of lease liabilities (including under interest bearing loans and borrowings) and the movements during the period:

| | **2025** |
|---|---|
| Opening Balance 1 July 2024 | **90,434** |
| Accretion of Interest | **2,351** |
| Payments | **(55,949)** |
| **Closing Balance 30 June 2025** | **36,836** |
| **Current** | **36,836** |
| **Non Current** | **-** |

The maturity analysis of lease liabilities is included in Note 12.

The Authority had total cash outflows for leases of **$61,643.**

| **The following are amounts recognised on profit or loss:** | |
|---|---|
| Deprecaition expense right of use assets | 48,543 |
| Interest expense on lease liabilities | 8,045 |
| **Total amount recognised in profit and loss** | 56,588 |

# Adelaide Hills Region Waste Management Authority

## Notes to and forming part of the Financial Statements

## for the year ended 30 June 2025

### Note 16 – SUPERANNUATION

The Authority makes employer superannuation contributions in respect of its employees to Hostplus (formerly Local Government Superannuation Scheme and Statewide Super). There are two types of membership, each of which is funded differently. Permanent and contract employees of the South Australian Local Government sector with Salarylink benefits prior to 24 November 2009 have the option to contribute to the Accumulation section and/or Salarylink. All other employees (including casuals) have all contributions allocated to the Accumulation section.

**Accumulation only Members**

Accumulation only members receive both employer and employee contributions on a progressive basis. Employer contributions are based on a fixed percentage of ordinary time earnings in accordance with superannuation guarantee legislation (11.5% in 2024-25; 11% in 2023-24). No further liability accrues to the Authority as the superannuation benefits accruing to employees are represented by their share of the net assets of the Fund.

**Salarylink (Defined Benefit Fund) Members**

Salarylink is a defined benefit scheme where the benefit payable is based on a formula determined by the member's contribution rate, number of years and level of contribution and final average salary. The Authority makes employer contributions to Salarylink as determined by the Fund's Trustee based on advice from the appointed Actuary. The rate is currently 6.3% (6.3% in 2023-24) of "superannuation" salary.

The Authority contributes the balance of superannuation guarantee applicable to ordinary time earnings for Salarylink members to their Accumulation account. Employees also make member contributions to the Salarylink section of the Fund. As such, assets accumulate in the Salarylink section of the Fund to meet the member's benefits, as defined in the Trust Deed, as they accrue.

The Salarylink section is a multi-employer sponsored plan. As the Salarylink section's assets and liabilities are pooled and are not allocated by each employer, and employees may transfer to another employer within the local government sector and retain membership of the Fund, the Actuary is unable to allocate benefit liabilities, assets and costs between employers. As provided by AASB 119.34(a), the Authority does not use defined benefit accounting for these contributions.

The most recent actuarial investigation was conducted by the Fund's actuary, Louise Campbell, FIAA, of Willis Towers Watson as at 30 June 2023. The Trustee has determined that the current funding arrangements are adequate for the expected Salarylink liabilities. However, future financial and economic circumstances may require changes to Authority's contribution rates at some future time.

**Contributions to Other Superannuation Schemes**

The Authority also makes contributions to other superannuation schemes selected by employees under the "choice of fund" legislation. All such schemes are of the accumulation type, where the superannuation benefits accruing to the employee are represented by their share of the net assets of the scheme, and no further liability attaches to the Authority.

## Adelaide Hills Region Waste Management Authority

### Notes to and forming part of the Financial Statements

### for the year ended 30 June 2025

#### Note 17 - RELATED PARTY DISCLOSURES

**KEY MANAGEMENT PERSONNEL**

The Key Management Personnel of the Authority include the Chair, the Board, Chief Executive Officer and certain prescribed officers under section 112 of the Local Government Act 1999. In all, Key Management Personnel were paid the following total compensation:

| | **2025** | 2024 |
|---|---|---|
| | **$** | $ |
| Salaries, allowances & other short term benefits | **506,134** | 460,132 |
| Post-employment benefits | **65,638** | 71,826 |
| Long term benefits | **123,908** | 104,550 |
| **TOTAL** | **695,680** | 636,508 |

Allowances / benefits incurred in the ordinary course of performing the KMPs role, and amounts paid as direct reimbursement of expenses incurred on behalf of the Authority have not been included above.

The following transactions occurred with related parties:

| | **2025** | **Outstanding 30 June 2025** | 2024 | Outstanding 30 June 2024 |
|---|---|---|---|---|
| | **$,000** | **$,000** | $,000 | $,000 |
| Adelaide Hills Council - provision of waste disposal and other services | **1,751** | **138** | 1,523 | 236 |
| Alexandrina Council - provision of waste disposal and other services | **304** | **22** | 278 | 25 |
| Mount Barker District Council - provision of waste disposal and other services | **1,794** | **134** | 1,473 | 116 |
| Rural City of Murray Bridge - provision of waste disposal and other services | **1,020** | **77** | 814 | 68 |
| **TOTAL** | **4,869** | **371** | 4,088 | 445 |

Amounts recorded as oustanding from related parties are recorded in trade and other receivables in Note 5.

The related parties disclosed above are equity owners of the Authority and are referred to as Constituent Councils. Constituent Councils have equal representation on the Board of the Authority and accordinly have signifigant influence on the financial operating decisions of the Authority. No Constituent Council individually has control of the policies.

## Adelaide Hills Region Waste Management Authority

### Certification of Auditor Independence
### for the year ending 30 June 2025

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of Adelaide Hills Region Waste Management Authority for the year ended 30 June 2025, the Authority's Auditor, Galpins Accountants, Auditors & Business Consultants, has maintained its independence in accordance with the requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.



Greg Georgopoulos
**CHIEF EXECUTIVE OFFICER**
Adelaide Hills Council

Date: 02 September 2025

## Adelaide Hills Region Waste Management Authority

### Certification of Auditor Independence
### for the year ending 30 June 2025

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of Adelaide Hills Region Waste Management Authority for the year ended 30 June 2025, the Authority's Auditor, Galpins Accountants, Auditors & Business Consultants, has maintained its independence in accordance with the requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.



Andrew McDonald
**CHIEF EXECUTIVE OFFICER**
Alexandrina Council

Date: 9 September 2025

## Adelaide Hills Region Waste Management Authority

### Certification of Auditor Independence
### for the year ending 30 June 2025

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of Adelaide Hills Region Waste Management Authority for the year ended 30 June 2025, the Authority's Auditor, Galpins Accountants, Auditors & Business Consultants, has maintained its independence in accordance with the requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.



Alison Hancock
**A/CHIEF EXECUTIVE OFFICER**
Mount Barker District Council

Date: 4 September 2025

## Adelaide Hills Region Waste Management Authority

### Certification of Auditor Independence
### for the year ending 30 June 2025

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of Adelaide Hills Region Waste Management Authority for the year ended 30 June 2025, the Authority's Auditor, Galpins Accountants, Auditors & Business Consultants, has maintained its independence in accordance with the requirements of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) Local Government (Financial Management) Regulations 2011.



Heather Barclay
**CHIEF EXECUTIVE OFFICER**
Rural City of Murray Bridge

Date: 11 September 2025

Galpins
Accountants, Auditors
& Business Consultants

CHARTERED ACCOUNTANTS™
AUSTRALIA + NEW ZEALAND

# ADELAIDE HILLS REGION WASTE MANAGEMENT AUTHORITY

## GENERAL PURPOSE FINANCIAL STATEMENTS

**For the year ended 30 June 2025**

## Statement by Auditor

I confirm that, for the audit of the financial statements of the Adelaide Hills Region Waste Management Authority for the year ended 30 June 2025, I have maintained my independence in accordance with the requirements of APES 110 – *Code of Ethics for Professional Accountants (including Independence Standards),* Part 4A, published by the Accounting Professional and Ethical Standards Board, in accordance with the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

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

**GALPINS ACCOUNTANTS, AUDITORS & BUSINESS CONSULTANTS**

**Tim Muhlhausler** CA, Registered Company Auditor
Partner

Date: 29 August 2025

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AHRWMA
ADELAIDE HILLS REGION WASTE MANAGEMENT AUTHORITY

# Adelaide Hills Council supplementary election - Councillor for Ranges Ward




## Count Summary

The scrutiny and count were conducted on Tuesday 30 September 2025.

| | |
|---|---|
| [illegible] | [illegible] |
| [illegible] | [illegible] |
| [illegible] | [illegible] |
| [illegible] | [illegible] |
| [illegible] | [illegible] |
| [illegible] | [illegible] |
| [illegible] | [illegible] |
| [illegible] | [illegible] |
| [illegible] | [illegible] |

[illegible]

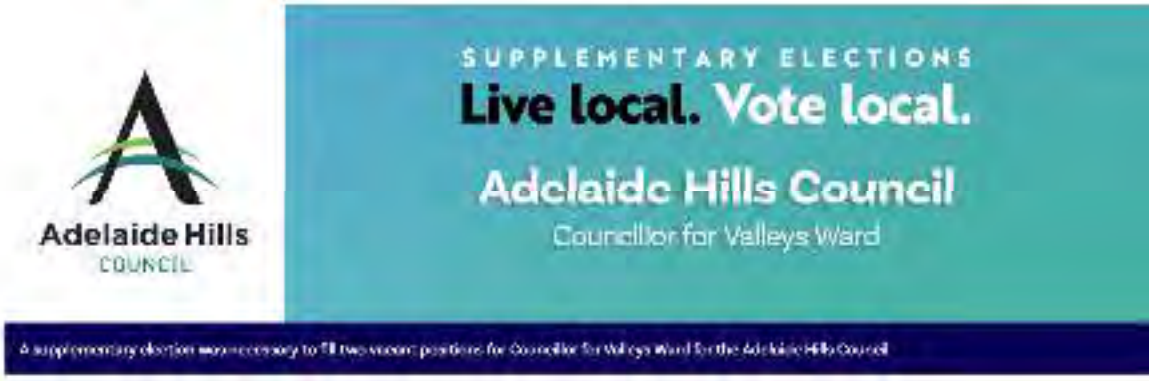
## Results

| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
|---|---|---|---|---|
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| Total | [illegible] | | | |

## Outcome of the election

[illegible]

To view the distribution of votes refer to the scrutiny sheet.




## Count Summary

The scrutiny and count were conducted on Tuesday 23 September 2025.

| | |
|---|---|
| Envelope vouchers | 2,837 |
| Envelopes returned | 2,695 (23.6% return rate) |
| Envelopes accepted | 2,657 |
| Envelopes rejected | 34 |
| Declaration envelopes excluded upon opening | 4 |
| Voter participation* | 23.28% (of electors enrolled) |
| Formal votes | 2,643 |
| Informal votes | 37 |
| Quota | 881 |

*The participation rate is the number of declaration envelopes received as a percentage of the number of enrolled electors.

## Results

| Candidate | First preference votes | Percent | Votes at exclusion / election | Elected or excluded |
|---|---|---|---|---|
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| [illegible] | [illegible] | [illegible] | [illegible] | ELECTED 1 |
| FEMIO, Mick | 419 | 14.08% | 533 | Excluded |
| TRESCOWTHICK, Alex | 419 | 14.08% | 1,113 | ELECTED 2 |
| STEINDOL, Matthew | 149 | 5.00% | 196 | Excluded |
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| Total | 2,980 | | | |

## Outcome of the election

As Richard GLADIGAU obtained 1,135 first preference votes, they were declared elected over quota [illegible] on Tuesday 23 September 2025.

After the distribution of preferences, Alex TRESCOWTHICK obtained 1,783 votes and was declared elected over quota second at 03:03pm on Tuesday 23 September 2025.

To view the distribution of votes refer to the scrutiny sheet.

Source: Electoral Commission of South Australia, https://www.ecsa.sa.gov.au/ahc-ranges-2025

Government of South Australia
Department for Energy and Mining

Our Ref: 2025D079614

To:
The Mayor and Council Leadership
Local Government Area
South Australia

Dear Mayor and leadership team,

**Subject: Invitation to Submit Projects for Undergrounding Powerlines**

I am writing to inform you about the Powerline Environment Commission (PLEC) and its important work in enhancing the visual and environmental amenity of South Australian communities through the undergrounding of overhead powerlines.

The PLEC program is a partnership between SA Power Networks and local councils. Typically, SA Power Networks funds two-thirds of the project cost, while councils contribute one-third. This cost-sharing model has enabled many successful projects across the state, improving streetscapes and community infrastructure.

We invite your council to consider and submit potential projects within your local area where undergrounding powerlines could deliver significant community benefit. Submissions are sought at the earliest opportunity to allow for timely planning and assessment.

**Benefits of undergrounding powerlines include:**

- Enhanced visual appeal of public spaces
- Improved safety and reliability of electricity supply
- Preservation of heritage and tourism precincts

For more information, please visit the PLEC website: http://www.energymining.sa.gov.au/plec

In addition to the PLEC program, councils are encouraged to explore complementary funding opportunities that may support broader precinct development and infrastructure planning. Two such programs currently open for applications are:

- Regional Precincts and Partnerships Program
- Urban Precincts and Partnerships Program – Stream One: Precinct Development and Planning

These programs may provide additional support for planning and delivering integrated infrastructure projects, including those involving undergrounding powerlines. Please note that applications for both programs close on 17 October 2025.

I encourage you to share this information with your fellow councillors and leadership team for consideration of undergrounding powerlines within your council.

Should you have any questions or wish to discuss potential projects, please contact Ms Loan Vu at the Department for Energy and Mining:

(08) 8226 5667
DEM.PLEC@sa.gov.au

ENERGY & TECHNICAL REGULATION
Level 8, 11 Waymouth Street, Adelaide SA 5000 | GPO Box 320 Adelaide SA 5001
Tel (+61) 8 8429 4890 | ABN 83 768 683 934

We look forward to your council's participation in this valuable initiative.

Warm regards,

Yours sincerely

Steve Murray
**CHAIR**
**POWER LINE ENVIRONMENT COMMITTEE**

29 September 2025

# Proposal for Federal Government Action on the South Australian Algal Bloom Crisis

Submitted by:

Great Southern Reef Harmful Algal Bloom Delegation

Thursday 28 August 2025



*Fish are dying, there's no denying.*

*This makes us sad, and even mad.*

*Seeing things dead is too much for our little heads.*

*Why won't you grown-ups do anything at all?*

*This is a wakeup call.*

*Wake up, wake up, because while you people are sleeping, our seas are weeping.*

*We love our beach, its sand, its waves,*
*the beautiful dolphins and sting rays.*

*We used to smile, seeing them swim by,*
*But now all we can do is say goodbye.*

*Written by Florence and Bronte (Seacliff Primary School)*

# Introduction

South Australia's harmful algal bloom is having profound environmental, social and economic impacts across our coastal regions. This bloom was first detected in mid-March and has expanded significantly, affecting areas including Kangaroo Island, the State's south coast, the Spencer Gulf and metropolitan coastlines. It is threatening entire marine species and causing significant stress to people living and working in affected areas as well as those who normally visit the beach and ocean.

As a united delegation of mayors, scientists and tourism business representatives, we are requesting a national response that mirrors the enormity of this tragic event. We are calling on the Australian Government, supported by all political parties, to take urgent, coordinated action to protect livelihoods, restore ecosystems, and strengthen long-term resilience.



Photo by Stefan Andrews



Photo by Stefan Andrews



Dying Sponges
Photo by Scott Bennett



Dead Razor Clams
Photo by Scott Bennett

# Objectives of the Canberra Delegation

## Objective 1 – National Response and Market Confidence

To establish a National Legislative and Policy Framework recognising large-scale marine mortality events - such as those caused by harmful algal blooms or severe marine heatwaves - as eligible for a coordinated national response.

This framework should:

- Enable rapid access to coordinated federal support for affected industries, particularly tourism, fishing and aquaculture.
- Provide funding to assist with environmental clean-up, restoration activities, and safe reopening of affected areas.
- Be paired with a national market-confidence and communications plan to protect the reputations of seafood and tourism businesses, reassure consumers and counter misinformation.
- Include a dedicated national marine information portal providing real-time, science-based updates on seafood safety, water quality and tourism conditions.
- Fund rapid deployment of consumer-confidence campaigns led by trusted science and industry voices.

## Objective 2 – Community Wellbeing and Resilience

To secure funding for the development and delivery of a Community Wellbeing and Resilience Framework to support social and mental health outcomes in communities affected by harmful algal blooms and other large-scale marine mortality events.

The framework should recognise the significant psychological, social, cultural, and economic impacts these events can have on individuals, families and communities - particularly those whose livelihoods and identities depend on healthy marine ecosystems - and provide:

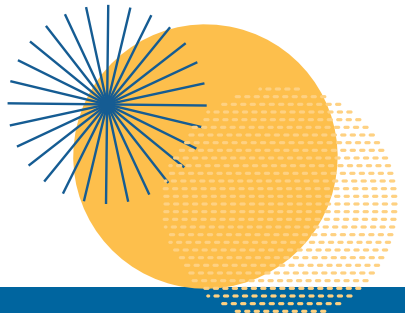
- Embedded, locally delivered mental-health services.
- Peer support networks.
- Targeted workforce-retention initiatives.
- Long-term resilience planning for coastal communities.

## Objective 3 – Permanent Monitoring, Baselines and Testing

To secure sustained State - Commonwealth investment in permanent coastal and marine biological and ecological monitoring and baseline data collection - covering the Great Southern Reef and other key habitats - building on existing commitments and integrating with national observation networks.

This funding should:

- Provide the ecological baselines needed to measure change, assess impacts of marine mortality events, and track recovery or restoration success.
- Be modelled on the Great Barrier Reef Integrated Monitoring and Reporting Program (RIMREP), ensuring it does not place additional financial burdens on affected industries or local governments.

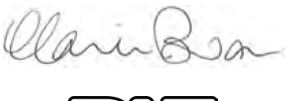




Mayor Amanda Wilson



Mayor Angela Evans



Mayor Claire Boan



Mayor Phill Stone



Mayor Diana Mislov



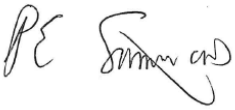
Acting Mayor Richard Carruthers



Mayor Keith Parkes



Acting Mayor Nathan Daniell



Mayor Paul Simmons



Mayor Moira Were



Mayor Sue Scarman



Ian Smith
Henley Beach resident
Bespoke Approach



Mayor Kris Hanna



Mayor Ken Anderson



Mayor Bill Gebhardt



Mayor Peter Hunter



Mayor Bill Close



Mayor Heather Holmes-Ross



Shaun De Bruyn



Marine Ecologist
Dr Zoe Doubleday



Stefan Andrews



Dr Georgina Wood
Great Southern Reef
Research Partnership



Professor Charlie Huveneers



Damien Marangon



Acting Mayor David Paton

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1 October 2025

The Hon Peter Malinasuskas MP
Premier of South Australia
Parliament House
North Terrace
Adelaide SA 5000

Via email: Premier@sa.gov.au

Dear Premier Peter,

On behalf of the Adelaide Hills Council, we applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

The Minister's decision is consistent with the position the Government took concerning the results of the 2022 plebiscite that was undertaken concerning the proposed amalgamation of the Grant Regional Council and the City of Mount Gambier which also failed to receive community support.

Our residents in Rostrevor and Woodforde have faced a similar, ongoing boundary change proposal from Campbelltown City Council—one that has proven divisive, costly, and unnecessary, despite strong and sustained opposition from both the community and Council over more than five years.

As the Inquiry into the Campbelltown City Council Boundary Change Proposal nears completion, we urge Cabinet to apply the same rigorous evidence-based approach. This boundary change, in any form, would have significant implications for the entire Adelaide Hills Council community, particularly in terms of service delivery and rate impacts – with the area under dispute delivering $1.932 million in rates revenue, equivalent to 3.76 per cent of Council's rate base. It is essential that any decision recognises the interests of all affected residents and ratepayers.

The Adelaide Hills Council has consistently raised concerns about the boundary change process, particularly the risk of setting a precedent where the financial ambitions of metropolitan councils threaten the sustainability of neighbouring regional councils. We strongly agree with the sentiments recently expressed by the Member for Light, Hon. Tony Piccolo MP, that a good reform process should leave all ratepayers better off after the changes and that a collaborative model of reform will deliver better outcomes.

Council boundary changes should be achieved through a coordinated systemic approach – not piecemeal land grabs that make one council financially better off by financially weakening another.

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In considering the Campbelltown City Council Proposal, the Adelaide Hills Council respectfully requests the State Government ensures that any decision on the Campbelltown City Council Proposal is based on a comprehensive assessment of the broader financial and social impacts on the entire Adelaide Hills Council community, as well as the immediately impacted areas of Rostrevor and Woodforde.

Yours sincerely

**Greg Georgopoulos**

Chief Executive Officer
Adelaide Hills Council

**Cr Mark Osterstock**

Presiding Member
Boundary Change Committee
Adelaide Hills Council

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1 October 2025

The Hon Kyam Maher MLC
Deputy Premier
Parliament House
North Terrace
Adelaide SA 5000

Via email: AttorneyGeneral@sa.gov.au

Dear Deputy Premier Kyam,

Firstly, congratulations on your recent appointment as Deputy Premier for South Australia. On behalf of the Adelaide Hills Council, we wish you every success in your new role.

We applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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1 October 2025

The Hon Tom Koutsantonis MP
Treasurer
Parliament House
North Terrace
Adelaide SA 5000

Via email: Treasurer.dtf@sa.gov.au

Dear Treasurer Tom,

Firstly, congratulations on your recent appointment as Treasurer for South Australia. On behalf of the Adelaide Hills Council, we wish you every success in your new role.

We applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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1 October 2025

The Hon Joe Szakacs MP
Minister for Local Government
Parliament House
North Terrace
Adelaide SA 5000

Via email: Minister.Szakacs@sa.gov.au

Dear Minister ~~~~ Joe,

On behalf of the Adelaide Hills Council, we applaud you as the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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1 October 2025

The Hon Zoe Bettison MP
Minister for Tourism
Parliament House
North Terrace
Adelaide SA 5000

Via email: MinisterBettison@sa.gov.au

Dear ~~Minister~~ Zoe,

On behalf of the Adelaide Hills Council, we applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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1 October 2025

The Hon Emily Bourke MLC
Minister for Infrastructure and Transport
Parliament House
North Terrace
Adelaide SA 5000

Via email: Minister.Bourke@sa.gov.au

Dear Minister Emily,

Firstly, congratulations on your recent appointment as the Minister for Infrastructure and Transport. On behalf of the Adelaide Hills Council, we wish you every success in your new role.

We applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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1 October 2025

The Hon Blair Boyer MP
Minsiter for Education, Training and Skills
Parliament House
North Terrace
Adelaide SA 5000

Via email: Minister.Boyer@sa.gov.au

Dear Minister Blair,

On behalf of the Adelaide Hills Council, we applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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1 October 2025

The Hon Nick Champion MP
Minister for Housing the Urban Development
Parliament House
North Terrace
Adelaide SA 5000

Via email: MinisterChampion@sa.gov.au

Dear Minister Nick,

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Yours sincerely

**Greg Georgopoulos**

Chief Executive Officer
Adelaide Hills Council

**Cr Mark Osterstock**

Presiding Member
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1 October 2025

The Hon Nat Cook MP
Minister for Human Services
Parliament House
North Terrace
Adelaide SA 5000

Via email: MinisterHumanServices@sa.gov.au

Dear Minister Nat,

On behalf of the Adelaide Hills Council, we applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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1 October 2025

The Hon Katrine Hildyard MP
Minister for Women
Parliament House
North Terrace
Adelaide SA 5000

Via email: Minister.Hildyard@sa.gov.au

Dear Minister Katrine,

On behalf of the Adelaide Hills Council, we applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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1 October 2025

The Hon Lucy Hood MP
Minister for Climate, Environment and Water
Parliament House
North Terrace
Adelaide SA 5000

Via email: Minister.Hood@sa.gov.au

Dear Minister

Firstly, congratulations on your recent appointment as the Minister for Climate, Enviornment and Water. On behalf of the Adelaide Hills Council, we wish you every success in your new role.

We applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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1 October 2025

The Hon Andrea Michaels MP
Minister for Small and Family Business
Parliament House
North Terrace
Adelaide SA 5000

Via email: MinisterMichaels@sa.gov.au

Dear Minister Andrea,

On behalf of the Adelaide Hills Council, we applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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1 October 2025

The Hon Rhiannon Pearce MP
Minister for Emergency Services and Correctional Services
Parliament House
North Terrace
Adelaide SA 5000

Via email: Minister.Pearce@sa.gov.au

Dear Minister

Firstly, congratulations on your recent appointment as the Minister for Emergency Services and Correctional Services and the Minister for Recreation, Sport and Racing. On behalf of the Adelaide Hills Council, we wish you every success in your new roles.

We applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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1 October 2025

The Hon Chris Picton MP
Minister for Health and Wellbeing
Parliament House
North Terrace
Adelaide SA 5000

Via email: MinisterForHealth@sa.gov.au

Dear ~~Minister~~ Chris,

On behalf of the Adelaide Hills Council, we applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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1 October 2025

The Hon Clare Scriven MLC
Minister for Primary Industries and Regional Development
Parliament House
North Terrace
Adelaide SA 5000

Via email: Minister.Scriven@sa.gov.au

Dear ~~Minister~~ Clare,

On behalf of the Adelaide Hills Council, we applaud the State Government and the Minister for Local Government, the Hon Joe Szakacs, for the recent decision to reject the recommendations of the South Australian Local Government Boundaries Commission in relation to the Town of Gawler Boundary Change Proposal. This decision reflects careful consideration of the broader impacts on the affected councils and their communities.

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# Minutes of Committees

# ADELAIDE HILLS COUNCIL
# MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
# WEDNESDAY 24 SEPTEMBER 2025
# 63 MOUNT BARKER ROAD, STIRLING
# AND
# ZOOM VIRTUAL MEETING ROOM

***[Please Note: These minutes are unconfirmed until 15 October 2025]***

## In Attendance

**Presiding Member**
Geoff Parsons

**Members**

Ross Bateup
Tim Pride
Myles Somers
Leith Mudge

## In Attendance

| | |
|---|---|
| Rebecca Shepherd | Acting Director Community & Development |
| Deryn Atkinson | Assessment Manager |
| Sebastien Paraskevopoulos | Acting Team Leader Statutory Planning |
| Doug Samardzija | Senior Statutory Planner |
| Tom Portas | ICT Support Officer |
| Jess Tonkin | Minute Secretary |
| Sarah Kimber | Minute Secretary |

**1. Commencement**

The meeting commenced at 6:30pm

**2. Opening Statement**

"Council acknowledges that we meet on the traditional Country of the Peramangk and Kaurna people. We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land".

**3. Apologies/Leave of Absence**

3.1 Apologies
Nil

3.2 Leave of Absence
Paul Mickan

# ADELAIDE HILLS COUNCIL
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# WEDNESDAY 24 SEPTEMBER 2025
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***[Please Note: These minutes are unconfirmed until 15 October 2025]***

**4. Previous Minutes**

4.1 Meeting held 10 September 2025

**The minutes were adopted by consensus of all members (24)**

**That the minutes of the meeting held on 10 September be confirmed as an accurate record of the proceedings of that meeting with a minor amendment to Condition 11 (Civil Plan date & reference) for DA 25012307 at 747 Swamp Road, Lenswood.**

**5. Presiding Member's Report**

Nil

**6. Declaration of Interest by Members of Panel**

Leith Mudge advised that in relation to Item 8.1 - 38 Mount Barker Road Stirling, three of the representors, Brett Matthews, Simon Jones and Nathanael Rowett are known to him. As a local councillor he has become acquainted with Brett Matthews, Simon Jones and Nathanael Rowett through events of the Stirling Business Association. As these are only professional acquaintances and he has never discussed this development proposal with them, he advised he will remain in the room for the deliberations and vote on this matter.

**7. Matters Lying on the Table/Matters Deferred**

7.1 Matters Lying on the Table

Nil

7.2 Matters Deferred

Nil

# ADELAIDE HILLS COUNCIL
# MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
# WEDNESDAY 24 SEPTEMBER 2025
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## 8. Development Assessment Applications – Planning, Development and Infrastructure Act

## 8.1 Development Application Number 25017305 by Wakefield Properties No. 5 Pty Ltd for the shopping centre complex and associated retail building, advertising signs, shade sails, fencing and retaining walls, and associated car parking, loading area and landscaping at 10 Martha Street, 10 to 14 Johnston Street, Shop 8-10 28 Mount Barker Road, 32 Mount Barker Road and 38 Mount Barker Road, Stirling

### 8.1.1 Representations

| Name of Representor | Address of Representor | Nominated Speaker |
|---|---|---|
| Anton Johnson | 219 Old Mount Barker Road, Aldgate | Anton Johnson |
| Stephen Way | 5 Pine Street, Stirling | Stephen Way |
| Graham Potter | 31 Ethal Street, Stirling | Did not attend |
| Ross and Janet Sands | 31 Milan Terrace, Stirling | Janet Sands |
| Victoria Sands Kwong | 12 Paratoo Road, Aldgate | David Kwong |
| Anna Sarre | 11 Druid Avenue, Stirling | Anna Sarre |
| Jenifer Cleland | 1 Glenside Road, Crafers | Leslie Cleland |
| Marie Harman | 17/19 Johnston Street, Stirling | Marie Herman |
| Francesca Turner | P.O. Box 1048, Stirling | Francesca Turner |
| Rory Martin | 63 Cricklewood Road, Aldgate | Advised not able to attend |
| Marcella Moukachar | 18 Need Street, Enfield | Did not attend |
| Brett Matthews | 32 Sturt Valley Road, Stirling | Did not attend |
| Brian Baldwin | 2 Oakbank Road, Stirling | Brian Baldwin |

The applicant's representatives Jason Cattonar (Future Urban) and Michael Gillett (Leyton Funds) addressed the Panel and answered questions from the Panel.

**ADELAIDE HILLS COUNCIL**
**MINUTES OF COUNCIL ASSESSMENT PANEL MEETING**
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8.1.2 **Decision of Panel**

**The following was adopted by consensus of all members (25)**

**The Council Assessment Panel resolved that:**

1) **Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and**

2) **Development Application Number 25017305 by Wakefield Properties No. 5 Pty Ltd for the shopping centre complex and associated retail building, advertising signs, shade sails, fencing and retaining walls, and associated car parking, loading area and landscaping at 10 Martha Street, 10 to 14 Johnston Street, Shop 8-10 28 Mount Barker Road, 32 Mount Barker Road and 38 Mount Barker Road, Stirling is GRANTED Planning Consent subject to the following conditions and reserved matters:**

**RESERVED MATTERS**

**Pursuant to section 102 (3) (a) of the Planning, Development and Infrastructure Act of 2016, the following matters shall be reserved for further assessment prior to the granting of Development Approval. The Assessment Manager is delegated to undertake this further assessment:**

1) **A Construction Environment Management Plan (CEMP) shall be prepared to address construction sequencing, construction material deliveries, material and soil storage, tree protection zone installation and monitoring/maintenance of controls for the duration of the construction in accordance with current industry standards and submitted to Council for approval. The industry standards include the EPA publications "Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition" and, where applicable, "Environmental Management of On-site Remediation" – to minimise environmental harm and disturbance during construction.**

2) **A Soil Erosion and Drainage Management Plan (SEDMP) shall be prepared for the site and submitted for Council's approval. The SEDMP shall comprise a site plan and design sketches that detail erosion control methods and installation of sediment collection devices that will prevent:**

- **soil moving off the site during periods of rainfall; and**
- **soil transfer onto roadways by vehicles and machinery.**

3) **An updated stormwater report/calculations and plan demonstrating that the maximum flow from the development into Council's stormwater system will not be more than 140 litres per second shall be prepared. This limit is needed to protect Council's downstream stormwater pipes and to reduce any negative impacts on the existing system.**

4) **A detailed landscaping plan shall be prepared, which documents the type and species of plants, locations of plantings, number of plants, plant spacings and maturity of plants at the time of planting. The plan shall also identify the planting location of twenty (20) replacement tree plantings for trees removed as part of separate development authorisations for Regulated and Significant tree removal.**

**Pursuant to Section 127(1) of the Planning, Development and Infrastructure Act 2016, the power to impose further conditions of consent in respect of the reserved matters 1, 2, 3 and 4 above is delegated to the Assessment Manager.**

**Pursuant to section 102 (3)(c) of the Planning, Development and Infrastructure Act of 2016, the following matters shall be reserved for further assessment prior to the granting of Development Approval.**

1) **The applicant must obtain relevant authorisations from the Council under the Local Government Act, for undertaking development (being verge) on Local Government land, on terms acceptable to the Council.**

**CONDITIONS**

**Planning Consent**

1) **The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.**

2) **All materials and goods shall be loaded and unloaded within the confines of the subject land at all times. Materials and goods shall be stored on the land in a tidy manner and shall not be located in areas delineated for use as car parking.**

**ADELAIDE HILLS COUNCIL**
**MINUTES OF COUNCIL ASSESSMENT PANEL MEETING**
**WEDNESDAY 24 SEPTEMBER 2025**
**63 MOUNT BARKER ROAD, STIRLING**
**AND**
**ZOOM VIRTUAL MEETING ROOM**

***[Please Note: These minutes are unconfirmed until 15 October 2025]***

3) **All solid waste including food, leaves, paper, cartons, and other material of any kind shall be stored in closed containers having a close-fitting lid with containers stored in a in a screened location and in a manner which mitigates the occurrence of offensive odours emanating from the site or attraction of animals or insects to the stored waste. Waste shall not be stored on the land in areas delineated for use as car parking.**

4) **All waste shall be removed from the subject land at least once a week. Collection of waste shall be carried out only between the hours of 7:00am and 7:00pm Monday to Friday.**

5) **Deliveries to the site shall occur between the hours of 5:00am and 9:00pm Monday to Saturday, and 6:00am to 7:00pm on Sundays and Public Holidays.**

6) **The development shall be undertaken in accordance with the acoustic recommendations contained in the Environmental Noise Assessment report (ADL0118) prepared by ADP Consulting: Engineering and dated 01 September 2025. More specifically, the Applicant or the person having benefit of this Consent shall ensure the following:**

   - **Operation noise levels from the premises must not exceed the noise levels as determined by *Environment Protection (Noise) Policy 2023*.**
   - **Plant and equipment are selected and, installed with the recommended noise mitigation treatments, in accordance with Table 1 of the ADP Consulting Engineering Report dated 01 September 2025**
   - **Loading dock operation noise shall be controlled using a 5.0-metre noise barrier installed to southwest boundary of the site as stipulated in the Environmental Noise Assessment report (ADL0118) prepared by ADP Consulting: Engineering and dated 01 September 2025 and through implementation of best practice loading dock operation, including turning off engines when not in use, minimisation of time spent in reverse, signage alerting operators to nearby residences and loading/unloading only in the enclosed designated area.**
   - **Limit allowable waste collection times in accordance with Local *Nuisance and Litter Control Act 2016.***

7) **Prior to the use of the loading dock, the noise barrier along the southwest boundary shall be installed as stipulated in the Environmental Noise Assessment report (ADL0118) prepared by ADP Consulting: Engineering and dated 08 June 2025. The noise barrier shall be maintained in good condition at all times.**

8) **Prior to occupation, the northwest plant area and condenser deck area shall be fitted with open type screening to the perimeter of the plant platform. The screen to north and west of the platform shall comprise solid-type screening to at least the height of the plant as stipulated in the Environmental Noise Assessment report (ADL0118) prepared by ADP Consulting: Engineering and dated 08 June 2025. The screening shall be maintained in good condition at all times.**

9) **Upon completion of the acoustic works and prior to use of any of the herein approved retail or office tenancies, a report is to be provided to the satisfaction of the Assessment Manager prepared by a suitably qualified acoustic engineer confirming that the recommendations detailed in the Stirling Village Town Planning Report Acoustics; prepared by ADP Consultants – Dated 1 September 2025 have been complied with.**

10) **All car parking spaces, driveways and manoeuvring areas shall be designed, constructed, and line-marked in accordance with Australian Standard AS 2890.1:2004, sound engineering practice, and to Council's satisfaction prior to occupation. Line marking and directional arrows shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed of bitumen/concrete prior to occupation and maintained in good condition at all times to the reasonable satisfaction of the Council.**

11) **Temporary Stormwater Management Plan (TSMP):**
    - **During construction the Temporary Stormwater Management Plan (TSMP) prepared by FMG (05/06/2024), incorporating FMG advice dated 10/04/2025 shall be implemented and maintained.**
    - **Any modifications to the TSMP during construction must be reviewed and signed off by the Applicant's Stormwater Consultant prior to implementation of the modification.**
    - **Appropriate detention capacity must be maintained at all times, with discharge restricted to pre-development rates as per the FMG report.**

12) **The internally illuminated signage shall not be illuminated between the hours of midnight and 5am the following day.**

**13) A tree protection zone (TPZ) around each regulated and significant tree on the subject land or adjacent road reserve is required where works have the potential to impact the tree. The size of the protection zone for each tree shall be determined by the project arborist. During construction each TPZ shall be fenced with 2.0 metre high chain mesh material with posts at 3 metre intervals and incorporate on the east and south sides a clearly legible sign displaying the words "Tree Protection Zone". The following restrictions apply to each tree protection zone:**

- **No machine excavation is permitted.**
- **If any major roots (roots with a diameter greater than 25mm) are found outside the TPZ during construction the project arborist shall be contacted immediately to assess the situation.**
- **The works adjacent to regulated and significant trees is to be supervised by the project arborist.**
- **A layer of organic mulch to a depth of 100mm shall be placed over all root systems so as to assist with moisture retention and to reduce the impact of compaction**
- **No material, equipment or temporary buildings shall be placed within any TPZ.**
- **No items shall be attached to each tree including temporary service wires, nails, screws or any other fixing device.**
- **Supplementary watering shall be provided to the trees through any dry periods during and after the construction process. Each tree is to be provided with a circular dripper system comprising 19mm polypipe, 4 litre per hour drippers spaced every 2 metres.**
- **No works including the installation of essential services shall occur within a TPZ without the consent of Council's Arborist and the project arborist.**
- **Only hand digging is permitted at all times.**
- **Any services such as stormwater, sewer and electrical that enter the TPZ are to be excavated using non-destructive methods such as Hydro vac® or directional boring systems. This work is to be supervised by the project arborist. If any tree roots are discovered at this time, the project arborist is to assess and address accordingly.**

**<u>Conditions imposed by Commissioner of Highways under Section 122 of the Act</u>**

**14) The illuminated signage shall be permitted to use LED lighting for internal illumination of a light box only.**

15) **The illuminated signage shall be limited to a low level of illumination so as to minimise distraction to motorists (≤150cd/m2).**

16) **The signage shall not contain any element that flashes, scrolls, moves or changes, or imitates a traffic control device.**

17) **All access to/from the development shall be gained in accordance with the Overall Plan – Level 1 produced by NH Architecture, Project No. 240017, Drawing No. NH-A-TP-110-002, Rev 4, Dated 23.07. 2025 and Overall Plan – Lower Ground produced by NH Architecture, Project No. 240017, Drawing No. NH-A-TP-110-000, Rev 5, Dated 23.07. 2025. The entry and exit points shall be suitably signed and line-marked to reinforce the desired traffic flow.**

18) **The Mt Barker Road access and all associated roadworks shall be designed and constructed in accordance with Austroads Guidelines and Australian Standards and to DIT' s satisfaction, with all associated (including project management and any necessary road lighting and drainage upgrades) costs to be borne by the applicant. All works shall be completed prior to operation of the development.**

    **Note: Prior to undertaking detailed design of any road treatments, the applicant shall contact Mr Narendra Patel, Senior Network Integrity Engineer, Network Management Services on telephone (08) 7133 3208, mobile 0400 436 745 or via email: narendra.patel@sa.gov.au to progress this. The applicant shall enter into a Developer Agreement with DIT to undertake and complete this work.**

19) **All vehicles shall enter and exit Mt Barker Road in a forward direction.**

20) **The largest vehicle permitted to access the on-site car parking via the Mt Barker Road access shall be restricted to a 6.4m Small Rigid Vehicle.**

21) **All off-street car parking shall be designed in accordance with *AS/NZS 2890.1:2004* and *AS/NZS 2890.6:2022.***

22) **The redundant crossover on Mt Barker Road shall be closed and reinstated to Council' s kerb and gutter standards at the applicant' s expense prior to the operation of this development.**

23) **Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.**

**24) Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.**

**ADVISORY NOTES**

**General Notes**

**1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.**

**2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.**

**3) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.**

**4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).**

**5) This consent is strictly limited to works on the subject land. This consent does not permit any alteration to road verge and stormwater infrastructure. Works including tree pruning/removal, earthworks, kerbing, stormwater infrastructure, storage of material or any alteration to the verge or a reserve requires a separate approval under Section 221 of the *Local Government Act 1999*. For more information regarding this process please visit: *https://www.ahc.sa.gov.au/development/roads-and-construction/authorisation-to-alter-a-public-road***

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**9. Development Assessment Applications – Development Act**

Nil

**10. Development Assessment Applications – Review of Decisions of Assessment Manager**

Nil

**11. ERD Court Appeals**

Nil

**12. Policy Issues for Advice to Council**

Nil

**13. Other Business**

13.1 There will not be an ordinary CAP meeting on 8 October however there will be a Special CAP meeting to be held on Wednesday 15 October – venue to be confirmed.

13.2 Leith advised that he will not be available for the 15 October Meeting.

**14. Order for Exclusion of the Public from the Meeting to debate Confidential Matters**

Nil

**15. Confidential Item**

Nil

**16. Next Meeting**

The next Council Assessment Panel meeting will be a Special CAP Meeting to be held on Wednesday 15 October 2025.

**17. Close meeting**

The meeting closed at 9:34pm on 24 September 2025.