ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Acting Mayor Nathan Daniell

Councillor Kirrilee Boyd
Councillor Adrian Cheater
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
Councillor Richard Gladigau

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 28 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 28 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

3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 14 October 2025
That the minutes of the ordinary meeting held on 14 October 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. MAYOR'S OPENING REMARKS

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1. Questions Adjourned
Nil

7.2. Questions Lying on the Table
Nil

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

8.1. Petitions

8.1.1. Naming of Bridge in Mount Torrens

1. *That the petition signed by 263 signatories requesting the Council to recommend to the State Government that the DIT bridge over Angas Creek, Townsend Street Mount Torrens be named the Andy Bennett Bridge be received and noted.*

2. *That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.*

8.2. Deputations

8.3. Public Forum

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

11.1. Todd Trust and Caripook Park Development (Cr Leith Mudge)

1. *Notes the long history of failure to deliver on the requirements of the Francis Henry Todd Trust (the Trust) associated with the donation of land by Mr Todd on which the Bridgewater Retirement Village (formerly owned by Council) stands.*
2. *Resolves to consider the allocation of funding in the 2026-27 Annual Business Plan and Budget development process, for the necessary works at Caripook Park, Bridgewater, to fulfil the requirements of the Trust as outlined in the answer to Item 10.1 Question on Notice - Todd Trust and Caripook Park Development of Ordinary Council Meeting on 26 August 2025.*

11.2. Community Grants (Acting Mayor Nathan Daniell)

1. *Notes that under the new 2025-2030 permit with the Stirling Market, the costs associated with road closures are paid annually by the Stirling Market direct to Adelaide Hills Council, replacing the previous arrangement under which equivalent funds were donated to the community.*
2. *Note the current cost associated with road closures is $18,500 per annum.*
3. *Allocates an additional $18,500 per annum to the Community Development Grants program, including for the 2025-26 grant program.*

4. *Request the CEO (or delegate) review whether an additional grant stream should be added to enable the distribution of these additional funds, before the 2026-27 Community Grants round.*

12. ADMINISTRATION REPORTS – DECISION ITEMS

12.1. Naming of Bridge in Mount Torrens

1. *That the Naming of Bridge in Mount Torrens report be received and noted.*
2. *Endorse the naming of the bridge in Mount Torrens, over the Angas Creek to "Andy Bennett Bridge", and seek approval of the naming through the Commissioner of Highways.*

12.2. Proposed Native Vegetation Protection and Conservation Policy and Community Engagement Outcome Report

1. *That the Proposed Native Vegetation and Conservation Policy (the Policy) and Community Engagement Outcomes Report be received and noted.*
2. *To note the outcomes of and Administration's response to the Community Engagement on the Policy.*
3. *To adopt the amended Draft Native Vegetation and Conservation Policy, in Appendix 2, with an effective date of 29 October 2025.*
4. *To authorise the Chief Executive Officer to make any formatting, nomenclature or other minor changes to the proposed policy.*

12.3. Frequency and duration of Elected Member Leave of Absences

1. *That the Frequency and duration of Elected Member leave of absences report be received and noted.*
2. *Any other decision of Council (see options section of this report)*

12.4. Correspondence from Northern Areas Council – Drought support and Energy generating infrastructure

1. *That the correspondence from Northern Areas Council – Drought support and Energy generating infrastructure report be received and noted.*
2. *That the budget and financial impacts are noted*
3. *That the Chief Executive respond to the correspondence, indicating Council's support of both matters.*

12.5. 2024-2025 Annual Financial Statements

1. *That the report on the 2024-25 Annual Financial Statements be received and noted.*
2. *That, in accordance with Section 127 of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 1999, Council adopts the General Purpose Financial Statements for the financial year ended 30 June 2025.*
3. *To authorise the Acting Mayor and CEO to sign the General Purpose Financial Statements for the financial year ended 30 June 2025.*

12.6. Legal Fees Analysis 2024/25

1. *That the Legal Fees Analysis 2024/25 report be received and noted.*
2. *That Council notes the detailed breakdown of legal expenditure by department and matter, as set out in this report.*
3. *That Council notes that legal expenses have risen by 66% or $332k from FY 2024 to FY 2025.*

4. *That the CEO provides a report to the Audit and Risk Committee on legal fee expenditure on a quarterly basis in a form similar to that provided to the Audit and Risk Committee at its meeting on 20 October 2025, up to and including the current financial year.*

12.7. Deputy Mayor Acting in office of Mayor and Acting Deputy Mayor Appointment

1. *That the report on the Deputy Mayor acting in the office of Mayor, and the Acting Deputy Mayor Appointment be received and noted.*
2. *Options for Decision 1, 2 and 3 see report*

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

13.1. Principal Office Opening Hours

1. *That the Principal Office Opening Hours report be received and noted.*
2. *To note the closure of the Principal Office for the period Monday 29 December to Wednesday 31 December 2025.*
3. *To note that the Chief Executive Officer intends to exercise his delegated authority to enact this closure, and that this temporary arrangement does not constitute a significant change requiring public consultation under section 45(3) of the Local Government Act 1999.*
4. *To note that essential services will continue to be met during this period.*

13.2. CEO Key Performance Indicators Update – Quarter 1

1. *That the CEO Key Performance Indicators Update – Quarter 1 report be received and noted.*
2. *To note that the CEO provided a verbal and written update against his Key Performance Indicators to the CEO Performance Review Panel.*

14. CORRESPONDENCE FOR NOTING

14.1. Letter to Hon Tom Koutsantonis MP from SHLGA

14.2. Letter to SHLGA from Hon Tom Koutsantonis MP

14.3. Ombudsman SA 2024-25 Annual Report

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 – 15 October 2025
Council resolves that the minutes of the Council Assessment Panel meeting held on 15 October 2025, as distributed, be received and noted.

18.2. Audit Committee - 20 October 2025
Council resolves that the minutes of the Audit and Risk Committee meeting held on 20 October 2025, as distributed, be received and noted.

18.3. CEO Performance Review Panel – 15 October 2025
Council resolves that the minutes of the CEO Performance Review Panel meeting held on 15 October 2025, as distributed, be received and noted.

18.4. Boundary Change Committee
Nil

19. CONFIDENTIAL ITEMS

Nil

20. NEXT MEETING

Tuesday 11 November 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

DATE	TYPE	LOCATION	MINUTE TAKER
JULY 2025			
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	Skye Ludzay
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	
21 Oct 25 (PD)	F	F	F	F	F	AP	F	F	F	F	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]

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 Clare Woolcock	-
14 Oct 2025	F	F	F	F	F	P	F	LOA	F	LOA	F	F	

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.

Petitions

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 October 2025
AGENDA BUSINESS ITEM

Item:	**8.1.1**
Responsible Officer:	**Jade Ballantine** **Director Environment and Infrastructure** **Environment and Infrastructure**
Subject:	**Petition Naming of Bridge in Mount Torrens**
For:	**Decision**

SUMMARY

A petition has been received with 263 signatories stating:

We, the undersigned, being residents of the Adelaide Hills Council, request the Council to recommend to the State Government that the DIT bridge over Angas Creek, Townsend Street Mount Torrens be named the Andy Bennett Bridge.

Council is currently in the process of making a decision on the naming proposal for the bridge located over Angas Creek on Townsend Street, Mount Torrens that has been submitted by Mount Torrens and Districts Community Associaiton (MTDCA). MTDCA have requested that the bridge be named "Andy Bennett Bridge" in recognition of longstanding resident Andrew Bennett, and administration has recently concluded community engagement around this proposal.

This process involved a public consultation seeking feedback on the proposed name that ran from 10 to 30 September 2025. As part of the consultation process, interested parties were invited to share their level of support for the proposed name via online and hardcopy feedback form or in writing via email or letter. This petition was received prior to the close of this public consultation process.

RECOMMENDATION

Council resolves:

1. **That the petition signed by 263 signatories requesting the Council to recommend to the State Government that the DIT bridge over Angas Creek, Townsend Street Mount Torrens be named the Andy Bennett Bridge be received and noted.**

2. **That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.**

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1. PETITION DETAILS

Council has received a petition organised by Neville Mackowiack of 23 Posen Road, Birdwood SA 5234 and signed by 263 signatories.

The Petition states:

We, the undersigned, being residents of the Adelaide Hills Council, request the Council to recommend to the State Government that the DIT bridge over Angas Creek, Townsend Street Mount Torrens be named the Andy Bennett Bridge.

2. OFFICER'S RESPONSE – Jade Ballantine, Director Environment and Infrastructure

➢ Relationship/relevance to Council services/activities/plans/strategies/resolutions

Council is currently considering a naming proposal for the bridge located over Angas Creek on Townsend Street, Mount Torrens and this petitions relate to the process. Council undertook public consultation on the proposal to name the bridge "Andy Bennett Bridge" between 10 to 30 September 2025. During this period members of the Community were encouraged to participate in the public consultation process via the below means:

- Complete the online submission form at engage.ahc.sa.gov.au
- Email engage@ahc.sa.gov.au
- Mail Community Engagement, 63 Mount Barker Road, Stirling SA 5152
- Phone 8408 0400
- Collect a hardcopy feedback form from Woodside or Gumeracha Library or Customer Service Centre and submit via any of the ways listed above or by handing into our Council Service Centre or Library at:
    1. Woodside Service Centre
       26 Onkaparinga Valley Road, Woodside
    2. Gumeracha Civic Centre,
       45 Albert Street, Gumeracha

Council administration has reviewed submissions from the Public Consultation process and prepared a Community Engagement Outcomes Report which is being presented to Council along with a Decision Report on 28 October 2025.

This petition was received prior to the close of the public consulation process via hard copy petition provided at a Customer Service Centre. Whilst the public consultation did not provide a petiton as an option for providing feedback for the purpose of the naming proposal, it is a common way to present feedback or requests to Council for consideration.

➢ **Options**[1]

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

I. To receive and note the report.
II. To receive and note the report and make any other decision that Council sees fit

3. Appendix
Petition

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

PETITION TO THE ADELAIDE HILLS COUNCIL

We, the undersigned, being residents of the Adelaide Hills Council, request the Council to recommend to the State Government that the DIT bridge over Angas Creek, Townsend Street Mount Torrens be named the Andy Bennett Bridge.

The contact person for this petition is:

Name: _____

Address:

BIRDWOOD S A

P/C: 5234

Home telephone: Mobile:

NAME	ADDRESS	SIGNATURE

Motions on Notice

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 October 2025
AGENDA BUSINESS ITEM

Item: **11.1 Motion on Notice**

Originating from: **Cr Leith Mudge**

Subject: **Todd Trust and Caripook Park Development**

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1. MOTION

I move that Council:

1. **Notes the long history of failure to deliver on the requirements of the Francis Henry Todd Trust (the Trust) associated with the donation of land by Mr Todd on which the Bridgewater Retirement Village (formerly owned by Council) stands.**
2. **Resolves to consider the allocation of funding in the 2026-27 Annual Business Plan and Budget development process, for the necessary works at Caripook Park, Bridgewater, to fulfil the requirements of the Trust as outlined in the answer to Item 10.1 Question on Notice - Todd Trust and Caripook Park Development of Ordinary Council Meeting on 26 August 2025.**

2. BACKGROUND

The background for this motion is contained in the Question on Notice answer in the minutes extract at *Appendix 1* and corresponding agenda item extract in *Appendix 2.*

3. OFFICER'S RESPONSE – Jade Ballantine, Position

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

Strategic Plan 2024 – Your Place, Your Space

Goal 2	Community Wellbeing
Objective CW4	Build community resilience for the future
Priority CW4.2	Using past experiences, lessons learnt, and contemporary knowledge support, the emergency services and the community before, during and after disaster events.

Consultation findings and proposed projects have been analysed using principles from both strategic documents.

- **Legal Implications**

The Council must comply with Trust conditions that now apply to Caripook Park.

In practice, this means that the Council must establish and maintain a landscaped garden in Caripook Park, which shall be called The Francis H Todd Garden, and erect a memorial for the 1983 Ash Wednesday fire on the same land.

The Supreme Court order noted that Council could sell the Bridgewater Retirement village land and "apply the proceeds of the sale as it sees fit." This is mentioned only to confirm that the Supreme Court placed no obligation on Council to use any of the proceeds from the sale of the Bridgewater Retirement Village on improvements to Caripook Park.

- **Risk Management Implications**

Considering community feedback and applying principles from Council's relevant Strategy and Framework documents will assist in mitigating the risk of:

> *Dysfunctional and inappropriately serviced sites leading to assets that don't meet the community's needs.*

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

- **Financial and Resource Implications**

Whilst the Supreme Court order approving the move of the FH Todd Trust from the Bridgewater Retirement Village land to Caripook Park do not stipulate requirements for expenditure of funds or an upgrade of Caripook Park, however, as mentioned earlier, the Council must at least establish a landscaped garden and erect a bushfire memorial to comply with the terms of the Trust.

While there is no legal requirement to undertake broader works into the site or surrounds, the work done to consult on proposed upgrade plans has created an expectation that some works will be carried out.

There is currently no budget allocated for the landscaped garden, memorial, or further recreational elements. The estimated total budget allocation is $70,000.

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

Any upgrades to sites because of this Trust process will consider previous community consultation processes.

- **Sustainability Implications**

Any upgrades to sites because of this Trust process will consider Council's relevant position in relation to sustainability and vegetation strategies and policy.

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

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable
Advisory Groups: Not Applicable
External Agencies: Not Applicable
Community: Not Applicable

4. ANALYSIS

The estimated budget cost of implementing the terms of the Trust at Caripook Park would be approximately $70,000. Council Administration will input a project bid into the DRAFT 2026-27 Annual Business Plan and Budget for consideration.

Item	**Approx. Cost**	**Description / Notes**
Seating	$5,000	1 x bench seats
Signage	$5,000	2 x signs, incl. design, manufacture and installation
Pathways	$30,000	200m of cement treated rubble path
Drainage	$10,000	Reducing water logging
Memorial	$5,000	Modest and sensitive memorial
Other Costs	$10,000	Project planning and design, project management, etc
TOTAL	$70,000	

5. APPENDICES

(1) Extract from 250826 – Council Minutes - Public
(2) Extract from 250826 – Council Agenda - Public

Appendix 1

Extract from 250826 – Council Minutes – Public

ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 AUGUST 2025
63 MT BARKER ROAD STIRLING

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

Nil

9. PRESENTATIONS

Nil

10. QUESTIONS ON NOTICE

10.1 Todd Trust and Caripook Park Bridgewater – Cr Leith Mudge

What is the status of the project to create a landscaped garden and memorial commemorating the 1983 Ash Wednesday fire at Caripook Park, Bridgewater as per the terms of the trust created by Mr Francis Henry Todd ("the Trust")?

The terms of the Trust outline that the Council shall establish and maintain a landscaped garden for the use and enjoyment of the public, and that a memorial shall be erected on the said land for the use and enjoyment of the public. The Memorial should commemorate the 1983 Ash Wednesday fire and the garden shall be called and designated "The Francis H Todd Garden."

In terms of the status of the Project to establish and maintain a garden and memorial, on 15 July 2022 the Supreme Court granted approval for the trust variation scheme, including the moving of the Trust to Caripook park and a report was prepared and submitted to the Minister of Local Government seeking approval to revoke the community land classification of the retirement village land.

The Council must comply with Trust conditions that now apply to Caripook Park.

In practice, this means that the Council must establish and maintain a landscaped garden in Caripook Park, which shall be called The Francis H Todd Garden, and erect a memorial for the 1983 Ash Wednesday fire on the same land. This has not yet been budgeted for in

Council's Annual Business Plan and budget. Council could consider budgeting for this Project in the 2026/2027 financial year or consider a budget review in Council's current (2025/2026) budget for same.

When is it expected that the requirements of the Trust outlined in 1 above will be completed?

As outlined above, the Project that would meet the requirements of the Trust is not currently budgeted for. When the Project is budgeted for and implemented, the requirements of the Trust will be able to be met.

How will implementation of the requirements of the Trust affect current activities at the park, including off-the-lead dog exercise?

The installation of a landscaped garden and memorial will not affect the current activities at the Park as a suitable site for location of the garden and memorial will be ascertained to ensure current activities are not impacted by the Project.

What were the net proceeds of the sale of the Bridgewater Retirement Village?

The net proceeds of the sale of the Bridgewater Retirement Village were $1,905,471 as outlined in the report to Council on 9 May 2023.

The Supreme Court order noted that Council could sell the Bridgewater Retirement village land and "apply the proceeds of the sale as it sees fit." This is mentioned only to confirm that the Supreme Court placed no obligation on Council to use any of the proceeds from the sale of the Bridgewater Retirement Village on improvements to Caripook Park. However, as noted above, Council must comply with the terms of the trust.

What is the estimated cost of implementing the terms of the Trust at Caripook Park?

The estimated cost of implementing the terms of the Trust (not the full proposed park upgrades) at Caripook Park would be approximately $70,000, broken down as follows:

Item	Approx. Cost	Description / Notes
Landscaping/plant selection	$5,000	Demonstrate low flammability plant species, such as saltbush (Atriplex and Rhagodia), Kangaroo Paws, and plants with fleshy or watery leaves like Pigface (Carpobrotus).
Seating	$5,000	1 x bench seats
Signage	$5,000	2 x signs, incl. design, manufacture, and installation
Pathways	$30,000	200m of cement treated rubble path
Drainage	$10,000	Reducing water logging
Memorial	$5,000	Modest and sensitive memorial

Other Costs	$10,000	Project planning and design, project management, etc
TOTAL	**$70,000**	

Has the cost of these works been included in any annual budget or LTFP since 2019 and what is the current status of this in budgeted works?

No, the cost of the works have not been included in any budget or LTFP since 2019. The works are currently unfunded. It can be confirmed that the footbridge at Caripook Park was renewed as part of the 2024/2025 capital works budget.

11. MOTIONS ON NOTICE

Nil

12. OFFICER REPORTS – DECISION ITEMS

12.1 Revocation of Dedication – 20 Bell Springs Road, Charleston

Moved Cr Malcolm Herrmann
S/- Cr Mark Osterstock **277/25**

Council resolves:

1. **That the Revocation of Dedication – 20 Bell Springs Road Charleston report be received and noted.**

2. **That Council supports the revocation of the land at 20 Bell Springs Road Charleston, described as allotment 20 in Deposited Plan 44282 contained in Crown Record Volume 5926 Folio 487 from Council's care, control and management and for the land to revert to the Crown for the purposes of a rededication as a Park under the National Parks and Wildlife Act 1972.**

3. **Resolve to reaffirm support for the revocation of the remaining 17 land parcels from dedication to Adelaide Hills Council as identified in resolution 52/21, removing xvi and applying to the Ministers Delegate as soon as practical.**

Carried Unanimously

12.2 Gumeracha Opportunity Shop Service Review

Moved Cr Adrian Cheater
S/- Cr Malcolm Herrmann

Council resolves:

Appendix 2

Extract from 250826 – Council Agenda – Public

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 August 2025
AGENDA BUSINESS ITEM

Item:	**10.1 Question on Notice**
Originating from:	**Cr Leith Mudge**
Subject:	**Todd Trust and Caripook Park Bridgewater**

---

1. QUESTION

1. What is the status of the project to create a landscaped garden and memorial commemorating the 1983 Ash Wednesday fire at Caripook Park, Bridgewater as per the terms of the trust created by Mr Francis Henry Todd ("the Trust")?
2. When is it expected that the requirements of the Trust outlined in 1 above will be completed?
3. How will implementation of the requirements of the Trust affect current activities at the park, including off-the-lead dog exercise?
4. What were the net proceeds of the sale of the Bridgewater Retirement Village?
5. What is the estimated cost of implementing the terms of the Trust at Caripook Park?
6. Has the cost of these works been included in any annual budget or LTFP since 2019 and what is the current status of this in budgeted works?

2. BACKGROUND

Council previously owned six retirement villages in Balhannah, Crafers, Gumeracha, Lobethal, Woodside and Bridgewater. Five of those retirement villages were sold to Clayton Church Homes on 26 October 2018. It was discovered around that time that a charitable trust (the Trust) existed over the Bridgewater Retirement Village land which meant that whilst the land was subject to a trust, that this site could not be sold as part of Council's divestment of its retirement village portfolio at that time.

The Trust formerly over the Bridgewater Retirement Village land came about as the Land was previously owned by Mr Francis Henry Todd on which a residential dwelling was located. The dwelling was destroyed in the Ash Wednesday Fire on 16 February 1983. Following the Ash Wednesday fire, Mr Todd asked the then District Council of Stirling to accept the Land as a donation on the following conditions:

1. That Council agree to accept and dedicate the said land as a reserve to be held in perpetuity.
2. That a suitable landscaped garden be established thereon for the use and enjoyment of the public.
3. That the garden contain a suitable memorial commemorating the 1983 Ash Wednesday fire and that the garden be designated the Francis H Todd Garden.

The donation of the Land and the conditions agreed above created a charitable trust over the Land which was documented in a Declaration of Trust dated 31 August 1983.

In the intervening years, the terms of the Trust were not complied with and in the early 1990s a Retirement Village was built by Council over the land. Whilst the former owner's son, Mr Frank Todd, approved of the development of a Retirement Village over the Land, the Charitable Trust was not varied and remained in place over the land for many years.

On 28 January 2020 Council resolved to make an application to the Supreme Court of South Australia to vary the Trust to move it to an alternate site, being Caripook Park on the corner of Kain Avenue and Mount Barker Road Bridgewater. On 4 August 2022, the Supreme Court approved the Trust variation (***Appendix 1***). Accordingly, the Trust was removed from the Bridgewater Retirement Village site, to the Caripook Park site at Bridgewater. The terms of the Trust now apply to the Caripook Park as per the three points above.

Subsequently, following changes to the trust and revocation of Community Land status, the Bridgewater Retirement Village was sold to CCH with net proceeds of the sale being estimated at around $1.9M at the time of sale.

From October-November 2021, public consultation was held on a potential design for upgrades to Caripook Park, including garden landscaping and an Ash Wednesday memorial. The landscaping and memorial components of the design received "lukewarm" support. The consultation report is provided as ***Appendix 2***.

There does not appear to have been any further progress on the implementation of the terms of the Trust since 2022. Members of the public have been asking questions and would like to understand where this project is at, some 3 years after the last public action on the Caripook Park design.

3. OFFICER'S RESPONSE – Jade Ballantine, Director Environment and Infrastructure

1. What is the status of the project to create a landscaped garden and memorial commemorating the 1983 Ash Wednesday fire at Caripook Park, Bridgewater as per the terms of the trust created by Mr Francis Henry Todd ("the Trust")?

The terms of the Trust (see ***Appendix 1***) outline that the Council shall establish and maintain a landscaped garden for the use and enjoyment of the public, and that a memorial shall be erected on the said land for the use and enjoyment of the public. The Memorial should commemorate the 1983 Ash Wednesday fire and the garden shall be called and designated "The Francis H Todd Garden."

In terms of the status of the Project to establish and maintain a garden and memorial, on 15 July 2022 the Supreme Court granted approval for the trust variation scheme, including the moving of the Trust to Caripook park and a report was prepared and submitted to the Minister of Local Government seeking approval to revoke the community land classification of the retirement village land (see ***Appendix 1***).

The Council must comply with Trust conditions that now apply to Caripook Park.

In practice, this means that the Council must establish and maintain a landscaped garden in Caripook Park, which shall be called The Francis H Todd Garden, and erect a memorial for the 1983 Ash Wednesday fire on the same land. This has not yet been budgeted for in Council's Annual Business Plan and budget. Council could consider budgeting for this Project in the 2026/2027 financial year or consider a budget review in Council's current (2025/2026) budget for same.

2. When is it expected that the requirements of the Trust outlined in 1 above will be completed?

As outlined above, the Project that would meet the requirements of the Trust is not currently budgeted for. When the Project is budgeted for and implemented, the requirements of the Trust will be able to be met.

3. How will implementation of the requirements of the Trust affect current activities at the park, including off-the-lead dog exercise?

The installation of a landscaped garden and memorial will not affect the current activities at the Park as a suitable site for location of the garden and memorial will be ascertained to ensure current activities are not impacted by the Project.

4. What were the net proceeds of the sale of the Bridgewater Retirement Village?

The net proceeds of the sale of the Bridgewater Retirement Village were $1,905,471 as outlined in the report to Council on 9 May 2023.

The Supreme Court order noted that Council could sell the Bridgewater Retirement village land and "apply the proceeds of the sale as it sees fit." This is mentioned only to confirm that the Supreme Court placed no obligation on Council to use any of the proceeds from the sale of the Bridgewater Retirement Village on improvements to Caripook Park. However, as noted above, Council must comply with the terms of the trust.

5. What is the estimated cost of implementing the terms of the Trust at Caripook Park?

The estimated cost of implementing the terms of the Trust at Caripook Park would be approximately $100,000, broken down as follows:

Item	Approx. Cost	Description / Notes
Seating	$5,000	1 x bench seats
Signage	$5,000	2 x signs, incl. design, manufacture and installation
Pathways	$30,000	200m of cement treated rubble path
Drainage	$10,000	Reducing water logging
Memorial	$5,000	Modest and sensitive memorial
Other Costs	$10,000	Project planning and design, project management, etc
TOTAL	$70,000	

6. Has the cost of these works been included in any annual budget or LTFP since 2019 and what is the current status of this in budgeted works?

No, the cost of the works have not been included in any budget or LTFP since 2019. The works are currently unfunded. It can be confirmed that the footbridge at Caripook Park was renewed as part of the 2024/2025 capital works budget.

4. APPENDIX

(1) Supreme Court Order dated 15 July 2022 and Original Deed of Declaration of Trust
(2) 2022 Proposed Upgrades for Caripook Park, Bridgewater

Appendix 1

Supreme Court Order dated 15 July 2022 and Original Deed of Declaration of Trust

Form 82

Case Number: CIV-22-006330

Date Signed: 04 August 2022

FDN: 7

ORDER

SUPREME COURT OF SOUTH AUSTRALIA
CIVIL JURISDICTION

Adelaide Hills Council
Applicant

Attorney-General for the State of South Australia
Respondent

Introduction

This is an application for the approval of a trust variation scheme.

Hearing

Hearing Location: Adelaide
Date of Hearing: 15 July 2022

Presiding Officer: The Honourable Justice Kimber

Application made by: Adelaide Hills Council, the Applicant

Appearances

Applicant: Represented by Mr T Burke in person
Respondent: Represented by Mr J Metzer in person

Recitals

The Respondent does not oppose the application or the orders set out below.

Date of Order: 15 July 2022

Terms of Order

It is ordered that:

1. Pursuant to section 69B of the *Trustee Act 1936* and the inherent jurisdiction of the Court the trust variation scheme set forth in the Schedule hereto in relation to the trusts under the Declaration of Trust dated the 31st day of August 1983 and executed by the District Council of Stirling under its common seal be and is hereby approved and that the trust variation scheme be carried into effect.

2. Pursuant to section 56 of the *Trustee Act 1936* and the inherent jurisdiction of the Court the Applicant and all its current and former members and officers be wholly relieved from personal liability for any breach of the trust committed before the date of this Order.

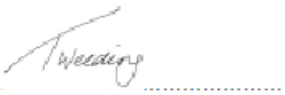
3. The parties may apply for further orders and directions.

[redacted]

Form 82

To the parties against whom orders are made: WARNING:

If you disobey this order, you will be in **contempt of court** and liable to **imprisonment and/or a fine** or other punishment and any other person who knows of this order and does anything that helps or permits you to disobey this order may be similarly punished.



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Registrar

Form 82

SCHEDULE

TRUST VARIATION SCHEME
(Trustee Act 1936, Section 69B)

1 **Definitions**

In this Scheme, unless a contrary intention appears:

1.1 'Carripook Park' means Allotment 12, Deposited Plan 123117, being the whole of the land comprised in Certificate of Title Register Book Volume 6234 Folio 492.

1.2 'Council' means the Adelaide Hills Council.

1.3 'Court' means the Supreme Court of South Australia.

1. 4 'Todd land' means Allotment 20 on Filed Plan No.8131 being comprised at the date of the Trust Deed in Certificate of Title Register Book Volume 4190 Folio 64 and described in the Trust Deed as 'the said land'.

1.5 'Trust Deed' means the Deed of Declaration of Trust dated the 31st day of August 1983 and executed by the District Council of Stirling under its common seal a copy of which is annexed to this Scheme.

2. **Background**

2.1 The Council was formed by the amalgamation of the District Council of Stirling and other Councils by a Proclamation made pursuant to sections 7 and 14 of the *Local Government Act 1934* published in the *Government Gazette* of 27 September 1997 at page 1340 and is, as the legal successor to the District Council of Stirling, the current registered proprietor of the Todd land and the trustee under the Trust Deed.

2.2 It is not reasonably practicable for the Todd land to be held as a public reserve and to be developed and maintained as a landscaped garden in accordance with the Trust Deed.

2.3 Carripook Park is vested in the Council in fee simple and is classified as community land for the purposes of the *Local Government Act 1999*.

2.4 The Council proposes a variation of the trusts under the Trust Deed under which the Council would hold Carripook Park in lieu of the Todd land as a reserve in perpetuity and on which the Council would establish and maintain the landscaped garden and memorial in accordance with the Trust Deed.

3. **Variation of Trust**

3.1 The trusts under the Trust Deed are varied so that all references to 'the said land' in the Trust Deed refer to Carripook Park in lieu of the Todd land. In all other respects, the provisions of the Trust Deed are to remain in effect according to their terms.

3.2 Subject to the revocation of the classification of the Todd land as community land for the purposes of the *Local Government Act 1999* the Council may sell the Todd land. and apply the proceeds of the sale as it sees fit.

Form 82

(7)

20~
1

DEED OF DECLARATION OF TRUST

THE DISTRICT COUNCIL OF STIRLING of Mount Barker Road Stirling in the State of South Australia HEREBY ACKNOWLEDGES that the Council has accepted a transfer of the whole of the land comprised in Certificate of Title Register Book Volume 4190 Folio 64 in order to comply with the wishes of FRANCIS HENRY TODD of 4 Churinga Road Aldgate in the said State and that the Council HEREBY UNDERTAKES to hold the said land upon the following trusts:

J1004795

150983

SOUTH AUSTRALIA 20c DUTY STAMP

COMMISSIONER OF STAMPS R. ADJUDGED DULY STAMPED SOUTH AUSTRALIA

1. That the said land shall be dedicated and held as a reserve by the Council in perpetuity
2. That the Council shall establish and maintain a landscaped garden (hereinafter called "the said garden") on the said land for the use and enjoyment of the public
3. That a memorial shall be erected on the said land in accordance with the wishes of the said Francis Henry Todd to commemorate the bush fire known as "the 1983 Ash Wednesday fire"
4. The said garden shall be called and designated "The Francis H. Todd Garden".

DATED the 31st day of August 1983.

The COMMON SEAL of the DISTRICT COUNCIL OF STIRLING was hereunto affixed in the presence of:

Chairman

District Clerk

Appendix 2

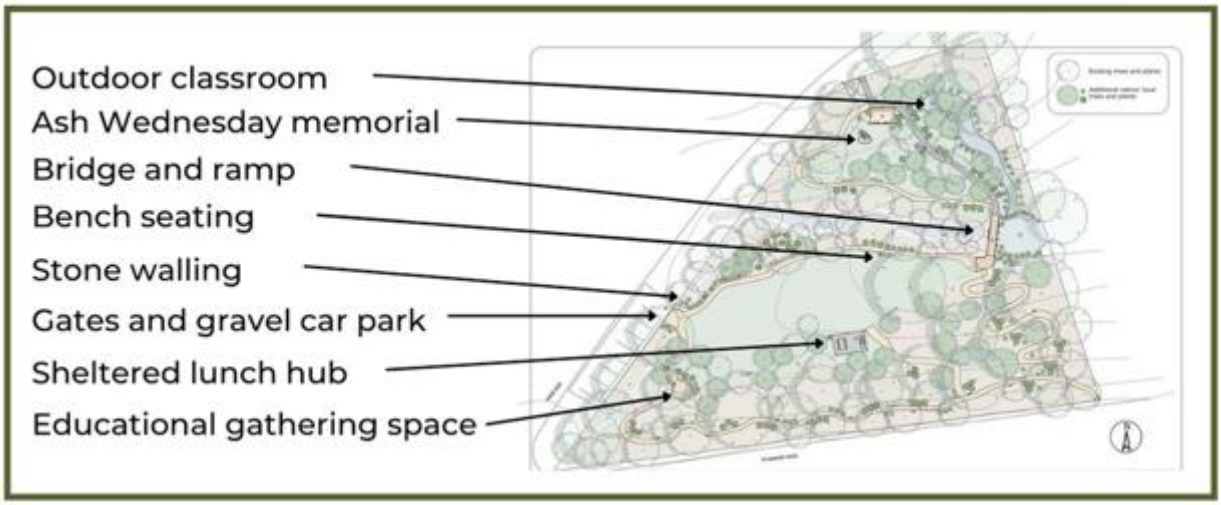
2022 Proposed Upgrades for Caripook Park, Bridgewater

2022

Adelaide Hills Council

engage.sa.gov.au

Proposed Upgrades for Carripook Park, Bridgewater



Community Engagement Outcomes Report

February 2022

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1 INTRODUCTION

This report presents the qualitative and quantitative feedback from the engagement with the community conducted from 13 October to 8 November 2021 regarding proposed upgrades to Carripook Park, Bridgewater.

This report will be presented to Council and made available to those who participated in the consultation on Council's Have Your Say Engagement Platform.

The consultation comprised an opportunity for the Community to provide feedback via online and hardcopy survey response as well as providing submissions by email, letter or phone contact. Participants were also provided the opportunity to meet Council staff face to face on site. A copy of information provided on Council's Have Your Say Engagement Platform and feedback form is available in Appendix A.

There were a total of 122 Participants providing feedback on the proposed upgrades to Carripook Park, Bridgewater. 104 Respondents provided their feedback via an online or hardcopy survey. A further 5 Participants provided a response by email and 1 Participant by phone. 12 Participants attended Councils face to face meeting on Thursday 4 November 2021.

Verbatim comments received through online and hardcopy surveys are provided in Appendix B.

Email submissions are provided in Appendix C.

Face to face meeting notes are provided in Appendix D.

There was no engagement via social media posts.

2 KEY FINDINGS

The key findings from the consultation are:

- A total of 122 Participants provided feedback on the proposed upgrades to Carripook Park, Bridgewater.

- 74 Respondents were Adelaide Hills Council Residents/Ratepayers, 27 of which resided within 300m of Carripook Park, Bridgewater. 51 Respondents were visitors to Carripook Park.

- The most supported elements of the upgrade in order of most supported to least supported included:
    - 86.5% (n=90) Shade structure
    - 83.5% (n=87) New bridge and ramps
    - 82.5% (n=86) Bench seats
    - 80% (n=83) Drainage swale
    - 74% (n=77) Stone walling
    - 74% (n=77) Educational landscaped native garden
    - 67% (n=70) Additional signage
    - 64% (n=67) Educational gathering space
    - 51.9% (n=54) Ash Wednesday Memorial

- The least supported elements of the proposed upgrades included:
    - The Ash Wednesday Memorial with 33.5% (n=35) of Respondents not supporting it, and
    - The educational gathering space with 26% (n=27) of Respondents not supporting it.

- Significant and consistent feedback to be considered included:
    - Leave the park as a natural space, with minimal changes and any changes to compliment natural feel and native element of park
    - Keeping the park as a dog friendly off leash park
    - Keep signage simple and subtle and include information on birds, history, ecology, acknowledging First Nations People / Aboriginals, dog park behaviour
    - Reconsider design and location of Ash Wednesday Memorial
    - Consideration of bogginess issues when considering swale, pathways, stone walls and any other structures

- Ensure all upgrades are natural, informal and minimal (i.e. bench seats, bridge, signs, etc) and consider ongoing maintenance in regard to weed management, restoration of local vegetation and no tree loss
- Educational elements not necessary as already have other opportunities nearby at Arbury Park and Deanery, they are not compatible with a dog park and the park would require a toilet for children (Educational gathering space and educational landscaped native garden)
- Proposed changes clash with an off-leash dog park
- If educational features provided with focus for schools then a toilet should be considered.

3 SUMMARY OF ENGAGEMENT

3.1 BACKGROUND

Adelaide Hills Council is currently considering upgrades to Carripook Park, Bridgewater including an educational landscaped native garden and an Ash Wednesday memorial which are both requirements of a trust that Council is proposing to transfer to this location.

Proposed upgrades will improve the facilities at the Park and will be great features that can be utilised by the community and school groups.

This consultation will be about the proposal to undertake upgrades to Carripook Park to improve the facilities and create an educational native landscaped garden that can be utilised by the community as well as school groups. There will be a focus on learning about native vegetation and the role it plays in the ecological system and also how it regenerates from fire.

Council are not proposing to change the current off-leash dog permissions at the park.

Feedback from local residents, key stakeholders and users of Carripook Park should be prioritised for this consultation.

Consultation should be undertaken in reference to Council's Public Consultation Policy.

All feedback provided will be considered and presented back to Council.

3.2 COMMUNITY ENGAGEMENT STRATEGY

A community engagement strategy was developed and consultation was undertaken with the Community over 27 days from Wednesday 13 October to Monday 8 November 2021. The consultation was extended by 6 days from its original planned dates to accommodate the need to delay the face to face meeting due to extreme weather.

Consultation was undertaken in accordance with Council's Public Consultation Policy.

3.3 ENGAGEMENT APPROACH

Council's engagement approach aimed to collect and collate community feedback about level of support and additional information on each of the proposed upgrades being considered. The community could provide feedback on what aspects they supported, what they had concerns about and any other ideas they may have. Feedback could be provided via an online or hardcopy survey, email, mail, phone or by attending Councils face to face opportunity on site.

A survey was developed which contained 16 questions, including both closed and open style questions. Questions were designed to determine the type of participants providing

feedback and to seek detailed feedback on each of the upgrades being proposed for Carripook Park.

Anyone could participate in the survey which was made available online and as a hardcopy at Council Libraries and service centres and the face to face opportunity.

A copy of the survey questions is included in Appendix A.

3.4 DISTRIBUTION AND PROMOTION

The opportunity to provide feedback was promoted through a number of channels including:

- Letter to 149 local Ratepayers living within approximately 300m of Carripook Park.
- Corflute sign erected on-site at Carripook Park
- Notices posted on Council's website and Hills Voice e-newsletter.
- Advertisement in the Courier on 13 October 2021.
- Email to targeted EHQ registrants and hills voice registrants
- Information and hardcopy feedback forms available at libraries/customer service centres at Gumeracha, Stirling and Woodside.
- AHC social medial

Email promotion statistics are presented below:

Hills Voice: headlines (Courier) 6 October 2021 "Have Your Say about local matters…" 25,000 readership (approximate)	Hills Voice: your Adelaide Hills 8 October 2021 "Carripook Park Reserve Upgrades, opens 13 October…" 1,271 opens (33.69%) 36 unique click throughs to EHQ generic
Have Your Say Newsletters 13 October 2021 1096 sent 580 opens 56 unique clicks	Twitter 26 October 2021 "Have you registered for our face-to-face…" 142 impressions 5 engagements
Facebook 26 October 2021 "Have you registered for our face-to-face…" 634 people reached 2 likes	Facebook 3 November 2021 "It's not too late to have your say…(face-to-face rescheduled)" 730 people reached 4 likes

4 PARTICIPANTS

This section provides details about participation during the engagement period and demographic information about Respondents who completed a survey.

Participants are considered to be those who were not only aware of and informed about the consultation process but who also went on to provide their feedback via survey, email, phone and/or at the face to face opportunity with Council staff. The number of aware and informed people who chose not to provide feedback is presented within the table below:

Table 1 Aware, informed and engaged community

	Email	Social Media	EHQ Platform
Aware *Sighted information that the consultation was open*	1851	1506	275
Informed *Accessed information via visiting multiple sites or downloading information*	92	11	170
Engaged Participants *Provided feedback*	**Completed survey or sent email**		101

4.1 PARTICIPATION RATE

The following table displays the level of engaged participation.

Table 2 Level of Participation

Activity	Number Participating
Online surveys	101
Hardcopy surveys	3
Written response – email	5
Phone	1
Face to face meeting	12
TOTAL CONSULTATION PARTICIPATION	**122**

4.2 PARTICIPANT CHARACTERISTICS

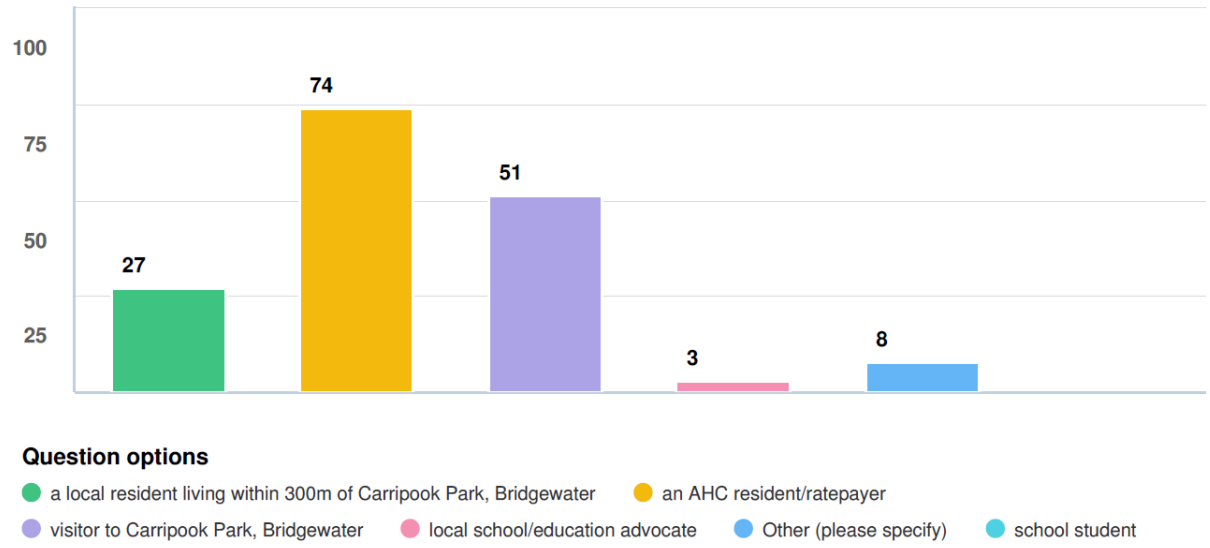
Participant characteristics can only be obtained from the online and hardcopy survey. Those participating in the online and hardcopy survey are referred to as 'Respondents' in this report.

Respondents were asked if they were a local resident within 300m of Carripook Park, an Adelaide Hills Council Resident/Ratepayer, a visitor to Carripook Park, a local school/education advocate, school student or other.

Respondents were able to select more than one response that represented who they were.

As presented below, 74 Respondents were Adelaide Hills Council Residents/Ratepayers, 27 of which resided within 300m of Carripook Park, Bridgewater. 51 Respondents were visitors to Carripook Park and 8 Respondents represented something other than those already mentioned.

3 Respondents were local school/education representatives and no school students responded to this feedback opportunity.

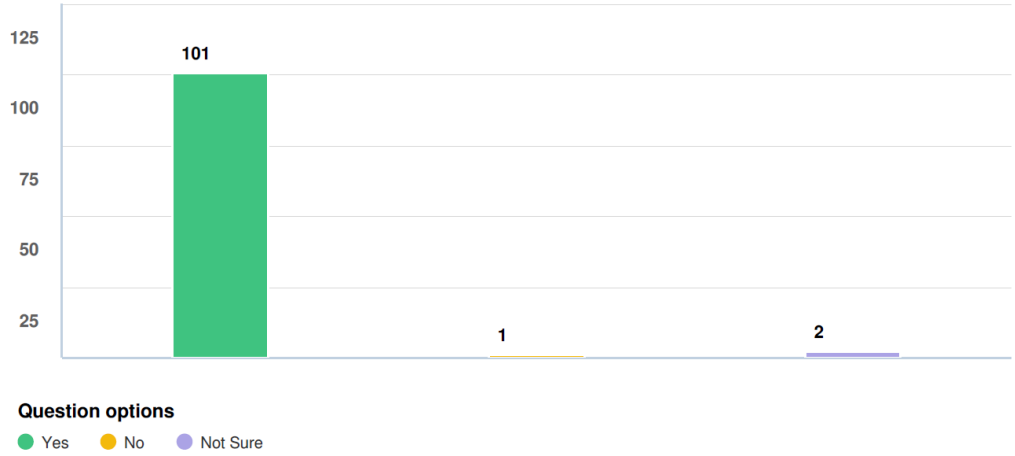


5 SURVEY FEEDBACK

104 online and hardcopy survey responses were received as part of this consultation. Analysis of each question in the survey on the proposed upgrades to Carripook Park, is provided below.

5.1 REVIEW OF PROPOSED UPGRADES TO CARRIPOOK PARK

Respondents were asked if they had reviewed the proposed upgrades to Carripook Park, Bridgewater. This was a mandatory question with 104 Respondents. 97% (n=101) of Respondents said they had reviewed the proposed upgrades to Carripook Park in the full draft design plans.



5.2 SUPPORT FOR ELEMENTS WITHIN THE DRAFT DESIGN PLANS

Respondents were asked if they supported each of the key upgrades in the draft design plan. All 104 Respondents indicated whether they supported, didn't support or were unsure whether to support each element within the concept design plan. Upgrades supported from most support to least support are presented in the table below. Values in the table represent the number of Respondents:

Proposed Upgrade	Support	Don't support	Not sure
Shade Structure	90	8	6
New bridge and ramps	87	8	9
Bench seats	86	15	3
Drainage swale	83	11	10
Stone walling	77	16	11
Educational landscaped native garden	77	21	6
Additional signage	70	22	12
Educational gathering space	67	27	10
Ash Wednesday Memorial	54	35	15

The highest level of support was for the shade structure upgrade with 86.5% (n=90) of Respondents supporting it. 83.6% (n=87) of Respondents supported the new bridge and ramp, 82.6% (n=86) of Respondents supported bench seats and 79.8% (n=83) supported the drainage swale.

The Stone walling and educational landscaped native garden was supported by 74% (n=77) of Respondents as was the additional signage by 67.3% (n=70) of Respondents.

The educational gathering space and Ash Wednesday Memorial were the lowest supported elements of the upgrade with 64% (n=67) of Respondents supporting the educational gathering space and 51.9% (n=54) supporting the Ash Wednesday Memorial.

Respondents were then asked if they had any **comments in regard to the elements they supported**. 62 Respondents provided comment 29 of which were simply general positive comments. Other supportive comments were around:

- Keeping the park as a dog friendly off leash park (n=14)
- Supportive of signage but keep it simple and subtle and include information on birds, history, ecology, acknowledging First Nations People / Aboriginals (n=6)
- Ash Wednesday Memorial not attractive, preference not to have glass, design to be more subtle and fit in with natural environment (n=5)
- Swale should consider water sensitive urban design and alleviate bogginess issues (n=5)
- Ensure all upgrades are natural, informal and minimal (n=5)
- Ensure all upgrades consider and show preference for ongoing maintenance in regard to weed management, restoration of local vegetation and no tree loss (n=5)
- Shelter supported and to include sides to protect from wind, size variations and signage included (n=4)
- Bridge construction should be solid and natural, fitting in with natural environment (n=3)
- Bench seats supported but more comfortable, less intrusive and several provided (n=3)

Respondents were also asked if they could please explain what **elements they did not support and the concerns they had with them**. 53 Respondents provided comment with 107 concerns raised. Concerns for particular elements are presented below in order of most raised concern:

- Leave the park as a natural space, with minimal changes and any changes to compliment natural feel and native element of park (n=38)
- Educational elements not necessary as already have other opportunities nearby at Arbury Park and Deanery, they are not compatible with a dog park and the park

would require a toilet for children (Educational gathering space and educational landscaped native garden) (n=20)

- Ash Wednesday Memorial – concerns were raised in regard to the location, look and relevance for the area. Many suggested relocating and redesigning (n=18)
- Current use as an off leash dog park is valued and (n=9) Respondents raised concerns if this was to change and felt the park should remain as a dog park. Many (n=15) raised issues with the educational space not being compatible with a dog park. One person raised the need for dog park signage and 1 person did not support the current use as a dog park.
- Concerns in regard to signage varied but in particular Respondents wanted no more or very minimal signage, wanted to keep the current historical signage in the shelter and value add to that. Consider signage at entry, welcome to country signage, dog park use signs, (n=10)
- 3 Respondents raised concerns with parking not being adequate for increased use and the need for an upgrade.
- 2 Respondents suggested that the only seating required was a few proper park benches.
- A single but valuable comment worth consideration included having pathways that absorb water and accommodate prams and all-inclusive access.
- A few singular comments were made in regard to the shade structure, bridge and ramps, stone walling and drainage swale each of which can be reviewed in Appendix B, Q14 verbatim comments.

5.3 ADDITIONAL COMMENTS

Respondents were asked if there was anything else that they had not already mentioned that they felt Council should consider in regard to the proposed upgrade to Carripook Park. 78 Respondents provided an additional 109 themed comments. Presented below are the themed comments provided by 2 or more Respondents:

Remains a dog park off leash	31
Consider toilets especially if used as education space	9
Additional dog park features large concrete pipes, signage, poo bags, improved fencing	7
Incorporate a children's playground and other kids activities (large concrete pipes, bike track)	5
Address boggy area in winter	5
Plant trees native and flora to area/revegetation	5

Current dogs off leash use not compatible with changes	5
Recognition for Aboriginal people - memorial, signage	4
Minimalistic changes (signage, structures, keep natural and open)	5
Fix and maintain (fences, gates, paths)	4
Manage invasive weeds	3
Negative / not supportive of this project	3
Better connections (between Cox Creek and Bridgewater play space and oval, connect train lines, bike tracks)	2
Asphalt paths instead of gravel to reduce maintenance and wheelchair friendly	2
Consult neighbouring property and reduce impacts to neighbours	2
Include history signage (parcel of land industrial uses and origin of name, old mill original early settlement park establishment in 90's)	2
Relocate bins away from food area and provide adequate bins	2
Relocate ash wed memorial	2

All responses from surveys are provided verbatim in Appendix B.

6 EMAIL, WRITTEN AND PHONE FEEDBACK

5 Participants provided a response by email and one provided a response by phone. 1 Participant was supportive of the concept plan while the other 5 raised the following concerns:

- Don't support plan, prefer the park as it is and to be left alone (n=2)
- Ash Wednesday Memorial would be better suited elsewhere and not in this locations (n=2)
- Retain as an off-leash dog park (n=2)
- Proposed changes clash with the purpose of a dog park
- Upgrades should include natural revegetation (include rare Spyridium which can be located nearby), improved weed management, bat and bird boxes
- Proximity of proposed structures too close to neighbours
- Concerns with parking and behaviour with increased use
- Consider toilets
- Engage Bush for Life Volunteers

All emails and written feedback are provided in Appendix C.

7 FACE TO FACE MEETING

Adelaide Hills Council provided the community with the opportunity to register interest to meet with AHC staff on Thursday 4 November at Carripook Park from 5:30 – 6:30pm to discuss the proposed upgrades to Carripook Park, Bridgewater. The Community could provide feedback about the level of support and additional information on each of the proposed upgrades being considered. The community could provide feedback on what aspects they supported, what they had concerns about and any other ideas they may have.

There were 15 people in attendance including 2 staff and 1 Elected Member. The following key points and discussions were raised:

- It would be good to have a path right around the outside of the park without mud
- Stone walling may stop water flowing back into creek
- Central grassed area is very boggy a lot of the time (2)
- Top northern gate off Kain Ave often doesn't shut properly as closing mechanism not working
- South East gate off Mt Barker Road has a closing mechanism not working properly
- Often see locals picnicking
- See a lot of use by dog owners
- Preference for updates to remain informal
- More seating would be good
- Please keep as a dog park
- Shelters and seating ok but keep minimal
- Memorial ok
- Maintain a natural feel.

All Participants attending the face to face meeting were provided with the opportunity to provide additional feedback over the weekend via the online and hardcopy survey.

8 SOCIAL MEDIA FEEDBACK

Social media promotion of the Carripook Park Upgrades consultation was undertaken and there was no specific feedback received via these platforms. Information was liked and shared but no comments provided.

9 CONCLUSION

Of the 122 Participants providing feedback on the proposed upgrades to Carripook Park, Bridgewater the majority were either Adelaide Hills Council Residents/Ratepayers (n=75), Residents residing within 300m of Carripook Park (n=27), or Respondents who were visitors to Carripook Park (n=51). Therefore, Participants in this consultation would either be directly impacted or would benefit from any upgrades made to the Park.

Although there was a reasonable level of support for most of the elements in the upgrade, higher levels of support were seen for the least intrusive elements including:

- Shade structure
- New bridge and ramps
- Bench seats
- Drainage swale
- Stone walling
- Educational landscaped native garden
- Additional signage.

The above features were supportive of what was important to many who participated in the consultation including:

- Leaving the park as a natural space, with minimal changes and any changes to compliment natural feel and native element of park and ensuring all upgrades are natural, informal and minimal (i.e. bench seats, bridge, signs, etc) and consider ongoing maintenance in regard to weed management, restoration of local vegetation and no tree loss
- Keeping the park as a dog friendly off leash park
- Keeping signage simple and subtle and include information on birds, history, ecology, acknowledging First Nations People / Aboriginals, dog park behaviour
- Consideration of bogginess issues when considering swale, pathways, stone walls and any other structures.

The Ash Wednesday Memorial and educational gathering space were the least supported elements of the proposed upgrades. This was a direct reflection of feedback received where these two features are in conflict with the current use and values of the park by those using it and living near it.

If the educational features are included feedback indicates they would clash with the current use as an off-leash dog park, due to dog and hygiene risks to children, requirement for better parking and toilets for schools and lack of space to fit all features into the park without impacting the natural, environmental and rustic feel of the park. Nearby parks already offer educational focuses for schools at Arbury Park and the Deanery.

In regard to the Ash Wednesday Memorial other locations and designs were considered more appropriate than the one proposed in this concept plan.
Feedback received suggests Council may like to modify the upgrades to Carripook Park and consider less major features/upgrades and ensure those upgrades implemented compliment the natural environment and enhance the current use which is highly valued as a natural, rustic dog park and picnic area for locals.

Extra features including revegetation, stone walling, bridge, swale and pathways to improve bogginess of the area will be highly valued as well as any new seating, weed management and other natural features as mentioned in the feedback.

If upgrades including the educational gathering space and Ash Wednesday memorial are reconsidered in either design or location then Council will need to consider how this impacts the current proposal.

Feedback and proposed actions will be reviewed and presented to Council.

This report will be shared with the wider community and anyone who participated in the consultation via Councils Have Your Say Engagement Platform.

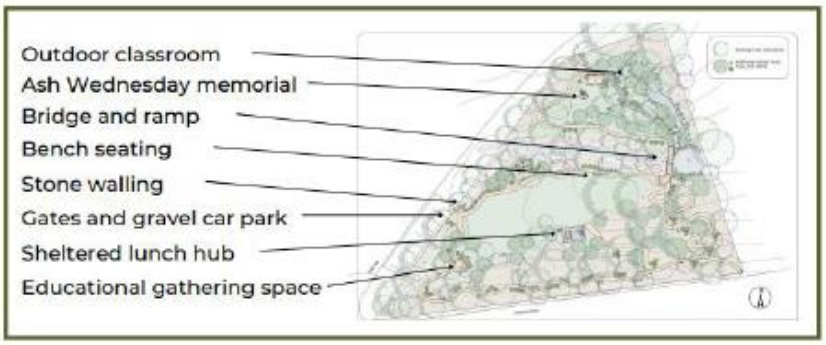
APPENDIX A – Information Provided and Feedback Form

Have Your Say
Wednesday 13 October – 4pm, Tuesday 2 November 2021

Adelaide Hills Council is currently considering upgrades to Carripook Park, Bridgewater including an educational landscaped native garden and an Ash Wednesday memorial which are both requirements of the trust that Council is proposing to transfer to this location.

Proposed upgrades will improve the facilities at the Park and will be great features that can be valued and utilised by the community and school groups.

Below is an overview of the proposed upgrades being considered and you can view the full draft design plans at engage.ahc.sa.gov.au or a hardcopy is available at Council Libraries for viewing.



You can Have Your Say by:

- Preferably using the online feedback form at engage.ahc.sa.gov.au
- Send an email to engage@ahc.sa.gov.au
- Write a letter to Community Engagement Coordinator PO Box 44, Woodside SA 5244
- Phone 8408 0400
- Complete the attached hardcopy feedback form and return to any Council Service Centre or Library at Stirling, Gumeracha or Woodside or via any of the ways mentioned above.
- Register and join us for our face to face opportunity at Carripook Park at 5:30pm, Thursday 28 October 2021 via any of the ways mentioned above.

Consultation closes 4pm, Tuesday 2 November 2021.

Adelaide Hills Council
Communications, Engagement and Events Team

engage.ahc.sa.gov.au | engagement@ahc.sa.gov.au | 8408 0400

Have Your Say Feedback Form
Proposed Upgrades for Carripook Park, Bridgewater

Please submit your feedback by 4pm, Tuesday 2 November 2021

Please provide your details below:

Name_____

Suburb_____

1. **Are you:** (Choose all that apply) (Required)
   - ☐ a local resident living within 300m of Carripook Park
   - ☐ an AHC resident/ratepayer
   - ☐ visitor to Carripook Park
   - ☐ local school/education advocate
   - ☐ school student
   - ☐ Other (please specify)

2. **Have you reviewed the proposed upgrades to Carripook Park in the full draft design plans?** (Choose 1 option) (Required)
   - ☐ Yes
   - ☐ No
   - ☐ Not Sure

3. **Do you support the Educational Landscape Native Garden?** (Required)
   - ☐ Yes
   - ☐ No
   - ☐ Not Sure

4. **Do you support additional signage?** (Required)
   Please note that images are examples only.

Entrance signage, Acknowledgment of Country and information regarding First Nations peoples, culture and perspectives.

Bright educational signage detailing information about the area's eco systems.

Entrance map and information explaining the different sections of the reserve and it's history.

   - ☐ Yes
   - ☐ No
   - ☐ Not Sure

Adelaide Hills COUNCIL

5. **Do you support the Ash Wednesday Memorial?**
Image examples include steel sculptures in a levelled circle of compacted yank stone and local quarry rock edging. Opportunity for inscription writing or stained glass features. (Required)

☐ Yes

☐ No

☐ Not Sure

6. **Do you support the shade structure?** (Required)
Note: Please note that images are examples only

☐ Yes

☐ No

☐ Not Sure

7. **Do you support the new bridge and ramps?** (Required)
Note: Please note that image is example only.

☐ Yes

☐ No

☐ Not Sure

Adelaide Hills COUNCIL

8. **Do you support the educational gathering space? (Required)**
Note: Please note that image is example only.

☐ Yes

☐ No

☐ Not Sure

9. **Do you support the bench seats? (Required)**
Note: Please note that image is example only.

☐ Yes

☐ No

☐ Not Sure

10. **Do you support the stone walling? (Required)**
Please note that image is example only.

☐ Yes

☐ No

☐ Not Sure

Adelaide Hills
COUNCIL

11. Do you support the drainage swale? (Required)
Note: Please note that image is example only.

- ☐ Yes
- ☐ No
- ☐ Not Sure

12. Do you have any comments in regard to the elements you support?

Adelaide Hills
COUNCIL

13. If there were any upgrades you did not support can you please explain what they were and the concerns you had with them?

14. Is there anything else that you have not already mentioned that you feel Council should consider in regard to the proposed upgrade to Carripook Park?

Adelaide Hills
COUNCIL

15. **How do you generally feel about the proposed upgrades to Carripook Park?** (Required) (Please circle the corresponding face)

Very Unhappy Unhappy Neutral Happy Very Happy

16. **If you would like to be kept in the loop with the outcomes of this consultation please provide your email address.**

_____

Thank you for taking the time to provide your feedback ☺

Please return this form by:

- Email to engage@ahc.sa.gov.au
- Mail to Community Engagement Coordinator PO Box 44, Woodside SA 5244
- Hand in to any Council Service Centre or Library at Stirling, Gumeracha or Woodside

Consultation closes 4pm, Tuesday 2 November 2021.

APPENDIX B – Verbatim Comments

Q13 Do you have any comments in regard to the elements you support?
I'm pleased that the park is to be dog friendly.
Concept is good but the ash wednesday memorial is not attractive
Please included a memorial to the Peramangk Aboriginal people and an acknowledge of their fate at the hands of European settlement.
I really like the proposed changes from aesthetic, functional and educational point of view; I will be likely to use the park more often as a result of these changes.
Looks great.
This will be a space for the whole community and those that come to visit. We are lucky to live in the Hills.
Basic structures are fine, replacing the old gazebo is ok.
I think the overall concept is good, although the future on-going maintenance, for the Council needs to be considered
We support elements that enhance the park. The swale is an excellent idea as drainage is a problem. We support a new bridge as this too is needed. The rock walling would be a good enhancement too and make the park attractive. We like to design of the park benches.
Great additions to any park - but how will this change dog access? If it changes current dog access - I am strongly against it and I dont own a dog anymore. There are very few places left to walk with a dog off lead and this is one of them. It will be yet another area that dogs off lead will be banned and I do not support that.
Looks good. Only question is how many hardwood bench seats do we need?
Yes, it should be a dog park to move the dogs off the oval so my son isn't covered in dog poo when he goes to kick a ball.
5. Ash Wednesday Memorial. Please no glass it only encourages vandalism. 7. Bridge. Steel support, timber cladding would be a longer term structure into the future.
I cannot see the need for any upgrade to this dog park other than improving the fencing.
Dogs on leash at all times please
So long as it remains an “off leash “ dog park
The bench seats are a bit boring but I can't suggest a better option. The native garden will be great. We have converted out garden to mainly natives and will look forward to seeing what other plants suit this area.
The improved design will increase usage so I hope that adequate resources will be allocated to upkeep, waste management etc.
KEEP IT AS A DOG PARK!!!!!!!!!!!!!!!!!!
I am supportive of all suggestions so long as no significant trees are removed in the process. I also hope dogs will still be allowed off lead.
Drainage and wetland planting and signage I think it's important.
I don’t want signage in park
Leave it alone as a lovely off lead dog park
Please, please dogs love this park and so, so many people come here to exercise their dogs as some can not be off leash in other areas of Bridgewater. I will be in support of this if dogs will still be allowed at the park, otherwise I'm not supporting this at all. So many people have dogs in this area who don't like other dogs or cannot be trusted off leash. The park is essential for the happiness of dogs in the area.
The shelter certainly needs an upgrade to be larger. Also the drainage will assist the boggy marsh that it becomes in winter.

I support an informal park setting where locals and others can relax and be active as chosen. I agree with land and stream plantings to prevent erosion. I lke some informal paths and informal seating options placed within the park.
The additional elements look like a great addition to make the space more useable for children and families
It all looks very nice.
I am not familiar enough with compacted yankstone to know whether this would be a wheelchair- and pram-friendly surface. It is important that it is. I am guessing that it is a WSUD (water-sensitive urban design) feature, which is good, and preferable to creating large areas of impervious surfaces.
None.
We live within 50m to the park and support all the upgrades. It is a very un utilised park with potential for so much more.
This is the only off leash dog area at Bridgewater and should continue to be designated for this. There is significant divide between dog owners/ non owners in the community and this would not be remotely helpful.
The Ash Wednesday memorial is a horrible idea and irrelevant to that area.
It would be great if the educational signage could include references to some of the local birds that inhabit the area. I would support an Ash Wednesday memorial if it fit into the natural surroundings.
We live directly opposite the park and think the proposed upgrade is relevant and aesthetically pleasing
My kids love this park more than my dog. They regularly play/swim in the creek (all seasons). The new additions would make what is already wonderland for kids, even more inviting. I'm so glad there will be more families encouraged to enjoy the park.
The design plan looks amazing - can't wait to see if all come together. Will be a great space to enjoy.
they look good and will make the park more useable
Support practical developments (eg bridge) and those elements that enhance / sustain natural landscape
No
signage should be subtle
Drainage is needed at Carripook Park. The drainage swail will assist with this.
Swale is great but can we please also have some management of invasive weeds? Otherwise the swale of going to be horrendous in a few years.
I do! An upgraded bridge, or 2 would be ideal. As long as this doesnt take the ambiance away from that part of the creek and waterway, and works in with the environment. The Shelters look good. There is a need for a larger shelter to cater for more people. The swale is good. It is very boggy up there. As long as it works with the natural environment of that natural spring flowing down and the native flora. The stone walling is beneficial for the creek lining. Especially next to the roadside. More seating is beneficial. THANK YOU for this.
I do not support ANY of this!
The landscape textures and materials selection suits the rural feel of the park while also giving it a 'lift'. It will be a much nicer place to spend time. I like the design of the Ash Wednesday memorial because it conjures images of flames, trees, but also resilience (but please see my comments about location below).

I am approaching the upgrades from the perspective of a dog owner. Caripook is really handy for times I either don't have time to give my dogs a walk or I am unwell as they can have a run and I can see them from my seat. It is also a handy park for the elderly dogs and their owners because it is small (I find the Crafers dog park quite threatening as I cannot see the whole park at one time which also means other dog owners can't see what their dogs are doing near my dogs, and I am not that old). The inclusion of well made paths is good. More bench seating would be great. I can see groups of benches becoming a nice meeting area for dog owners. I am thinking particularly of the group of elderly people who regularly meet in the Mt George picnic grounds, a non-lead free area, could be encouraged to move to Caripook. An updated sheltered area is a great idea as I have noticed that a lot of people do meet and eat in the park. A wall on the side of the prevailing winds would be a good place to have historical information and anything else relevant to the area. I support the new bridge as the current one can get very slippery, even for people steady on their feet, in wet conditions. Generous swales would also help with the soggy ground too.
The shaded area, creek drainage, landscaping, and bridge are all upgrades that are simple and pleasant and wont change the lovely natural feeling space
The support is in principle only. Would expect better examples integrated better into the landscape. Educational signs should be designed by an ecologist and teacher together. Forget the use your senses sign. My senses tell me it is an eyesore that will be vandalised. The educational gathering space with rock photographed is nice but very large for this park - I suggest it would have to be cut somewhat into the hill below the main road with rock wall behind.
Really need toilet facilities otherwise I can't see how this will be used to it's full potential.
Atvleast half of the park remain a off leash dog park
With the proposed upgrades and potential uses and location that will attract varied use like down the road at Bridgewater playground there needs to be toilet facilities considered as well as a plan for where cars will park. The corner of Kain and Mt Barker Rd can be tricky to navigate with the corner and cross street.
Bench seating is a good idea, though this looks extremely uncomfortable and intrusive
Looks like a very nice evolution of a nice location
I especially support the proposed new stone pathways and drainage works that will allow me to use the park in winter without getting wet feet.
I really like that an acknowledgment of country and First Nations people being recognised. Maybe some conservation education about the ecosystem I.e invertebrates all the way to mammals, birds and lizards.
waste of money - just leave it as a dog park
An “educational setting” must provide adequate toilets. As a teacher, I would never take a class to a place that did not have toilets. An “educational setting” cannot co-exist within an off-leash dog park. The fencing should be better as there have been holes allowing for dogs to get out. Not really enclosed as one would except.
Some signage would be good like the acknowledgement of country and things related to plants etc.
I think it’s fantastic you are proposing upgrades but can we keep this as an off leash dog park PLEASE. So important for the local community. I the park three to four times a week with my dog. We love the park and enjoy the contact with other residents and their dogs. It’s especially a great place for elderly residents to take their dogs. I see many of them there and we all enjoy a chat. Great community spirit.
I bring my dog here, please keep it off leash. There are many play areas for children and very few off leash areas for dogs.
Some more protection from the weather around the sides of the shade structure would be beneficial for wintry conditions. The site has quite a natural feel to it atm especially along the waterway and near the bridge. I would like for this to be retained with upgrades being sensitive to the park as it is.

Q14 If there were any upgrades you did not support can you please explain what they were and the concerns you had with them?
I'm not sure about the Ash Wednesday memorial and wonder if the focus should be more on the regeneration of bush damaged by people's activities rather than bush damaged by fire.
Please included a memorial to the Peramangk Aboriginal people and an acknowledge of their fate at the hands of European settlement.
No
NA
I would not want to see this park over-developed. It is a small local park that is well used, has limited parking and no toilet facility, it is not wise to turn it into an attraction.
The rock line swale, it will have to be very carefully planned & built, otherwise it will become the perfect breeding ground for black berry weed infestation. With the Shelter, use materials which last along time & don't require much ongoing maintenance (i.e. don't use soft to medium wood & limit the amount of "varnished" surfaces).
The Outdoor Education Centre and the Ash Wednesday Memorial sit near the fence line adjoining our home. Our yard adjoins the park at the points where you are intending to place these two features. We think these two features would be best placed on the other side of the park where the current pergola is as this would provide access from the car park. There is no car parking on the side where the Ash Wednesday Memorial is suggested. We don't understand the educational aspects and wonder how this came into being? Would it be possible to call for artists to contribute ideas for the sculpture as this is only one example. I'm sure there would be so many more options if this process was opened up.
Just not sure about the style of the memorials
Yeah, dog play facilities.
3. Educational landscape native garden. (= a few easily obtained common native plants) High maintenance to establish in a wet area with high weed load. There is an abundance of good quality high diversity native vegetation at several bush reserves within walking distance. Why not provide information on these and leave the reserve as open space. 8. Educational Space. I can't think how this is justified. Has there been overwhelming requests for this or is it just a feel good addition!
They are unnecessary in a dog park.
Dogs on leash at all times please
I don’t dislike any elements but I like the park’s current rustic, natural, old-school feel - not everything has to be fancy and upgraded. I wonder if these funds could be better spent upgrading foot paths and gutters around Bridgewater?
UNNECESSARY COMPLETE WASTE OF MONEY
See above.
I want open space for interactive activities. Maintained off leash. Updated native plants and meandering paths. Minimal signage . Allow people to use the space without guided interference. Upgrade parking area.
WASTE MONEY - STOP BEING A DOG PARK AND DOESNT WANT TO GO TO STIRLING
I believe the Ash Wednesday memorial probably should be more in the fire area
all a waste of money
PLEASE ALLOW DOGS!
Please this a beautiful relaxed area that is consistently used by families and dog owners where they can play and relax safely without another manicured rule driven native space. Arbury Park and the deanery are plenty enough space for children and learning. Please leave an area in this council that is not overly developed and swamped with signage and rules as to who can and cannot use !
Unsure about necessity of additional cost versus amenity benefit.

Far too formally cluttered. Too many bench seats and formal structures which channel and restrict. The creek needs rehabilitation and protection but the stone swailling imprisons the natural flow. Ashfelt paths? Blocking water absorbsion and causing water erosion downhill. Alternative earth friendly option if needed for disabilty/pram acess. Remove all formal signs but a small Acknowledgement of Country . The vast majority of visitors come to enjoy NOT be educated. We can get that elsewhere. Ball games, running, dog excercise, Yoga , painting, talking in gatherings , walking and just experiencing should be the aim. It is what is enjoyed at the moment.
Signage ideally in car park area prior to bridge entrance.
I'm not sure signage is helpful for a small, local park where the aim is not to bring in lots of outside visitors, but to provide a pleasant green space for locals to use and enjoy. Signage will just make the place feel like yet another tourist destination.
I don't believe the ''educational'' space will be used sufficiently to warrant these proposed developments, nor should this compromise the off leash status of the park
I want the area to be a dog park, not some naff "outdoor classroom". We have enough of those already. Make it a better dog park and ban dogs from the oval!
I don't believe that the educational gathering space will be utilised by enough people to warrant its inclusion.
Any chance of a toilet or drink fountain facility could be included? Then it would be a birthday party/gathering paradise.
I am concerned with the shelter design attracting birds to nest in it, all nesting birds in this structure are non-native and cause mess etc. Unsure if the area needs a stone wall or any other wall, what purpose would it serve as no retaining wall needed. The swale will need to be considered carefully to remove the surface and groundwater and in building it will remove existing veg, native?
We walk past / use this park on a daily basis. This is a park used by local residents to meet and exercise their dogs. We enjoy the rural, undeveloped nature of the park and while we support developments to improve end enhance the natural landscape, we feel that the other elements are intrusive man-made objects that detract from the natural landscape and will negatively affect the usability of the park for dogs and their owners.
I am concerned about the Ash Wednesday memorial because the fire did not come through this park as far as I know. There is a significant community sentiment suggesting a more appropriate location for the memorial would be AL Vincent Reserve on Oak Avenue, which is much closer to where the fire swept across the hill.
I doubt very much the area would be used as frequently for educational purposes as it is as an off leash area for local dogs. It would be a waste of money to do so. Yes the park needs improvements but not for education but for whole community use including dog space. I like the idea of a memorial for Ash Wednesday but think what is being proposed is ugly.
The waterway looks very natural and it would be good for that to fit in.
It is not needed. If a memorial is to be erected then it should be at the eastern end of Bridgewater, not the western end.

Carripook Park is small and the proposed upgrades will potentially bring more people into the park. There is already an inadequate amount of parking for the numbers of people who use it as an off leash area for dogs. As the only property that shares a boundary fence with the park we are impacted by barking dogs, yelling children, and people walking along our boundary fence. This is a problem as we work from home. The proposed upgrade will continue to impact on our privacy and peaceful enjoyment of our property. Both the outdoor classroom and Ash Wednesday Memorial will be in close proximity to our house and yard and this is an issue as sound carries. They will create additional areas for people to gather and this may also invite after-hours anti-social behaviour. I would question the placement of the Ash Wednesday Memorial at Carripook Park as it was not effected by the Ash Wednesday fires. There are communities nearby that were and it would be more respectful to the memory of those who died in the fires or lost property to locate it somewhere more appropriate. We believe the current design for the memorial is very uninspiring and simply a reminder of the devastation. Further consultation on other ideas and designs for a memorial should be undertaken. As neighbours and ratepayers, we would like the Council's assurance that we will have privacy and peaceful enjoyment of our property should the proposal proceed.
Firstly- It MUST remain as a Dog Friendly Off -the -Lead Park! First Priority. 2.There MUST be On-Going Maintenance and Management plan of this parks improvements and additions, as there hasnt been much given to this beautiful place up-to-date. 3. I do not agree with having signage on the Bridge(s) railing. This takes away the enjoyment of looking over the edge of the bridges and looking down into the water. Keep signage to a minimum and off the bridge. Place them else where. 4. NO GLASS within the structures, at all. Keep it basic and minimal. Reduce the interest of vandalism. 5. The Bushfire Monument is quite ugly. It will not serve a purpose within this park. Keep this park space Open. Less is more. It is a beautiful park. Lets improve it without changing its already good feel/vibe. All the grass area it has, is the drawcard. Thank you for this opportunity. Muchly appreciated AHC.
I do not support Caripook becoming an educational park. There is only one school (non-state) within walking distance and they could easily walk to The Deanery. If the council wants to make a local park an educational area make it Woorabinda - a brilliant educational area. I also don't support increased signage - we are over-signed these days - I would support a sign-free zone! I don't think Caripook is the right spot for an Ash Wednesday memorial either - somewhere harder hit by the fires, and more public, would be more meaningful. A memorial in a small, out of the way, park could be seen as not taking the event seriously. Why is an ashphalt path needed?
Not sure of the need for a specific educational gathering space. No idea of how often it is intended to be used. Not sure whether the bridge needs to be replaced or not.
This park is a wonderful resource for local dog owners. It is one of the few places in the area where dogs can play off lead without getting in the way of nearby roads. I feel that with an education area in place it will mean that dogs will not be able to be off lead in case they interrupt the class. There is a great outdoor school area just up the road at Arbury Park

1) Signage - this will still be a park used for dogs. There is nothing relating to this. Pick up after your dog signs. Poo dispenser bags at at least 3 points. 2) There is nothing to support use of stained glass in a public park that will be vandalised. A proper sculptor in steel should be commissioned for ideas and then a sensible, good practical design chosen. Not by the "landscaper" who gets his ideas from others. 3) Why are we draining a natural spring and running directly downhill? This should be utilised as a natural spring with native plants applicable to a natural spring in the Adelaide Hills and other plants below it to absorb the moisture. This is a ridiculous. We will end up with rocks thrown about etc etc. You will damage tree roots cutting it in. The photo shows a gentle sloped swale. The location for this is a steel slope in reality. This is not natural. Better to have the whole area subject to water just planted up appropriately. 4) Too much other unnecessary signage - park not big enough. 5) What is happening to the history display that is currently in the shelter. That is lovely and important. Why has it gone out the window? 6) The cheap splintery sleeper type wood "benches" would be very uncomfortable and not permit relaxation. I would like proper garden/park seats. The only place fro stone walling would be on the slope below the main road. That area is currently under-utilised because it is dry (north facing). It is stony with dead sticks etc. A well designed wall could cut back into the hill a little to give more grass area and plant up behind the wall. 7) The Path up to the gate on the main road needs to be improved and the landscaping does not even address this area.
The signs look patronizing in the kind of content they project and intrusive in appearance, for goodness sake :Use your senses"!!!! the memorials are downright ugly and not at all in keeping with the Nature theme, If you have to put "educational" signs around the place, put them in the education centre, and get the kids to explore. Surely this is meant to be a Natural space, not a civilized, urbanized garden.
The Ash Wednesday memorial is inappropriate and ugly. It takes some imagination as to what it is supposed to represent. It is unsympathetic to the environment. It is also in the wrong place as this end of Bridgewater was not so severely impacted by either of the Ash Wednesday fires.
No
This needs to be a public park NOT A DOG PARK! It is terrible to go there and sit down and have a giant dog run over to you and attack you.
unnecessary and will never be used
Ash Wednesday Memorial- why? Did it go through Caripook? Educational ideas are nice but without toilets, are a complete waste of money. Also means council are trying to stop the area being used as an off leash dog park.
World rather actual flowing creek than whatever that Swale is.
Please don't put a large memorial structure in the middle of the lawn area. If you must put it somewhere, why not on an edge? Please leave the park as spacious as possible. Put the memorial on an edge somewhere. In the end the dogs will end up peeing on it so is that what you want? What about putting a small memorial near the Bridgewater hall or somewhere else? Do we even need a memorial? Better to put money into the CFS to help us when the next fire comes through!
The upgrades that I do not support seem unnecessary and elaborate. Local school children already have an abundance of outdoor educational and environmental opportunities and experiences available to them, eg mt george, the Deanery, Arbury Park etc. It's not necessary to turn Caripook into a more formal educational space. A few bench seats would be nice but the photo shows too many. There are already a few bench seats there. No need to upgrade it

It seems like the proposal is to fit too many things into what is quite a small area. The memorial would be better placed elsewhere...perhaps near the library. The current bridge seems adequate. It would be a pity if this natural space were dominated by structures and signage.
I bring my dog here, please keep it off leash. There are many play areas for children and very few off leash areas for dogs.

Q15 Is there anything else that you have not already mentioned that you feel Council should consider in regard to the proposed upgrade to Carripook Park?
The park is a bit isolated from other places people can walk. Is there a way to better connect the park to the Cox Creek walking paths and/or the Bridgewater playground and oval areas?
Stop wasting money on things that are not required we have enough educational facilities close by.
Please included a memorial to the Peramangk Aboriginal people and an acknowledge of their fate at the hands of European settlement.
Carripook Park is in close proximity to Bridgewater Park Bridgewater Park has already recently received signicant funding for its rejuvination Maybe the Council money should be prioritised to other areas where resources are lacking Balhannah for example is in desparate need of rejuvination. Its parks are looking very tired and unkept
These changes (particularly to the wet areas) will only be worthwhile if there is sufficient budget for on-going maintenance...the drainage swale will be pretty ordinary full of weeds like blackberry.
Unsure from the plans but will the park continue to be off-leash for dogs? That is my current primary use for this park.
Toilets are needed
Bird watching or feeders, large pipes for children and dogs to play in and keep out of the sun and rain,plant trees native to the area
My main concern is that current park users, many of whom visit the park to let their dogs run off-lead, will be sidelined by turning this area into an over-developed nature theme park. I am strongly in favour of native plantings, removal of invasive species and generally caring for the space, but excessive signage and an overly structured approach is not appropriate. Any development needs to be sensitive and minimal. I would also oppose any changes that would turn this into a de facto outdoor classroom for a private enterprise in the area if this were to reduce accessibility of the park in any way to the general public.
Be aware of the SA Water Easement which spans the reserve (West to East) & the sewer gravity main in it. Also the footpaths would be better as asphalt rather than a rubble or gravel which easily erodes & requires on going maintenance
Can we please preserve it as an off-leash area (perhaps before 9am and after 3pm), unless other users request we leash our dogs?
As the neighbouring property will we be personally consulted on these developments? How will council ensure that we will have peaceful enjoyment and privacy?
Yeah, it should be for dog owners.
If trying to encourage school visitors or children in general you need public bathrooms close by.
As the only dog Park in the area nothing has been stated about its continuance. Once the reserve is upgraded the additional visitors will complain about the dogs and we will lose another off leash area. I used to use the reserve with my dog but it is not securely fenced and she escaped a few times, so I no longer use it as off leash but still visit regularly. It is an excellent reserve for dogs and people as it is, but has been poorly maintained except for regular lawn mowing which is appreciated
It remains one of the very few off-leash dog areas in the area: this should be retained, otherwise there will be an increase in off-leash exercising in other areas not so suitable.
Please ensure it remains an off-leash dog park.
Dogs on leash at all times please. Upgrade is pointless unless dogs are on leash.
Toilets would be great

The work done on the playground at Bridgewater Mill is excellent. It is great to see the park is so widely used. Not really related...I would love to see trains diverted from Murray Bridge to North of the city, and the train line converted to a bike track.
I would like to see the park maintain its current dog off leash status - priority given to picnics, school groups etc but dogs allowed off leash when not in use by others. This seems to work really well.
KEEP IT AS A DOG PARK!!!!!!!!!!!!!!!!!
I would like to see a Childrens playground incorporated.
I hope dogs will still be allowed off lead.
Lunch hub, would be good to have a tap near this area. Great to see some information about the Peramangk people being included, just make sure it is locally relevant and interesting, not just token signage.
Provide full fencing. At the moment there is a large gap in fence near drain and Kain road.
there should be an asphalt (or wheel chair friendly) path directly to the undercover area which is for people with mobility issues. Presently it looks as though you would have to transverse through grass to get to that structure
Love it - just hope that we will still be able to have our dogs off leash in the park……..
Aldgate Primary would be interested in students being involved if possible - planting etc
Drainage in the central are of the park is very poor. I.proves drainage in this are would greatly improve the amenity of the park in winter months as it gets very boggy. The park is currently mostly used by dog owners, its essential that improvements are sympathetic to this use. The inclusion of some lighting would also be greatly appreciated in the winter months.
Please actually realistically consider the people that use the park and not the egos of council to have yet another area that is not comfortable for a large majority of rate payers.
Additional revegetation if possible.
Playground/exercising equip or kids bike track and toilets
Money not spent should be utilised elsewhere to improve informal interactions with the Bridgewater environment. Paths along the Bridgewater creek are uneven, boggy and heavily utilised by locals, walking groups and bike riders (with no bells!) Todd Reserve granted to Council was converted to Retirement Housing (needed in Bridgewater and the Hills area.) Now sold. Many severe bushfires have destroyed many homes in Bridgewater since 1830's . More may come. There is a memorial plaque which few knew existed. A new structure will serve nothing.
It's Important that it's still a Dog PK,I live in Bridgewater & use it daily weather permitting.
Has consideration been given to toilet facilities? Given the location of the park, there are very limited options for this and if the intent is to provide a space for greater educational use then not having these facilities seems like it will create a challenge for users of the area, particularly with larger groups of children.
No thanks.
As well as the signs already proposed, it would be interesting to include a sign about the history of this parcel of land and its industrial uses, as well as the origin of the name Carripook.
There are too many car park places at the entrance. The current grassed area is much nicer to look at than yet another bitumen surface for those of us who live here. This is very much a local park, so I'd question the need for so many car park places anyway.
Toilet
Signage that makes it clear it is an off lead area
This is not in keeping with how Mr Todd wanted his property used. If there is a memorial to either Mr Todd or the fires it should be in the eastern area of Bridgewater where he lived, not the other end.
It is vital that this remains an off-leash area for local dog owners. There are very limited off-leash zones near this community and the park is used by dozens of locals without any issue or damage.

There are some people/person who live around the park who clearly do not enjoy the dogs/kids noise. We regularly are yelled at and told to “shut up” from across the valley. I understand kids and dogs are noisy, and I try to keep a lid on the noise but it’s not always possible. Not sure what can be done but think it’s best you’re aware of this, if not already.
There are significant drainage issues at this site, particularly the grassed area on the low side which is very boggy after rain and rendered unuseable in winter. This needs to be addressed. The space also has to be left as a dog park as well. Lots of people, including myself use the space to exercise our dogs.
It needs to remain a dog-friendly park, as very popular with locals and visitors. The grassed areas on both sides of the creek remain soggy underfoot and inundated for long periods of the year, even now (October-Nov) it is very wet. How do you propose to manage the water that moves through here with the modifications so they are still functional and undamaged by water movement? Many walking groups meet at the carpark prior to setting out, to be considered.
Refer above
Small playground component (wooden climbing structures etc)
Public Toilet
more deciduous trees for shade in summer upgrade gate/path in south east corner opening to main rd as it is currently rough and steep
We are concerned that Carripook Park will also continue to be used as an off leash area for dogs. Many people are responsible dog owners but there are those who do not pick up after their dogs and who do not control their dogs and share the space. A dedicated dog park is needed, not one that tries to mix dogs and people in such a small area. If it remains an off leash area more needs to be done to clean the park and additional signage is needed to alert users to control excessive barking.
Please ensure the park remains a dog park. As mentioned before, please invest proper funds in managing invasive weeds.
To encourage the flora that is already there is a good sustainable option. - Something will need to be done with that top gate on Kain Ave. It opens from the wrong side. Thank you.
is it still going to be a DOG PARK
Two points: 1. DOGS. At present, it is a shared park, with probably the major use being that of an off leash dog park. Nowhere in this document is there any mention of dogs, let alone it being retained as a shared off leash area. I have no problem with a need to have dogs on a leash when school groups or family groups are present - this happens now. Presently dog owners are the most common park users, and this would likely be the case after redevelopment. Given the lack of any mention of dogs in the document, I can only be suspicious that there is an intention to ban or limit dogs. THEREFORE, I HAVE A MAJOR OBJECTION IF THE PARK LOSES IT'S OFF LEASH STATUS. 2. DRAINAGE. The land between the current gate to the current BBQ area is mostly a soft muddy mire for most of the autumn, winter and spring months, whenever there is regular rain. There is a small creek which picks a little water from near Mt Barker road, but this does not drain the main grass area. The water in this soft area seeps out of the side of the hill, just down from Mt Barker road. THERE IS NO MENTION OF THIS DRAINAGE ISSUE OR A SOLUTION IN THE DOCUMENTATION.
I would like the Council to remedy the 'escape routes' where dogs can run onto the road. The creek line on Kain Avenue is the main area, plus the gate on the high side of Kain Ave, near the railway line, does not meet the ground. Regular users are often fixing the bottom of carpark gate. Other areas around the boundary need regular maintenance. I think there needs to be another bin, with poo bags, on the high side of the park to encourage the lazy dog owners to do the right thing. On the subject of bins, I think the bins need to be a bit further away from the food areas as they stink in warm weather.

1) There is nothing related to the creek - absolutely nothing. What about blackberry control and removing weeds and environmental weeds. The revegetation along the creek has been good. The creek is the main feature and should be incorporated. Access to the creek needs to be improved. The banks need to be consolidated sympathetically. 2) This will still be a park used for dogs. There is nothing relating to this. 3) The lawn area gets saturated in winter but that's ok because the lawn never has to be watered and stays green all year. 4) Blackberries around the park must be removed. 5) I have little confidence in the landscape designer chosen. Does not seem to get the critical issues properly. 6) Adequate rubbish bins? Could say more.
Off leash dog park. I'm crafers west resident and regularly use the park with bridgewater residents for my dog to socialise. I have only met responsible dog owners. Crafers dog park turns into a bog in winter and has no family picnic facilities
A recognition and memorial to the Peramangk First Nations people
Not at all sure what "yankstone" is, but it sure aint dirt, grass, leaves, and mulch.
Please keep it as an off leash dog area (if no-one is using the BBQ/picnic area) as is current practice.
No
I use Carripook once to twice a day to exercise my dog off the leash. It is very important to me that Carripook park remains an off the leash area for dogs. I would like upgrades to all three gates and their closure mechanisms. At the moment the gate off Mt Barker Rd is very hard to close. I've found it partially closed so that dogs could have escaped. It would be good to have a circular path around the southern lawn area.
Retain enough open space for dogs and kids/families to run around or kick a ball
the meorial should be nearer Second Ave where Todd lived
Please keep the park an off leash zone for dogs!!
Consulting community before you spend $$$$$ on professional consultation/design/draft fees. This whole design does not make sense. What is the purpose? If the answer is educational setting, then put toilets in. If not, then get rid of the educational stuff. People want a nicely kept park.
It's a great place to let the dog off lead and if council puts lots of structures up that will restrict the movement for the dogs and owners. Please keep it as a dogs off lead space. I don't know how this could be balanced with an educational space? If there is a class using the park are dogs still allowed off leash? Sounds problematic to me.
It is currently a lovely park. These changes seem unnecessary and too elaborate. Please keep it as a dog park and dog off leash area.
I hope that some open "natural" space will remain and that the park can still be an off leash area for residents to enjoy with their dogs
Add play things for dogs instead.
I would like the historical information of the old mill across the road to be highlighted and mention made of the original early settlement that was in the Arbury Park car park area. Also for there to be acknowledgment made of the guys who worked to originally establish this as a park in their spare time back in the nineties. Also for the dog park to still be a major use.
Leave it alone as a great dog park and ban dogs from the oval instead.
No mention has been made about the off leash dog status of the park. I often take our dog there because it is a nice, relaxed space for both me and my dog. I don't think educational spaces for children and an off leash dog area are a good combination. It's a lovely space as it is and I'm not sure the proposed changes make it a better place.

I am concerned that with the new facilities, the park will become so popular that it will no longer be appropriate as an off-leash reserve for dogs. This park has become a popular alternative to Bridgewater Oval for off-leash dog exercise since there have been clashes with sports at the Oval. My suggestion is that one side of the creek is dedicated and developed to be appropriate for off-leash dog exercise, while the other could be on-leash and better suited for picnics, child play, outdoor education, etc. Overall, looking forward to seeing the upgrade.
Keep it an off leash space for dogs!

APPENDIX C – EMAILS, WRITTEN AND PHONE FEEDBACK

Email Feedback 1 (same participant sent 3 separate emails which are collated together as Feedback 1):

Sent: Wednesday, 13 October 2021 6:01 PM
To: AHC Communications Engagement & Events
<AHCCommunicationsEngagementEvents@ahc.sa.gov.au>
Subject: Carripook Park

As a volunteer involved in the development of the Park I think it should be left alone. Stop wasting money

Sent: Friday, 15 October 2021 4:21 PM
To: Vanessa Geerts <vgeerts@ahc.sa.gov.au>
Subject: RE: Caripook Park

Hi Vanessa

During my research for the display I put in Carripook Park I discovered that there was a bitumen plant on the site.

It was used when the main road was bitumenised.

It may be worth checking out. We found chunks of bitumen.

In terms of a Memorial I think the Park on Orontes Avenue would be more suited as it is nearer the Todd Homes.

Sent: Thursday, 11 November 2021 3:54 PM
To: Vanessa Geerts <vgeerts@ahc.sa.gov.au>
Subject: RE: Caripook Park

Hi Vanessa

More thoughts because I received some positive feedback from an idea I had.

Carripook Park was the brainchild of the Bridgewater Tidy Towns Group (Now disbanded).

Its name reflects the Railway siding the was nearby.

Its informality was a given and for quite a few years volunteers maintained it.

My suggestion for a different location:

There is an area of grass alongside the Bridgewater Institute and extends behind the Bridgewater CFS OP Shop.

It already has toilets, a barbecue area, playground and even a cute coffee shop (The Cog) nearby.

Consultation with the CFS, the Todd Family and other interested parties seating and plantings of favourite plants or Mr Todd and some of the CFS Heroes of that time could be established

in the area.

In addition a mural depicting the history of Ash Wednesday could be painted on the back of the CFS Shop. (The side of the Institute might also lend itself to this.)

The Bridgewater CFS lost a vehicle during that day and several volunteers were badly burnt and Volunteers came from all around the State to assist.

There would be no concerns about dogs as this area is not used for that purpose and it is a very prominent part of Bridgewater not on the edge of town.

I don't know who chose Carripook Park or why and I think my idea will attract more attention and be a less expensive option and easier to maintain.

If children are involved vehicles can park at the oval as there is safe access to this area under the main road.

It may even increase patronage at the OP Shop and interest in the CFS.

Email Feedback 2:

Sent: Wednesday, 13 October 2021 4:59 PM
To: AHC Communications Engagement & Events
<AHCCommunicationsEngagementEvents@ahc.sa.gov.au>
Subject: Carripook Park.

I think it's a great suggestion to upgrade Carripook Park.

I look forward to visiting it, if and when the improvements are in place.

Thankyou for giving us the opportunity to comment on your plans.

Email Feedback 3:

Sent: Saturday, 23 October 2021 10:36 AM

To: AHC Communications Engagement & Events
<AHCCommunicationsEngagementEvents@ahc.sa.gov.au>

Subject: Carripook park redevelopment proposal

The proposed redevelopment is mostly unsuitable for the park and I am puzzled as to why this tiny park was chosen where many other larger ones would be wholly more suitable and fitting. Please consider the following:

- the park is very small, it has been used for years successfully as mainly a dog park- one of the very few accessible off-leash parks in the area which should be retained as such-and is regularly used as a meeting place for small groups of dog owners to get together

- following from the above, it is certain that the park will continue to be frequented by dog owners, making the idea of a food trail rather unappetising for obvious reasons, and not providing a suitable background for proposed class outings

- the park is essentially too small to redevelop into a mainstream park, and whilst the idea of a memorial plaque is nice, that would be better suited to an area that was actually affected by the fires which Caripook was not

- the existing shelter and BBQ area are perfectly functional in their current state

- redevelopment of the park should rather focus on care of vegetation and revegetation with suitable natives. Large areas of the park have for years been liberally sprayed with herbicides, creating an ugly environment and without low plantings to replace this, has ultimately only resulted in encouraging annual weeds to grow instead, creating a cycle. According to local people knowledgeable in plants, many species have been lost from the park and the creekline through this sustained practise of broadscale poisoning.

Please consider a more suitable site for redevelopment, perhaps one that is frequented by and would be more suited to, a more broad section of the community, such as Larapinga, or if an Ash Wednesday plaque site is wanted, perhaps a park that was impacted by this.

Kind regards,

Email Feedback 4:

Sent: Thursday, 28 October 2021 1:18 PM
To: AHC Communications Engagement & Events
<AHCCommunicationsEngagementEvents@ahc.sa.gov.au>
Subject: carripook pk

HI as a Bridgewater resident and regular visitor to Carripook Park Im happy for the upgrades especially the drainage.

Im concerned theres no mention of DOGS as I meet several other dog owners with their dogs there.

Its the only safe area for dogs and children. Toilets also would be a great upgrade.

Regards

Email Feedback 5:

Sent: Friday, 5 November 2021 5:43 PM
To: AHC Communications Engagement & Events
<AHCCommunicationsEngagementEvents@ahc.sa.gov.au>
Subject: Rare Plants near Caripook Park - Attention Natalie Westover

Caripook Park - Attention Natalie Westover

Hi Natalie,

I was at the consultation on site on Thursday evening. You mentioned a corridor linking to the other biodiversity areas in Bridgewater and Aldgate – Arbury Park etc.

It occurred to me that there is a site with rare plants and this is cared for by Bush For Life and which connects with Caripoook.

It is the native vegetation along the main road between the properties, footpath and road. On the upper side of the road. There are signs at each end by the footpath – this is immediately across the road from Caripook.

The rare plant is Spyridium which could be planted at Caripook on the north facing slope. It is a sweet, unusual shrub of up to 1 m height.

Maybe Bush For Life would like to be involved with this site too??

Bat and bird boxes could be installed if made correctly and supervised by a proper group.

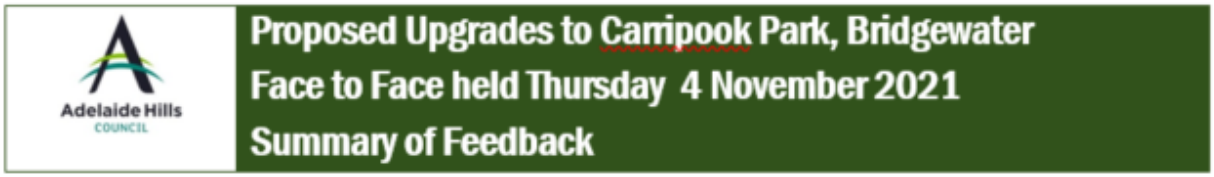
Please NO Possum boxes.

Best regards

Phone Feedback 1:

Concerns with Park behaviours, parking, proximity of memorial and other aspects.	Leith Mudge Shared on residents page. Queried other promotion being undertaken and I explained letter in mail and F2F. Follow up why educational aspect is now included. Concerns with proximity to house. Ash Wednesday memorial would be appropriate where greater bushfire impacts were relevant (fatalities). Concerned RE: parking issues and some negative behaviour from park users. Have completed survey and will register for F2F.

APPENDIX D – FACE TO FACE MEETING



Adelaide Hills Council provided the community with the opportunity to register interest to meet with AHC staff to discuss the proposed upgrades to Carripook Park, Bridgewater. The Community could provide feedback about the level of support and additional information on each of the proposed upgrades being considered. The community could provide feedback on what aspects they supported, what they had concerns about and any other ideas they may have.

There were 15 people in attendance including 2 staff and 1 Elected Member. The following key points and discussions were raised:

- It would be good to have a path right around the outside of the park without mud.
- Stone walling may stop water flowing back into creek.
- Central grassed area is very boggy a lot of the time (2).
- Top northern gate off Kain Ave often doesn't shut properly as closing mechanism not working.
- South East gate off Mt Barker Road has a closing mechanism not working properly.
- Often see locals picnicking.
- See a lot of use by dog owners.
- Preference for updates to remain informal.
- More seating would be good.
- Please keep as a dog park.
- Shelters and seating ok but keep minimal.
- Memorial ok.
- Maintain a natural feel.

All Participants attending the face to face meeting were provided with the opportunity to provide additional feedback over the weekend via the online and hardcopy survey.

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 October 2025
AGENDA BUSINESS ITEM

Item: **11.2 Motion on Notice**

Originating from: **Acting Mayor Nathan Daniell**

Subject: **Community Grants**

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1. MOTION

That Council:

1. **Notes that under the new 2025-2030 permit with the Stirling Market, the costs associated with road closures are paid annually by the Stirling Market direct to Adelaide Hills Council, replacing the previous arrangement under which equivalent funds were donated to the community.**
2. **Note the current cost associated with road closures is $18,500 per annum.**
3. **Allocates an additional $18,500 per annum to the Community Development Grants program, including for the 2025-26 grant program.**
4. **Request the CEO (or delegate) review whether an additional grant stream should be added to enable the distribution of these additional funds, before the 2026-27 Community Grants round.**

2. BACKGROUND

The Stirling Market is a long-standing and much-loved feature of the Adelaide Hills event calendar, attracting thousands of visitors to our region on the fourth Sunday of every month. Held in the heart of Stirling along Druid Avenue, the market showcases local artisans and producers, and contributes significantly to the vibrancy and economy of the village. Due to being held on Druid Avenue, the market requires the closure of a public road. This requires a permit and the arrangement for the costs associated with the road closures have recently changed. Under the previous five-year permit (2020–2025), Council waived the associated costs—valued at approximately $18,500 per annum—on the understanding that the Stirling Market would reinvest an equivalent amount directly into local community initiatives each year.

On 10 June 2025, Council approved a new Section 222 permit, authorising the use of Druid Avenue for market operations from July 2025 through to June 2030. Under the new permit framework, the Stirling Market is now responsible for paying the road closure costs to Council, rather than directly donating equivalent funds to the community. To maintain the community benefit of this long-standing arrangement, this motion ensures that the funds received by Council are not absorbed into general revenue but are instead dedicated to our community grants program.

This approach safeguards the spirit of the original agreement. By dedicating these funds to grant opportunities, Council can support a broader range of community projects, events, and initiatives across our entire Council region.

1. OFFICER'S RESPONSE – Jess Charlton, Director Community and Development

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

Strategic Plan 2020-24 – A brighter future

Goal 2	Community Wellbeing
Objective CW2	Enrich, empower and support connected communities
Priority CW2.2	Support community groups and community-led initiatives that achieve community wellbeing outcomes

Through grant giving, Council supports community groups to initiate and deliver projects that respond to community needs and improve community wellbeing.

Rigour in this space is supported through the Grant Giving Policy, grant guidelines and eligibility and assessment criteria, to ensure that the awarding of grants is fair and accountable.

- **Legal Implications**

The permit to the Stirling Market Incorporated for use of Druid's avenue, is issued under s 222 of the *Local Government Act 1999.* The signed permit, which was finalised on 26 June 2025, includes a condition that a fee of $18,500 be paid to the Council as per the draft permit endorsed by Council at its meeting on 10 June 2025.

- **Risk Management Implications**

Not applicable.

- **Financial and Resource Implications**

The current budget allocation for Community Development Grants is $44,000.

Adding $18,500 to the funds for Community Development Grant will have a neutral impact on the 2025-26 Annual Business Plan and to future budgets. Due to the timing of the consideration of the draft permit by Council (10 June 2025), and the issuing and finalising of the endorsed permit (26 June 2025), the expected $18,500 revenue from the road closure permit is not included in the 2025-26 budget and this will be addressed at a future budget review. Consequently, adding $18,500 in expense to increase the funds for Community Development Grants, will not have any budget impact.

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

There may be a perception that the change in the permit arrangement for 2025-2030 has reduced funds that have been available to the community and donated by the Stirling Market. Allocating additional budget to the Community Development Grants program, equivalent to the amount of revenue received for the road closure, may reduce or remove this perception. In addition, there may be improved community sentiment that the additional funds are available through the Council grants program which has a robust process with guidelines, eligibility and grant criteria.

- **Sustainability Implications**

Not applicable.

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

Consultation has not been undertaken specifically in relation to this motion. However, consultation did occur earlier in the year in relation to the new draft permit which is detailed below.

Council Committees:	Not Applicable
Council Workshops:	Renewal of the Stirling Market road closure permit was discussed at the workshop held on 7 April 2025, including discussion around changes to the permit conditions such as the paying of a fee to the Council.
Advisory Groups:	Not Applicable
External Agencies:	Not Applicable
Community:	Public consultation was undertaken earlier in the year on the draft permit, in accordance with the Act and Council's Public Consultation Policy. Consultation occurred from Wednesday 9 April to Thursday 1 May 2025 and included information about the change in the permit conditions and the paying of a fee to Council.

2. ANALYSIS

Adding additional funds to the Community Development Grants can be implemented by the Administration, in time for the 2025-26 Community Grant round which is underway. Applications closed on 30 September and are being assessed by the Administration, with the total amount requested from all applications, exceeding the original amount budgeted in 2025-26 ($44,000). Should Council resolve as proposed, the Administration will be able to award funds to more recipients.

While a review of the *Grant Giving Policy* has been recently undertaken, with the review and revised policy endorsed by the Council in February 2025, it is worthwhile considering whether a further grant stream should be added to distribute the additional funds. It may be that the most appropriate option is to continue the approach proposed above for 2025-26, ie. increasing the Community Development Grant fund which has a broad range of criteria. Conversely, there may be benefit in offering an additional grant stream, tailored to a specific objective or aim, in line with the objectives of the Policy. Any changes flowing from the review would be implemented ahead of the 2026-27 Community Grant Round.

3. APPENDICES

(1) Agenda Report 10 June 2025 – Stirling Market Road Closure Permit Renewal

Appendix 1

Agenda Report 10 June 2025 – Stirling Market Road Closure Permit Renewal

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 10 June 2025
AGENDA BUSINESS ITEM

Item:	**12.3**
Responsible Officer:	**Jess Charlton** **Director Community and Development**
Subject:	**Stirling Market Road Closure Permit Renewal**
For:	**Decision**

SUMMARY

The purpose of this report is to seek Council consent to issue the Stirling Market Incorporated (the Market) a Section 222 permit for use of a public road for business purposes. This permit would allow the Market to continue operating a monthly market day on Druid Avenue. The Market's use of Druid Avenue is considered a business use of a road and a permit is required pursuant with Section 222 of the *Local Government Act 1999* (the Act). In keeping with the Market's previous permit (2020-2025) a duration of five years (2025 – 2030) is recommended, to allow the Market a degree of certainty and the ability to undertake long term strategic planning.

A draft permit is attached in ***Appendix 1*** which highlights amendments made from the previous five-year permit and are discussed in the Analysis section the Report. Importantly, the draft Permit now includes the payment of a fee to the Council, rather than the donation of funds by the Market to the Community.

In accordance with requirements of the Act, public consultation was undertaken between Wednesday 9 April and Thursday 1 May 2025 and a Consultation Report is attached as ***Appendix 2*** and details how the feedback has been incorporated into the final permit conditions.

Should the Council resolve to issue the permit, it will also be necessary to provide consent to the making of a road closure order by SA Police under Section 33 of the *Road Traffic Act 1961* to enable the event to be conducted safely.

RECOMMENDATION

Council resolves:

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

2. **That a permit to use a public road for business purposes under Section 222 of the *Local Government Act 1999* be issued to Stirling Market Incorporated for a five-year period for use of a portion of Druid Avenue, Stirling and the service lane between Martha Street and Mount Barker Road, from 8:00am – 5:00pm, one Sunday of every month from July 2025 to June 2030, to enable operation of the Stirling monthly market.**

3. **That pursuant to Section 33(2) of the *Road Traffic Act 1961* the Council provides consent to the making of a road closure order by the Minister, or delegate, to enable the closure of Druid Avenue between Mount Barker Road and Martha Street, Stirling, as per permit conditions for the same five (5) year period covered by the Business Use Permit issued to Stirling Market Inc.**

4. **That the Chief Executive Officer be authorised to act for and on behalf of the Council to consider and provide consent to any minor changes to the permit conditions or road closure order in response to legislative changes, the results of annual permit reviews or for special road closure orders, such as if the market is rescheduled to another Sunday in a particular month, or if a special once-off market is held, over the same five (5) year period.**

---

1. BACKGROUND

The Stirling Market has been operating in Stirling township since 1989 and first moved to operating a monthly Sunday market on a closed section of Druid Avenue in 2006. At the Ordinary Council Meeting on 23 June 2020, Council endorsed the issuing of a Section 222 permit and approval of road closure orders for a duration of 5 years (1 July 2020 – 30 June 2025). The conditions of the permit were informed by previous letters of permission issued by Council and the results of public consultation.

12.5 Stirling Market Road Closure Permit Renewal

Cr Kirrilee Boyd declared an Actual Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to item 12.4, Stirling Market Road Closure Permit Renewal.
8.15pm Cr Kirrilee Boyd left the meeting room and did not participate in the vote.

Moved Cr John Kemp
S/- Cr Kirsty Parkin **107/20**

Council resolves:

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

2. **That a permit for Business Use of a Road under Section 222 of the *Local Government Act 1999* be issued to Stirling Market Incorporated for a five year period for use of a portion of Druid Avenue Stirling and the service lane between Martha Street and Mt Barker Road, for a monthly market**

3. **That pursuant to Section 33(2) of the *Road Traffic Act 1961* the Council provides consent to the making of a road closure order by the Minister, or delegate, to enable the closure of Druid Avenue between Mount Barker Road and Martha Street, Stirling, as per permit conditions for the same five (5) year period covered by the Business Use Permit issued to Stirling Market Inc.**

4. **That the Chief Executive Officer be authorised to act for and on behalf of the Council to consider and provide consent to any minor changes to the permit conditions or road closure order in response to legislative changes, the results of annual permit reviews or for special road closure orders, such as if the market is rescheduled to another Sunday in a particular month, or if a special once-off market is held, over the same five (5) year period.**

Carried

2. ANALYSIS

➢ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

Goal 2	Community Wellbeing
Objective CW5	Foster cultural identity and connection to place
Priority CW5.2	Support and create opportunities for artists, performers and writers to showcase their work and contribute to community identity, events and placemaking.

Strategic Plan 2024 – Your Place, Your Space

Goal 2	Community Wellbeing
Objective CW5	Foster cultural identity and connection to place
Priority CW5.3	Develop connection for people and place by fostering public art and supporting arts and cultural experiences, including events, markets and festivals.

Council's Strategic Plan recognises that events and markets play a key role in community wellbeing and are an important contributor to economic and social prosperity. They offer an opportunity to bring communities together, welcome visitors to the area, promote the unique culture of the Hills and build community spirit.

The Council's *Festivals and Events Policy* contains assessment criteria for the consideration of Council support, in order to help satisfy Council that the benefits of the event outweigh the detriments. These criteria are detailed in the Analysis section of this report.

➢ Legal Implications

Section 222 of the Act prohibits any person from using a public road for business purposes unless authorised to do so by a permit. For the purposes of Section 222 of the Act, the monthly Stirling Market is considered business use and therefore a permit is required. In addition, Section 223 of the Act requires Council to undertake public consultation when the proposed use will impede the passage of traffic to a material degree. While only requiring a temporary road closure each month, given the ongoing nature of the event consistent with the associated permit, it was considered appropriate to undertake public consultation.

Section 33 of the *Road Traffic Act 1961* provides the formal mechanism for closing roads for events. It will be necessary for the safe conduct of the event, and to ensure all pedestrian and vehicular movements within the closed area are lawful, for the markets to be declared an event to which that Section applies and for a formal road closed order to be made.

The Commissioner for Police has delegation from the Minister responsible for the *Road Traffic Act 1961* to make the appropriate order. The Council cannot make the road closure order itself as despite the fact Druid Avenue is a Council road, it runs into a state road (Mount Barker Road) and the closure affects traffic on that road (traffic will not be able to turn into Druid Avenue from Mount Barker Road).

Importantly however, the Minister, or delegate, can only make an order under Section 33 of the *Road Traffic Act 1961* with the consent of the Council. While the Chief Executive Officer

has delegation to give consent under subsection 33(2), regular practice has been for consents which span multiple events or years to be given by the Council.

➢ **Risk Management Implications**

Consent to the monthly road closure for the Stirling Market will assist in mitigating the risk of:

Conflicts between event participants, residents, business owners and road users leading to injuries and/or property/vehicle damage and/or financial loss to those affected parties.

Inherent Risk	Residual Risk	Target Risk
Extreme (4B)	High (4C)	Medium (4D)

The residual risk rating takes into consideration the provision of organisers' risk management plans, public liability insurance and traffic management, permit conditions and action taken to mitigate resident and business concerns following public consultation.

As an additional security measures for the safety of stallholders and the public, permanent infrastructure has been installed by Council to allow bollards to be erected on market day at the Druid Avenue and Mt Barker Road intersection. The target risk rating is with full road closures as requested and the event run as intended.

➢ **Financial and Resource Implications**

With the issuing of the previous permits in 2015 and 2020, the decision was made to waive the fees and charges that apply to the market's operation and to not recover the operational costs incurred (e.g. electricity consumption, waste removal, equipment, toilet cleaning, road closure installation/removal) in lieu of the agreement that an amount equivalent to these costs is donated back into the community each year by the Stirling Market. Between 2015-2020 this amount was $15,000 annually and increased to $18,500 annually between 2020-2025.

The cost to Council to implement the road closures has risen to $18,500 rather than $11,700 as detailed in the 2020-2025 permit. Under the new permit for 2025-2030, it is proposed this amount will be paid annually by the Market direct to Adelaide Hills Council instead of donated back into the community. Should the Council resolve to issue the permit in ***Appendix 1*** as recommended, the Council will have the opportunity to determine how the funds are best utilised to support its strategic priorities.

The cost of electricity, waste collection, equipment and toilet cleaning are not proposed to be charged to the Market going forward. This will be consistent with the support provided free of charge to other markets held across Adelaide Hills Council.

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

The Stirling Market attracts thousands of visitors each year to Stirling and surrounding areas. It is well liked by the broader community and provides a positive contribution to the community in terms of cultural experience and creating a 'sense of place'.

The Stirling Market Incorporated, as detailed in their constitution, seeks to promote the community's cultural and environmental values, to operate the market with strong emphasis on locally and regionally made goods and produce, to financially support charities, organisations and individuals, and to promote the Market as an Adelaide Hills tourist destination.

- **Sustainability Implications**

This is discussed later in the report under the Environmental Impact section.

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

As the intended operation of the Market requires the closure of Druid Avenue between Mount Barker Road and Martha Street every month for a 5-year period, it is considered to impede the flow of traffic to a material degree and therefore, pursuant to Section 223 of the Act, community consultation must be undertaken prior to issuing of a permit under Section 222.

Consultation on the development of this report was as follows:

Council Committees:	Not Applicable
Council Workshops:	Renewal of the Stirling Market road closure permit was discussed at the workshop held on 7 April 2025, including discussion around changes to the permit conditions such as the paying of a fee to the Council.
Advisory Groups:	Not Applicable
External Agencies:	Not Applicable
Community:	Public consultation has been undertaken in accordance with Council's *Public Consultation Policy* and the requirements of the Act from Wednesday 9 April to Thursday 1 May 2025. The results of this consultation are discussed under the *Analysis* section of this report and a copy of the Consultation Report is attached in ***Appendix 2****.*

- **Additional Analysis**

The Council's *Festivals and Events Policy* contains assessment criteria for the consideration of Council support, in order to help satisfy Council that the benefits outweigh the detriments in relation to the community, economic and environmental impact as well as timing in relation to other event road closures throughout the district. In this instance Stirling Market is seeking support for road closures as the event will not be able to run in its current format or location without this approval.

When closing or changing traffic conditions on Council roads that intersect with roads under the care and control of the Department for Infrastructure and Transport, the road closure order is normally made by a sub-delegate of the Commissioner of Police, who acts under ministerial delegation. Council's role, albeit a critical one, is limited to providing or withholding consent to the road closure. The actual order is not made by the Council. The Section 222 permit is, however, a matter for the Council.

Public Consultation

Consultation has been undertaken with the public in accordance with Council's *Public Consultation Policy* and the requirements of the Act. The consultation period opened for submissions on Wednesday 9 April 2025 with an advertisement in *The Courier* newspaper. The public were invited to make online or written submissions until Thursday 1 May 2025. The Stirling Business Association was contacted directly with information regarding the consultation and were granted an extension until Friday 2 May to submit a response to the consultation. The opportunity was also shared on Council and Stirling Market social media channels. The Consultation Report is attached in ***Appendix 2***. A majority of respondents provided feedback via the online form (93 out of 96 responses) with the remainder via email/letter or phone call.

Of the online participants, 39.8% live in Stirling, Stirling North, Aldgate, Crafers and Crafers West and this would be the group most directly impacted by the permit renewal. 15.3% of participants live in suburbs across the Adelaide Hills Council region and the remaining 45.2% did not reside in any Adelaide Hills Council suburb or township. The majority of respondents were market stallholders (42 respondents) followed by Stirling residents (27 respondents).

When reviewing the level of support from participants for the Stirling Market to receive a 5-year permit renewal for the road closure of Druid Avenue for one Sunday a month, 88.2% of respondents said 'yes' they were supportive, 8.6% said 'yes, but I have some concerns' and 3.2% said 'no'.

Due to the likelihood that those living closest to the location would be most impacted it is worth considering the level of support from those individuals who live in Stirling, Stirling North, Aldgate, Crafers and Crafers West. A majority of businesses and residents from Stirling and nearby townships support the renewal of the road closure and permit for use of the road, with 76% of participants supportive of the permit renewal, 19% supportive but having some concerns, and 5% not supportive of the permit renewal.

The most common comments made in response to the permit renewal are listed in the table below, noting where feedback has resulted in changes to the proposed permit.

Theme	**Response / Action**
Supportive of the market permit renewal and the increased tourism and value it brings to Stirling and the local community (50 respondents)	Noted
Positive feedback from market stallholders including positive comments on the location and organisation of the market (13 respondents)	Noted
The market provides local makers / community groups / stallholders with a venue to display and sell their wares (8 respondents)	Noted
Additional parking required (7 respondents)	Noted, acknowledging that there is currently less parking available due to the old Woolworths site being vacant.

Supportive of money being donated back to the community / concerned about removal of requirement to give community grants and pay a fee directly to Adelaide Hills Council instead (6 respondents)	The payment of the fee back to Council allows Council to recover costs associated with supporting the market. The Council can also consider increasing the amount of funding available for Community Grants. The Stirling Market is supportive of this change to the permit conditions.
Comments made that the market helps build a sense of community (4 respondents)	Noted.
Unhappy with the quality / variety / uniqueness of stallholders. Would like the market to include more local stallholders and improved quality of produce and products. Request for no prejudice to any applications submitted by the bricks and mortar traders in Stirling to be stall holders within the Stirling Market (4 respondents)	Given the small proportion of respondents providing this feedback, no changes have been made to the proposed permit.
Challenges raised about access to the market and Stirling Main Street for people with disability. Suggestion that a disability access plan, including the maintaining of a safe and direct path of access to Mount Barker Road, should be a condition of renewing the permit (2 respondents)	The existing permit conditions have been reviewed, taking into account this feedback, along with discussions with the Market. It is considered that the permit conditions, which require minimising any impediments or obstructions are sufficient. The Market has confirmed that footpaths are kept clear, with minor exceptions for power access, and there are ramps available from the footpath onto Druid Avenue either side of the footpath blockage, so access is available at all times to the Market and Stirling Main Street.
Would like transparency regarding who received grant funding and making this information publicly available (2 respondents)	This has been addressed by changing the permit conditions so that the Stirling Market pays a fee instead of providing their own donations to the community.
Review the cap regarding the number of food stalls allowed at the Stirling Market so as not to compete directly with local bricks and mortar hospitality businesses. Preference for a cap of up to five food stalls (2 respondents)	*Feedback resulted in changes to proposed permit:* The current permit details there are to be no more than 11 food stalls at any one market that sell food normally consumed on site. It is proposed this number be reduced to 9 food stalls. If the food stall numbers are further reduced, this would result in longer queues and a poorer experience for market attendees. Having a limit of 9 stalls will

	allow the Market to provide a variety of food offerings and still provide business for main street businesses.

Full details of the consultation are provided in the Community Engagement Outcomes Report in ***Appendix 2***.

Community Impact

The Stirling Markets have amassed a large following of attendees from the Adelaide Hills and the greater Adelaide area. They have over 20,000 followers on Facebook and attract thousands of attendees to Stirling each market day.

Many consultation participants commented on how much they enjoy attending the monthly event and that they consider it a valuable contributor to increased tourism. Comments were made about the value the market brings to Stirling and that it helps build a sense of community. Respondents also stated that they would like a review of the cap regarding the number of food stalls which has been addressed by reducing the number of food stalls to 9 instead of 11, as noted above.

Economic Impact

The Market currently donates a minimum of $18,500 a year to local community groups and organisations. As of the date of this report $66,311.72 has been allocated of the required $92,500 for 2020-2025. A final report is due on 31 October 2025 as per permit conditions. Under the new permit for 2025-2030, it is proposed this amount will be paid annually by the Market direct to Adelaide Hills Council instead of donated back into the community. This will give the Council the option to use the funds in a way that best supports its strategic priorities, either through an increase in general revenue or by increasing the funds for Community Grants.

Environmental Impact

The Market has been compliant with previous permit conditions relating to waste removal post event and avoiding damage to garden beds and vegetation along Druid Avenue. The Market has stated that food stallholders are all using compostable packaging and the Committee is currently reviewing their waste minimisation initiatives at the monthly event.

Timing

In relation to timing with other nearby road closures, only the annual Santos Tour Down Under (TDU) road closures fall near to the monthly market road closures in January. Due to the large amounts of public advertising for the TDU closures, and the consistent nature of the market closures there does not appear to be any issues of confusion or proximity.

Permit Conditions

The draft permit is attached in ***Appendix 1*** and is based on a current Section 222 permit template. The special conditions have been transferred over from the expiring permit with the following amendments and additions, as a result of community feedback and staff analysis. The changes are also highlighted in the draft permit.

Amendments and additions in the draft permit include:

a. Changes to Waste Management (Special Condition 1)
Council will provide waste management support by delivering, removing and emptying 15 general waste bins for the event. This has been increased from 10 in the current permit. Stirling Market Inc. are to provide all waste management requirements over and above that provided by the Adelaide Hills Council and will collaborate with Council on sustainability and waste reduction initiatives.

b. Changes to Payment Conditions (Special Condition 26)
Previously the Stirling Market was to pay a minimum annual financial contribution of $18,500 to communities/events/activities within the Adelaide Hills Council area in lieu of payment of the following annual Council fees: $11,700 for road closing and opening costs, $4,500 for waste collection, toilet cleaning and equipment and $2,300 for power use. The Market also had to provide evidence that this has occurred through statements of payment and receipt, certified by a financial auditor.

This has been replaced with a new condition that the Market pay Council the sum of $18,500 per annum, payable at the end of each year during the term of the permit.

c. Changes to Food Stalls (Special Condition 32)
The number of food stalls allowed has been reduced from 11 to 9.

d. Changes to Sale of Alcohol (Special Condition 33)
Previously the Council has issued an annual letter of permission to sell alcohol. The draft new permit grants permission for the sale of alcohol across the five years of the permit. The other conditions have not changed, being that a maximum of five stalls operating at any one time and that the Stirling Market must ensure that each stallholder holds all necessary permits and approvals.

3. OPTIONS

Council has the following options:

I. Approve the issuing of a Section 222 Permit as detailed in ***Appendix 1*** to the Stirling Market Inc. and endorse the associated road closure orders for a period of 5 years (Recommended)

II. Do not endorse the issue of a Section 222 Permit to the Stirling Market Inc. This option is not recommended as it would result in the immediate cessation of all markets in Druid Avenue after 30 June 2025 which would be likely to result in community opposition in light of the support for the permit renewal indicated in the public consultation. (Not Recommended)

III. Seek changes to the Section 222 Permit. Should the Council identify the need for substantial amendments to the Permit, 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 Section 222 Permit to Use a Public Road for Business Purposes – Stirling Market
(2) Consultation Report – Proposed Road Closure Permit Renewal – Stirling Market

Appendix 1

Draft Section 222 Permit to Use a Public Road for Business Purposes – Stirling Market

SCHEDULE

PERMIT TO USE A PUBLIC ROAD FOR BUSINESS PURPOSES
(Pursuant to Section 222 of the *Local Government Act 1999* (SA))

Your Details (You, Your)	Person/company name and ACN/ABN: **Stirling Market Inc**. ABN 69 320 442 334 Contact Person Title: Mr First Name: Tim Surname: Shaw Position in the organisation: Chairperson Address: PO Box 177, Stirling SA 5152 Telephone number: 0421 789 098 Email: enquiries@stirlingmarket.com.au
Council	**Adelaide Hills Council** Contact person/position: Matt Ahern, Team Leader Regulatory Services Site address: 63 Mount Barker Road, Stirling Postal address: 63 Mount Barker Road, Stirling SA 5152 Telephone number: 08 8408 0400 Email: mail@ahc.sa.gov.au
Road Area	That portion of the public road in Druid Avenue, Stirling (between Mount Barker Road and Martha Street) being the area marked in **RED** on the plan attached at Annexure A (Public Road)
Term	5 Years commencing on 1 July 2025 and expiring on 30 June 2030 *[Note term limited to five years where there is a Permit being granted for a Business Purpose]*
Alteration	N/A
Business Purpose	For the operation of the monthly Stirling Markets
Permitted Use	Use the Road Area for the Business Purpose
Fee	Refer to Special Condition 26 in Annexure B
Special Conditions	Refer to Annexure B

DRAFT

I/we agree to:

- the General Terms and Conditions and the Schedule to this agreement;
- any/all additional Special Conditions included in the Schedule to this agreement; and
- pay the **Fee** and other costs and charges as required by this agreement.

Execution by individual

.....
Signature

.....
Name (print)

.....
Date

OR

Execution by company

Executed by .....
pursuant to section 127 of the *Corporations Act 2001*

.....
Signature of Director/Sole Director and Secretary

....
Signature of Director/Company Secretary

....
Date

DRAFT

FOR COUNCIL USE ONLY

Signed for Adelaide Hills Council by its authorised delegate:

Signature of delegate: _____

Name: _____

Position of delegate: _____

GENERAL TERMS AND CONDITIONS

DEFINITIONS

Words that are in **bold** in these General Terms and Conditions and any Special Conditions have the meaning given to them in the Schedule to this agreement.

INTERPRETATION

If there is no **Alteration** set out in this agreement, then the associated provisions of this agreement will not apply. If there is no **Business Purpose** set out in this agreement, then the associated provisions of this agreement will not apply.

RIGHT TO USE

1. **You** are authorised by the **Council** to undertake the **Alteration** to the **Road Area** pursuant to section 221 of the *Local Government Act 1999* (SA).

2. **You** are permitted by the **Council** to use the **Road Area** for the **Business Purpose** pursuant to section 222 of the *Local Government Act 1999* (SA).

3. This agreement does not give **You** any other rights to alter or use the **Road Area**.

CONTROL OF OTHERS

4. Where the context permits, where **You** are under an obligation to do or not do something under this agreement, **Your** obligation extends to **You** using **Your** best endeavours to ensure that all persons that are present on the **Road Area** during the **Term**, including but not limited to **Your** employees, agents and invitees do or refrain from doing those things also.

FEE

5. **You** must pay the **Fee** to Council at the time and in the manner set out in Special Condition 26.

LEGAL REQUIREMENTS

6. This agreement gives **You** the **Council's** approval as owner of the **Public Road** to use **Road Area** for the **Permitted Use**. It does not give **You** any other approvals. **You** must obtain all other approvals required for the **Permitted Use**, including any development approvals (which may be required to be granted by the Council in its separate capacity as the relevant statutory authority) or liquor licences.

7. **You** must comply with all laws and legal requirements relating to **Your** use of the **Road Area** and the **Alteration** and **Business Purpose**.

INFRASTRUCTURE

8. The infrastructure, equipment or improvements comprising or associated with the **Alteration** are owned by **You** and are **Your** responsibility.

9. **You** must maintain the structures, improvements and infrastructure comprising or associated with the **Alteration** in good repair and safe condition during the **Term**.

10. **You** must ensure the structures, improvements and infrastructure comprising or associated with the **Alteration** do not interfere with or cause damage to or affect in any way:

    a. any adjoining property;
    b. any wire, post, cable, pipe or other property or infrastructure belonging to the **Council**, a utilities or service provider or any adjoining property owner; or
    c. the use of the **Road Area** or the **Public Road** by the public outside the stipulated permit hours.

DRAFT

RESTRICTIONS ON USE

11. **You** may only use the **Road Area** for the **Permitted Use**. **You** may not use it for any other purpose.

12. **You** must use the **Road Area** safely and so as not to cause any offense or create a nuisance or disturbance for other people.

ALCOHOL

13. ~~**You** must not sell alcohol within the **Road Area** or any public areas surrounding the **Road Area** without the written consent of the **Council.**~~ Refer to clause 33 in Special Conditions.

SMOKE-FREE AREAS

14. **You** must not smoke within any area designated smoke-free by the **Council**.

SALE OF FOOD

15. ~~**You** must not sell, or permit the sale of, food within the **Road Area** except with the prior written consent of the **Council**~~.
Refer to clause 32 in Special Conditions.

REPAIR OF DAMAGE

16. **You** must repair all damage that is caused to the **Road Area** or any other property (including but not limited to buildings and equipment) during the **Term**.

CLEANING

17. **You** must ensure the **Road Area** is kept in a clean and tidy condition and free from rubbish during the **Term**.

18. Public bins (if any) within the **Road Area** must only be used for general food, beverage and similar waste. **You** must not use public bins for business waste (including but not limited to boxes that contained supplies and other waste generated by **Your** operations) and **You** must ensure that all business waste is disposed of appropriately at **Your** cost.

YOUR RISK

19. **You** agree:

    a. **Your** use of the **Road Area** is at **Your** own risk;
    b. the **Council** has given you no warranty that the **Road Area** is suitable for the **Permitted Use**;
    c. to release the **Council** from any claims that **You** may have against the **Council** for loss, damage, injury or death suffered or incurred as a result of **Your** use of the **Road Area**; and
    d. to indemnify the Council against all claims that are made against the **Council** for loss, damage, injury or death caused or contributed to by:
        i. Your Alteration to or Business Use of the Road Area;
        ii. matters occurring at the **Road Area** relating to **You** during the **Term**; or
        iii. any breach by **You** of this agreement.

INSURANCE

20. **You** must maintain a public risk policy of insurance in relation to **Your** use of the **Road Area** for at least twenty million dollars for any one claim and unlimited in the aggregate, and which covers events occurring during the policy's currency regardless of when claims are made.

21. **You** must maintain a policy of insurance for the structures, improvements and infrastructure comprising or associated with the **Alteration** for their full replacement value.

22. You must provide a copy of the certificates of currency for the policies described above to the **Council** before the start of the **Term** and at any time they are renewed during the **Term**.

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NO TRANSFER

23. **You** cannot transfer this agreement or your rights to use the **Road Area** or grant any other person rights to use the **Road Area**.

COUNCIL'S RIGHTS

24. The **Council** may:
    a. carry out works within the **Road Area** or surrounding areas that may interfere with **Your** use of the **Road Area**;
    b. take any action that it considers to be reasonable if there is an emergency and **You** must comply with all directions of the **Council** during the emergency; and
    c. do anything that **You** are required to do under this agreement if **You** do not do it or do not do it properly and recover its costs of doing so from **You**.

COMPLY WITH DIRECTIONS

25. **You** must comply with all reasonable directions of the **Council** in relation to **Your** use of the **Road Area**.

BREACH AND TERMINATION

26. If **You** breach a provision of this agreement and that breach is capable of remedy, **You** will have seven days from the receipt of a notice from the **Council** advising of the breach to remedy the breach (except in the case of an emergency, in which case the **Council** may remedy the breach and recover its costs of doing so).

27. If **You** do not remedy the breach set out in the notice OR the breach is not capable of remedy (in both cases in the **Council's** reasonable opinion) the **Council** may give **You** a further written notice proposing the termination of this agreement. **You** will have one month in which to make written representations to the **Council** on the proposed termination (unless the **Council** determines that a shorter period should apply for the protection of the public).

28. The **Council** will consider any representations **You** make and then notify **You** as to whether this agreement is terminated or not.

EXPIRY

29. This agreement automatically expires at the end of the **Term**. You must not use the **Road Area** for the **Permitted Use** after expiry.

30. Upon the expiry or earlier termination of this agreement, unless you are granted a new authorisation pursuant to section 221 of the *Local Government Act 1999* (SA) and/or a new permit pursuant to section 222 of the *Local Government Act 1999* (SA) (as required) **You** must:
    a. if required by the **Council**, remove all structures, improvements and infrastructure comprising or associated with the **Alteration** and make good any damage to the **Road Area** and surrounding areas caused by such removal; and
    b. ensure that the **Road Area** is left in a clean and tidy condition, including by appropriately disposing of all rubbish and removing all goods and equipment from the **Road Area.**

GST

31. If any GST (within the meaning of the *A New Tax System (Goods and Services Tax) Act 1999* (Cth)) is payable on a supply made pursuant to this agreement then the recipient of the supply must pay the additional GST amount at the same time as it pays for the supply.

COSTS

32. The **Council** may recover from **You** all costs it incurs in consequence of any actual or threatened breach by **You** of this agreement.

33. Notices under this agreement must be sent in writing to the names and addresses.

SPECIAL CONDITIONS

34. **You** must comply with all Special Conditions contained in the Schedule to this agreement.

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Annexure A – Plan

Annexure B – Special Conditions

1. Adelaide Hills Council will provide waste management support by delivering, removing and emptying 15 rubbish bins for the event. Stirling Market Inc. are to provide all waste management requirements over and above that provided by the Adelaide Hills Council and are to collaborate with Council on Sustainability and waste reduction initiatives.

2. If requested by Adelaide Hills Council, Stirling Market Inc. are to provide to Council within two weeks of the date of the request, evidence that all food premises including stalls operating at the market have made the necessary mandatory notification to their respective Council.

3. Stirling Market Inc. are to provide a marshal from 8:00am onwards to assist with marshalling vehicles entering the road closed area for loading/unloading.

4. Stirling Market Inc. are to advise Council of the cancellation or early closure of any market as soon as possible once the decision to cancel or close the market has been made.

5. The market is to be held on the 4th Sunday in each month from January to November and on the 3rd Sunday in December. The market will bump in, open for trade and bump out in accordance with the following times:

    - Druid Avenue closed to Public 8.00 AM
    - Market Bump in 8.00 AM to 10.00 AM
    - Market Trading 10.00 AM to 4.00 PM
    - Bump out 4.00 PM to 5.00 PM
    - Druid Avenue opens to Public 5.00 PM

6. With the exception of inclement weather, any proposed change in the day or time of operation of the market from that outlined above must be advised to and agreed by Council no less than 4 weeks before the change is proposed to occur.

7. The market is to be held within the area delineated red in Annexure A.

8. No vehicles are to access adjoining private property without prior approval from the private land owner.

9. Parking restrictions and road rules outside of the designated market area are to be adhered to at all times.

10. Stirling Market Inc. will take all reasonable care to ensure no damage to infrastructure and landscaping is caused within and surrounding the market area as a result of market activities including no spikes / stakes or other objects are to be driven into the footpaths, vegetation, verge area or gardens to avoid damage to underground watering systems and services.

11. The surrounding vegetation and landscaping is not to be damaged.

12. Stirling Market Inc. will repair any damage to infrastructure and landscaping caused by market activities within and surrounding the market area. Adelaide Hills Council will discuss with Stirling Market Inc. any concerns about said damage before any claim is made for compensation or repair.

13. The area is to be kept free of rubbish, paper and other debris at all times. Stirling Market Inc. must clean up any waste following market activities on the same day it is generated.

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14. Power from the power supply is only to be utilised for the market day needs. Adelaide Hills Council will provide Stirling Market Inc. with keys to the power board for market day use only.

15. Stallholders requiring power are to only set up immediately adjacent to the power source provided by Council and no cords or other infrastructure is to impede pedestrian and other people or vehicle movement except in the area exempted in clause 19.

16. All electrical equipment and appliances must be maintained to meet WH&S requirements including but not limited to current testing and tagging, and an electrical certificate of compliance for the site must be provided to Council by a licence electrical tradesperson.

17. All participants and stallholders are to park vehicles in accordance with parking restrictions or otherwise in accordance with agreements with private property owners.

18. When not unloading or loading stallholders are to park their vehicle(s) in areas designated by Council to be agreed in consultation with Stirling Market Inc.

19. Only vehicles relating to the market activities may temporarily enter the road closure points for the purpose of unloading and loading, however NO vehicles (excluding exception below) may be parked within the road closure area and must be removed from the market area prior to commencement of the Market operating times.

    Exception: Approximately 6 vehicles maybe parked behind the stalls situated outside number 6 and 8 Druid Avenue subject to the following conditions:

    - Pedestrian access must be prohibited to this area during the market;
    - No vehicles parked in this area are to be moved during the market;
    - During the road closure period no vehicles moving into and out of this area shall move unless escorted by a marshal and only at speeds less than 5 km/h.
    - No damage is to occur to any infrastructure including vegetation. The cost to repair any damage that occurs will be met by Stirling Market Inc.

20. With the exception of Emergency Services vehicles no vehicles are to access the market during operating times of the market.

21. Adelaide Hills Council will install, monitor and remove road closures and related infrastructure required for the markets operation. Only Council Officers can move signs, barriers, or any infrastructure placed by Council for the road closures and detours with the exception of providing access for Emergency Services vehicles responding to an emergency within the market or adjacent properties. Stirling Market Inc. representatives or stall holders are not to move or otherwise shift any infrastructure placed by Council for the road closures and detours without first obtaining approval from an authorised officer of Council.

22. Markets will not be held on days of forecast and declared catastrophic fire weather. Stirling Market Inc. are required to advise all stall holders and Council of the cancellation.

23. Council will undertake an annual review of the permit and associated conditions at which time conditions may be added or varied as deemed appropriate.

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24. Should the road area be required by Council for any purpose, Council reserves the right to rescind this agreement by providing 30 days' notice of its intention to do so. There shall be no grounds for recourse by Stirling Market Inc. in respect to this decision.

25. The Adelaide Hills Council reserves the right to review and amend this approval at any time.

26. Stirling Market Inc. must pay to Adelaide Hills Council the sum of $18,500 per annum. This amount is payable at the end of each year during the term of this permit and is intended to cover costs incurred by Adelaide Hills Council in relation to road closure and reopening activities of the Stirling Market.

27. Stirling Market Inc. must ensure thoroughfares in the market area are maintained free of power cords and other obstacles that could represent a hazard or impediment.

28. Stirling Market Inc. must minimise the placement of market infrastructure on footpaths and avoid any impediment to pedestrians. Footpath ramps will be required to be kept unobstructed, including 'corridors' between ramps on opposite sides of the road.

29. Stirling Market Inc. must at all times maintain disability access through the market area.

30. Stirling Market Inc. is to extend an invitation to a Stirling Business Association representative, a Council Member and Senior Council Officer to attend Stirling Market Inc. Management Committee meetings to discuss matters of common concern prior to the business part of the meeting.

31. Stirling Market Inc. is to provide a representative to attend meetings hosted by Council with the Stirling Business Association to discuss matters of common concern

32. There are to be no more than 9 food stalls at any one market that sell food normally consumed on site (e.g. pies, pasties, sausage rolls, fork dishes (vegetarian, gluten free and international cuisine and sausages).

33. Stirling Market Inc. is granted permission to permit the sale of alcohol at the Stirling Market approved area, subject to a maximum of five (5) stalls operating at any one time. All alcohol sales must comply with all applicable laws, regulations, and licensing requirements. Stirling Market Inc. must ensure that each stallholder holds all necessary permits and approvals for the sale of alcohol by the appropriate authority.

34. Coffee sales are to be limited to one stall and no more than one stall to sell bottled water and/or soft drinks.

35. Stirling Market Inc. is to provide an updated Risk Management and Emergency Response Plan to Council annually.

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Appendix 2

Consultation Report – Proposed Road Closure Permit Renewal – Stirling Market

Proposed Road Closure Permit Renewal – Stirling Market 2025-2030

Community Engagement Outcomes Report

May 2025

Adelaide Hills
COUNCIL

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1. Introduction

The Stirling Market has been operating for over 35 years and is managed by a committee of volunteers. Since 2006, the group have facilitated a monthly Sunday market on Druid Avenue that is popular with Hills residents and well-known across greater Adelaide. The event attracts thousands of visitors each month and incorporates plants sales, food stalls, gifts and much more.

The Stirling Market Incorporated currently holds a 5-year permit from the Adelaide Hills Council to close a portion of Druid Avenue once per month in order to run the monthly market day. This permit is due to expire on 30 June 2025. Pursuant to Section 223 of the *Local Government Act* 1999, public consultation must be undertaken in line with Council's *Public Consultation Policy* prior to a new permit being issued.

The renewal of the permit would grant the Stirling Market permission to continue to close Druid Avenue (and the service lane) to traffic, between Mount Barker Road and Martha Street, from 8:00am – 5:00pm one Sunday of every month from July 2025 to June 2030, to enable operation of the Stirling Market. The road closure will be managed by Adelaide Hills Council, with the Stirling Market paying an annual fee to Council to cover the cost of the closure.

Council invited feedback from the public on the proposed permit renewal between Wednesday 9 April and Thursday 1 May 2025. This report presents feedback received during the engagement period and will be presented to Council and made available to those who participated in the consultation on Council's Engagement Platform. A total of 96 participants provided feedback on the proposed Stirling Market road closure permit renewal. 93 respondents provided their feedback via the online feedback form, 2 participants responded via email / letter and 1 provided a response via phone call.

2. Summary of Engagement

Engagement Approach

The purpose of the engagement was to assist us in understanding our community's level of support for the continued road closure and any impacts associated with the road closure of Druid Avenue one Sunday of every month from July 2025 to June 2030, to enable operation of the Stirling Market.

Pursuant to Section 223 of the *Local Government Act* 1999, public consultation must be undertaken in line with Council's *Public Consultation Policy* prior to a new permit being issued. A community engagement strategy was developed, and consultation was undertaken with the community over 23 days from Wednesday 9 April to Thursday 1 May 2025. The Stirling Business Association were contacted directly as key stakeholders in this matter.

The Council's engagement approach aimed to provide detail on the background of the market and seek community feedback regarding people's level of support for the permit renewal. Questions were asked to determine the respondent's connection to the market, their level of support for the continued road closure, along with any additional feedback or comments. A feedback form was developed and provided online and in hardcopy format. It contained four questions, including both closed and open style questions. Feedback could be provided via any of the following options:

- Online submission form on Engagement HQ page
- Email to engage@ahc.sa.gov.au
- Mail to Community Engagement Coordinator, 63 Mount Barker Road, Stirling SA 5152
- Phone 8408 0400
- Hardcopy feedback forms available from any AHC Library or Customer Service Centre

Distribution and Promotion

The opportunity to provide feedback was promoted through a number of channels including:

- Courier Advertisement on 9 April 2025
- Adelaide Hills Council Website and Community Engagement Hub Page
- Letters to adjoining and nearby businesses and residents
- Email newsletter to EHQ registrants living in the suburb of Stirling (192)
- Email to Elected Members to share
- Email to SA Police and the Department for Infrastructure and Transport
- Social media (1 x Facebook Post)
- Stirling Market social media (1 x Facebook Post)
- Posters, hardcopy information and feedback forms available at Customer Service Centres and Libraries at Gumeracha, Stirling and Woodside
- 4 x Corflute signs throughout Stirling

Email and social media promotion statistics are presented below:

Table 1 Promotional statistics

Media	Number of posts / emails / Newsletter	Reach	Engagement (reaction, comment, share or opening link)
Adelaide Hills Council Facebook	1	-	3 reactions
Stirling Market Facebook	1	-	23 reactions 3 shares
Engagement HQ e-newsletter	1	192 emails sent	146 opens / 11 clicks
EHQ Page	1	269 visits	93 engaged
Campaign Monitor	1	9 emails sent	8 opens / 3 clicks

A copy of information provided on Council's Engagement Platform and feedback form is available in Appendix A.

All e-newsletters, advertisements and social media posts are provided in Appendix B.

3. Participants

This section provides details about participation during the engagement period and also demographic information about respondents.

Participation Source

The following table displays how participants provided feedback.

Table 2 Participation Source

Activity	Number Participating
Online submissions	93
Written response – email, letter	2
Phone call	1
Total Consultation Participation	**96**

Participant Characteristics

Respondents Suburb

Demographic data was collected from survey responses on the suburb in which they live. This was a mandatory question with 93 responses. 45.2% (n=42) of the respondents were from suburbs outside of the Adelaide Hills Council area. 29% (n=27) were from Stirling / Stirling North, 5.4% (n=5) from Aldgate and 5.4% (n=5) from Crafers / Crafers West. The remaining 15.3% (n=14) were from suburbs within the Adelaide Hills Council area with all suburbs and percentages listed in Table 3 below.

Table 3 Participant Suburbs

Suburb / Township	No. of Respondents	% of Participants
Suburbs not in AHC	42	45.2%
Stirling / Stirling North	27	29%
Aldgate	5	5.4%
Crafers / Crafers West	5	5.4%
Bridgewater	3	3.2%
Teringie	2	2.2%
Basket Range	2	2.2%
Mylor	1	1.1%
Lenswood	1	1.1%
Scott Creek	1	1.1%
Heathfield	1	1.1%
Bradbury	1	1.1%
Upper Sturt	1	1.1%
Summertown	1	1.1%
Total	**93**	**100.3%**

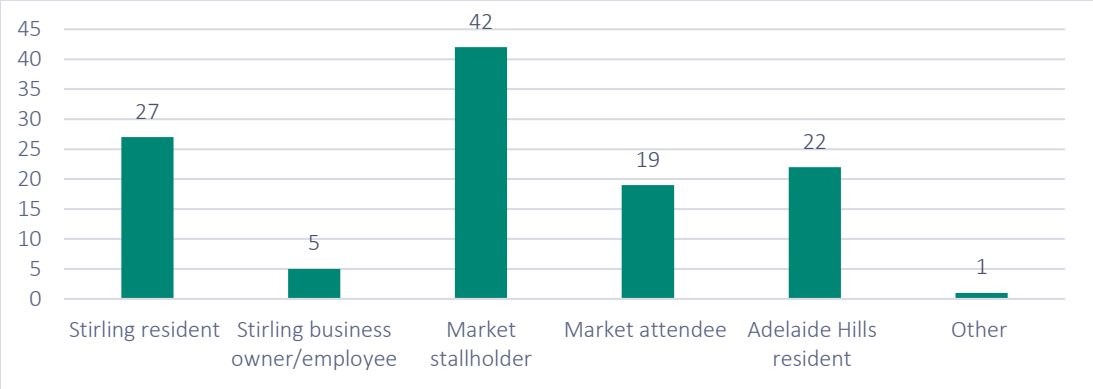
Suburbs not in the Adelaide Hills Council area included Adelaide, Myrtle Bank, Macclesfield, Mount Barker, Morphett Vale, Largs Bay, Nairne, Auburn, Meadows, Golden Grove, Stonyfell, Clarence Gardens, Hackham, Sellicks Beach, Finniss, Sturt, North Haven, Port Noarlunga South, Highland Valley,

Aberfoyle Park, Whites Valley, Willunga South, Christies Beach, Willunga, Lower Mitcham, Seacliff Park, Clarendon, Hazelwood Park, Fulham, Echunga, Mile End, Aldinga Beach and Dernancourt.

Respondents Connection to the Market

Data was collected from survey respondents on their connection to the market. This shows the majority of respondents were market stallholders (42 respondents) followed by Stirling residents (27 respondents). The respondent that selected the 'Other' category was a support worker with a Stirling resident with a disability. Respondents were able to select more than one answer.

Chart 1: Respondents connection to the market



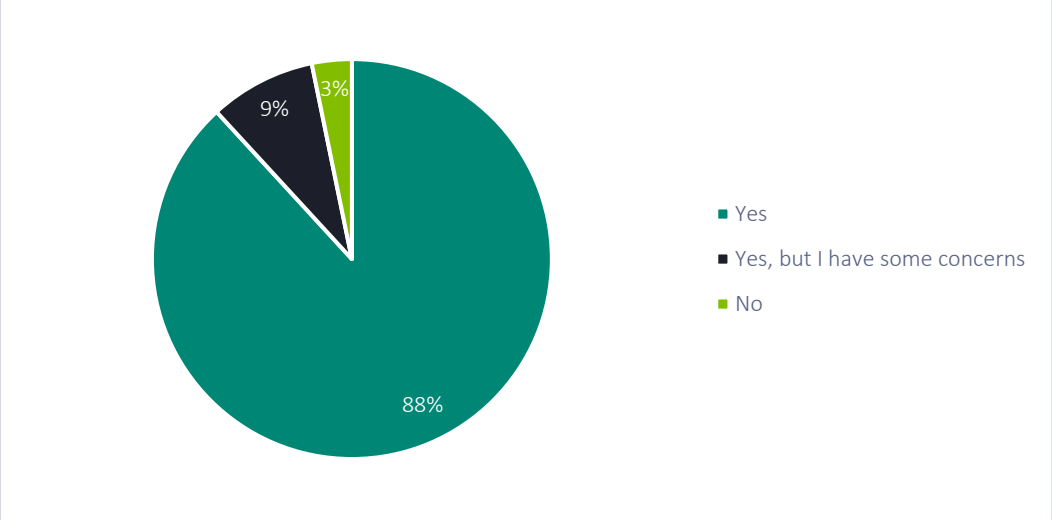
4. Online Feedback

Support Levels for the Permit Renewal

Participants were asked whether they support the Stirling Market receiving a 5-year permit renewal for the road closure of Druid Avenue for one Sunday a month. This was a mandatory question with 93 responses. This data is not available from those who provided feedback via email or phone.

As presented below 88.2% (n=82) of respondents said 'yes' they were supportive of the Stirling Market receiving a 5-year permit renewal, 8.6% (n=8) said 'yes, but I have some concerns' and 3.2% (n=3) said 'no'.

Chart 2: Respondents level of support for the permit renewal



Respondents Feedback and Comments

Comments on Level of Support

Respondents were asked to "tell us more about your answer". 86 respondents provided comments related to their level of support, including what they enjoy about the market and what they were concerned about or do not support and why. Tables below list themed comments and number of respondents.

Presented in Table 4 is the feedback and comments from those supportive of the proposed permit renewal. Table 5 represents those who were supportive but have some concerns, and Table 6 represents those who were not supportive. Some respondents provided feedback on more than one theme.

Table 4 Feedback and comments from those supportive of the permit renewal

Themes	No. of Respondents
Supportive of the market permit renewal and the increased tourism and value it beings to Stirling and the local community	50
Positive feedback from market stallholders including positive comments on the location and organisation of the market	13
Provides local makers / community groups / stallholders with a venue to display and sell their wares	8
Supportive of money being donated back to the community	5
The market helps build a sense of community	4
Well organised and quality items / products	3
Increases business for local traders on market day	2
Would like market to increase in size further up Druid Avenue	1
Would like market to allocate certain number of stalls for local stalls/groups	1

Table 5 Feedback and comments from those supportive but have some concerns

Themes	No. of Respondents
Unhappy with the quality / variety / uniqueness of stallholders. Wants the market to include more local stallholders and improved quality of produce and products	2
Concerned about safety at the event when the bollards aren't installed	2
Concerned about the lack of waste management and would like to see green bins at the event	1
Challenges raised about access to the market and Stirling Main Street for people with disability	1
Concerns raised about who receives grant funding and transparency in making this information publicly available	1
Would like food stalls at the market capped at a certain number and Council to enforce this at each market	1

Table 6 Feedback and comments from those NOT supportive of the permit renewal

Themes	No. of Respondents
Felt the market should be held at the oval instead of closing the road	1
Not supportive of the road closure as it is near the hospital	1
The market causes the surrounding streets and verges to be trampled by visitors and stallholders	1
Unhappy with the quality of stallholders. Wants the market to include more local stallholders and improved quality of produce and products	1

Additional Comments and Feedback

Respondents were asked "is there anything else you would like us to consider?" Additional comments were received from 40 respondents in relation to the Stirling Market receiving a 5-year permit renewal for the road closure of Druid Avenue for one Sunday a month. The table below lists themed comments and number of respondents. Some respondents provided feedback on more than one theme.

Table 7 Additional feedback and comments

Themes	No. of Respondents
Additional parking required	7
Value the event / enjoy attending the market	6
Supportive of the market permit renewal	4
Please don't cancel the market	4
Suggestions on how to improve traffic management e.g. detours, closing road earlier, finishing market earlier	3
Reduce the cost the market needs to pay Council so more money can go towards community projects	2
Wants the market to include more local stallholders and improved quality of produce and products	2
Well organised market and great reputation	2
Concerned about safety at the event when the bollards aren't installed	1
Provides local makers / community groups / stallholders with a venue to display and sell their wares	1
Challenges raised about access to the market and Stirling Main Street for people with disability	1
Concerns raised about who receives grant funding and transparency in making this information publicly available	1
Increased promotion needed of local businesses and encouraging market attendees to visit local businesses	1
Recommendation to change the Laneways to the second Sunday of the month to reduce parking issues and the pressure on the limited toilet facilities on market day	1
Additional seating required	1
Would prefer fewer dogs	1
Suggestion for shuttle bus connecting parking and business to the market	1
Would like to see gardens throughout Stirling rejuvenated and concerns about people trampling the vegetation and damaging plants	1

Other comments received were about very specific elements related to the market setup. These have not been included in the above analysis and have been forwarded directly to the market to review and action.

5. Written and Verbal Feedback

There were three respondents who provided a response by email / letter or phone call. Feedback received and issues raised include:

- Email 1 (Stirling resident)
  Several queries/concerns raised regarding the proposed permit renewal including:
  - Supportive of the market, but feels it negatively impacts residents with disability
  - Access needs to be available to Stirling Main Street on market days (the footpath is currently blocked off)
  - A disability access plan, including the maintaining of a safe and direct path of access to Mt Barker Road, should be a non-negotiable condition of renewing the Stirling Market Road Closure Permit
- Email 2 (Stirling Business)
  Summary of letter provided:
  - Acknowledged success of the market as an iconic and important local event
  - Concerned about removal of requirement to give community grants and pay a fee directly to Adelaide Hills Council instead
  - Clarification regarding the number of food stalls allowed at the Stirling Market so as not to compete directly with local bricks and mortar hospitality businesses. Preference for a cap of up to five food stalls
  - Transparency regarding evidence and / or a public reporting process of actions / investments undertaken showing ongoing community contributions made which uphold the spirit of community reciprocity
  - Transparency regarding the operations of the Striling Market including annual financial statements, where within the community profits are gifted and how Council intends to ensure compliance regarding the transparency of operations
  - Request for no prejudice to any applications submitted by the bricks and mortar traders in Stirling to be stall holders within the Stirling Market
- Phone call (Adelaide Hills resident):
  - Concerned that the market committee are made up of stallholders, and wants the committee to be made up of people not as invested in the market
  - Would like AHC representative to attend Stirling Market committee meetings

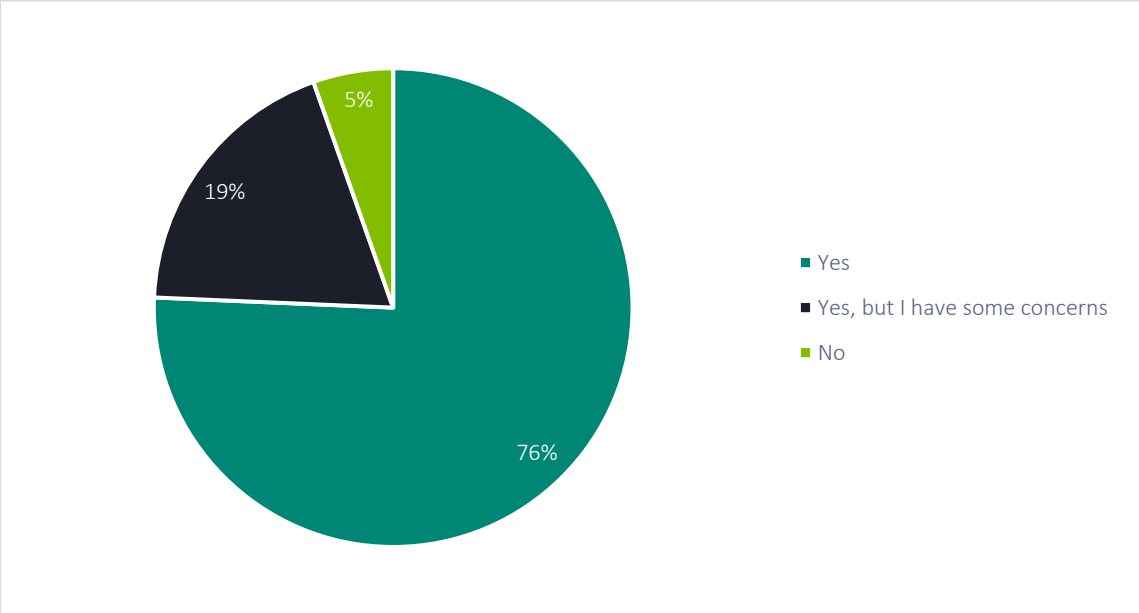
6. Conclusion

A total of 96 people participated in the consultation. Participation was through online feedback forms, emails / letters and phone calls. 39.8% (n=37) of the online participants live in Stirling, Stirling North, Aldgate, Crafers and Crafers West and this would be the group most directly impacted by the permit renewal. 15.3% (n=14) of participants live in suburbs across the Adelaide Hills Council region and the remaining 45.2% (n=42) did not reside in any Adelaide Hills Council suburb or township. The majority of respondents were market stallholders (42 respondents) followed by Stirling residents (27 respondents).

When reviewing the level of support from participants for the Stirling Market to receive a 5-year permit renewal for the road closure of Druid Avenue for one Sunday a month, 88.2% (n=82) of respondents said 'yes' they were supportive, 8.6% (n=8) said 'yes, but I have some concerns' and 3.2% (n=3) said 'no'.

Due to the likelihood that those living closest to the location would be most impacted it is worth considering the level of support from those individuals who live in Stirling, Stirling North, Aldgate, Crafers and Crafers West. As seen below, 76% (n=28) of participants in this consultation who live in close proximity to the market are supportive of the permit renewal, 19% (n=7) are supportive but have some concerns, and 5% (n=2) do not support the permit renewal. This shows the majority of businesses and residents from Stirling and nearby townships do not oppose the renewal of the road closure to allow for the monthly running of the Stirling Market.

Chart 3: Local respondents' level of support for the permit renewal



When combining all feedback received online, via email, letter and phone call, the general themes of positive sentiment included:

- Supportive of the market permit renewal and the increased tourism and value it beings to Stirling and the local community
- Positive feedback from market stallholders including positive comments on the location and organisation of the market
- The market provides local makers / community groups / stallholders with a venue to display and sell their wares
- Supportive of money being donated back to the community
- Comments made that the market helps build a sense of community

Key themes of feedback from those who had concerns or did not support the permit renewal included:

- Additional parking required
- Unhappy with the quality / variety / uniqueness of stallholders. Would like the market to include more local stallholders and improved quality of produce and products. Request for no prejudice to any applications submitted by the bricks and mortar traders in Stirling to be stall holders within the Stirling Market
- Challenges raised about access to the market and Stirling Main Street for people with disability. Suggestion that a disability access plan, including the maintaining of a safe and direct path of access to Mount Barker Road, should be a condition of renewing the permit
- Concerned about removal of requirement to give community grants and pay a fee directly to Adelaide Hills Council instead
- Would like transparency regarding who received grant funding and making this information publicly available
- Review the cap regarding the number of food stalls allowed at the Stirling Market so as not to compete directly with local bricks and mortar hospitality businesses. Preference for a cap of up to five food stalls

This report will be shared with the wider community and anyone who participated in the consultation via Councils Engagement Platform.

Appendix A – Information Provided and Feedback Form

Engagement HQ Page

Proposed Road Closure Permit Renewal - Stirling Market 2025-2030

Thank you for providing your feedback on the proposal to renew the road closure permit for the Stirling Market. We are currently reviewing feedback received from our community.

The Stirling Market has been operating for over 35 years and is managed by a committee of volunteers. Since 2006, the group have facilitated a monthly Sunday market on Druid Avenue that is popular with Hills residents and well-known across greater Adelaide. The event attracts thousands of visitors each month and incorporates plants sales, food stalls, gifts and much more.

The Stirling Market currently holds a 5-year permit from the Adelaide Hills Council to close a portion of Druid Avenue once per month in order to run the monthly market day. This permit is due to expire on 30 June 2025. Pursuant to Section 223 of the *Local Government Act* 1999, public consultation must be undertaken in line with Council's *Public Consultation Policy* prior to a new permit being issued. The road closure will be managed by Adelaide Hills Council, with the Stirling Market paying an annual fee to Council to cover the cost of the closure.

We are proposing to reissue a 5-year permit to Stirling Market allowing for the closure of Druid Avenue (and the service lane) to traffic, between Mount Barker Road and Martha Street, from 8:00am – 5:00pm one Sunday of every month from July 2025 to June 2030, to enable operation of the Stirling Market.

We welcome feedback from our community on this proposal to assist us in understanding our community's level of support for the continued road closure and any impacts associated with the road closure.

How To Provide Your Feedback

You can provide your feedback by:

1. Using the online feedback form below
2. Via email to engage@ahc.sa.gov.au
3. Via mail to 63 Mount Barker Road STIRLING SA 5152
4. Via phone 8408 0400
5. Collect a hardcopy feedback form from any Council Service Centre or Library at Stirling, Gumeracha or Woodside during opening hours.

Opportunity to provide feedback closes - 5pm, Thursday 1 May 2025.

Key Dates

Consultation Open

Documents

Map of Stirling Market Road Closure (863 KB) (pdf)

Hardcopy Feedback Form Stirling Market Proposed Permit Renewal (86.7 KB) (pdf)

Factsheet Stirling Market Proposed Permit Renewal.pdf (1010 KB) (pdf)

Poster Stirling Market Proposed Permit Renewal.pdf (2.78 MB) (pdf)

FAQs

How long has the Stirling Market been operating?

What portion of Druid Avenue will be closed during market days?

Important Links

Stirling Market

Factsheet

Proposed Road Closure Permit Renewal

Stirling Market 2025-2030

Adelaide Hills COUNCIL

The Stirling Market currently holds a 5-year permit to close a portion of Druid Avenue once per month in order to run the monthly market day. This permit is due to expire on 30 June 2025. We are proposing to reissue a 5-year permit to Stirling Market allowing for the closure of Druid Avenue to traffic one Sunday of every month.

The Stirling Market has been operating for over 35 years and is managed by a committee of volunteers. Since 2006, the group have facilitated a monthly Sunday market on Druid Avenue that is popular with Hills residents and well-known across greater Adelaide. The event attracts thousands of visitors each month and incorporates plants sales, food stalls, gifts and much more.

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We are proposing to reissue a 5-year permit to Stirling Market allowing for the closure of Druid Avenue (and the service lane) to traffic, between Mount Barker Road and Martha Street, from 8:00am – 5:00pm one Sunday of every month from July 2025 to June 2030, to enable operation of the Stirling Market.

We welcome feedback from our community on this proposal to assist us in understanding our community's level of support for the continued road closure and any impacts associated with this.

Complete a submission to share your thoughts via any of the below options:

- Complete the online submission form at engage.ahc.sa.gov.au or via the QR code below
- Email engage@ahc.sa.gov.au
- Mail Community Engagement, 63 Mount Barker Road, Stirling SA 5152
- Phone 8408 0400
- Collect a hardcopy feedback form from any AHC Library or Customer Service Centre and submit via any of the ways listed above or by handing into our Council Service Centre or Library at:
  - Coventry Library, 63 Mt Barker Rd, Stirling
  - Woodside Service Centre, 26 Onkaparinga Valley Road, Woodside
  - Gumeracha Civic Centre, 45 Albert Street, Gumeracha

08 8408 0400
mail@ahc.sa.gov.au
ahc.sa.gov.au

Feedback Form

Proposed Road Closure Permit Renewal – Stirling Market 2025-2030

Submission Form

This submission form is also available online at engage.ahc.sa.gov.au
or you can scan the QR code
Please submit your feedback by 5pm, Thursday 1 May 2025

1. What best describes you? (please select all that apply)

- ☐ Stirling residents
- ☐ Market attendee
- ☐ Stirling business owner / employee
- ☐ Adelaide Hills resident
- ☐ Market stallholder
- ☐ Other (please specify

_____

2. Do you support the Stirling Market receiving a 5-year permit renewal for the road closure of Druid Avenue for one Sunday a month?

☐ Yes ☐ Yes, but I have some concerns ☐ No

3. Tell us more about your answer

_____
_____
_____
_____
_____
_____
_____
_____

08 8408 0400
mail@ahc.sa.gov.au
ahc.sa.gov.au

Adelaide Hills COUNCIL

4. Is there anything else you'd like us to consider?

_____

_____

_____

_____

_____

_____

_____

_____

Name_____

Suburb_____

Email (preferred)/phone number_____

Thank you for providing your feedback!

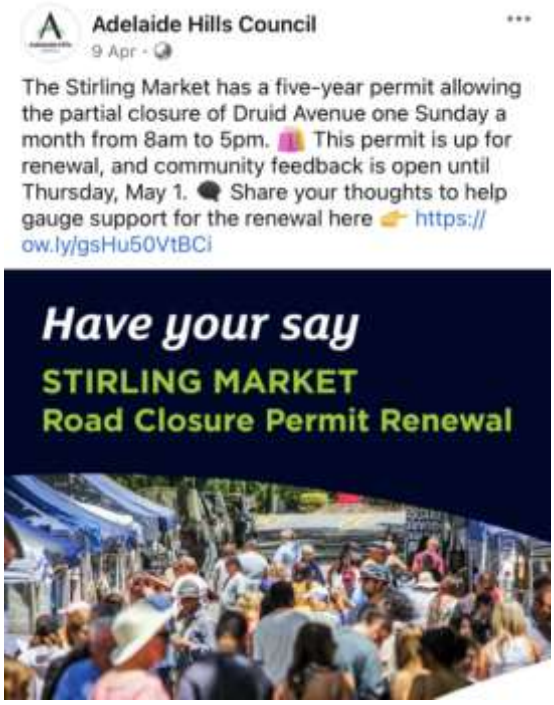
Your feedback will be considered by the project team. We will keep you informed of the outcome via your email address, or you can register via our Community Engagement Hub at: engage.ahc.sa.gov.au.

08 8408 0400
mail@ahc.sa.gov.au
ahc.sa.gov.au

Adelaide Hills COUNCIL

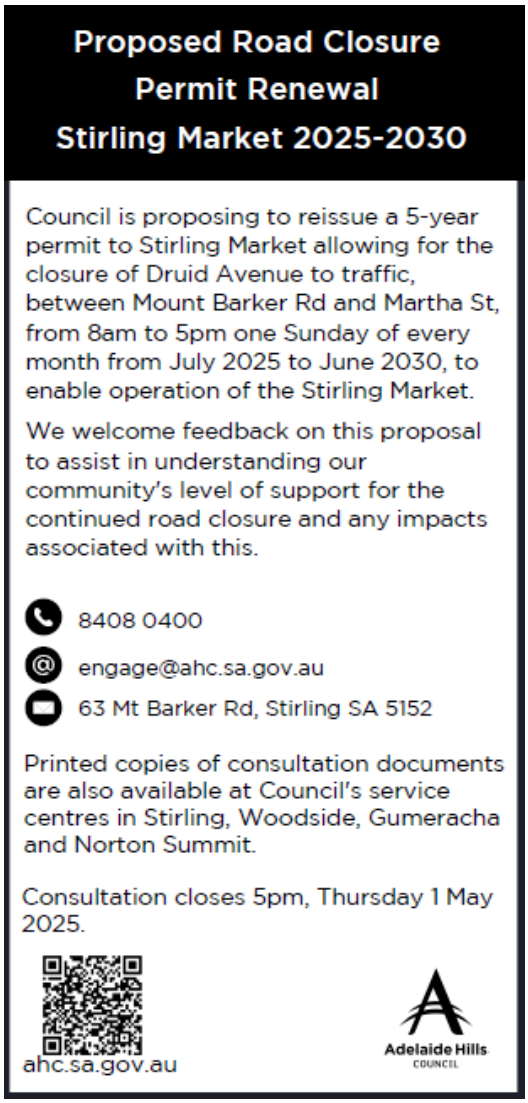
Appendix B – Advertisements and Social Media Posts

Adelaide Hills Council Social Media Post 9 April 2025



Stirling Market Social Media Post 30 April 2025

Courier Advertisement 9 April 2025



Campaign Monitor e-newsletter 9 April 2025

Dear Stirling businesses and associations,

As a business and/or association operating in Stirling, we would like to share this community engagement opportunity with you.

We are proposing to reissue a 5-year permit to Stirling Market allowing for the closure of Druid Avenue to traffic, one Sunday of every month, to enable operation of the Stirling Market.

Background

The Stirling Market currently holds a 5-year permit from the Adelaide Hills Council to close a portion of Druid Avenue once per month in order to run the monthly market day. This permit is due to expire on 30 June 2025.

We are proposing to reissue a 5-year permit to Stirling Market allowing for the closure of Druid Avenue (and the service lane) to traffic, between Mount Barker Road and Martha Street, from 8:00am – 5:00pm one Sunday of every month from July 2025 to June 2030, to enable operation of the Stirling Market.

We welcome feedback from our community on this proposal to assist us in understanding our community's level of support for the continued road closure and any impacts associated with this.

How to provide your feedback:

- Preferably using the online submission form
- Email to engage@ahc.sa.gov.au
- Send a letter to AHC Community Engagement, 63 Mount Barker Road, Stirling SA 5152
- Phone 8408 0400
- Collect a hardcopy feedback form from any AHC Library or Customer Service Centre at Gumeracha, Norton Summit, Stirling, or Woodside during opening hours.

Your opportunity to provide feedback closes at 5pm, on Thursday 1 May 2025

Kind regards,

The Project Team

Engagement HQ e-newsletter 9 April 2025

Dear AHC Engagement Subscriber and local resident,

As a local resident living in Stirling we wanted to share this consultation opportunity with you.

We are proposing to reissue a 5-year permit to Stirling Market allowing for the closure of Druid Avenue to traffic, one Sunday of every month, to enable operation of the Stirling Market.

Background

The Stirling Market currently holds a 5-year permit from the Adelaide Hills Council to close a portion of Druid Avenue once per month in order to run the monthly market day. This permit is due to expire on 30 June 2025.

We are proposing to reissue a 5-year permit to Stirling Market allowing for the closure of Druid Avenue (and the service lane) to traffic, between Mount Barker Road and Martha Street, from 8:00am – 5:00pm one Sunday of every month from July 2025 to June 2030, to enable operation of the Stirling Market.

We welcome feedback from our community on this proposal to assist us in understanding our community's level of support for the continued road closure and any impacts associated with this.

How to provide your submission:

- Preferably using the online submission form
- Email to engage@ahc.sa.gov.au
- Send a letter to AHC Community Engagement, 63 Mount Barker Road, Stirling SA 5152
- Phone 8408 0400
- Collect a hardcopy feedback form from any AHC Library or Customer Service Centre at Gumeracha, Norton Summit, Stirling, or Woodside during opening hours.

Opportunity to provide feedback closes at 5pm, on Thursday 1 May 2025

Kind regards,

The Project Team

08 8408 0400
mail@ahc.sa.gov.au

ahc.sa.gov.au

Adelaide Hills
COUNCIL

Administration Reports Decision Items

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 October 2025
AGENDA BUSINESS ITEM

Item:	**12.1**
Responsible Officer:	**Jade Ballantine** **Director Environment and Infrastructure** **Environment and Infrastructure**
Subject:	**Naming of Bridge in Mount Torrens**
For:	**Decision**

SUMMARY

The Mount Torrens and District Community Association in May 2025 requested the CEO investigate the naming of the bridge in Mount Torrens, over the Angas River to "Andy Bennett Bridge"

Whist Council does not have a policy specifically designated to naming of infrastructure that is not in its care and control or owned by another entity, the *Public Place and Road Naming Policy* provided the process and procedure to undertake the review and community engagement process.

The decision is ultimately decided by the Commissioner of Highways and if the community overwhelmingly supported the naming through its engagement process then approval through the commissioner would be sought.

The engagement process was undertaken form the 10 September to 30 September 2025 and 89% of the respondents (39 of 44) were in support of the naming.

The next step in the process is for the CEO to request the naming through the Commisioner of Highways should the recommendation be endorsed.

RECOMMENDATION

Council resolves:

1. **That the Naming of Bridge in Mount Torrens report be received and noted.**

2. **Endorse the naming of the bridge in Mount Torrens, over the Angas Creek to "Andy Bennett Bridge", and seek approval of the naming through the Commissioner of Highways.**

---

1. BACKGROUND

At the May meeting of the Mount Torrens and Districts Community Association, the Association resolved to request the Council to assign the name "Andy Bennett Bridge" to the bridge over the Angas Creek, Townsend Street, Mount Torrens.

The purpose of the motion is to authorise the CEO to commence the investigation and, while the *Public Places and Roads Naming* policy (**Appendix 2**) does not specifically mention bridges, it would seem appropriate that the same procedures (including community engagement), be undertaken as if it was a Public Place/Road.

The ultimate decision rests with the Commissioner of Highways, after consultation with the Surveyor-

11. MOTIONS ON NOTICE

Naming of Bridge in Mount Torrens – Cr Malcolm Herrmann

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge **220/25**

Council resolves:

1. That the CEO investigates options for the naming of the Department of Infrastructure and Transport bridge, Townsend Street, Mount Torrens and provides

Mayor _____ 8 July 2025

247

ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 30 June 2025
63 MT BARKER ROAD STIRLING

a recommendation to Council by 14 October 2025, after following the procedures contained in the Public Places and Road naming policy.

Carried Unanimously

2. ANALYSIS

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

Strategic Plan 2024 – Your Place, Your Space

Goal 2	Community Wellbeing
Objective CW2	Enrich, empower and support connected communities
Priority CW2.2	Support community groups and community-led initiatives that achieve wellbeing outcomes.

➢ **Legal Implications**

Not Applicable

➢ **Risk Management Implications**

Council not representing the community and may lead to a loss in community confidence in Council.

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

➢ **Financial and Resource Implications**

Not Applicable.

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

Not Applicable.

➢ **Sustainability Implications**

Not Applicable.

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

Consultation on the development of this report was as follows:

Council Committees:	Not Applicable
Council Workshops:	Not Applicable
Advisory Groups:	Not Applicable
External Agencies:	Not Applicable
Community:	Community consultation was undertaken through the existing engagement procedure.

- **Additional Analysis**

Based on the information provided, the request to rename the unnamed bridge within Mount Torrens appropriately fits the requirements of the *Public Place and Road Naming Policy* in Section 4 – Policy Statement - **Name Sources**, where the source for the road naming meets the following criteria:

- "Cultural diversity of the Adelaide Hills Council"
- "Those that reflect the historical, social, cultural and geographical significance"

Though the policy does not specifically mention bridges the same procedure, including community engagement is a practical approach to reviewing the proposal by the community.

Council undertook engagement through its engagement portal from 10 September 2025 through to the 30 September 2025 and engaging with the community on the proposed naming of the bridge over the Angas Creek in Mount Torrens to "Andy Bennett Bridge"

From the fourty four (44) responses, and where the naming of the bridge specifically the responses were as follows, 89% (39) indicated they were in support of the proposed naming, 2% (1)were in support but had concerns or suggestions and 9% (4) did not support the proposed naming.

Per the engagement report the feedback received during the community engagement period is overwhelming in support of Council supporting the proposal to name the bridge over Angus Creek on Townsend Street, Mount Torrens, Andy Bennett Bridge.

The responses to the engagement report – ***Appendix 1***

3. OPTIONS

Council has the following options:

I. Endorse the recommended name of "Andy Bennett Bridge" as proposed by the community, and submit a request to the Commisioner of Highways to adopt the naming of the bridge.
II. Not endorse the proposed name.

4. APPENDICES

(1) Mount Torrens Bridge Name Proposal Community Engagement

Appendix 1

Mount Torrens Bridge Name Proposal Community Engagement - Appendix 1

Bridge Name Proposal – Mount Torrens

Community Engagement Outcomes Report

October 2025

Adelaide Hills
COUNCIL

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1. Introduction

In May 2025, Council received a request from the Mount Torrens and Districts Community Association (MTDCA) to assign the name "Andy Bennett Bridge" to the bridge over the Angas Creek, located on Townsend Street, Mount Torrens.

This request was taken to the 24 June 2025 Ordinary Council Meeting, where a Motion on Notice was resolved by Council for the CEO to investigate the naming of the Department for Infrastructure and Transport's (DIT) bridge, located on Townsend Street, Mount Torrens and provide a recommendation to Council.

From the 10 to 30 September 2025, we invited feedback from local residents and the wider community, around the proposal to name the bridge on Townsend Street, Mount Torrens, Andy Bennett Bridge.

We received a total of 45 formal feedback responses via the online and hardcopy feedback form and email. During the engagement period a petition supporting the naming proposal was submitted by a Birdwood resident. This petition was signed by 263 community members.

Following the results of community engagement, a Report will be presented to Council. If Council decides to proceed with the name change, a request will be sent to the Surveyor General, who in turn will seek approval from the Commissioner of Highways.

2. Summary of Engagement

Engagement approach

The purpose of the engagement was to understand our communities' level of support for the bridge on Townsend Street, Mount Torrens to be named "Andy Bennet Bridge".

Council has a legislative process to review and address the naming of public places and road. While the bridge in question, does not technical sit under this policy as it is not a public or private road or a public place, we are choosing to follow the requirements of this policy due to the similar nature of the naming request.

Our engagement approach aimed to provide detail on the naming request that had been submitted to Council including information about who Andy Bennett was and why the MTDCA put this proposal forward.

The engagement process highlighted the steps that would be required for this name request to be approved by the Minister of Highways.

Questions were asked to determine participants level of support for the proposed bridge name and any additional feedback or comments they would like to provide. A feedback form was developed and provided online and in hardcopy format. It contained both closed and open style questions.

Feedback could be provided via any of the following options:

- Online submission form on Adelaide Hills Engagement Hub
- Email to engage@ahc.sa.gov.au
- Mail to Community Engagement Coordinator, 63 Mount Barker Road, Stirling SA 5152
- Phone 8408 0400

- Hardcopy feedback forms available from any AHC Library or Customer Service Centre

Distribution and promotion

The opportunity to provide feedback was promoted through a number of channels including:

- Courier Advertisement on 10 September 2025.
- Adelaide Hills Council Website and Community Engagement Hub Page.
- Email to engagement subscribers with relevant categories of interest.
- Email to relevant community and stakeholder groups.
- Letter to surrounding residents / businesses.
- Email to Elected Members to share.
- Social media promotion.
- Posters, hardcopy information and feedback forms available at Customer Service Centres and Libraries at Gumeracha, Stirling and Woodside

Email and social media promotion statistics are presented below:

Table 1 Promotional statistics

Media	Number of posts / emails / Newsletter	Reach	Engagement (reaction, comment, share or opening link)
Adelaide Hills Council Facebook	1	16,354 views, 98 interactions	69 link clicks
Adelaide Hills Engagement Hub email	1 email	30 sent, 22 opened	7 link clicks
Adelaide Hills Engagement Hub page	NA	145 views, 122 visitors	44 contributors, 3 followers

A copy of information provided on Council's Engagement Platform and feedback form is available in Appendix A.

All verbatim online feedback responses are provided in Appendix B.

All written submissions (emails and letters) are provided in Appendix C.

All e-newsletters, advertisements and social media posts are provided in Appendix D.

3. Participation

Participation source

The following table displays how participants provided feedback.

Table 2 Participation Source

Activity	Number Participating
Online and hardcopy submissions	44
Written responses – email, letter	2 *1 completed another form of feedback.
Petition	264 *1 person signed Petition twice, 7 people completed another form of feedback.
Total Consultation Participation	**301** With duplicates removed

4. Online and Hardcopy Feedback

Participation characteristics

Table 3 Survey Participant Suburbs

Suburb / Township	No. of Respondents	% of Participants
Mount Torrens	27	61.4%
Birdwood	5	11.4%
Woodside	5	11.4%
Bridgewater	2	4.5%
Charleston	1	2.3%

Forreston	1	2.3%
Forest Range	1	2.3%
Inglewood	1	2.3%
Norton Summit	1	2.3%
Total	**44**	**100.2%**

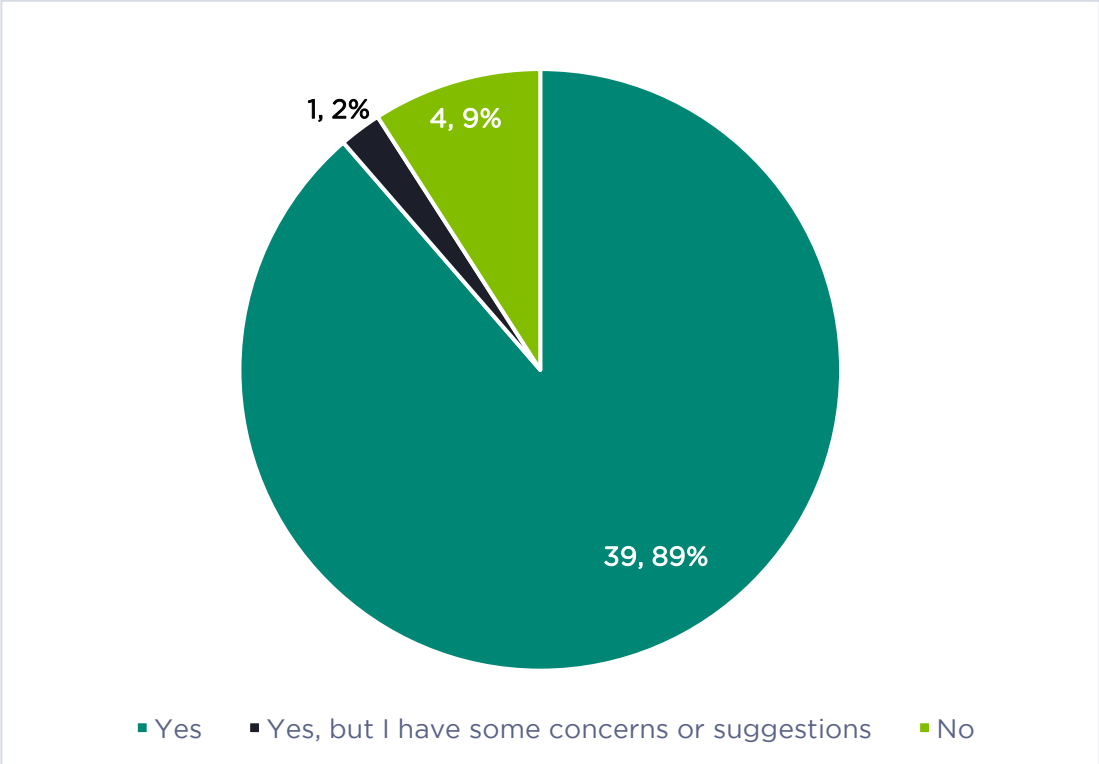
Support for proposed bridge name

Participants were asked if they supported the bridge located on Townsend St, Mount Torrens, being named "Andy Bennet Bridge". This question was mandatory and was answered by 44 recipients.

Do you support the bridge located on Townsend St, Mount Torrens, being named "Andy Bennet Bridge"?

- Yes – 89% / n=39
- Yes, but I have some concerns or suggestions – 2% / n=1
- No – 9% / n=4

Chart/graph 1: Respondents' support for bridge name proposal



Participants had the option to share further feedback or commentary about their response. 27 respondents chose to provide comments and the themes of these comments can be seen in the table below. Verbatim responses can be viewed in Appendix B.

Table 4 Themes of participants comments

Theme/s	No. of Respondents
Commentary in support of the proposal and / or recognising the contributions of Andy Bennett to the Mount Torrens community.	23
Question about whether the bridge has an existing name that should be taken into consideration.	1
Comment about considering other potential names prior to making a decision.	1

5. Written Feedback

Two emails were received during the engagement period sharing feedback in support of the bridge being named Andy Bennett Bridge. One person had also completed a feedback form stating their support.

6. Petition

A petition was received by council staff at the Woodside Library on the 17 September 2025. The petition is in support of Council recommending to State Government that the DIT bridge over Angas Creek, located on Townsend Street, Mount Torrens be named Andy Bennett Bridge.

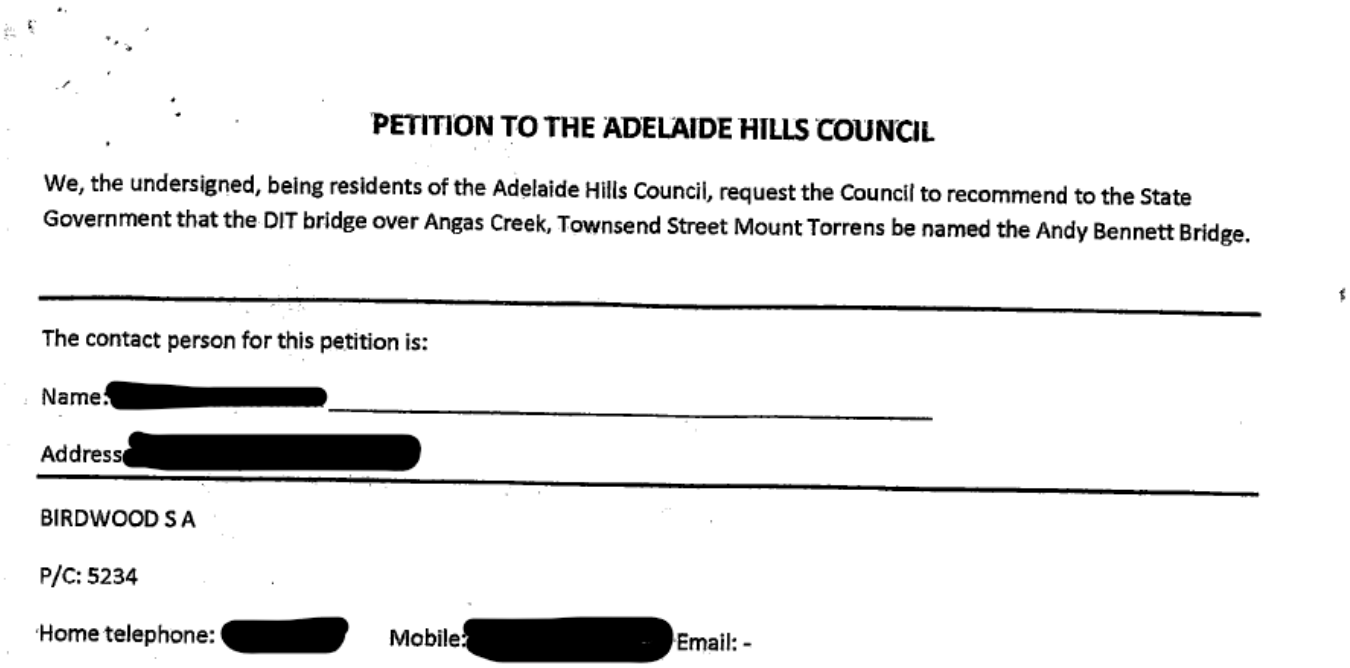
The petition has 13 pages and has been completed by 263 community members with one person having signed the petition twice. 7 people who completed the petition had also completed an online or hardcopy survey.

Majority of people who signed the petition reside in Mount Torrens (36.8% / n=123), or within the Adelaide Hills Council area (87.1% / n=229).

Table 5 Petition Participant Suburbs

Suburb / Township	No. of Respondents	% of Participants
Mount Torrens	123	46.8%
Birdwood	47	17.9%
Gumeracha	9	3.4%
Houghton	7	2.7%
Inglewood	7	2.7%
Kersbrook	7	2.7%
Forreston	6	2.3%
Lobethal	5	1.9%
Charleston	4	1.5%
Paracombe	4	1.5%
Woodside	4	1.5%
Kenton Valley	3	1.1%
Other AHC suburbs (1 each): Bridgewater, Lenswood, Upper Hermitage	3	1.1%
Outside AHC		
Mount Pleasant	9	3.4%
Nairne	5	1.9%
Tungkillo	6	2.3%
Wiiliamstown	2	0.8%
Mount Barker	2	0.8%
Paechtown	2	0.8%
Lyndoch	2	0.8%
Other (1 each): Adelaide, Springton, Mypolonga, Mannum, Milendella, Vista	6	2.3%
Total	**263**	**100.2%**

The full petition wording is provided below:



PETITION TO THE ADELAIDE HILLS COUNCIL

We, the undersigned, being residents of the Adelaide Hills Council, request the Council to recommend to the State Government that the DIT bridge over Angas Creek, Townsend Street Mount Torrens be named the Andy Bennett Bridge.

The contact person for this petition is:

Name: [redacted]

Address [redacted]

BIRDWOOD S A

P/C: 5234

Home telephone: [redacted] Mobile: [redacted] Email: -

7. Conclusion

Feedback received during the community engagement period is overwhelming in support of Council supporting the proposal to name the bridge over Angus Creek on Townsend Street, Mount Torrens, Andy Bennet Bridge.

40 community members shared their support for the proposal via feedback form or email, with an additional person answering yes, they did support the proposal, but they had some concerns or suggestions.

Commentary provided in support of the proposal, spoke about Andy's contributions to the local community and that the bridge being named after him would be a fitting recognition.

A further 256 community members signed a petition in support of the proposal to name the bridge Andy Bennett Bridge.

Four community members were not in support of the proposal and those that did provide commentary mentioned consideration for other potential names.

8. Appendices

Appendix A – Information Provided and Feedback Form

Adelaide Hills Engagement Hub page

Home / **Bridge Name Proposal - Mount Torrens**

What's happening

In May 2025, Council received a request from the Mount Torrens and Districts Community Association to assign the name "Andy Bennett Bridge" to the bridge over the Angas Creek, located on Townsend Street, Mount Torrens.

This request was taken to the 24 June 2025 Ordinary Council Meeting, where a Motion on Notice was resolved by Council for the CEO to investigate the naming of the Department of Infrastructure and Transport's (DIT) bridge, located on Townsend Street, Mount Torrens and provide a recommendation to Council.

Council has a legislative process to review and address the naming of public places and roads and the policy can be viewed on the **Adelaide Hills Council website** or under our Document Library. While the bridge in question, does not technical sit under this policy as it is not a public or private road or a public place, we are choosing to follow the requirements of this policy due to the similar nature of the naming request.

The policy states that any renaming of private or public roads or public places requires:

- Notification to councillors in relation to the proposal. (Report to Council)
- Notification to residents/property owners within a defined catchment of the reserve or public place, or

- Notification in the local press and via social media, inviting public comment on the proposal will occur.

Following the results of community engagement, a Report will be presented to Council. If Council decides to proceed with the name change, a request will be sent to the Surveyor General, who in turn will seek approval from the Commissioner of Highways.

Who was Andy Bennett?

Andy lived on Townsend Street, Mount Torrens until the eve of his 93rd birthday, running his mechanic business there for decades. Known for his skill in fixing anything, from machinery to musical instruments, he became the "go-to" man for community groups including the Mount Torrens and Districts Community Association, Centenary Park, Soldiers' Memorial Hall and the CFS.

Beyond his talents, Andy was remembered as kind, helpful and devoted, caring for his mother until her passing. His funeral tribute recalled him as "forever remembered for his sharp mind, kind heart and tinkering hands."

The naming of the "Andy Bennett Bridge" stands as a fitting memorial to this legendary local.

How can I provide feedback?

We are seeking your feedback on the proposal to name the DIT bridge located on Townsend Street, Mount Torrens to Andy Bennett Bridge.

You can provide your feedback by:

- Completing the online feedback form below
- Sending an email to **engage@ahc.sa.gov.au**
- Posting your feedback to 63 Mount Barker Road Stirling SA 5152
- Giving us a call on 8408 0400
- Collecting a hardcopy feedback form from Woodside or Gumeracha Library during opening hours.

Engagement feedback closes at 5pm, Tuesday 30 September 2025.

If you need assistance to provide your feedback, or have any questions about this engagement, please email **engage@ahc.sa.gov.au** or call 8408 0400.

Feedback Form | Location of bridge

Open

</> Embed

Feedback Form - Bridge Name Proposal, Mount Torrens

Do you support the bridge located on Townsend St, Mount Torrens, being named "Andy Bennet Bridge"
Required

- ○ Yes
- ○ Yes, but I have some concerns or suggestions
- ○ No

Please provide any further feedback or comments

Your name

Your suburb, township or locality Required

Email address

mclarke@ahc.sa.gov.au

Submit

Documents Library

Public Place and Road Naming Policy
PDF (1.29 MB)

Feedback Form - Bridge Name Proposal, Mount Torrens
PDF (91.91 KB)

Factsheet - Bridge Name Proposal, Mount Torrens
PDF (1.16 MB)

Poster - Bridge Name Proposal, Mount Torrens
PDF (1.73 MB)

Links

- Council Meeting Agenda - 24 June 2025
- Council Meeting Minutes - 24 June 2025

FAQ

- **Who was Andy Bennett?**
- **Who are Mount Torrens and Districts Community Association?**

Who's Listening

Craig Marshall
Manager Civil Services, Adelaide Hills Council

Melissa Clarke
Community Engagement Coordinator, Adelaide Hills Council
Email: **engage@ahc.sa.gov.au**

Bridge Name Proposal, Mount Torrens

Submission Form

This submission form is also available online at engage.ahc.sa.gov.au or you can scan the QR code

Please submit your feedback by 5pm, Tuesday 30 September 2025

1. **Do you support the bridge located on Townsend St, Mount Torrens, being named "Andy Bennet Bridge"**

   ☐ Yes ☐ Yes, but I have some concerns or suggestions ☐ No

2. **Please provide any further feedback or comments**

_____

_____

_____

_____

_____

_____

Your Name_____

Your Email _____

Your Suburb/Township_____

Thank you for providing your feedback!

Your feedback will be considered by the project team. You can find out more about this project and register to become an engagement subscriber of our Adelaide Hills Engagement Hub at: engage.ahc.sa.gov.au.

08 8408 0400
mail@ahc.sa.gov.au
ahc.sa.gov.au

Adelaide Hills COUNCIL

08 8408 0400
mail@ahc.sa.gov.au
ahc.sa.gov.au

Adelaide Hills COUNCIL

Bridge Name Proposal

Townsend Street, Mount Torrens

We have received a request from the Mount Torrens and Districts Community Association to assign the name "Andy Bennett Bridge" to the bridge over the Angas Creek, located on Townsend Street, Mount Torrens. We are seeking community feedback on the name proposal.

For further details and the opportunity to provide your feedback, please visit engage.ahc.sa.gov.au or contact us at:

8408 0400
engage@ahc.sa.gov.au
63 Mt Barker Rd, Stirling SA 5152

Provide your feedback by 5pm Tuesday 30 September 2025

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Adelaide Hills
COUNCIL

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Townsend Street, Mount Torrens

Adelaide Hills COUNCIL

We have received a request from the Mount Torrens and Districts Community Association to assign the name "Andy Bennett Bridge" to the bridge over the Angas Creek, located on Townsend Street, Mount Torrens.

Background

In May 2025, Council received a request from the Mount Torrens and Districts Community Association to assign the name "Andy Bennett Bridge" to the bridge over the Angas Creek, located on Townsend Street, Mount Torrens.

This request was taken to the 24 June 2025 Ordinary Council Meeting, where a Motion on Notice was resolved by Council for the CEO to investigate the naming of the Department of Infrastructure and Transport's (DIT) bridge, located on Townsend Street, Mount Torrens and provide a recommendation to Council.

Following the results of community engagement, a Report will be presented to Council.

If Council decides to proceed with the name change, a request will be sent to the Surveyor General, who in turn will seek approval from the Commissioner of Highways.

Who was Andy Bennet?

The Bennett family were residents in Mount Torrens from the early 1860's with the settlement of Andrew David Bennett's (Andy's) direct ancestor John Sherry Bennett.

Andy lived in Townsend Street, Mount Torrens until the eve of his 93rd birthday. He provided decades of service to the community with his remarkable ability to fix anything, running his mechanic business from Townsend Street. He was always able to invent solutions for any problem large or small.

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Adelaide Hills COUNCIL

Bridge Name Proposal

Townsend Street, Mount Torrens

Adelaide Hills COUNCIL

Local community groups such as the Mount Torrens and Districts Community Association, Mt Torrens Centenary Park, Mount Torrens Soldiers' Memorial Hall and the CFS (including its precursor the EFS) all used Andy as their "go to" mechanic for any repairs or for novel solutions to mechanical problems.

Andy loved vehicles and he acted as a fire spotter on his trusty motor bike for the then EFS (emergency fire service) and the AMSCOL provided fire service before it – before the groups had radio communication.

Andy's family felt that "Andy Bennett Bridge" was a humbling memorialisation of this legendary man.

How can I provide my feedback?
We are seeking your feedback on the proposal to name the DIT bridge located on Townsend Street, Mount Torrens to Andy Bennett Bridge.

Share your feedback via one of the following ways:

- Complete the online feedback form at engage.ahc.sa.gov.au or via the QR code below
- Email engage@ahc.sa.gov.au
- Mail Community Engagement, 63 Mount Barker Road, Stirling SA 5152
- Phone 8408 0400
- Collect a hardcopy feedback form from Woodside or Gumeracha Library during opening hours.
  - Woodside Service Centre, 26 Onkaparinga Valley Road, Woodside
  - Gumeracha Civic Centre, 45 Albert Street, Gumeracha

This engagement closes at 5pm Tuesday 30 September 2025.

If you need assistance to provide your feedback, please email engage@ahc.sa.gov.au or call 8408 0400.

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Appendix B - Verbatim comments from online and hardcopy feedback responses

Please provide any further feedback or comments
I would consider it a fitting memorial to Andy (Bennett).He was almost a part of the structure of the Mt Torrens township, known & respected by most of the Mt Torrens population.
A wonderful tribute to a character larger than life in Mt Torrens
Great idea to honour a very genuine person.
I fully support the proposal to name the bridge on Townsend Street, Mount Torrens, as the “Andy Bennett Bridge.” Andy Bennett was clearly a remarkable member of our community, whose skill, generosity, and dedication had a lasting impact on local residents and community organizations. Naming the bridge in his honor is a fitting tribute to his life and contributions. It will serve as a meaningful reminder of his commitment to helping others and his enduring presence in the community. Recognizing local heroes like Andy strengthens our community identity and ensures that future generations remember those who helped shape Mount Torrens. I commend Council for following a thorough and inclusive process to ensure the community has the opportunity to provide input, and I fully support this initiative.
Whilst I never met Andy personally, residents who have thought this was a great idea
Very fitting.
Andy was such a key figure in our town. He represented our history, our culture and we want his memory represented by the bridge he crossed every day of his life.
Well deserved name, to honour Andy
Andy was an icon of the town and crossed that bridge everyday going from his house to his garage/workshop. He would always greet you with "how ya going lad". Naming this bridge is a fitting and well deserved tribute to a man who helped many around the area.
For those in the community this is favored by everyone I have spoken to. Please make this happen!!

Personally, I could not think of ANYONE better to name a local bridge after. Being a past resident of Mt.Torrens in my earlier years, Andy was a gentle, kind, and caring gentleman to everyone who knew him, NOTHING was any trouble to him, helping out many in times of need, and never a problem to go out of his way. It was always a pleasure to receive a friendly 'Hello or G'day' from him when walking home either from the local primary, or high school/s after being dropped off of the bus, or anywhere else in the district for that matter. He serviced ALL of my families cars, and diligently, for some time before we re-located to elsewhere in the hills, and was, and always will be long remembered. A true gentleman, and to learn of his passing was simply, a very sad day. The humble little township of Mt.Torrens will never be the same without him. And, I think that the garage in which he worked for so many years, should also bear his name, as a very fitting tribute/memorial to a man who loved his community.
Andy was a lovely man. He absolutely deserves his name on that bridge. He would have crossed it thousands of times in his lifetime. Well deserved.
Andy was a wonderful man. This will be a beautiful tribute to the man who cared so deeply for our town and spent so much of his 93 years here !!
Andy was known far and wide for his skills. Andy would always help out if he could. Bennetts had a long association with Mt Torrens. Many years ago Andy and his mum had several concrete ormaments in their front garden. One was an elephant with its trunk up and a man standing in front of it, the others were flamingo's I think. They were stolen and Andy was very upset about it. Giving him a concrete bridge is something that the town can do that can never be taken away. The "Andy Bennett Bridge" is the best name because I cannot think of anybody more deserving to have their contribution to Mt Torrens recognised more than Andy deserves to. Andy himself deserves to be remembered.
I fully support this proposal. Andy Bennett was a really nice and funny man and it would be lovely to see his name live on.
If not Andy Bennet, the MOTH suggests "Bridgey McBridge face"..
Brilliant idea for a wonderful man
He lived in Mount Torrens for a long time and had his garage which was his place of work. For any member of the community who lives in a town for so many decades I believe something should be named after them so we all can remember them and for future generations to know who our community were. This would be a lovely gesture for him.
He had a really good heart for the community, we need to acknowledge contributors like himself to the community because without them the community isn't as good/strong
I havent lived in Mt Torrens for many years (my mum and family still do) but growing up, stopping by Andy Bennet's Garage, walking across the bridge to a "Hello Girly" was a very fond memory, Andy was and is a massive part of Mt Torrens, would love to see his memory honored with this!
Andy lived right next to this bridge & he was a valued member of the Mt Torrens community.

Given that this name was suggested by the local community. It seems very appropriate.
This sounds like a fitting tribute to someone who has served the local community. He sounds like a regular 'good bloke' who might otherwise not be honoured.
A thoroughly appropriate proposal which would be much appreciated by residents of Mt Torrens and all those who had come into contact with Andy.
What was it named prior? If bridge had a name then it should stay that name! If not then name it after Andy.
Just seems like any working class guy in the town.
That is just one idea, but what other worthy names should be considered? I'm not in favour of a single choice like this. I'm sure Andy Bennet was a decent bloke but anothe old white male. how about a Peramangk name for example?

Appendix C – Email and written responses

Email 1

I completely agree with the proposal to name said bridge the "Andy Bennett Bridge". Andy was so well known and respected in the area and had helped out many people. He would always come to the assistance of Mount Torrens Centenary Park whenever urgent mechanical help or advice was needed.
The use of his given name, Andy, is important.

Thank you for the opportunity to comment.

Regards

[redacted]
Mount Torrens SA 5244

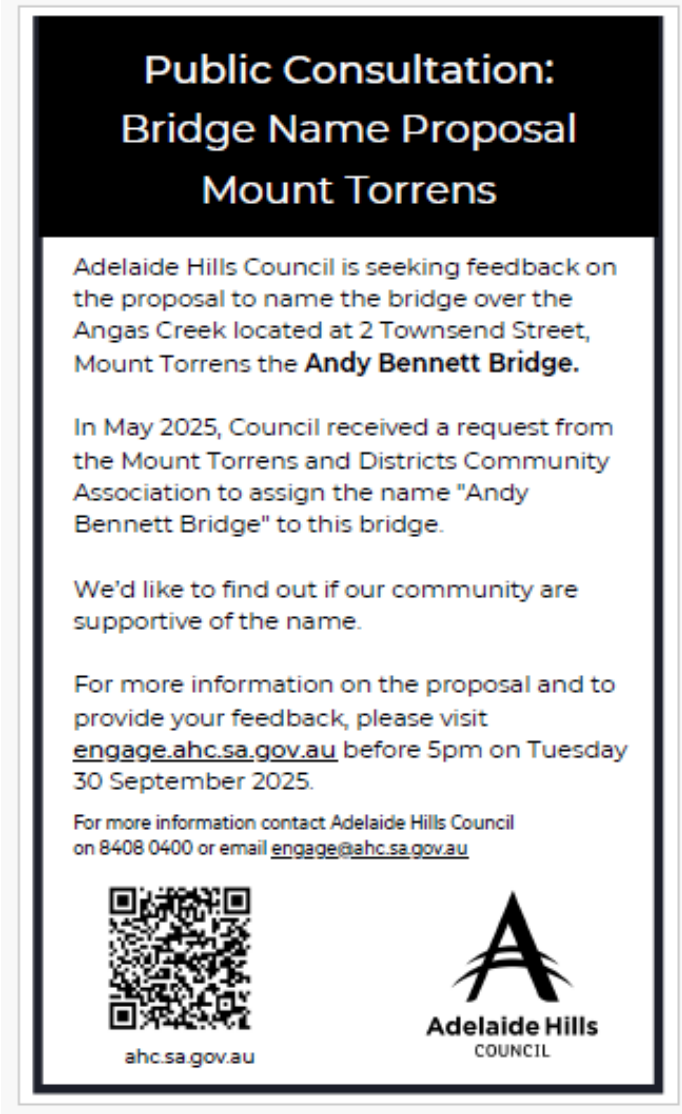
Email 2

I would like to give my vote a an affirmative 'YES' in the naming of the Bridge to 'Andy Bennett Bridge' at Mount Torrens.

A man who was the epitome of active Citizenship and deserves to be recognised and honoured.
Yours Sincerely,
[redacted]

Appendix D – Advertisements and social media posts

Courier Ad – 10 September 2025



Adelaide Hills Council
September 14 at 6:20 PM ·

Have your say on a bridge name proposal in Mount Torrens. We received a request from the 'Mount Torrens and Districts Community Association' to name the bridge over Angas Creek on Townsend Street the "Andy Bennett Bridge."

We'd like to hear your thoughts on this proposal.

Feedback closes: Tuesday 30 September
Share your feedback: https://ow.ly/JwFR50WTGoe

30 16 comments 7 shares

Like Comment Share

Sent

Bridge Name Proposal - Mount Torrens

Share your feedback on the proposal to rename a bridge in Mount Torrens.

Sent : 10/09/2025 10:30 am by **System**

Preview

Adelaide Hills COUNCIL

New project launched on Adelaide Hills Engagement Hub

Hi {{username}},

A new project has launched on Adelaide Hills Engagement Hub that matches your interests:

This consultation relates to Roads, footpaths and trails, Mount Torrens.

Bridge Name Proposal - Mount Torrens

Share your feedback on the proposal to rename a bridge in Mount Torrens.

Learn more about the project engage.ahc.sa.gov.au/bridge-name-proposal-mount-torrens

You have received this notification because you have opted to receive notifications when new projects are published that match your interests. Manage your interests and notification preferences in your user profile.

Adelaide Hills COUNCIL

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

24 September 2025

Dear Resident,

Proposal to assign the name "Andy Bennett Bridge" to the bridge over the Angas Creek, located on Townsend Street, Mount Torrens.

I am writing to you to inform that we received a request to assign the name "Andy Bennett Bridge" to the bridge over the Angas Creek, located on Townsend Street, Mount Torrens.

Background

In May 2025, Council received a request from the Mount Torrens and Districts Community Association to assign the name "Andy Bennett Bridge" to the bridge over the Angas Creek, located on Townsend Street, Mount Torrens. Please turn over to see a map.

This request was taken to the 24 June 2025 Ordinary Council Meeting, where a Motion on Notice was resolved by Council for the CEO to investigate the naming of the Department of Infrastructure and Transport's (DIT) bridge, located on Townsend Street, Mount Torrens and provide a recommendation to Council.

Who was Andy Bennett?

Andy lived on Townsend Street, Mount Torrens until the eve of his 93rd birthday, running his mechanic business there for decades. Known for his skill in fixing anything, from machinery to musical instruments, he became the "go-to" man for community groups including the Mount Torrens and Districts Community Association, Centenary Park, Soldiers' Memorial Hall and the CFS.

Beyond his talents, Andy was remembered as kind, helpful and devoted, caring for his mother until her passing. His funeral tribute recalled him as "forever remembered for his sharp mind, kind heart and tinkering hands."

The naming of the "Andy Bennett Bridge" stands as a fitting memorial to this legendary local.

The Process

Council has a legislative process to review and address the naming of public places and roads and the policy can be viewed on the Adelaide Hills Council website or under our Document Library. While the bridge in question, does not technical sit under this policy as it is not a public or private road or a public place, we are choosing to follow the requirements of this policy due to the similar nature of the naming request.

The policy states that any renaming of private or public roads or public places requires:

- Notification to councillors in relation to the proposal. (Report to Council)
- Notification to residents/property owners within a defined catchment of the reserve or public place, or where a name change affects a local road or place which is often given as a reference for access.
- Notification in the local press and via social media, inviting public comment on the proposal will occur.
- Following the results of community engagement, a report will be presented to Council. If Council decides to proceed with the name change, a request will be sent to the Surveyor General, who in turn will seek approval from the Commissioner of Highways.

How can I provide feedback?

You can provide your feedback by:

- Completing the online feedback available at engage.ahc.sa.gov.au or by following the QR code below
- Sending an email to engage@ahc.sa.gov.au
- Posting your feedback to 63 Mount Barker Road Stirling SA 5152
- Giving us a call on 8408 0400
- Collecting a hardcopy feedback form from Woodside or Gumeracha Library during opening hours.

Engagement feedback closes at 5pm, Tuesday 30 September 2025.

If you need assistance to provide your feedback, or have any questions about this engagement, please email engage@ahc.sa.gov.au or call 8408 0400.

Yours sincerely

Jade Ballantine
Director Environment and Infrastructure

Request to name Mt Torrens bridge

FIN DUNFORD

The Adelaide Hills Council is seeking feedback on a proposal to name a bridge at Mt Torrens after community stalwart Andy Bennett, who passed away in February.

The Mt Torrens and District Community Association (MTDCA) has requested the bridge over the Angas Creek on Townsend Street be named the Andy Bennett Bridge.

In a letter to council chief executive Greg Georgopoulos, the MTDCA said Andy lived at his Townsend Street address until he was 93 and "provided decades of service to the community".

"With his remarkable ability to fix anything, running his mechanic business from Townsend Street, he was always able to invent solutions for any problem, large or small," the letter said.

> With his remarkable ability to fix anything, running his mechanic business from Townsend Street, (Andy Bennett) was always able to invent solutions for any problem, large or small
>
> – Mt Torrens and District Community Association

"Local community groups such as ours, Mt Torrens Centenary Park, Mt Torrens Soldiers' Memorial Hall and the CFS all used Andy as their go-to mechanic for any repairs or for novel solutions to mechanical problems."

In June, councillors voted to ask Mr Georgopoulos to investigate the proposal.

Although the bridge is owned by the Department for Infrastructure and Transport, the assignment of a name to a public place or road requires council approval under the council's Public Places and Roads Naming policy.

That policy requires a community engagement process to be undertaken, the findings of which will be delivered to council.

The council can then decide whether to proceed with the name change and send an official request to the Surveyor General, who will the seek final approval from the Commissioner of Highways.

Mr Bennett's family was contacted in regards to the naming of the bridge in his honor and were supportive.

To give feedback on the proposal by September 30, visit tinyurl.com/andybennettbridge.

08 8408 0400
mail@ahc.sa.gov.au

ahc.sa.gov.au

Adelaide Hills
COUNCIL

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 October 2025
AGENDA BUSINESS ITEM

Item:	**12.2**
Responsible Officer:	**Jade Ballantine** **Director Environment and Infrastructure** **Environment and Infrastructure**
Subject:	**Proposed Native Vegetation Protection and Conservation Policy and Community Engagement Outcome Report**
For:	**Decision**

SUMMARY

The purpose of the report is to seek Council's adoption of the revised *Draft Native Vegetation and Conservation Policy* (the Policy) following public consultation ***Appendix 2***.

Previous drafts have undergone several rounds of staff, Council Member and community consultation. This consultation feedback has been considered by Council administration and responded to (***Appendix 3)***. The final draft has incorporated this consultation feedback where feasible and within scope of the Policy and is presented to Council for decision.

RECOMMENDATION

Council resolves:

1. **That the Proposed Native Vegetation and Conservation Policy (the Policy) and Community Engagement Outcomes Report be received and noted.**

2. **To note the outcomes of and Administration's response to the Community Engagement on the Policy.**

3. **To adopt the amended Draft Native Vegetation and Conservation Policy, in Appendix 2, with an effective date of 29 October 2025.**

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

---

1. BACKGROUND

Council's land and roads (including unformed) contain around 2080ha of native vegetation, with 34% (805 ha) of this managed for conservation purposes, as registered in the Native

Vegetation Marker System and Community Lands Management Plan (Figure 1). Some Council lands and roads are not managed within these systems but still contain native vegetation. Many Conservation sites, even if currently degraded, are still valuable for conservation outcomes and managed for conservation purposes because they:

- provide habitat
- connect habitats, enabling native plant and animal movement across the landscape
- are under Heritage Agreement
- contain threatened species
- are designated for future restoration
- play a role as a buffer or asset protection zone

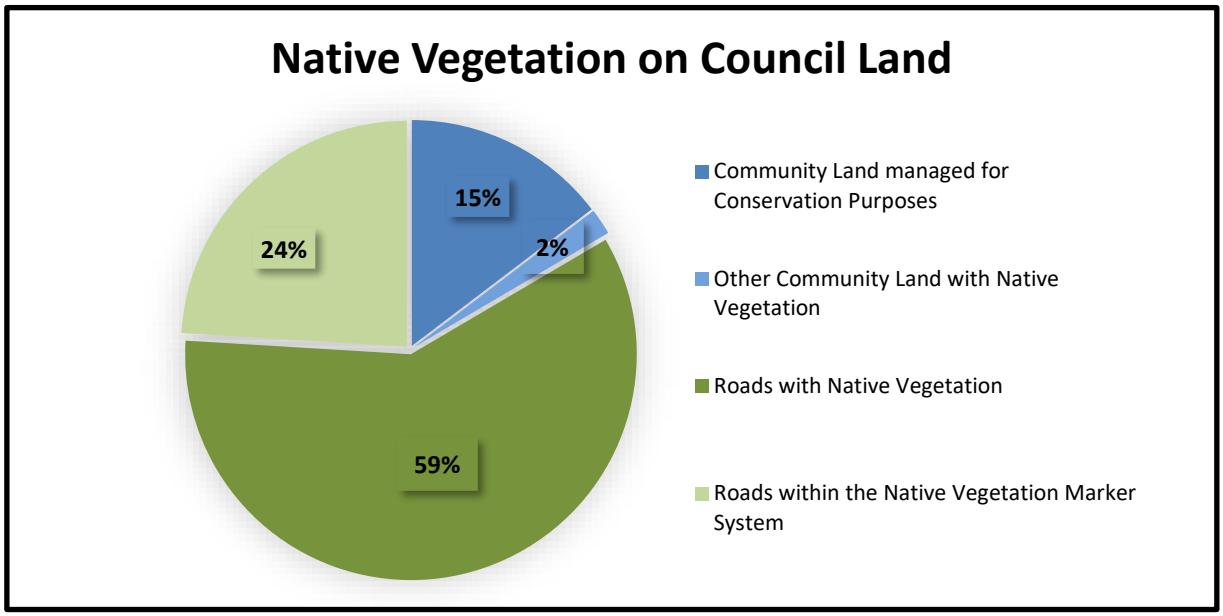


Figure 1 – Native Vegetation on Council Land

Many of these sites and native vegetation in general are impacted by damaging activities, including unauthorised clearance (Figure 2), grazing, construction of illegal dams (Figure 3), landscaping, dumping, harvesting firewood (Figure 5), building BMX or mountain bike tracks (Figure 4), fencing off community land and roads to increase size of or access to private property, using Council land to facilitate a private 'domestic activities' area, or private development (Figure 6). These activities or encroachments often result in native vegetation clearance and degradation of habitat and have significant cumulative impacts which need to be considered in decision making.

Figure 2 – Unauthorised clearance

Figure 3 – Unauthorised dam construction on Council land

Figure 4 – BMX tracks

Figure 5 – Harvesting Firewood

Figure 6 – Unauthorised native vegetation clearance to facilitate private development.

Consultation for both the *2013 Biodiversity Strategy* and *2019 Biodiversity Strategy* identified the need to develop policy options to better address damaging activities to, and clearance of, native vegetation and degradation or alienation of public land managed for conservation purposes.

The purpose of the Policy is to identify Council's position on preventing and responding to damaging activities Council land and roads that impact native vegetation and land of conservation value on. This will enable Council to better address such activities across several administrative teams. Policy consultation and development is summarised in the timeline below (Figure 7).

2013
2013 BIODIVERSITY STRATEGY
Need for Policy development raised as action during community consultation workshops
2019
2019 BIODIVERSITY STRATEGY
Policy development carried as action during community consultation workshops
2022
STAFF WORKSHOPS
• 21/11/22 Workshop 1: Biodiversity, Open Space, Property, Reg Services, Governance and Performance, Civil
• 23/11/22 Workshop 2: Planning
2023
MON
• 11/4/23 Scope adapted to address point 4 regarding Council's ability to undertake prevention, compliance and enforcement
STAFF WORKSHOPS
• 2/5/23 Workshop 3: Sport & Rec, Governance, Reg Services, Planning, Property, Open Space
• 8/6/23 Workshop 4: Open Space
• 14/8/23 Workshop 5: Open Space, Property
• 17/8/23 Workshop 6: Open Space
• 24/8/23 Workshop 7: Open Space, Property
• 7/9/23 Workshop 8: Planning
• 19/10/23 Workshop 9: Open Space, Property
• 19/10/23Workshop 10: Planning
• 20/10/23 Workshop 11: Open Space
• 27/10/23 Workshop 12: Environment and Infrastructure, Open Space
• 23/11/23 Workshop 13: Open Space
2024
WORKSHOPS & CONSULTATION
• 2/4/24 Workshop 14: Council Members
• 1/7/24 Workshop 15: Open Space
• 1/7/24 Workshop 16: Council Members
• 8/8/24 Presented at ELT
• 27/8/24 Council Meeting: Draft Policy approved to go out to Public Consultation. Council set aside a $20,000 litigation budget for pursuing breaches of the Local Government Act to support Policy Implementation
• 4/12/24 - 21/7/25 Public Consultation period
2025
CURRENT STATUS
26/8/25 Community outcomes and Council report finalised

On 11 April 2023, Council considered a motion on notice from Cr Daniell concerning unauthorised vegetation clearance and Council's role in addressing same. Following consideration of the matter, Council resolved as follows:

ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 11 APRIL 2023
63 MT BARKER ROAD STIRLING

11.3 Illegal Native Vegetation Clearance

Cr Leith Mudge returned to the Chamber at 7.42pm.

Moved Cr Nathan Daniell
S/- Cr Kirsty Parkin **78/23**

That Council:

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

Carried Unanimously

The Policy addresses part 4 of the resolution, around Council's ability to undertake prevention, compliance, and enforcement, associated with the illegal clearance of native vegetation on Council land.

On 27 August 2024, Council was presented a draft Policy which was approved to be released for public consultation.

12.4 Draft Native Vegetation Protection and Conservation Policy

Moved Cr Nathan Daniell
S/- Cr Kirsty Boyd **282/24**

Council resolves:

1. **That the report be received and noted.**
2. **To approve the release of the *Draft Native Vegetation Protection and Conservation Policy* for public consultation, as contained in Appendix 1.**
3. **That the CEO be authorised to:**
   a. **Make any formatting, nomenclature or other minor changes to the draft prior to being released for public consultation and;**
   b. **Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of Council's Public Consultation Policy**
4. **That a report detailing the outcomes of the consultation and a revised draft Policy be brought back to the Council for consideration and adoption as soon as practicable after consultation closes.**

Carried Unanimously

Public Consultation took place 4 December 2024 to 21 January 2025, the Community Engagement Outcomes Report is provided in ***Appendix 1***. It is also summarised under the further analysis section of this report.

2. ANALYSIS

➢ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

Goal 1	Natural Environment
Objective NE 3	Protect, improve, expand and connect habitat.
Priority NE3.1	Protect remnant native vegetation from threats or threatening activities.

Biodiversity Strategy 2019 – 2024

Goal 1:	Protect and maintain areas of high biodiversity or habitat value
Strategy	Prevent and manage encroachments
Action	Develop Encroachment Policy (eg Kuringai's Bushland Encroachment Policy)
Strategy	Undertake Council activities to protect native species and habitat
Action	Seek greater compliance support under Council Bylaws
Strategy	Prevent and manage unauthorised activities where AHC have powers
Action	Compliance/expiations/enforcement under LG Act –

- Identifying council powers to halt works and designate responsible officers to respond/enforce and potentially issue expiations.
- Develop formal Council process for halting/dealing with unauthorised native vegetation clearance.

➢ Legal Implications

Relevant sections of the *Local Government Act 1999* (the "Act") are highlighted below.

Section 221 (1) of the Act - A person (other than the council or a person acting under some other statutory authority) must not make an alteration to a public road unless authorised to do so by the Council and carries a maximum penalty of $5000.

Section 262(2) of the Act - A person who engages in conduct that is a contravention of this Act or a by-law under this Act and fails to stop the conduct or remedy the conduct as ordered by an authorised person carries a maximum penalty of $5,000.

Section 12 of the Adelaide Hills Council Local Government Land By-law, an authorised person may direct a person in breach of the by-law to comply with a direction, and if they fail to comply, Council may seek to recover costs.

Other Legislation that interacts with the Act:

- *Environment Protection and Biodiversity Conservation Act 1999*
- *Native Vegetation Act 1991/Biodiversity Act 2025*
- *National Parks and Wildlife Act 1972*
- *Fire and Emergency Services Act*

➢ Risk Management Implications

Implementation of this Policy clearly communicates Council's values and provides a framework for guiding decision making about protecting native vegetation and land of conservation value when assessing applications and permits, and commits Council to responding to unauthorised damaging activities and encroachments in a timely manner. This will assist the mitigation of the following risks.

<u>Community Social and Reputation Impact</u>
Failure to deliver on a Strategic action that was resourced to ensure its development damaging Council's reputation and resulting in a significant loss of community confidence.

Inherent Risk	Residual Risk	Target Risk
Extreme 4B	Low 1E	Low 1E

<u>Environment Impact</u>
Damaging activities causing continued loss and death of native vegetation.

Inherent Risk	Residual Risk	Target Risk
Extreme 4B	Low 2D	Low 2D

➢ Budget, Financial and Resource Implications

Sufficient funding will need to be allocated to ensure the objects of the Policy can be met. There will be costs associated with education, taking compliance action and potentially remediated damaged land.

Council may wish to consider setting further budget specifically allocated to education, remediation or other compliance activities with any proceeds from compliance action reinvested into same.

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

By implementing the Policy, Council demonstrates a commitment to biodiversity conservation, which will be consistently reflected in its decision-making regarding protection of native vegetation and Land of conservation value and sending a clear message to residents, developers and staff that Council will take action to prevent and respond to damaging activities. This will be welcomed by the conservation community who participated in the development of *2014 Biodiversity Strategy* and *2019 Biodiversity Strategy* and most respondents to the Draft Policy consultation.

- **Sustainability Implications**

Preservation of existing native vegetation will enable it to continue to;

provide habitat and connectivity for native wildlife and plants

provide ecosystem services such as pollination, air and water filtration, water attenuation and health and wellbeing benefits

provide canopy cover to

- prolong the life of roads and footpaths by protecting them from uv damage
- reduce urban heat and cool earth temperatures

protect animals and residents from heat and UV radiation

maintain soil moisture & health

reduce stress and generally improve both mental and physical health

maintain the unique and desirable character of the Adelaide Hills

- **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:	2 April 2024 and 1 July 2024
Advisory Groups:	Not Applicable
External Agencies:	Native Vegetation Council Landscapes Hills and Fleurieu

	Conservation Council of South Australia
Community:	Public Consultation 4 December 2024 to 21 January 2025

Staff from various functions across the organisation have been engaged in the development of the Policy.

- **Additional Analysis**

Although current Council strategies and regulations/by-laws guide or authorise staff to act in response to these unauthorised activities, Council does not currently have a policy position that commits it to protecting native vegetation and preventing damaging activities from occurring, and determining when it shall act, and how it shall act in response to such activities, reflecting the severity of the impact.

While there was no legislative or policy requirement for the Council to consult on the draft policy, on this occasion it was considered beneficial to do so as it provided the opportunity for stakeholder and interest groups to contribute to public policy setting, while the process also aided in raising community awareness of this important issue.

Community Engagement Outcomes

A total of 54 people participated in the consultation. Most responses (around 92%) feel neutral, happy or very happy about the Policy, while 8% are very unhappy. A majority communicated support for the Policy objectives and principles, and of Council's development of the Policy, but also expressed concerns regarding adequate resourcing to implement the Policy meaningfully.

Responses were often broader than the question asked, indicating that respondents felt very passionate and motivated to offer suggestions and feel heard. A lot of the questions/suggestions sit outside of the scope of the Policy and are better addressed in the Biodiversity Strategy, Roadside Vegetation Management Plan and Bushfire Landscape Mitigation Strategy., These responses will help guide what educational materials & FAQs to develop alongside Policy implementation and can be incorporated into the upcoming Biodiversity Strategy review.

Recurring, predominant themes/issues across a broad cross section of respondents included:

- Frustration with uncontrolled weeds on both private and Council land degrading native vegetation
- Frustration with State Government for permitting developments that result in native vegetation clearance and perceived lack of response to unauthorised native vegetation clearances
- Concerns with Council allocating resources to meaningfully implement the Policy
- Desire for Council to be more involved with preventing native vegetation clearance on private land
- Consider expanding the scope to include restoration of native vegetation

Where feedback was considered feasible and within scope, adjustments were made to the Draft Policy (as indicated in red in Council report Appendix 2) and detailed in Council response to feedback (Council Report Appendix 3).

This report will be shared with the wider community and anyone who participated in the consultation via Councils Engagement Platform.

3. OPTIONS

Council has the following options:

I. Adoption of the amended Policy which incorporates feedback where considered feasible and within scope.
II. Adoption of an amended Policy which incorporates further minor edits where considered feasible and within scope.
II. Rejection of the Policy for restricting the implementation of this framework.

Should the Council identify the need for substantial amendments to the revised 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) Draft Native Vegetation Protection and Conservation Policy Community Engagement Outcomes Report
(2) Draft Native Vegetation Protection and Conservation Policy
(3) Council responses to feedback received

Appendix 1

Draft Native Vegetation and Conservation Policy
Community Engagement Outcomes Report

Draft Native Vegetation Protection and Conservation Policy Community Engagement Outcomes Report

February 2025

Adelaide Hills
COUNCIL

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1 INTRODUCTION

This report presents feedback received during engagement with the community from 4 December 2024 to 21 January 2025 regarding the draft Native Vegetation Protection and Conservation Policy (the draft Policy).

This report will be presented to Council and made available to those who participated in the consultation on Council's Engagement Platform.

The consultation comprised an opportunity for the Community to provide feedback via hardcopy and online feedback form, email, letter, and phone contact. A copy of information provided on Council's Engagement Platform and feedback form is available in Appendix A.

There was a total of 54 Participants providing feedback on the draft Policy. 48 Respondents provided their feedback by online feedback form and 6 Participants responded via email.

All email responses are provided in Appendix B.

Advertisements, email blasts, promotional newsletters and social media posts, are provided in Appendix C.

2 SUMMARY OF ENGAGEMENT

2.1 BACKGROUND

The purpose of the engagement was to determine whether the community supported the objectives of the draft Native Vegetation Protection and Conservation Policy (the Policy) and whether the guiding principles in the Policy were clear and easy to understand. Council also wanted to seek the community's thoughts on the Policy Statement in the draft document and hear of any concerns the community may have if the Policy comes into operation.

The engagement process provided a level of education around the topic of Native Vegetation Protection and Conservation and in particular in relation to development proposals and applications for activities impacting verges, Council owned land and land accessed to facilitate development on private property. Seeking preferred tools and easy to read materials from the community to assist understanding and guidance in these areas was also sought.

Feedback received will assist in finalising the draft Policy and contribute towards the development of tools to assist the implementation of the Policy.

2.2 COMMUNITY ENGAGEMENT STRATEGY

A community engagement strategy was developed and consultation was undertaken with the Community over 49 days from Wednesday 4 December to Tuesday 21 January 2025.

Consultation was undertaken in accordance with Section 122 of the *Local Government Act 1999* and Council's *Public Consultation Policy*.

2.3 ENGAGEMENT APPROACH

The Council's engagement approach aimed to provide information, educate, collect and collate community feedback regarding people's level of support for the draft Policy. Questions were asked to determine the level of support for objectives, understanding of the guiding principles and policy statement, any concerns or gaps regarding the draft Policy and any tools that may assist implementation and further understanding of issues. Feedback could be provided via an online or hardcopy feedback form, email, mail or phone.

A feedback form was developed and provided online and in hardcopy format. It contained 13 questions, including both closed and open style questions that branched out depending what responses were selected. Questions were designed to seek demographics of Participants, levels of support and sentiment for the draft Policy, clarification in regard to how clear and easy to understand principles were and opportunities to share thoughts including concerns and gaps in the Policy content.

Anyone could participate in the consultation with feedback forms and information made available online and in hard copy at our customer service centres and libraries.

A copy of information provided, and the feedback form is included in Appendix A.

2.4 DISTRIBUTION AND PROMOTION

The opportunity to provide feedback was promoted through a number of channels including:

- Advertisement in Council Column in the Courier (4 December)
- Hills Voice: your Adelaide Hills e-Newsletter to Hills Voice Subscribers (4126)
- Adelaide Hills Council Website and Community Engagement Hub Page
- Email newsletter to EHQ registrants (1982)
- Emails to Conservation and Native Vegetation Stakeholders (80)
- Email to Mayor and Elected Members to share
- Social media
- Posters, hardcopy information and feedback forms available at customer service centres and libraries at Gumeracha, Stirling, Woodside and Norton Summit

Email and social media promotion statistics are presented below:

Media	Number of posts	Reach	Engagement (reaction, comment, share or opening link)
Facebook	2	-	18
Instagram	1	-	0
X	3	-	103
Email Blasts	1	4206	53
EHQ	1	1982	140

All email blasts, advertisements and posts are provided in full in Appendix C.

3 PARTICIPANTS

This section provides details about participation during the engagement period and demographic information about Respondents who completed a feedback form.

Engaged Participants are considered to be those who were not only aware of and informed about the consultation process but who also chose to provide their feedback. The number of aware and informed people who chose not to provide feedback is presented within the table below:

Table 1 Aware, informed and engaged community

	Email	Social Media	EHQ Platform
Aware *Sighted information that the consultation was open*	6188	-	364
Informed *Accessed information via visiting multiple sites or downloading information*	193	121	212
Engaged *Provided feedback*	Unknown		48

3.1 PARTICIPATION RATE

The following table displays the level of engaged participation.

Table 2 Level of Participation

Activity	Number Participating
Online submissions	48
Written response –email, letter	6
TOTAL CONSULTATION PARTICIPATION	**54**

3.2 PARTICIPANT CHARACTERISTICS

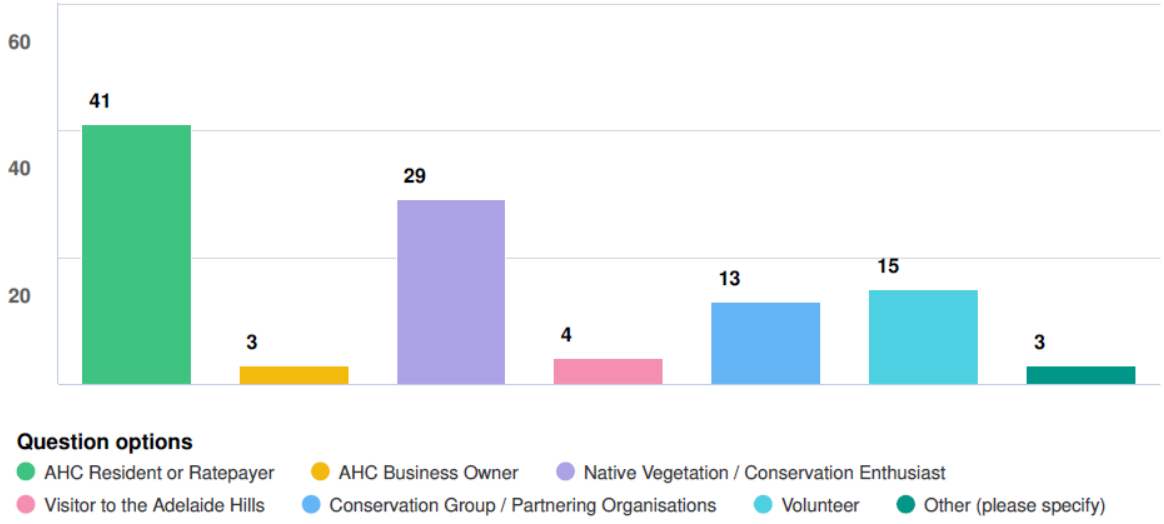
Demographic data was collected from Respondents on their main connection to the Adelaide Hills Council area, their age range and the Suburb/township in which they lived.

Respondents Connection to the Adelaide Hills Council area

Respondents were asked what their connection was to the Adelaide Hills Council area. This was a mandatory question with 48 responses and Respondents could select more than one

type of connection. As seen in Chart 1, the highest connection was as an AHC Resident or Ratepayer(n=41), followed by native vegetation / conservation enthusiast (n=29). The 'Other' category included an outdoor sports organiser, a large land holder (200 acres) and an environmental consultant.

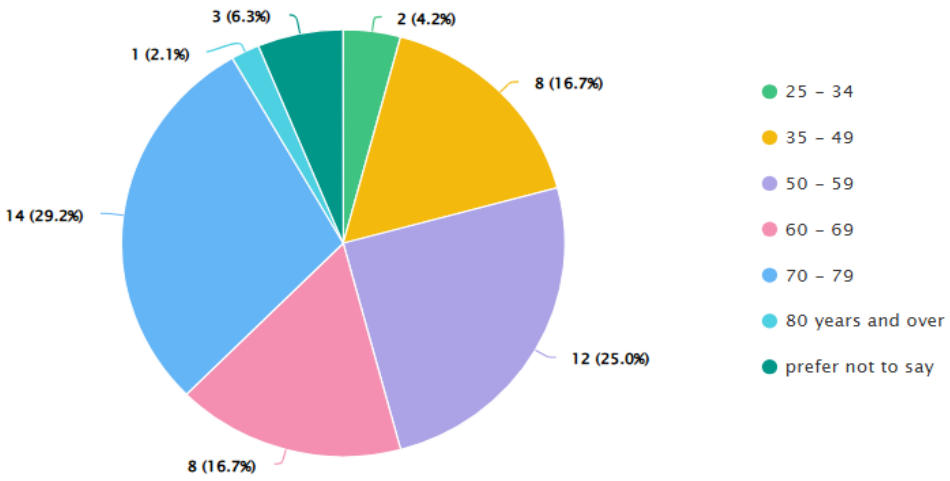
Chart 1 Respondents connection to the Adelaide Hills Council area



Respondents Age Range

Respondents were asked to select their age range. This was a mandatory question with 48 responses. As seen in Chart 1, the highest response rates came from the 70 - 79 age range (n=14) and the 50 - 59 age range (n=12). The overall age range of Respondents being from 25 to over 80 years old.

Chart 2 Respondents age range



Respondents Suburb

Respondents were asked if they could provide the suburb/township in which they resided. This was a mandatory question with 48 responses. Over half of the Respondents came from Aldgate, Mylor, Bridgewater, Mount Torrens and Stirling. Note that 3 Respondents suburbs were outside the Adelaide Hills Council area (Aberfoyle Park, Kidman Park and Mount Barker). All Respondents suburbs are listed below:

Suburb / Township	No. of Participants
ALDGATE	9
MYLOR	7
BRIDGEWATER	4
MOUNT TORRENS	3
STIRLING	3
BALHANNAH	2
CRAFERS WEST	2
ABERFOYLE PARK	1
BIRDWOOD	1
BRADBURY	1
CROMER	1
FOREST RANGE	1
GUMERACHA	1
HAHNDORF	1
IRONBANK	1
KENTON VALLEY	1
KIDMAN PARK	1
LENSWOOD	1
LOBETHAL	1
MOUNT BARKER	1
NORTON SUMMIT	1
PICCADILLY	1
WILLIAMSTOWN	1
WOODFORDE	1
WOODSIDE	1

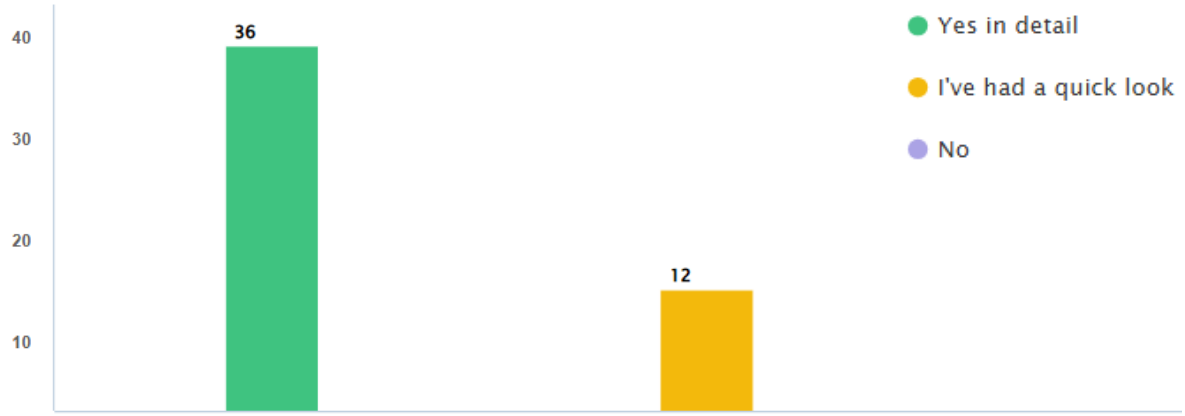
4 ONLINE FEEDBACK

48 online responses were received as part of this consultation. Analysis of questions from the online feedback forms are provided below.

4.1 WHO READ THE DRAFT POLICY

Respondents were asked if they had read the draft Native Vegetation Protection and Conservation Policy. This was a mandatory question with 48 Respondents. As presented below 75 %(n=36) of Respondents had read the policy in detail, 25% (n=12) had a quick look.

Chart 3 Respondents review of the draft Native Vegetation Protection and Conservation Policy



4.2 LEVELS OF SUPPORT FOR THE OBJECTIVES IN THE DRAFT POLICY

Respondents were asked to what extent they supported each of the Objectives in the draft Native Vegetation Protection and Conservation Policy. This was a mandatory question with 48 Respondents. Respondents could select that they fully supported, partially supported, did not support or were unsure with their level of support for the four objectives of the policy. All four of the objectives had a high level of full support ranging from 77% (n=37) fully supported for objective 2 to 83.3% (n=40) fully supported for objective 1. Further details on levels of support are presented in chart 4.

Chart 4 Respondents level of support for the objectives in the draft Policy

Respondents were asked if they would like to provide further explanation on their level of support. This was not a mandatory question and there were 31 responses, with some covering multiple topics, as presented below:

Key theme	No. respondents
Support for Native Vegetation Protection in general and/or this Council Policy	16
Frustration with Native Veg clearance on private land	5
Desire stronger laws/enforcement/ penalties for damage to native vegetation	3
Concerns regarding Council's capability or follow-through	3
Concerns that Native Veg/Conservation prioritised over other interests (e.g. development, horse riding)	2
Concerns that other competing interests will be prioritised over Native Vegetation/Conservation (e.g. development)	2
View that this Policy is not required/Council's core business	2
Policy language unconcise	1
Concerns around Bushfire Risk and Fuel Management	1
Believe education is needed	1
Aligns with volunteer role	1

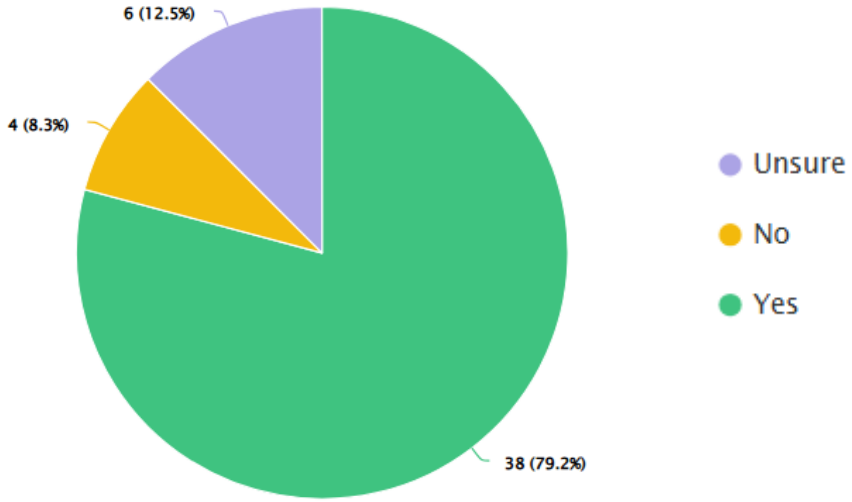
General comments:

- Suggestions to utilise existing tools/methods/mechanisms
- Expressing frustration with unmanaged weeds on private land

4.3 Review Of The Guiding Principles In The Draft Policy

Respondents were asked if they felt the draft Native Vegetation Protection and Conservation Policy provided clear and easy to understand guiding principles. This was a mandatory question with 48 responses. As presented below 79.2% (n=38) Respondents felt that the guiding principles provided were clear and easy to understand.

Chart 5 Respondents who felt the draft Policy's Guiding Principles were clear and easy to understand



Respondents were asked if they could provide an explanation for any guiding principles that were not clear nor easy to understand. This was not a mandatory question and there were 27 responses, with some covering multiple topics, as presented below:

Key theme	**No. respondents**
Guiding principles are clear and easy to understand	5
All are vague/lack clarity	1
Whole policy is too wordy	1
General comments/questions/suggestions	26

General comments:

- Concern around feasibility of addressing past events in scope
- Queries regarding how the impact tool works
- Suggestion to engage Native Vegetation Branch (DEW) in developing assessment tools
- Frustration that authorities don't respond to native vegetation clearance
- Frustration with ongoing native vegetation clearance
- Query around roadside vegetation management and off-target damage
- Request that native wildlife be more specifically referenced
- Suggestion to detail that Council will prosecute for wilfully damaging activities
- Not confident Council will actually implement policy
- Frustration that penalties are considered as 'cost of business'
- Policy is pointless because already sufficient legislation in place

- Suggestion to add Formal Protection for high value native vegetation and conservation value on local government land to principles
- Suggestion to add consideration of cumulative impacts to native vegetation and conservation lands
- Suggestion for more inclusive language around all native species rather than focus on threatened and declining
- Waterways/watercourses not specifically referenced
- 5.2 is excellent, need to be resourced properly by Council
- 5.2 could be expanded to include education/compulsion of private landowners
- Encroachment should include declared weeds spreading from private land and degrading native vegetation/conservation land and creating fire hazard
- 5.2 – Council can't overrule State Government development decisions, and Council should advocate for trees
- 5.3 - needs to be an allowance for overgrowth that leads to blind and hazardous corners
- 5.3 – admin load of individual permits would be difficult for volunteers working on Council land
- 5.5 - Council must implement strong penalties (large monetary fines) in order to deter future bad behaviour
- 5.6 – prevention, education and voluntary compliance very good, but better if Council staff will actively enforce this Policy
- 5.7 - proving who did what and actually prosecuting them is an issue
- 5.8 - helpful to know the specific legislations the Council CAN 'overstep'/stand up to Native Vegetation Council
- 5.8 'damaging activities' could be more specific eg. clearing/polluting/trampling

4.4 THOUGHTS ON THE 'POLICY STATEMENT' IN THE DRAFT POLICY

Respondents were asked if they would like to share any thoughts on the 'Policy Statement' in the draft Native Vegetation Protection and Conservation Policy. This was not a mandatory question, and 34 Respondents provided their thoughts, with some covering multiple topics, as presented below:

Key theme	**No. respondents**
Policy Statement fit for purpose	7
Concerns around resourcing the Policy meaningfully	6
Recommend impact assessment tool developed with internal/external expertise	2

Suggestions regarding education materials/approaches to be developed	6
Concerns/frustrations regarding uncontrolled weeds degrading native vegetation	4
Support for recovering cost from those undertaking damaging activities	2
Policy needs more definition	1
Policy should remove detail around impact assessment tool criteria	1

General comments/questions:

- Policy scope/principles could/should be expanded to include:
  - State Govt Land
  - Management of pest animals
  - Supporting private landowners
  - Formal protection of Biodiversity
  - Preferencing native vegetation in landscaping
  - Specifically addressing weeds
- Suggestion to develop detailed interactive, land use map be made to publicly report implementation of policies/assessments
- Suggestion that more references to wildlife be included
- Request for easy reporting & out of hours response
- Concerned no-one will take any notice of the policy
- Concerned about Council procurement processes relating to remediation
- Suggestion to stipulate responsible party be given opportunity to remediate before Council undertakes remediation

4.5 Respondents Concerns If The Draft Policy Comes Into Operation

Respondents were asked if they had any concerns if the Policy came into operation. This was not a mandatory question, and 29 Respondents provided their concerns, with some covering multiple topics, as presented below:

Key theme	**No. respondents**
Concerns regarding lack of adequate resourcing/enforcement action to ensure successful implementation of Policy	10
No major concerns/supportive of the Policy	7
Concerns around the Policy hindering resident activities on road reserves	4
Needs to be adequate education/promotion	3

Concerns/anxiety around increasing rates	2

General comments:

- Policy is unnecessary
- Policy should reference wildlife
- Distress at biodiversity loss
- Policy should apply to Council activities

4.6 Beneficial Tools Or Easy To Read Materials To Assist Understanding

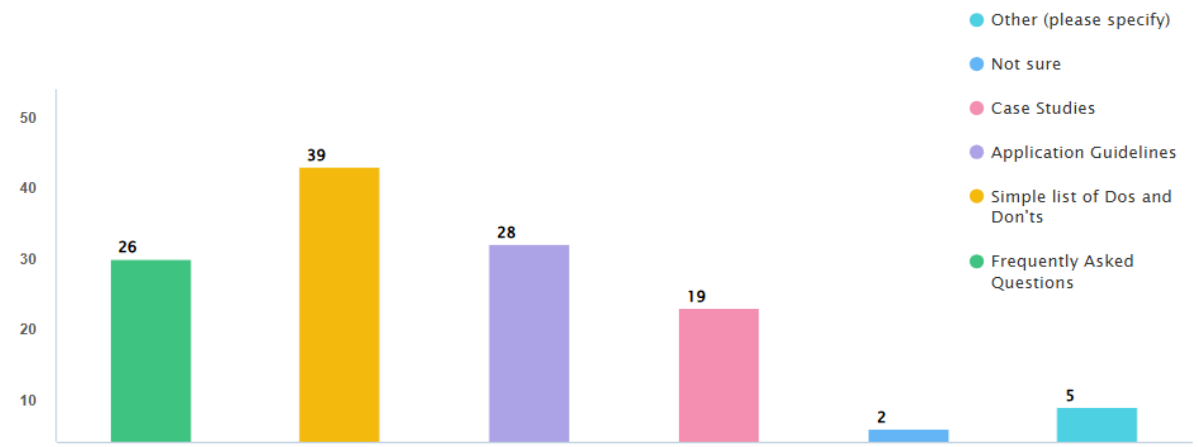
After explaining how the Native Vegetation Protection and Conservation Policy may impact proposals and applications for activities including creating driveways through road verges, planting out road verges, access to private property through Council land to facilitate development and leases/licenses on Council owned lands, respondents were asked what tools or easy to read materials would they find beneficial to assist their understanding with how the Policy may impact proposals and applications. This was a mandatory question with 48 respondents who could select more than one type of material.

A simple list of 'dos and don'ts' was the highest selected material with 81.2% (n=39) of Respondents selecting this option. This was followed by 58.3% (n=28) for 'application guidelines' and 54.1% (n=26) for 'frequently asked questions'.

Five Respondents selected 'other' options which included:

- Targeted education and promotion of Policy including caring for environment and native animals (n=2)
- Appropriate legislation as listed on the draft Policy (8 Acts) (n=1)
- All of the tools mentioned to accommodate diversity of people and their learning abilities (n=1)
- No material suggested (n=1)

Chart 6 Tools and easy to read materials Respondents said would assist their understanding with how the Policy may impact proposals and applications



4.7 What Is Missing From The Draft Policy

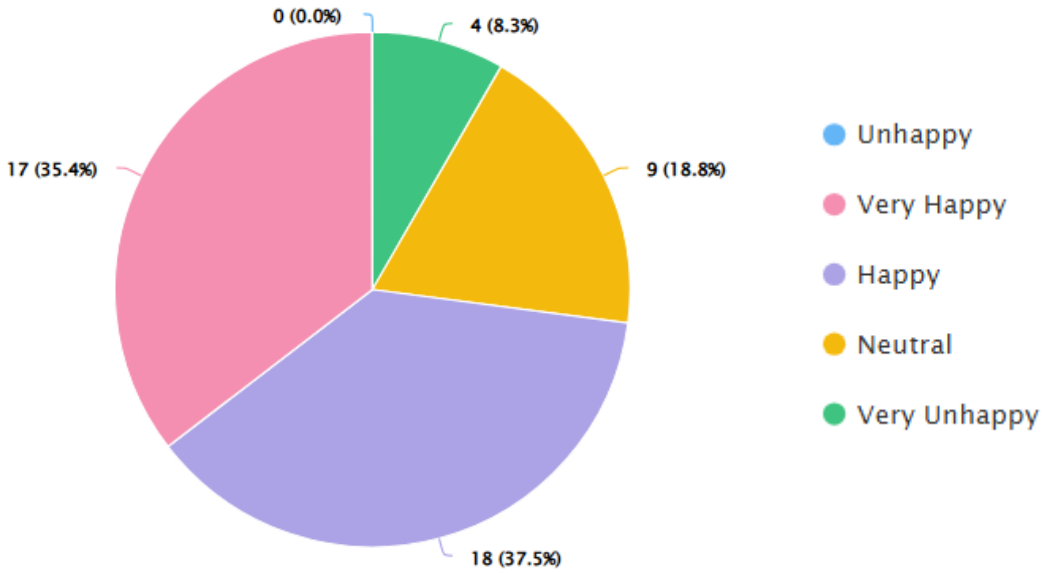
Respondents invited to comment if they felt there was anything missing from the Policy. This was not a mandatory question, and 28 Respondents provided their concerns, with some covering multiple topics, as presented below:

Key theme	No. respondents
Specifics in general	1
Bushfire mitigation	2
Pre-existing land use	1
Scope should be expanded to include restoration/acquisition of land	4
Nothing	2
Scope should be expanded to include private land	2
Referencing collaboration with external agencies	1
Education – suggestions and requests	6
General comments/questions	9

4.8 General Feeling Regarding The Draft Policy

Respondents were asked if they could indicate how they generally felt about the draft Native Vegetation Protection and Conservation Policy. This was a mandatory question with 48 responses as presented below. 72.9% (n=35) Respondents felt happy or very happy with the draft Policy.

Chart 7 Respondents general feeling regarding the draft Native Vegetation Protection and Conservation Policy



4.9 Respondents Final Comments

Respondents were asked if they had any final comments or feedback that they had not already mentioned. 22 Respondents provided the following responses, with some covering multiple topics, as presented below:

Key theme	**No. respondents**
Support & encouragement for Council & the Policy	10
Concerned about native vegetation/biodiversity loss	2
Frustration with Native Veg clearance and/or lack of enforcement on private land	2
Concern/frustration regarding uncontrolled weeds	3
Concerned about native vegetation/biodiversity loss	2
Request to specifically address watercourses in the Policy	1
Request that impact assessment tool approved by ratepayers before enacted	1
Frustration regarding rabbit control	1
Suggestions for education content/approach	1
Penalties could be allocated to offset damages	1

Request to exclude humans/dogs from Conservation areas	1

General comments:

- Policy should be amended/reviewed by people with appropriate (i.e. biodiversity) qualifications.
- Native vegetation should be valued - adds value to place/suburb/township.
- Councils should be dissolved, this sort of decision making should be left to the State.
- Request to 'get on with it'.

5 EMAIL AND WRITTEN FEEDBACK

6 Respondents provided a response by email or letter.

Summarised below are key points from each letter directly relating to Policy feedback

1. Native Vegetation Council
    - Support and encouragement for the 'sensible' Policy.
    - Encouraged to apply the Mitigation Hierarchy (avoid, minimise, rehabilitate/restore, offset) to help conserve biodiversity.
    - Consider most effective way to avoid clearance of native vegetation is by not allowing subdivisions or rezoning over areas with important native vegetation
    - Recommend including statement that native vegetation will be used for greening efforts whenever practical.
    - Policy should consider cumulative impacts.
    - Mapping would help developers understand the places that are unlikely to receive Council's clearance approval, and/or incur expensive offsets.

2. Hills and Fleurieu Landscape Board
    - Applaud development of the Policy.
    - Strongly support clause 5.8 'staff will report the activity to the relevant statutory authority, however Council will not solely rely on other authorities to act when Council has authority to prevent or respond to damaging activities.
    - Greater clarity on compliance mechanisms proposed would be useful.
    - Could usefully consider proactive measures for improving the condition and extent of native vegetation under council's care, through reference to supporting policies or expansion of this policy.

3. Conservation Council SA
    - Commend development of the Policy & strongly support objectives.
    - Provides a solid framework for the protection of native vegetation and lands of conservation value.
    - Effectiveness will heavily depend on its implementation.
    - Crucial to advocate for the retention of trees, biodiversity, and habitat on private land.
    - Suggest Council Assessment Panel (CAP) be vigilant in assessing development plans to ensure preservation of native vegetation and habitat is accounted for. The CAP should play a proactive role in ensuring that development on private land does not negatively impact native trees and biodiversity, especially in areas close to conservation reserves

- Extending focus to private land, the policy can provide a more comprehensive approach to conserving native vegetation.

4. A detailed resident response containing a mixture of specific comments related to the Policy and general comments about Council, those related directly to the Policy include:
   - Challenging the use of phrasing, specific words, asking for definitions.
   - Suggesting various edits and rephrasing of the scope/title.

5. A short email response offering positive support for the Policy

General feedback received and issues raised via emails and letters that do not relate directly to the Policy included:

- Resourcing for weed control for locations adjacent Conservation Reserves and NVMS sites.
- Biodiversity Strategy due for review – recommendation to align with Greater Adelaide Regional Plan, Housing Roadmap, State Landscape Strategy.
- Keen to learn achievements of the 2019 – 2024 Biodiversity Strategy.
- Clearly identify areas of conservation value, and develop plans to protect and enhance them.
- Council investigate potential areas for on-ground offsets for its future native vegetation clearance.
- Council is urged to explore opportunities to establish more SEB credit sites.
- Lack of Council resourcing put to managing native vegetation.
- Requesting evidence of where Council is protecting/managing native vegetation.
- Requesting information about the assessment tool.

All emails, letters and other communications are provided in full in Appendix B.

6 CONCLUSION

A total of 54 people participated in the consultation. The majority of responses (around 92%) feel neutral, happy or very happy about the Policy, while 8% are very unhappy. A majority communicated support for the Policy objectives and principles, and of Council's development of the Policy, but also expressed concerns regarding adequate resourcing to implement the Policy meaningfully.

Responses were often broader than the question asked, indicating that respondents felt very passionate and motivated to offer suggestions and feel heard. A lot of the questions/suggestions sit outside of the scope of the Policy and are better addressed in the Biodiversity Strategy, Roadside Vegetation Management Plan and Bushfire Landscape Mitigation Strategy., These responses will help guide what educational materials & FAQs to develop alongside Policy implementation and can be incorporated into the upcoming Biodiversity Strategy review.

The current title leads people to think of broader/more aspirational scope than original intent, which was to address some gaps in existing strategies, plans and procedures, and this was reflected in some of the responses. Broadening the scope would necessitate further rounds of administrative staff consultations and delay implementation of the Policy. The original working title for the Policy was the Bushland Encroachment Policy, however was renamed during staff consultation. It is suggested to rename the Policy to one of the following to keep it more aligned with the existing scope:

- Native Vegetation and Conservation Encroachment Policy
- Native Vegetation and Conservation Impact Policy

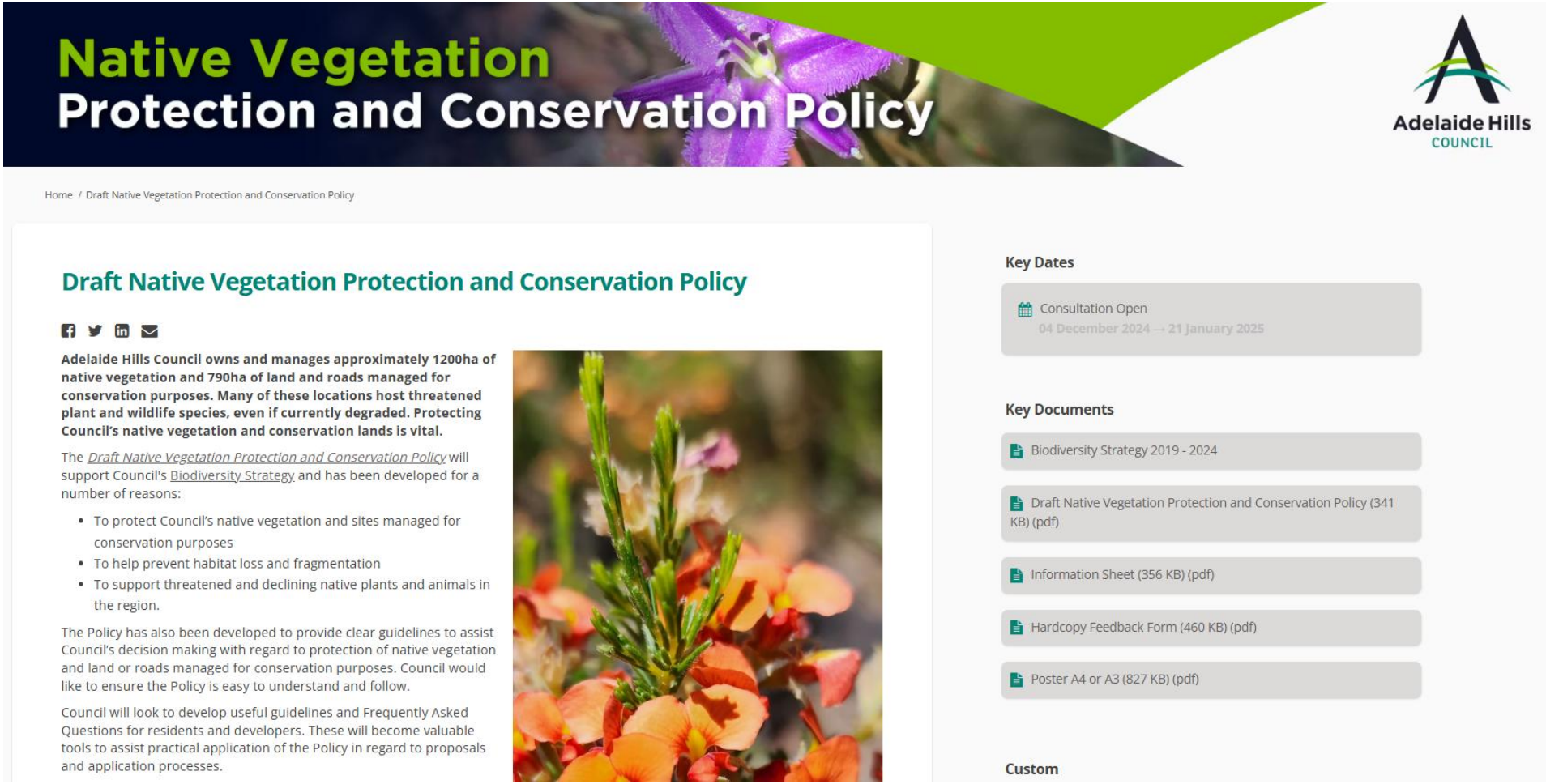
Recurring, predominant themes/issues across a broad cross section of respondents included:

- Frustration with uncontrolled weeds on both private and Council land degrading native vegetation
- Frustration with State Government for permitting developments that result in native vegetation clearance and perceived lack of response to unauthorised native vegetation clearances
- Concerns with Council allocating resources to meaningfully implement the Policy
- Desire for Council to be more involved with preventing native vegetation clearance on private land
- Consider expanding the scope to include restoration of native vegetation

Where feedback was considered feasible and within scope, adjustments were made to the Draft Policy (as indicated in red in Council report Appendix 2) and detailed in Council response to feedback (Council Report Appendix 3).

This report will be shared with the wider community and anyone who participated in the consultation via Councils Engagement Platform.

APPENDIX A – INFORMATION PROVIDED AND FEEDBACK FORM

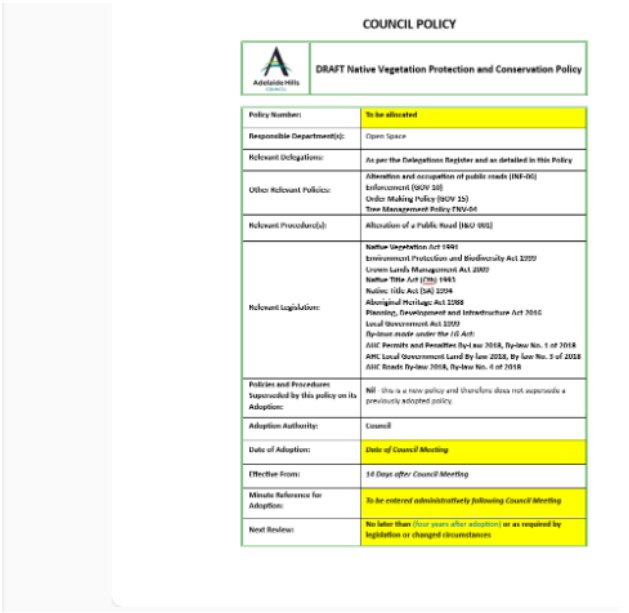


Share your thoughts on the Policy via any of the options below:

- Preferably using the online feedback form below
- Email to engage@ahc.sa.gov.au
- Send a letter to Draft Native Vegetation Protection and Conservation Policy, 63 Mount Barker Road, Stirling SA 5152
- Phone 8408 0400
- Print and send us a hardcopy feedback form which can be printed from the key documents on this page or collected from any AHC Library or Customer Service Centre at Gumeracha, Norton Summit, Stirling or Woodside during opening hours.

Opportunity to provide feedback closes at 4pm on Tuesday 21 January 2025

Report an issue: *If you have any concerns or would like to report an issue requiring action in regard to a Native Vegetation area, including a roadside verge, you can report the issue* ***here****. This will be a more effective way of actioning a current issue rather than providing it as feedback in this Policy review.*



COUNCIL POLICY

DRAFT Native Vegetation Protection and Conservation Policy

Policy Number:	To be allocated
Responsible Department(s):	Open Space
Relevant Delegations:	As per the Delegations Register and as detailed in this Policy
Other Relevant Policies:	Alteration and occupation of public roads (INF-06) Enforcement (GOV 10) Order Making Policy (GOV 15) Tree Management Policy ENV-04
Relevant Procedure(s):	Alteration of a Public Road (E&O 001)
Relevant Legislation:	Native Vegetation Act 1991 Environment Protection and Biodiversity Act 1999 Crown Lands Management Act 2009 Native Title Act (Cth) 1993 Native Title Act (SA) 2094 Aboriginal Heritage Act 1988 Planning, Development and Infrastructure Act 2016 Local Government Act 1999 By-laws made under the LG Act: AHC Permits and Penalties By-law 2018, By-law No. 1 of 2018 AHC Local Government Land By-law 2018, By-law No. 3 of 2018 AHC Roads By-law 2018, By-law No. 4 of 2018
Policies and Procedures Superseded by this policy on its Adoption:	Nil - this is a new policy and therefore does not supersede a previously adopted policy
Adoption Authority:	Council
Date of Adoption:	*Date of Council Meeting*
Effective From:	*14 Days after Council Meeting*
Minute Reference for Adoption:	*To be entered administratively following Council Meeting*
Next Review:	No later than (four years after adoption) or as required by legislation or changed circumstances

Feedback Form

This survey no longer accepts submissions

Feedback Form

You will be submitting this survey as **AHCcommunicationsevents**, to change this logout

All fields marked with an asterisk (*) are required

ABOUT YOU

To help us understand who is providing feedback can you please provide the following details:

1. Please provide your full name

Maximum 255 characters 0/255

2. What's your main connection to the Adelaide Hills Council area?

(please select all that apply) *

- [ ] AHC Resident or Ratepayer
- [ ] AHC Business Owner
- [ ] Native Vegetation / Conservation Enthusiast

FAQs

- Why is some land considered to have conservation value even if it's degraded or doesn't have native vegetation on it?
- What are some examples of damage to native vegetation and conservation reserves that have been occurring on Council land?
- What does the Native Vegetation Protection and Conservation Policy seek to address?
- How will Council assess proposals and applications that may impact Native Vegetation and Conservation areas on Council Land?
- What does the Impact Assessment Tool take into account?

Who's Listening

Renae Eden

Biodiversity Officer
Adelaide Hills Council

Phone 8408 0400
Email reden@ahc.sa.gov.au

Tonia Brown

- [ ] Native Vegetation / Conservation Enthusiast
- [ ] Visitor to the Adelaide Hills
- [ ] Conservation Group / Partnering Organisations
- [ ] Volunteer
- [ ] Other (please specify)

3. Please provide your age range *

Select option

4. Please provide your suburb/township *

Select option

5. Have you read the Draft Native Vegetation Protection and Conservation Policy?

(Please select from only one option below) *

- [ ] Yes in detail
- [ ] I've had a quick look
- [ ] No

Tonia Brown

Biodiversity Officer
Adelaide Hills Council

Phone 8408 0400
Email engage@ahc.sa.gov.au

Lifecycle

Open
This consultation is open for contributions.

Under Review
Contributions to this consultation are closed for evaluation and review. The project team will report back on key outcomes.

Final report
The final outcomes of the consultation are documented here. This may include a summary of all contributions collected as well as recommendations for future action.

Consultation closes 4pm Tuesday 21 January 2025

Have Your Say
Native Vegetation Protection and Conservation Policy

Did you know that Adelaide Hills Council owns and manages approximately 1200ha of native vegetation and 790ha of land and roads managed for conservation purposes.

We have drafted a *Native Vegetation Protection and Conservation Policy* to:

- Protect Council's native vegetation and sites managed for conservation purposes
- Help prevent habitat loss and fragmentation
- Support threatened and declining native plants and animals in the region.

It's easy to take a look at the draft Policy and share your thoughts. Tell us if it's easy to understand and what resonates with you. Copies are available here just ask our friendly staff!

Here's how you can provide your feedback:

- Preferably using the online feedback form at engage.ahc.sa.gov.au or scan the QR code
- Emailing engage@ahc.sa.gov.au
- Writing a letter to Community Engagement, 63 Mount Barker Road, Stirling SA 5152
- Calling 8408 0400 and asking for Renae Eden or Tonia Brown
- Complete the attached hardcopy feedback form and return to any Council Service Centre or Library at Stirling, Gumeracha, Norton Summit or Woodside via any of the ways mentioned above.

Consultation closes 4pm, Tuesday 21 January 2025.

Adelaide Hills Council
Communications, Engagement and Events Team

engage.ahc.sa.gov.au | engagement@ahc.sa.gov.au | 8408 0400

Draft Native Vegetation Protection and Conservation Policy Feedback Form

This feedback from is also available online at engage.ahc.sa.gov.au or scan the QR code

Submit your feedback by 4pm, Tuesday 21 January 2025

Full Name_____

Suburb / Township_____

Email_____

If you provide your email address, we will keep you in the loop with the outcomes of the consultation.

ABOUT YOU

So we can better understand who is responding to this consultation please tell us a bit about yourself.

1. **What is your main connection to the Adelaide Hills Council area?**

- ☐ AHC Resident or Ratepayer
- ☐ AHC Business Owner
- ☐ Native Vegetation / Conservation Enthusiast
- ☐ Visitor to the Adelaide Hills
- ☐ Conservation Group / Partnering Organisations
- ☐ Volunteer
- ☐ Other (please specify) _____

2. **What is your age range:** (please select one option below)

- ☐ 18 years and under
- ☐ 19 - 24
- ☐ 25 - 34
- ☐ 35 - 49
- ☐ 50 - 59
- ☐ 60 - 69
- ☐ 70 - 79
- ☐ 80 years and over
- ☐ Prefer not to say

3. Have you read the Draft Native Vegetation Protection and Conservation Policy?
Please select from one of the options below.

- ☐ Yes in detail
- ☐ I've had a quick look
- ☐ No

4. To what extent do you support the objectives of the Policy?

OBJECTIVE 1: Demonstrate the Council's commitment to the protection of native vegetation and areas of conservation value.

◯ Fully support ◯ Partially support ◯ Do not support ◯ Unsure

OBJECTIVE 2: Protect native vegetation and land of conservation value through the development of educational, procedural and regulatory initiatives across Council departments and teams, including development application, permit and lease processes.

◯ Fully support ◯ Partially support ◯ Do not support ◯ Unsure

OBJECTIVE 3: Embed the use of an impact assessment tool into Council processes and procedures for assessing permit applications and leases and guide regulatory responses to damaging activities.

◯ Fully support ◯ Partially support ◯ Do not support ◯ Unsure

OBJECTIVE 4: Enable consistent decision making in relation to the various functions, duties and powers available to the Council in respect to native vegetation contained in the Local Government Act 1999.

◯ Fully support ◯ Partially support ◯ Do not support ◯ Unsure

5. If you would like to provide further explanation on your level of support, please use the space below.

GUIDING PRINCIPLES

Excerpt from pages 5-6 of the *Native Vegetation Protection and Conservation Policy*

5. GUIDING PRINCIPLES

5.1. Native vegetation, particularly remnant vegetation, is a highly valuable Council asset that should be retained and conserved for the habitat to threatened and declining species it offers, the ecosystem services it provides to the greater Adelaide region and the unique and desirable character it delivers the Adelaide Hills region.

5.2. Prevention is preferable to remediation and is to be prioritised. To this end Council will continuously review its processes and procedures to identify points of opportunity to prevent damage to native vegetation or encroachments onto land of conservation value before they happen, primarily through permit applications, leases and the development application process.

5.3. All activities undertaken by an individual or organisation on Local Government land or roads require a permit. Damage to native vegetation and land of conservation value can occur through a range of activities, and applications for developments, permits and leases need to be assessed by staff with the relevant skills to identify potential risks and set conditions that will prevent such damage.

5.4. An impact assessment tool will be used to determine an impact score which will be used to assess and define conditions for permits and leases for applications that may impact native vegetation or land or road of conservation value.

5.5. When unauthorised activities result in damage to native vegetation or alienation of Local Government land or road reserves managed for conservation purposes, Council will act to hold the individual or organisation who caused the impact accountable and aim to recover the condition of the vegetation or area of land of conservation value.

5.6. Council recognises that damage to native vegetation and encroachments may occur accidentally or intentionally, and that prevention and voluntary compliance are preferred methods for protecting native vegetation and land of conservation value.

5.7. Council's regulatory response to unauthorised vegetation damaging activities or encroachments will be guided by an impact assessment tool which takes into account the level of impact of the damaging activity.

5.8. Where Council staff are aware that other legislation applies, staff will report the activity to the relevant statutory authority, however Council will not solely rely on other authorities to act when Council has authority to prevent or respond to damaging activities.

6. **Do you feel that the Policy provides clear and easy to understand guiding principles?**
Please select from only one of the options below.

☐ Yes

☐ No

☐ Unsure

7. **For any 'guiding principles' that you felt were not clear nor easy to understand, can you please provide an explanation? Please include the reference number to any particular guiding principle you provide an explanation for (i.e. 5.1 - 5.8).**

POLICY STATEMENT

Excerpt from pages 6-7 of the *Native Vegetation Protection and Conservation Policy*

6.1. Council is committed to implementing a strategic, consistent and comprehensive approach to preventing and managing impacts to native vegetation and local government land or roads of conservation value through the following measures:

6.1.1. Community education - education for residents, landholders and the community to increase knowledge about the ecological values and responsible interaction with local government land and roads, as well as rights and responsibilities in relation to local government land and roads.

6.1.2. Proactive management - a commitment to assess impacts to native vegetation and lands of conservation value to either reject or set conditions for permits and leases, or provide advisory notes regarding other relevant legislation and approvals on development applications.

6.1.3. Process improvement - identify opportunities within existing and new procedures or processes where damage to native vegetation or land or roads of conservation value could be prevented with the appropriate interventions or management, and detailing within the relevant procedure or process how it will be done.

6.1.4. Encroachment Register - for Council to document the occurrence of encroachments onto lands of conservation value to enable monitoring the management actions for each of these cases.

6.1.5. Operational and regulatory response: Council response to damage to native vegetation or land of conservation value will be enacted as soon as practicably possible after the event, and be directed by:

6.1.5.1. an impact assessment tool, which will attribute a score based on factors such as total area of impact, level of proposed or actual modification, the biodiversity value of the area affected, if the land is managed for conservation purposes and the level of alienation of public land from the public;

6.1.5.2. compliance with relevant legislation and Australian standards; and

6.1.5.3. the level of voluntary compliance undertaken by the relevant individual or organisation.

6.2. In the event of negative impacts to native vegetation on local government land, Council reserves the right to undertake or manage remediation itself and recover associated costs from the relevant individual or organisation.

6.3. Council will support the achievement of the objects of this policy through appropriate funding allocations through the usual annual business planning and budget setting processes and budget reviews where necessary. In doing so, Council will need to balance the cost of taking compliance action and remediation works against the benefits of same.

6.4. Council will manage historic encroachments on a case by case basis, owing to potential changes in land ownership, changes in legislation and policies and old or informal agreements made with property occupiers at the time.

8. **Would you like to share any thoughts on the 'Policy Statement'?**

9. **Do you have any concerns if this Policy comes into operation? Please share them below.**

10. **The Policy may impact proposals and applications for activities including:**
    - **putting driveways through road verges**
    - **planting out road verges**
    - **access to private property through Council land to facilitate development**
    - **leases/licenses on Council owned lands.**

What tools or easy to read materials would you find beneficial to assist your understanding with how the Policy may impact these types of proposals or applications?

Please select from only one of the options below.

- ☐ Frequently asked questions
- ☐ Simple list of Dos and Don'ts
- ☐ Application guidelines
- ☐ Case studies
- ☐ Not sure
- ☐ Other (please specify) _____

11. Is there anything missing from the Policy that you feel should be included?

12. Can you please indicate how you generally feel about the draft Native Vegetation Protection and Conservation Policy?
(Please CIRCLE only one option below)* required

Very Unhappy | Unhappy | Neutral | Happy | Very Happy

13. Do you have any final comments or feedback that you haven't already provided?

Thank you for providing your feedback!

Your feedback will be considered by the project team. We will keep you informed of the outcome via your email address, or you can register via our Community Engagement Hub at: engage.ahc.sa.gov.au.

APPENDIX B – EMAILS AND WRITTEN FEEDBACK

Email Feedback 1

Sent: Thursday, 5 December 2024 7:22 AM
To: AHC Communications Engagement & Events <AHCCommunicationsEngagementEvents@ahc.sa.gov.au>
Subject: Re Native Vegetation under Threat.

Some people who received this message don't often get email from [redacted] Learn why this is important

[EXTERNAL]

Dear Council.

My name is [redacted], I'm a member of "Friends of Woorabinda Bushland Reserves" , have been working at weed control in the above mentioned reserves for the past 16 years.

Apart from our monthly Sunday bushcare , organised by [redacted] I also am lucky to have 8 volunteers who work with me one Thursday each month at weed eradication mainly in Madurta Reserve. We (I) have over 200 hours for the past 12 months .

The continual weed removal in Madurta reserve is mainly due to Blackberry infestations that have been carried over from Council land along the railway line. Having checked the boundary lines in this area, the most blackberry is on Council land.

Due to the past cooler summers , blackberry is now rampant and a very serious threat to our / your reserves and wildlife.

My request to Council, if you are seriously concerned about local habitat, could you please take responsibility for the now flowering blackberry infestations growing on Council land along the railway line , especially opposite Madurta Reserve.

(I have tried reducing a small amount using a hedge cutter however due to my advanced age, simply found the work too difficult.)

It would be extremely helpful if the thick blackberry could be sprayed in this area as long as the pest weed is flowering.

Kind regards

Email Feedback 2

Hello Adelaide Hills Council

Thank you for the opportunity to comment on a policy called "**Native Vegetation Protection and Conservation Policy**"

I have attached a word document with comments. The document was converted from the .pdf available on your website.

I think that you need to comprehensively review that document and clearly explain its scope and also to change the title to reflect what Council wishes to achieve for lease and permit applications.
The current title suggests that Council is managing and protecting native vegetation. Its lack of past actions in my locality over the past 30 years suggest that this is not so.

My comments are made in a word document.

I hope that they help you refine and accurately define the scope of your policy document which clearly is not about managing, maintaining and caring for council owned areas of native vegetation but rather assessing past and present lease and permit applications.

COUNCIL POLICY

DRAFT Native Vegetation Protection and Conservation Policy

Policy Number:	**To be allocated**
Responsible Department(s):	Open Space
Relevant Delegations:	**As per the Delegations Register and as detailed in this Policy**
Other Relevant Policies:	**Alteration and occupation of public roads (INF-06)** **Enforcement (GOV-10)** **Order Making Policy (GOV-15)** **Tree Management Policy ENV-04**
Relevant Procedure(s):	**Alteration of a Public Road (I&O-001)**
Relevant Legislation:	**Native Vegetation Act 1991** **Environment Protection and Biodiversity Act 1999** **Crown Lands Management Act 2009** **Native Title Act (Cth) 1993** **Native Title Act (SA) 1994** **Aboriginal Heritage Act 1988** **Planning, Development and Infrastructure Act 2016** **Local Government Act 1999** ***By-laws made under the LG Act:*** **AHC Permits and Penalties By-Law 2018, By-law No. 1 of 2018** **AHC Local Government Land By-law 2018, By-law No. 3 of 2018** **AHC Roads By-law 2018, By-law No. 4 of 2018**
Policies and Procedures Superseded by this policy on its Adoption:	**Nil** - this is a new policy and therefore does not supersede a previously adopted policy.
Adoption Authority:	**Council**
Date of Adoption:	***Date of Council Meeting***
Effective From:	***14 Days after Council Meeting***
Minute Reference for Adoption:	***To be entered administratively following Council Meeting***
Next Review:	**No later than** (four years after adoption) **or as required by legislation or changed circumstances**

DRAFT

Commented [SK1]: I spent many years of my working life assessing applications to clear native vegetation in South Australia and in organising and undertaking vegetation surveys, analysing and mapping remnant native vegetation for the South Australian Government. I also spent time modelling the distribution of plant species on Fleurieu Peninsula . So I think I have a reasonable understanding of the biology of the many different ecosystems we have in this State and the what, where and how of why they exist and the why and how of their maintenance and care.

In my view this policy document needs significant review. It needs critical review of some of the language and concepts it attempts to portray. I have tried to point out some of the most obvious in comments throughout a word version of your document

It also needs a review of its structure which does not currently reflect or portray its scope accurately.

In the first instance the scope of the document needs to be up-front. BUT it is given in section 4 and most importantly limits the policy to something a lot smaller than "Native Vegetation Protection and Conservation". The title is actually quite misleading because this policy is about assessing permit and lease applications .

As far as I can tell Council has given no attention at all to the care and maintenance of the two stone reserves it holds in my locality where I have lived for almost 30 years. They are full of weeds and so by clearly are not being conserved or given protection.

This policy document does not concern itself with the management and care or areas of native vegetation in council control at all, but rather is focussed on assessing permit and lease applications and their potential impacts on council owned areas of native vegetation.

The use of an impact assessment tool to guide Council response when the tool's criteria are essentially undefined, with no mention of how its scores are generated and/or weighted , nor how they will be interpreted is extremely problematic.

Council could invent a tool that allowed the destruction of areas of native vegetation and justify their loss by saying "it is OK the score was 3 out of 10 and the threshold is 7" .

This impact assessment tool notion is completely meaningless and misleading without its logic.

Similarly how does a single "tool" compare the impact of destruction of habitat in a creek in a valley to the north face of a hillside where he vegetation and habitat is completely different?

Please review your words, make them accurately reflect your intentions and the true scope of this policy.

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0		Draft new policy for consultation purposes	

DRAFT

NATIVE VEGETATION PROTECTION AND CONSERVATION POLICY

1. INTRODUCTION

1.1. The Policy provides Council with principles and guidelines for the protection of native vegetation and land of conservation value on Local Government land and roads.

1.2. The Adelaide Hills Council is responsible for care and maintenance of over 400 community land parcels containing around 357 hectares of native vegetation and 1,046km of roads, including 433 NVMS sites as well as 165km of unformed public roads and roadside vegetation, together containing approximately 819 hectares of native vegetation.

1.3. This native vegetation is predominantly remnant, occurring within the Mount Lofty Ranges biodiversity hotspot, playing a pivotal role in providing and connecting habitat for many native plant and wildlife species, especially threatened and declining species, and providing ecosystem services to the greater Adelaide region.

1.4. Council is entrusted to manage these areas for the benefit of the community, maintaining equity and fairness in use and enjoyment of local government land and roads as well as the natural ecological values of the land.

1.5. Habitat loss and fragmentation is listed as a key threatening process for many threatened and declining native species, yet native vegetation and land of conservation value is regularly impacted by activities such as clearing, grazing, landscaping, fencing, dumping,

Commented [SK2]: This statement is ludicrous. By way of example - how much of Councils budget has been expended on care and maintenance in the last 30 years on the stone reserve on MiMi Rd or the one on Aldgate Valley Rd?

Commented [SK3]: It is all remnant vegetation NOT predominantly

Commented [SK4]: Why "especially"? This statement makes little sense. There are many bird, animal insect and invertebrate populations that are reliant on native vegetation. Not all of them are threatened - but all are important.

Commented [SK5]: Please define "ecosystem services" That phrase makes no sense to me at all. What does it mean?

Commented [SK6]: There is clearly a conflict here - natural ecological values and equity and fairness in use are strange bedfellows. What are you trying to say here?

Commented [SK7]: Not just threatened or declining native species. It is essentially ALL species.

vehicle access, construction, increasing property size by alienating Council lands and roads from the public and non-compliant development.

1.6. The policy will outline when and how Council shall act:

- to proactively prevent damage to native vegetation and encroachments on land managed for conservation purposes
- in response to damage to native vegetation and encroachments on land managed for conservation purposes.

2. OBJECTIVES

2.1. The objectives of this policy are to:

- Demonstrate the Council's commitment to the protection of native vegetation and areas of conservation value
- Protect native vegetation and land of conservation value through the development of educational, procedural and regulatory initiatives across Council departments and teams, including development application, permit and lease processes
- Embed the use of an impact assessment tool into Council processes and procedures for assessing permit applications and leases and guide regulatory responses to damaging activities

Commented [SK8]: Managed? Please show me where Council actually manages native vegetation.

Commented [SK9]: I have not seen any evidence in my locality of Council commitment to the protection of native vegetation in the 30 years I have lived here or around 50 within the council boundaries..

Commented [SK10]: Please define what factors this tool will consider? And how it will be utilised and on what basis was the impact assessment tool designed

DRAFT

- Enable consistent decision making in relation to the various functions, duties and powers available to the Council in respect to native vegetation contained in the Local Government Act 1999.

3. DEFINITIONS

Commented [SK11]: Are these "definitions" being used in the document apart from being defined here? Mostly not.

3.1. "**Alienation**" means an area that is making public land physically inaccessible to the public or misleads the public into believing it is not public land through signage, built structures or landscaping continuous to adjacent private properties. (such as being entirely surrounded by private land, being fenced from public access).

3.2. "**Biodiversity hotspot**" regions containing high levels of species diversity, many endemic species (species not found anywhere else in the world) and a significant number of threatened or endangered species under threat due to habitat loss or degradation caused by human activity.

3.3. "**Biodiversity Register**" is a register maintained by Council to document biodiversity assets and works on Council land.

3.4. "**Clearance**" means the removal or destruction, by any means, of native vegetation on an area of land, other than the removal or destruction of a weed and includes the selective removal of a species of plant, a group of species of plants, a storey or group of storeys in whole or in part.

3.5. "**Conservation value**" even if an area of land does not have high quality native vegetation on it, it may still have a high conservation value by acting as a buffer zone to the area of high quality native vegetation. Buffer zones have value in preventing weedy incursion, or use as a fuel reduction zone, to prevent that fuel reduction zone moving further into the reserve. They may have conservation value for future revegetation activities.

3.6. "**Ecosystem services**" the goods and services provided by ecosystems that directly or indirectly benefit humans, including but not limited to oxygen production, air and water filtration, dust and water attenuation, pollination, carbon sequestration, climate regulation, cultural and health benefits.

Commented [SK12]: What is water attenuation???

3.7. "**Encroachment**" means an activity on Local Government Land, made and unmade roads requiring permission, (as specified in Adelaide Hills Council *Local Government Land By-law 2018 No.3*) or alteration and occupation of public roads where permission has not been granted, including but not limited to built structures, alteration to vegetation or soil, stockpiling, vehicle or machinery access, dumping, timber harvesting and water management.

3.8. "**Encroachment Register**" means a register/database maintained by Council to document all reports and incidents of encroachment and all records relating to the encroachment.

DRAFT

3.9. **"Historic encroachment"** means encroachments that have occurred in the past.

3.10. **"Local Government Land"** means all land owned by a council or under a council's care control and management, other than roads.

3.11. **"Native Vegetation Marker System or NVMS"** is a detailed register of ecological values of designated sites across the district, helping to protect approximately 420 kilometres of native vegetation in Council road reserves. The start and end of each site is marked with a blue sign with a yellow leaf symbol displaying a unique number, which relates back to the register.

3.12. **"Road"** means a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes a bridge, viaduct, subway, alley, laneway, walkway or unformed public road.

3.13. **"Unformed Public Road"** is one that is legally established but not formally constructed with a bitumen sealed surface or constructed to the standard of an unsealed road and which is under the care and control of Council. These can be dirt style tracks that are used to access private property, form part of a trail network, or contain remnant native vegetation and managed for conservation purposes.

4. SCOPE

4.1. The policy applies to Local Government land and roads which contain native vegetation or are managed for conservation value.

4.2. The policy does not apply to activities undertaken entirely on private land.

4.3. The policy applies to activities that have occurred in the past or could occur in the future.

4.4. The policy will identify proactive measures for preventing damage to native vegetation.

4.5. The policy does not override other legislation that relates to activities, such as clearance of native vegetation, discharge to a watercourse or construction.

4.6. The Policy provides a framework for assessing permit and lease applications and determining operational and regulatory responses.

Commented [SK13]: OK so now we know the scope of the policy - why isn't this stated up-front in paragraph 1.1?

4.7. The Policy will be implemented through Council strategies, plans, processes and procedures affecting native vegetation management and lands of conservation value, such as S221 and reserve access permit applications, leases, by-laws, regulatory and development application processes and procedures.

DRAFT

5. GUIDING PRINCIPLES

5.1. Native vegetation, particularly remnant vegetation, is a highly valuable Council asset that should be retained and conserved for the habitat to threatened and declining species it offers, the ecosystem services it provides to the greater Adelaide region and the unique and desirable character it delivers the Adelaide Hills region.

5.2. Prevention is preferable to remediation and is to be prioritised. To this end Council will continuously review its processes and procedures to identify points of opportunity to prevent damage to native vegetation or encroachments onto land of conservation value before they happen, primarily through permit applications, leases and the development application process.

5.3. All activities undertaken by an individual or organisation on Local Government land or roads require a permit. Damage to native vegetation and land of conservation value can occur through a range of activities, and applications for developments, permits and leases need to be assessed by staff with the relevant skills to identify potential risks and set conditions that will prevent such damage.

5.4. An impact assessment tool will be used to determine an impact score which will be used to assess and define conditions for permits and leases for applications that may impact native vegetation or land or road of conservation value.

5.5. When unauthorised activities result in damage to native vegetation or alienation of Local Government land or road reserves managed for conservation purposes, Council will act to hold the individual or organisation who caused the impact accountable and aim to recover the condition of the vegetation or area of land of conservation value.

5.6. Council recognises that damage to native vegetation and encroachments may occur accidentally or intentionally, and that prevention and voluntary compliance are preferred methods for protecting native vegetation and land of conservation value.

5.7. Council's regulatory response to unauthorised vegetation damaging activities or encroachments will be guided by an impact assessment tool which takes into account the level of impact of the damaging activity.

5.8. Where Council staff are aware that other legislation applies, staff will report the activity to the relevant statutory authority, however Council will not solely rely on other authorities to act when Council has authority to prevent or respond to damaging activities.

6. POLICY STATEMENT

Commented [SK14]: This sentence would be logical if it started "Remnant native vegetation is a highly valuable Council asset.

There aren't just threatened and declining species.

Commented [SK15]: The vegetation offers habitat for other species that are not threatened or declining and they are also as important

Commented [SK16]: What on earth are "ecosystem services"??? The definition in section 3 is pretty odd - maybe re-think this and better define how Greater Adelaide benefits.

In addition what is the boundary of Greater Adelaide these days?

Commented [SK17]: As before, details of what and how an "impact assessment tool" are needed and are critical to understanding just how much Council cares for and maintains native vegetation. Or indeed allows it to be disturbed or removed.

Commented [SK18]: A laudable aim but how will Council know what was there before an impact occurs? This is actually difficult unless you can document what was there before the impact and otherwise in a court of law will be hard to establish.

DRAFT

6.1. Council is committed to implementing a strategic, consistent and comprehensive approach to preventing and managing impacts to native vegetation and local government land or roads of conservation value through the following measures:

6.1.1. Community education - education for residents, landholders and the community to increase knowledge about the ecological values and responsible interaction with local government land and roads, as well as rights and responsibilities in relation to local government land and roads.

6.1.2. Proactive management - a commitment to assess impacts to native vegetation and lands of conservation value to either reject or set conditions for permits and leases, or provide advisory notes regarding other relevant legislation and approvals on development applications.

6.1.3. Process improvement - identify opportunities within existing and new procedures or processes where damage to native vegetation or land or roads of conservation value could be prevented with the appropriate interventions or management, and detailing within the relevant procedure or process how it will be done.

6.1.4. Encroachment Register - for Council to document the occurrence of encroachments onto lands of conservation value to enable monitoring the management actions for each of these cases.

6.1.5. Operational and regulatory response: Council response to damage to native vegetation or land of conservation value will be enacted as soon as practicably possible after the event, and be directed by:

6.1.5.1. an impact assessment tool, which will attribute a score based on factors such as total area of impact, level of proposed or actual modification, the biodiversity value of the area affected, if the land is managed for conservation purposes and the level of alienation of public land from the public;

6.1.5.2. compliance with relevant legislation and Australian standards; and

6.1.5.3. the level of voluntary compliance undertaken by the relevant individual or organisation.

6.2. In the event of negative impacts to native vegetation on local government land, Council reserves the right to undertake or manage remediation itself and recover associated costs from the relevant individual or organisation.

6.3. Council will support the achievement of the objects of this policy through appropriate funding allocations through the usual annual business planning and budget setting processes and budget reviews where necessary. In doing so, Council will need to balance the cost of taking compliance action and remediation works against the benefits of same.

Commented [SK19]: Why this discrimination? All areas of native vegetation have conservation value

Commented [SK20]: OK so now we see a list of potential parameters of an impact assessment tool.

BUT I can't see "conservation value of the locality in that list". This should include things like the presence of rare or threatened plant species, structural attributes like the presence of hollows in trees for birds and ring-tail possums, the degree of existing degradation via impacts like weediness or structural losses of one or more of the canopy elements. Neither is the size of the area to be disturbed listed or the reason for the disturbance. I doubt that this is a complete list but surely all of these factors and many others need to be considered.

This needs a lot more thought and description.

Commented [SK21]: How about South Australian ones too? What are the Australian standards?

6.4. Council will manage historic encroachments on a case by case basis, owing to potential changes in land ownership, changes in legislation and policies and old or informal agreements made with property occupiers at the time.

7. DELEGATION

7.1 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 period of its currency.

Commented [SK22]: So is the CEO given the power to delete this policy as she or he wishes?

8. AVAILABILITY OF THE POLICY

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

DRAFT

Email Feedback 3

Sent: Wednesday, 4 December 2024 2:48 PM
To: AHC Communications Engagement & Events <AHCCommunicationsEngagementEvents@ahc.sa.gov.au>
Subject: Re: Consultation Opens Today - draft Native Vegetation Protection and Conservation Policy

Some people who received this message don't often get email from [redacted]gmail.com. Learn why this is important

[EXTERNAL]

I have read the policy and it appears quite reasonable providing a platform to reinforce Councils commitment to conserving precious remnant vegetation. Consequently it has our support.

Regards

Email Feedback 4

Reference: HFLB-D000542

LANDSCAPE SOUTH AUSTRALIA HILLS AND FLEURIEU

Hills and Fleurieu Landscape Board

Cnr Walker and Mann St
Mount Barker SA 5251

Tel: 08 8391 7500

hf.landscapeboard@sa.gov.au

landscape.sa.gov.au/hf

Adelaide Hills Council
63 Mount Barker Road
Stirling SA 5152
Attn: Tonia Brown and Renae Eden
By email to: engage@ahc.sa.gov.au

9 January 2025

Dear Tonia and Renae

Re: Draft Native Vegetation Protection and Conservation Policy

Thank you for the opportunity to provide feedback on Adelaide Hills Councils' Native Vegetation Protection and Conservation Policy.

Hills and Fleurieu Landscape Board is a statutory authority established under the Landscape South Australia Act 2019 (LSA Act) to provide for the integrated management of natural resources across the Hills and Fleurieu landscape region.

On behalf of the board, Landscapes Hills and Fleurieu works with private and public land managers, community, industry groups, local government, regional and state organisations to coordinate landscape management actions that align to regional priorities and improve landscape condition.

The Native Vegetation Protection and Conservation Policy is ambitious and we applaud its intentions.

From our reading of the policy, we understand it to have two discrete purposes:

1. To improve council's internal processes to better account for impacts on council managed native vegetation and conservation values, with a view to reducing or eliminating those impacts. This will be achieved by embedding a risk assessment process, particularly focused on native vegetation and conservation values, within a range of internal and external facing processes such as development applications, permits etc.
2. To strengthen council's action against individuals or organisations whose activities negatively impact council-managed native vegetation and conservation values. The main mechanism here appears to be restoring damaged assets and recovering costs.

While cost-recovery is mentioned in relation to the latter (in clause 6.2), greater clarity on compliance mechanisms proposed would be useful.

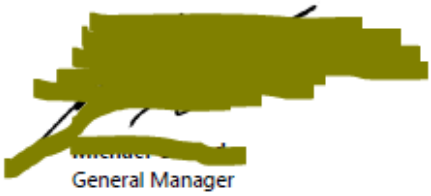
We strongly support clause 5.8, being that 'staff will report the activity to the relevant statutory authority [where other legislation applies], however Council will not solely rely on other authorities to act when Council has authority to prevent or respond to damaging activities'.

We are overall very supportive of this policy, which aligns closely to the Hills and Fleurieu Landscape Plan priority of conserving natural places, ecosystems and wildlife, particularly in protecting and restoring native vegetation, and supporting people to care for nature.

While the scope of this policy has been restricted to the protection and prevention of damage to native vegetation on council lands, we feel that it could usefully consider proactive measures for improving the condition and extent of native vegetation under council's care, whether through reference to supporting policies or expansion of this policy. We recognise that Protect, Restore and Link are key management themes in the current AHC Biodiversity Strategy.

We look forward to continuing to work with Adelaide Hills Council in protecting and mitigating negative impacts on native vegetation, particularly in relation to landholder education on the value of native vegetation, improving land stewardship capacity, and collaborating on pest and weed management.

Yours sincerely



General Manager
Hills and Fleurieu Landscape Board

Email Feedback 5

Native Vegetation Council

Our ref
Your Ref

Contact: [redacted] Coordinator, Policy and Governance
Telephone: [redacted]

81-95 Waymouth Street
Adelaide SA 5000

GPO Box 1047
Adelaide SA 5001

Ph| 08 8303 9777

nvc@sa.gov.au

20 January 2025

Adelaide Hills Council
63 Mount Barker Road
Stirling SA 5152
Email: engage@ahc.sa.gov.au

RE: Draft Native Vegetation Protection and Conservation Policy

Dear Adelaide Hills Council

Thank you for the opportunity to provide comments of your Draft Native Vegetation Protection and Conservation Policy (Policy).

The Native Vegetation Council (Council) is an independent statutory body established under the *Native Vegetation Act 1991* (NV Act), and is responsible for keeping the condition of native vegetation in the State under review; encouraging the preservation, enhancement and management of existing native vegetation, and the re-establishment of native vegetation; and promoting associated research. The Council is also responsible for considering applications to clear native vegetation, determining offsets, and enforcing compliance with the NV Act.

The Council notes that this Policy will support Adelaide Hills Council's Biodiversity Strategy, and the reasons for its development. The Council provides the following comments:

- The Council commends the Adelaide Hills Council for developing this Policy to guide the protection of native vegetation and land of conservation value on local government land and roads. It acknowledges the efforts put into development of this sensible document to protect native vegetation, prevent habitat loss and fragmentation and support threatened species.
- The Council notes that the Biodiversity Strategy (2019-2024) has recently expired, and hopes that it will be reviewed and updated in the near future. The Council looks forward to hearing about the achievements of this Strategy, and also about the challenges encountered during its implementation. The Council encourages other relevant policies, plans and strategies be considered during the future review and

update of the Biodiversity Strategy, such as Greater Adelaide Regional Plan, Housing Roadmap, State Landscape Strategy and similar.

- The Adelaide Hills Council is encouraged to apply the Mitigation Hierarchy (avoid, minimise, rehabilitate/restore, offset) to help conserve biodiversity. Avoidance should be prioritised in order to protect native vegetation. For local councils, as planning authorities, the most effective way to avoid clearance of native vegetation is by not allowing subdivisions or rezoning over areas with important native vegetation, such as areas with an intact understorey and/or large trees.
- The Council recommends the Policy explicitly stating that native vegetation will be used for greening efforts whenever practical.
- The Policy should consider cumulative impacts, to avoid 'death by a thousand cuts'.
- The Council recommends the Adelaide Hills Council to clearly identify areas of conservation value, and develop plans to protect and enhance them. Detailed mapping of areas of native vegetation with a relatively intact understorey and stands of large old trees would help developers understand the places that are unlikely to receive Council's clearance approval, and/or incur expensive offsets.
- The Council also recommends the Adelaide Hills Council investigate potential areas for on-ground offsets for its future native vegetation clearance.
- The Council is pleased that the Adelaide Hills Council is an accredited third party provider, currently with two active significant environment benefit (SEB) credits sites. The Adelaide Hills Council is urged to explore opportunities to establish more SEB credit sites.
- The Council notes that currently there are 126 heritage agreements in the Adelaide Hills Council area covering over 1100 hectares of land, of which 18 agreements are with the Adelaide Hills Council. In perpetuity protection conferred by heritage agreements may benefit any other land where native vegetation could be preserved or enhanced.

Thank you again for the opportunity to provide comments on your draft Policy, and for your support in educating your community about the native vegetation clearance requirements and in promoting the value of native vegetation.

If you have any questions about this submission, please contact [redacted] Council's Secretary, on telephone number [redacted] or email nvc@sa.gov.au

Yours sincerely

[redacted]

Presiding Member
NATIVE VEGETATION COUNCIL

Email Feedback 6

Submission on the Native Vegetation Protection and Conservation Policy

We would like to begin by commending the Adelaide Hills Council (AHC) for the development of the Native Vegetation Protection and Conservation Policy. The policy provides a solid framework for the protection of native vegetation and lands of conservation value, and we strongly support its objectives.

That said, we believe that the effectiveness of this policy will heavily depend on its implementation, especially in terms of encouraging broader conservation efforts beyond Council-managed land. In particular, it is crucial to advocate for the retention of trees, biodiversity, and habitat on private land, as these areas are often integral to maintaining ecological connectivity and preventing habitat fragmentation.

To strengthen the policy and ensure its full potential is realised, we suggest that the AHC Council Assessment Panel (CAP) be vigilant in assessing development plans to ensure that they account for the preservation of native vegetation and habitat. The CAP should play a proactive role in ensuring that development on private land does not negatively impact native trees and biodiversity, especially in areas close to conservation reserves or significant biodiversity hotspots. This vigilance will help ensure that both public and private lands work together in sustaining the region's ecological integrity.

By extending this focus to private land, the policy can provide a more comprehensive approach to conserving native vegetation and fostering biodiversity across the entire region.

Thank you for considering this important enhancement to the policy. We look forward to seeing how this initiative progresses and contributes to the long-term protection of our natural environment.

APPENDIX C - ADVERTISEMENTS, E-BLASTS AND SOCIAL MEDIA POSTS

4 December 2024 –Courier Column

4 December 2024 – Hills Voice E-newsletter sent to 4126 subscribers

10 December 2024 – E-blast "Engagement – Draft Native Vegetation Protection and Conservation Policy sent to 80 subscribers

Hi there,

Adelaide Hills Council owns and manages approximately 1200ha of native vegetation and 790ha of land and roads managed for conservation purposes. Many of these locations host threatened plant and wildlife species, even if currently degraded. Protecting Council's native vegetation and conservation lands is vital.

The *Draft Native Vegetation Protection and Conservation Policy* will support Council's Biodiversity Strategy and has been developed for a number of reasons:

- To protect Council's native vegetation and sites managed for conservation purposes
- To help prevent habitat loss and fragmentation
- To support threatened and declining native plants and animals in the region.

The Policy has also been developed to provide clear guidelines to assist Council's decision making with regard to protection of native vegetation and land or roads managed for conservation purposes. Council would like to ensure the Policy is easy to understand and follow.

Share your thoughts on the Policy via any of the options below:

- Preferably using the online feedback form here
- Email to engage@ahc.sa.gov.au
- Send a letter to Draft Native Vegetation Protection and Conservation Policy, 63 Mount Barker Road, Stirling SA 5152
- Phone 8408 0400
- Collect a hardcopy feedback form from any AHC Library or Customer Service Centre at Gumeracha, Norton Summit, Stirling, or Woodside during opening hours.

Opportunity to provide feedback closes at 4pm on Tuesday 21 January 2025

Report an issue: *If you have any concerns or would like to report an issue requiring action in regard to a Native Vegetation area, including a roadside verge, you can report the issue* ***here****. This will be a more effective way of actioning a current issue rather than providing it as feedback in this Policy review.*

Find out more

Share
Tweet
Share
Forward

Adelaide Hills Council
63 Mount Barker Road Stirling
(08) 8408 0400
engagement@ahc.sa.gov.au

Preferences | Unsubscribe

4 December 2024 – EHQ Newsletter "Consultation Opens Today – draft Native Vegetation Protection and Conservation Policy" sent to 1982 EHQ Registrants

From	Community Engagement Hub
Reply to	engage@ahc.sa.gov.au
To	2219 recipients
Subject	Consultation Opens Today - draft Native Vegetation Protection and Conservation Policy

Hi [PARTICIPANT_SCREEN_NAME],

Adelaide Hills Council owns and manages approximately 1200ha of native vegetation and 790ha of land and roads managed for conservation purposes. Many of these locations host threatened plant and wildlife species, even if currently degraded. Protecting Council's native vegetation and conservation lands is vital.

The *Draft Native Vegetation Protection and Conservation Policy* will support Council's Biodiversity Strategy and has been developed for a number of reasons:

- To protect Council's native vegetation and sites managed for conservation purposes
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- To support threatened and declining native plants and animals in the region.

The Policy has also been developed to provide clear guidelines to assist Council's decision making with regard to protection of native vegetation and land or roads managed for conservation purposes. Council would like to ensure the Policy is easy to understand and follow.

Further Information is available here.

You can share your thoughts on the Policy via any of the options below:

- Preferably using the online feedback form here
- Email to engage@ahc.sa.gov.au
- Send a letter to Draft Native Vegetation Protection and Conservation Policy, 63 Mount Barker Road, Stirling SA 5152
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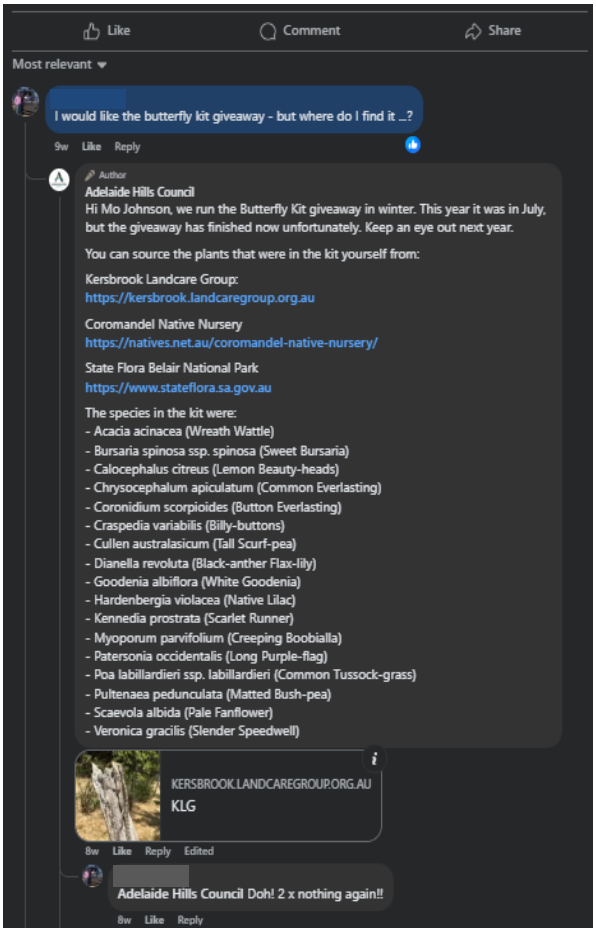
Report an issue: *If you have any concerns or would like to report an issue requiring action in regard to a Native Vegetation area, including a roadside verge, you can report the issue **here**. This will be a more effective way of actioning a current issue rather than providing it as feedback in this Policy review.*

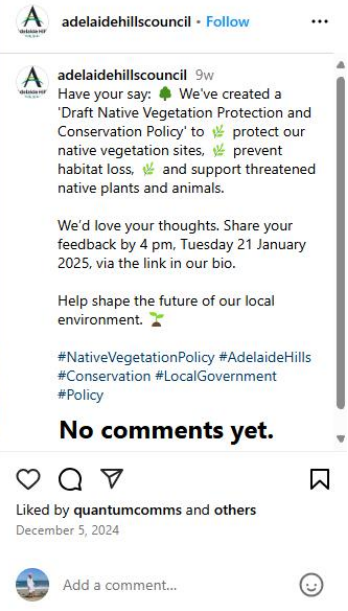
Kind regards,

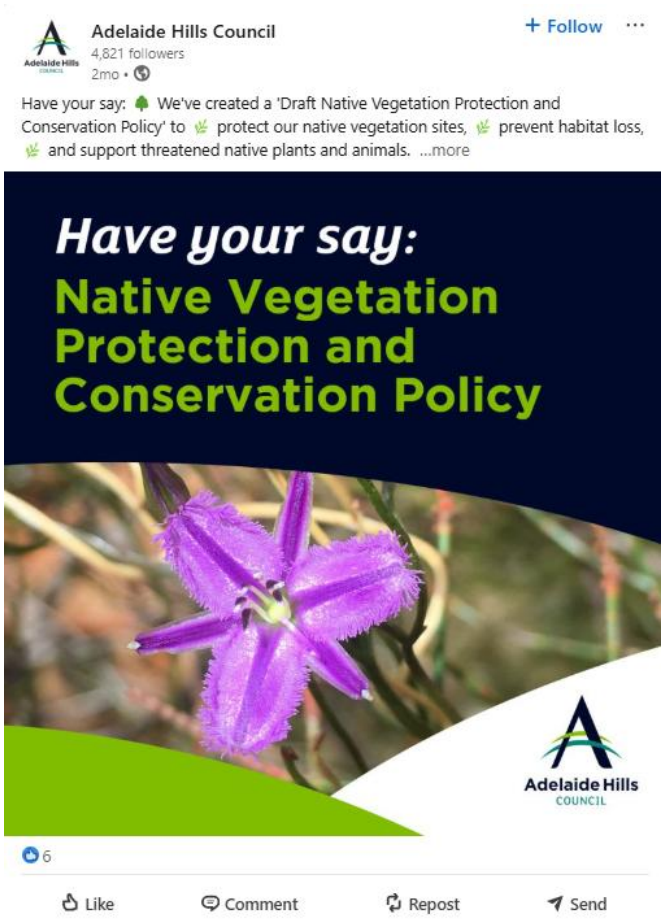
The Project Team

Social Media Posts (Facebook)

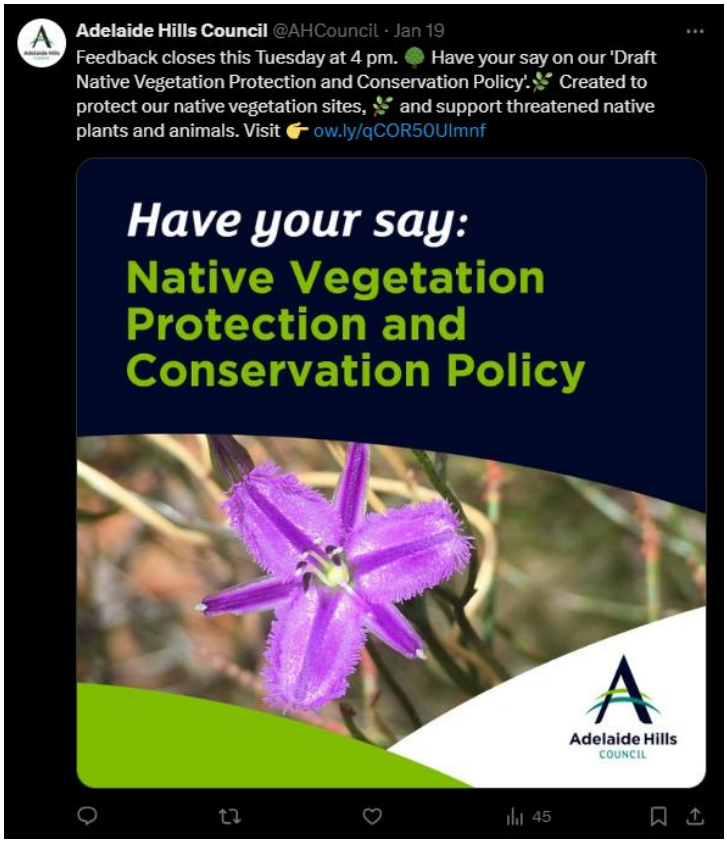


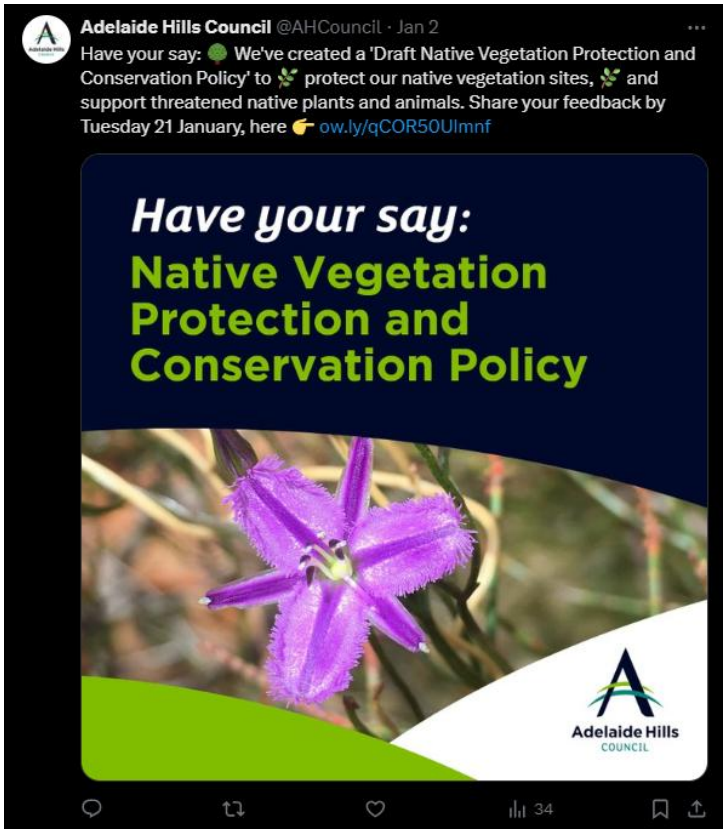
Social media - Instagram

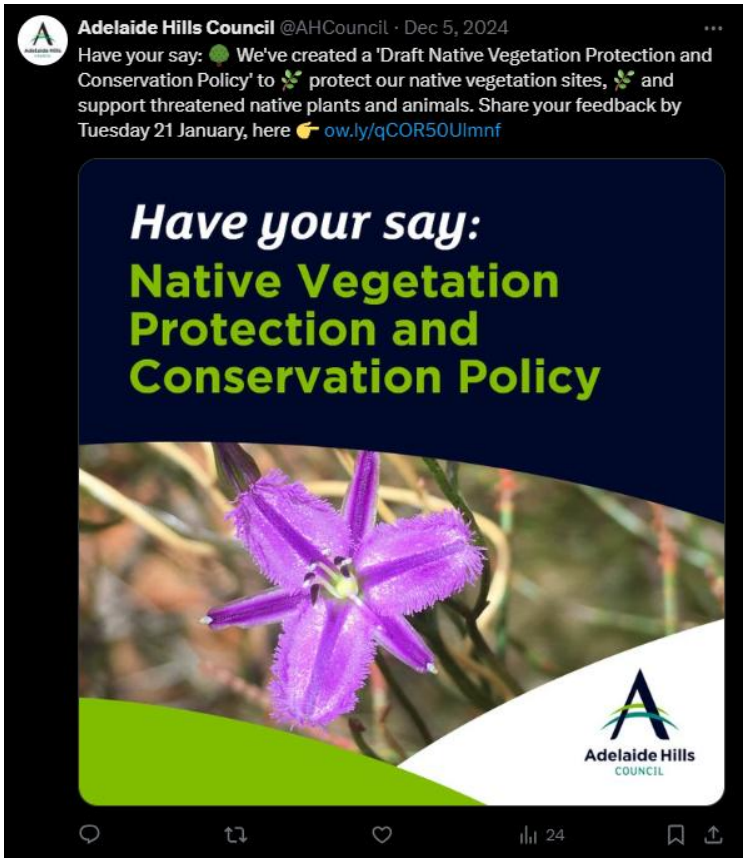




Social Media - X






Adelaide Hills Council @AHCouncil · Dec 5, 2024
Have your say: We've created a 'Draft Native Vegetation Protection and Conservation Policy' to protect our native vegetation sites, and support threatened native plants and animals. Share your feedback by Tuesday 21 January, here ow.ly/qCOR50Ulmnf
Have your say:
Native Vegetation Protection and Conservation Policy
Adelaide Hills COUNCIL
24

Appendix 2

Draft Native Vegetation Protection and Conservation Policy

COUNCIL POLICY

Adelaide Hills COUNCIL	**DRAFT Native Vegetation and Conservation Impact Policy**

Policy Number:	**To be allocated**
Responsible Department(s):	**Open Space**
Relevant Delegations:	**As per the Delegations Register and as detailed in this Policy**
Other Relevant Policies:	**Alteration and occupation of public roads (INF-06)** **Enforcement (GOV-10)** **Order Making Policy (GOV-15)** **Tree Management Policy ENV-04**
Relevant Procedure(s):	**Alteration of a Public Road (I&O-001)**
Relevant Legislation:	**Native Vegetation Act 1991** **Environment Protection and Biodiversity Act 1999** **Crown Lands Management Act 2009** **Native Title Act (Cth) 1993** **Native Title Act (SA) 1994** **Aboriginal Heritage Act 1988** **Planning, Development and Infrastructure Act 2016** **Local Government Act 1999** **Fire and Emergency Services Act 2005** ***By-laws made under the LG Act:*** **AHC Permits and Penalties By-Law 2018, By-law No. 1 of 2018** **AHC Local Government Land By-law 2018, By-law No. 3 of 2018** **AHC Roads By-law 2018, By-law No. 4 of 2018**
Policies and Procedures Superseded by this policy on its Adoption:	**Nil** - this is a new policy and therefore does not supersede a previously adopted policy.
Adoption Authority:	**Council**
Date of Adoption:	***Date of Council Meeting***
Effective From:	***14 Days after Council Meeting***
Minute Reference for Adoption:	***To be entered administratively following Council Meeting***
Next Review:	**No later than** (four years after adoption) **or as required by legislation or changed circumstances**

DRAFT

DRAFT

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0		Draft new policy for consultation purposes	27/8/2024
2.0		Amended in response to feedback where feasible & in scope	

DRAFT

NATIVE VEGETATION AND CONSERVATION IMPACT POLICY

1. INTRODUCTION

1.1. The policy provides Council with principles and guidelines for the protection of native vegetation and land of conservation value on Local Government land and roads when considering proposed activities that may impact them.

1.2. The Adelaide Hills Council is responsible for care and maintenance of over 400 community land parcels containing around 357 hectares of native vegetation and 1,046km of roads, including 433 Native Vegetation Marker System (NVMS) sites as well as 165km of unformed public roads and roadside vegetation, together containing approximately 819 hectares of native vegetation.

1.3. This native vegetation is predominantly remnant, occurring within the Mount Lofty Ranges biodiversity hotspot, playing a pivotal role in providing and connecting habitat for numerous native plant and wildlife species, including threatened and declining species, and providing ecosystem services to the greater Adelaide region.

1.4. Council is entrusted to manage these areas for the benefit of the community, maintaining equity and fairness in use and enjoyment of local government land and roads as well as the natural ecological values of the land.

1.5. Habitat loss and fragmentation is listed as a key threatening process for native species, including many threatened and declining species, yet native vegetation and land of conservation value is regularly impacted by activities such as clearing, grazing, landscaping, fencing, dumping, vehicle access, construction, increasing private property size by alienating Council lands and roads from the public and non-compliant development. These impacts have a cumulative effect that should be considered in decision making.

1.6. The policy will outline when and how Council shall act:

- to proactively prevent damage to native vegetation and encroachments on land managed for conservation purposes
- in response to damage to native vegetation and encroachments on land managed for conservation purposes.

2. OBJECTIVES

The objectives of this policy are to:

2.1 Protect native vegetation and Council land and roads of conservation value from damaging activities

2.2 Develop educational, procedural and regulatory initiatives to protect native vegetation and land of conservation value, including development application, permit and lease processes

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2.3 Embed an impact assessment tool into Council processes and procedures for assessing permit applications and leases and guide regulatory responses to damaging activities

2.4 Enable consistent decision making in relation to the various functions, duties and powers available to the Council in respect to native vegetation contained in the Local Government Act 1999.

3. DEFINITIONS

3.1. "**Alienation**" means an area that is making public land physically inaccessible to the public or misleads the public into believing it is not public land through signage, built structures or landscaping continuous to adjacent private properties. (such as being entirely surrounded by private land, being fenced from public access).

3.2. "**Biodiversity hotspot**" regions containing high levels of species diversity, many endemic species (species not found anywhere else in the world) and a significant number of threatened or endangered species under threat due to habitat loss or degradation caused by human activity.

3.3. "**Biodiversity Register**" is a register maintained by Council to document biodiversity assets and works on Council land.

3.4. "**Clearance**" means the removal or destruction, by any means, of native vegetation on an area of land, other than the removal or destruction of a weed and includes the selective removal of a species of plant, a group of species of plants, a storey or group of storeys in whole or in part.

3.5. "**Conservation value**" even if an area of land does not have high quality native vegetation on it, it may still have a high conservation value due to hosting a threatened species, future restoration value or acting as a buffer zone to the area of high quality native vegetation. Buffer zones have value in preventing weedy incursion, or use as a fuel reduction zone, to prevent that fuel reduction zone moving further into the reserve.

3.6. **"Damaging activities"** includes all activities that damage the integrity of the land or native vegetation at the location, including clearing native vegetation, polluting the land or watercourse with rubbish, liquids, construction materials, inundating vegetation with water, crushing native vegetation with machinery or recreational equipment, smothering native vegetation with mulch, digging up soil and land, gold panning (prospecting), removing rocks and fallen timber.

3.7. "**Ecosystem services**" the goods and services provided by ecosystems that directly or indirectly benefit humans, including but not limited to oxygen production, air and water filtration, dust and water attenuation, pollination, carbon sequestration, climate regulation, cultural and health benefits.

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3.8. "**Encroachment**" means an activity on Local Government Land, made and unmade roads requiring permission, (as specified in Adelaide Hills Council *Local Government Land By-law 2018 No.3*) or alteration and occupation of public roads where permission has not been granted, including but not limited to built structures, alteration to vegetation or soil, stockpiling, vehicle or machinery access, dumping, timber harvesting and water management.

3.9. "**Encroachment Register**" means a register/database maintained by Council to document all reports and incidents of encroachment and all records relating to the encroachment.

3.10. "**Historic encroachment**" means encroachments that have occurred in the past.

3.11. "**Local Government Land**" means all land owned by a council or under a council's care control and management other than roads, including riparian land adjacent to watercourses and waterways.

3.12. **Native vegetation** includes all vegetation native to South Australia, including dead trees and fallen limbs, as leaving these in situ are vital for providing habitat and supporting symbiotic fungi associations.

3.13. "**Native Vegetation Marker System** or **NVMS**" is a detailed register of ecological values of designated sites across the district, helping to protect approximately 420 kilometres of native vegetation in Council road reserves. The start and end of each site is marked with a blue sign with a yellow leaf symbol displaying a unique number, which relates back to the register.

3.14. "**Road**" means a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes a bridge, viaduct, subway, alley, laneway, walkway or unformed public road.

3.15. **"The Greater Adelaide region"** as defined by the South Australian Government, encompasses a large area surrounding the city of Adelaide, stretching from Cape Jervis in the south to Murray Bridge in the east and the Barossa Valley in the north

3.16. "**Unformed Public Road**" is one that is legally established but not formally constructed with a bitumen sealed surface or constructed to the standard of an unsealed road and which is under the care and control of Council. These can be dirt style tracks that are used to access private property, form part of a trail network, or contain remnant native vegetation and managed for conservation purposes.

3.17. "**Water attenuation**" slowing down and reducing the peak flow rates of rainfall runoff

4. SCOPE

4.1. The policy applies to Local Government land and roads which contain native vegetation or are managed for conservation value.

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4.2. The policy does not apply to activities undertaken entirely on private land.

4.3. The policy applies to activities that have occurred in the past or could occur in the future.

4.4. The policy will identify proactive measures for preventing damage to native vegetation.

4.5. The policy does not override legislation that relates to activities such as clearance of native vegetation, discharge to a watercourse or construction.

4.6. The policy provides a framework for assessing permit and lease applications and determining operational and regulatory responses.

4.7. The policy will be implemented through Council strategies, plans, processes and procedures affecting native vegetation management and lands of conservation value, such as S221 and reserve access permit applications, leases, by-laws, regulatory and development application processes and procedures.

5. GUIDING PRINCIPLES

5.1. Native vegetation, particularly remnant, is a highly valuable Council asset that should be retained, conserved and protected for the habitat it offers native species, including threatened and declining species, the ecosystem services it provides to the greater Adelaide region and the unique and desirable character it gives the Adelaide Hills region.

5.2. Prevention is preferable to remediation and is to be prioritised. To this end Council will continuously review its processes and procedures to identify points of opportunity to prevent damage to native vegetation or encroachments onto land of conservation value before they happen, primarily through permit applications, leases and the development application process.

5.3. All activities undertaken by an individual or organisation on Local Government land or roads require a permit. Damage to native vegetation and land of conservation value can occur through a range of activities, and has cumulative impacts. Applications for developments, permits and leases need to be assessed by staff with the relevant skills to identify potential risks and set conditions that will prevent such damage.

5.4. An impact assessment tool will determine an impact score which will be used to assess and define conditions for permits and leases for applications that may impact native vegetation and land or roads of conservation value.

5.5. When unauthorised activities result in damage to native vegetation or alienation of Local Government land or road reserves managed for conservation purposes, Council will act to hold the individual or organisation who caused the impact accountable and aim to recover the condition of the vegetation or area of land of conservation value.

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5.6. Council recognises that damage to native vegetation and encroachments may occur accidentally or intentionally, and that prevention and voluntary compliance are preferred methods for protecting native vegetation and land of conservation value.

5.7. Council's regulatory response to unauthorised vegetation damaging activities or encroachments will be guided by an impact assessment tool which takes into account the level of impact of the damaging activity.

5.8. Where Council staff are aware that other legislation applies, staff will report the activity to the relevant statutory authority, however Council will not solely rely on other authorities to act when Council has authority to prevent or respond to damaging activities.

6. POLICY STATEMENT

6.1. Council is committed to implementing a strategic, consistent and comprehensive approach to preventing and managing impacts to native vegetation and local government land or roads of conservation value through:

6.1.1. Community education - education for residents, landholders and the community to increase knowledge about the ecological values and responsible interaction with local government land and roads, as well as rights and responsibilities in relation to local government land and roads.

6.1.2. Proactive management - assessing impacts to native vegetation and lands or roads of conservation value to either reject or set conditions for permits and leases, or provide advisory notes regarding other relevant legislation and approvals on development applications.

6.1.3. Process improvement - identifying opportunities within existing and new procedures or processes where damage to native vegetation or land or roads of conservation value could be prevented with the appropriate interventions or management, and detailing within the relevant procedure or process how it will be done.

6.1.4. Encroachment Register - for Council to document the occurrence of encroachments onto lands of conservation value to enable monitoring the management actions for each of these cases.

6.1.5. Operational and regulatory response: Council response to damage to native vegetation or land of conservation value will be enacted as soon as practicably possible after the event, and be directed by:

6.1.5.1. an impact assessment tool, which will attribute a score to the level of actual or proposed impact

6.1.5.2. compliance with relevant legislation and Australian standards; and

6.1.5.3. the level of voluntary compliance undertaken by the relevant individual or organisation.

DRAFT

6.1.6. Biodiversity Strategy – periodic review of the Strategy to outline how Council will protect, enhance, restore and connect habitat

6.2. In the event of negative impacts to native vegetation on local government land, Council reserves the right to undertake or manage remediation itself and recover associated costs from the relevant individual or organisation.

6.3. Council will support the achievement of the objects of this policy through appropriate funding allocations through the usual annual business planning and budget setting processes and budget reviews where necessary. ~~In doing so, Council will need to balance the cost of taking compliance action and remediation works against the benefits of same.~~

6.4. Council will manage historic encroachments on a case by case basis, owing to potential changes in land ownership, changes in legislation and policies and old or informal agreements made with property occupiers at the time.

7. DELEGATION

7.1 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 period of its currency.

8. AVAILABILITY OF THE POLICY

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

DRAFT

Appendix 3

Council responses to feedback received

COUNCIL POLICY

DRAFT Native Vegetation Protection and Conservation Policy

Policy Number:	**To be allocated**
Responsible Department(s):	Open Space
Relevant Delegations:	**As per the Delegations Register and as detailed in this Policy**
Other Relevant Policies:	**Alteration and occupation of public roads (INF-06)** **Enforcement (GOV-10)** **Order Making Policy (GOV-15)** **Tree Management Policy ENV-04**
Relevant Procedure(s):	**Alteration of a Public Road (I&O-001)**
Relevant Legislation:	**Native Vegetation Act 1991** **Environment Protection and Biodiversity Act 1999** **Crown Lands Management Act 2009** **Native Title Act (Cth) 1993** **Native Title Act (SA) 1994** **Aboriginal Heritage Act 1988** **Planning, Development and Infrastructure Act 2016** **Local Government Act 1999** ***By-laws made under the LG Act:*** **AHC Permits and Penalties By-Law 2018, By-law No. 1 of 2018** **AHC Local Government Land By-law 2018, By-law No. 3 of 2018** **AHC Roads By-law 2018, By-law No. 4 of 2018**
Policies and Procedures Superseded by this policy on its Adoption:	**Nil** - this is a new policy and therefore does not supersede a previously adopted policy.
Adoption Authority:	**Council**
Date of Adoption:	***Date of Council Meeting***
Effective From:	***14 Days after Council Meeting***
Minute Reference for Adoption:	***To be entered administratively following Council Meeting***
Next Review:	**No later than** (four years after adoption) **or as required by legislation or changed circumstances**

DRAFT

Commented [SK1]: I spent many years of my working life assessing applications to clear native vegetation in South Australia and in organising and undertaking vegetation surveys, analysing and mapping remnant native vegetation for the South Australian Government. I also spent time modelling the distribution of plant species on Fleurieu Peninsula . So I think I have a reasonable understanding of the biology of the many different ecosystems we have in this State and the what, where and how of why they exist and the why and how of their maintenance and care.

In my view this policy document needs significant review. It needs critical review of some of the language and concepts it attempts to portray. I have tried to point out some of the most obvious in comments throughout a word version of your document

It also needs a review of its structure which does not currently reflect or portray its scope accurately.

In the first instance the scope of the document needs to be up-front. BUT it is given in section 4 and most importantly limits the policy to something a lot smaller than "Native Vegetation Protection and Conservation". The title is actually quite misleading because this policy is about assessing permit and lease applications .

As far as I can tell Council has given no attention at all to the care and maintenance of the two stone reserves it holds in my locality where I have lived for almost 30 years. They are full of weeds and so by clearly are not being conserved or given protection.

This policy document does not concern itself with the management and care or areas of native vegetation in council control at all, but rather is focussed on assessing permit and lease applications and their potential impacts on council owned areas of native vegetation.

The use of an impact assessment tool to guide Council response when the tool's criteria are essentially undefined, with no mention of how its scores are generated and/or weighted , nor how they will be interpreted is extremely problematic.

Council could invent a tool that allowed the destruction of areas of native vegetation and justify their loss by saying "it is OK the score was 3 out of 10 and the threshold is 7" .

This impact assessment tool notion is completely meaningless and misleading without its logic.

Similarly how does a single "tool" compare the impact of destruction of habitat in a creek in a valley to the north face of a hillside where he vegetation and habitat is completely different?

Please review your words, make them accurately reflect your intentions and the true scope of this policy.

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0		Draft new policy for consultation purposes	

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NATIVE VEGETATION PROTECTION AND CONSERVATION POLICY

1. INTRODUCTION

1.1. The Policy provides Council with principles and guidelines for the protection of native vegetation and land of conservation value on Local Government land and roads.

1.2. The Adelaide Hills Council is responsible for care and maintenance of over 400 community land parcels containing around 357 hectares of native vegetation and 1,046km of roads, including 433 NVMS sites as well as 165km of unformed public roads and roadside vegetation, together containing approximately 819 hectares of native vegetation.

1.3. This native vegetation is predominantly remnant, occurring within the Mount Lofty Ranges biodiversity hotspot, playing a pivotal role in providing and connecting habitat for many native plant and wildlife species, especially threatened and declining species, and providing ecosystem services to the greater Adelaide region.

1.4. Council is entrusted to manage these areas for the benefit of the community, maintaining equity and fairness in use and enjoyment of local government land and roads as well as the natural ecological values of the land.

1.5. Habitat loss and fragmentation is listed as a key threatening process for many threatened and declining native species, yet native vegetation and land of conservation value is regularly impacted by activities such as clearing, grazing, landscaping, fencing, dumping,

Commented [SK2]: This statement is ludicrous. By way of example - how much of Councils budget has been expended on care and maintenance in the last 30 years on the stone reserve on MiMi Rd or the one on Aldgate Valley Rd?

Commented [RE3R2]: Mimi Reserve has received approximately 500 contractor hours to undertake annual minimal disturbance weed control since FY18/19. The Reserve was placed under Heritage Agreement in 2023.
The reserve on Aldgate Valley Road closest to Mimi has received around 233 contractor hours to undertake weed control since FY 18/19. It was placed under Heritage Agreement in 2024.
Both reserves are assessed every 5 years to monitor condition and vegetation at Mimi has improved in one precinct but declined in 2, while the other has maintained steady condition. In response, Council funding for Mimi has increased by 25% this year in order to improve vegetation condition to the 2 declining precincts.

Commented [SK4]: It is all remnant vegetation NOT predominantly

Commented [RE5R4]: There are many parcels of community land and roadsides that are revegetated and not remnant

Commented [SK6]: Why "especially"? This statement makes little sense. There are many bird, animal insect and invertebrate populations that are reliant on native vegetation. Not all of them are threatened - but all are important.

Commented [RE7R6]: Minor edits to amended policy. Especially in reference to Mount Lofty Ranges being a Biodiversity Hotspot containing a high number of threatened and declining species.

Commented [SK8]: Please define "ecosystem services" That phrase makes no sense to me at all. What does it mean?

Commented [RE9R8]: Provided in the definitions at 3.6

Commented [SK10]: There is clearly a conflict here - natural ecological values and equity and fairness in use are strange bedfellows. What are you trying to say here?

Commented [RE11R10]: That private properties should not be able to fence off community lands or roads and alienate the community or wildlife from them.

Commented [SK12]: Not just threatened or declining native species. It is essentially ALL species.

Commented [RE13R12]: Minor edits to amended policy. Threatened species have State and Federal Government developed recovery plans/conservation advice which are considered to be imperative to Council decision making.

vehicle access, construction, increasing property size by alienating Council lands and roads from the public and non-compliant development.

1.6. The policy will outline when and how Council shall act:

- to proactively prevent damage to native vegetation and encroachments on land managed for conservation purposes
- in response to damage to native vegetation and encroachments on land managed for conservation purposes.

2. OBJECTIVES

2.1. The objectives of this policy are to:

- Demonstrate the Council's commitment to the protection of native vegetation and areas of conservation value
- Protect native vegetation and land of conservation value through the development of educational, procedural and regulatory initiatives across Council departments and teams, including development application, permit and lease processes
- Embed the use of an impact assessment tool into Council processes and procedures for assessing permit applications and leases and guide regulatory responses to damaging activities

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Commented [SK14]: Managed? Please show me where Council actually manages native vegetation.

Commented [RE15R14]: Under the Biodiversity Program, Council undertakes weed management across 433 Native Vegetation Marker System sites and 58 Council Reserves managed for Conservation Purposes, or mixed use with conservation zones. The majority of these are assessed every 5 years using the Native Vegetation Councils BushRAT methodology to monitor condition and adjust management where required. These include the current & future HAs in the response below as well as Cromer, Kersbrook and Formby Cemeteries, Gurr Rd South, Rakali Reserve, Morella Reserve, Silver Rd Reserve, Whether Creek Station,and Bracken Lane. 28 of these reserves are supported under the Bush For Life Funding and Partnership Agreement with Trees For Life.

Commented [SK16]: I have not seen any evidence in my locality of Council commitment to the protection of native vegetation in the 30 years I have lived here or around 50 within the council boundaries..

Commented [RE17R16]: Since 2012, Council have entered 25 reserves into Heritage Agreements with approval to enter an additional 19 to be phased over the next 4 years in order to be accommodated within available administrative resourcing both within Council and NVC.
Pre 2012, Council had 4 Heritage Agreements:

1. Lobethal Bushland Park
2. Lenswood Centennial Reserve
3. Camp Gooden
4. Bradwood Park

Exisiting HA's since 2012:

1. Kersbrook Conservation (previously Stone) Reserve
2. Lobethal Bushland Park expansion
3. Yanagin
4. Mylor Parklands
5. Red Hill Road, Bradbury
6. Woorabinda/SLP
7. Madurta
8. Hender
9. Doris Coulls Reserve
10. Heathfield Waste Facility
11. Kiley Reserve
12. Shanks Reserve
13. Stock Reserve
14. Leslie Creek Reserve
15. Mi Mi Reserve
16. Aldgate Valley 2 Reserve
17. Kyle Road Nature Reserve
18. Carey Gully Water Reserve
19. Heathfield Conservation (Previously Stone) Reserve
20. Hillcrest (RAA Tower) Reserve
21. Heron Reserve, Bridgewater
22. The Deanery, Bridgewater
23. Smith Rd/Stone Quarry Reserve

... [1]

Commented [SK18]: Please define what factors this tool will consider? And how it will be utilised and on what basis was the impact assessment tool designed

Commented [RE19R18]: It will align with State Government/Native Veg Branch tools (SEB)

- Enable consistent decision making in relation to the various functions, duties and powers available to the Council in respect to native vegetation contained in the Local Government Act 1999.

3. DEFINITIONS

3.1. "**Alienation**" means an area that is making public land physically inaccessible to the public or misleads the public into believing it is not public land through signage, built structures or landscaping continuous to adjacent private properties. (such as being entirely surrounded by private land, being fenced from public access).

3.2. "**Biodiversity hotspot**" regions containing high levels of species diversity, many endemic species (species not found anywhere else in the world) and a significant number of threatened or endangered species under threat due to habitat loss or degradation caused by human activity.

3.3. "**Biodiversity Register**" is a register maintained by Council to document biodiversity assets and works on Council land.

3.4. "**Clearance**" means the removal or destruction, by any means, of native vegetation on an area of land, other than the removal or destruction of a weed and includes the selective removal of a species of plant, a group of species of plants, a storey or group of storeys in whole or in part.

3.5. "**Conservation value**" even if an area of land does not have high quality native vegetation on it, it may still have a high conservation value by acting as a buffer zone to the area of high quality native vegetation. Buffer zones have value in preventing weedy incursion, or use as a fuel reduction zone, to prevent that fuel reduction zone moving further into the reserve. They may have conservation value for future revegetation activities.

3.6. "**Ecosystem services**" the goods and services provided by ecosystems that directly or indirectly benefit humans, including but not limited to oxygen production, air and water filtration, dust and water attenuation, pollination, carbon sequestration, climate regulation, cultural and health benefits.

3.7. "**Encroachment**" means an activity on Local Government Land, made and unmade roads requiring permission, (as specified in Adelaide Hills Council *Local Government Land By-law 2018 No.3*) or alteration and occupation of public roads where permission has not been granted, including but not limited to built structures, alteration to vegetation or soil, stockpiling, vehicle or machinery access, dumping, timber harvesting and water management.

3.8. "**Encroachment Register**" means a register/database maintained by Council to document all reports and incidents of encroachment and all records relating to the encroachment.

Commented [SK20]: Are these "definitions" being used in the document apart from being defined here? Mostly not.

Commented [RE21R20]: All but one (Biodiversity Register) of the definitions were included in the first draft of the Policy released for public consultation, and in response to feedback, Biodiversity Register is now referenced in the amended policy proposed for adoption, in sections referenced below:
3.1."Alienation" - 5.5
3.2."Biodiversity hotspot 1.3
3.3."Biodiversity Register 6.1.6
3.4."Clearance" 4.5
3.5."Conservation value" numerous
3.6."Damaging activities" 2.3, 5.7, 5.8
3.7."Ecosystem services" 1.3, 5.1
3.8."Encroachment" numerous
3.9."Encroachment Register" 6.1.4
3.10."Historic encroachment" 6.4
3.11."Local Government Land" numerous
3.12.Native vegetation numerous
3.13."Native Vegetation Marker System or NVMS 1.2, 6.1.6
3.14."Road" numerous
3.15."The Greater Adelaide region" 1.3, 5.1
3.16."Unformed Public Road" 1.2, 3.1

Commented [SK22]: What is water attenuation???

Commented [RE23R22]: Term added to the definitions 3.17. It means slowing down and reducing the peak flow rates of rainfall runoff.

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3.9. "**Historic encroachment**" means encroachments that have occurred in the past.

3.10. "**Local Government Land**" means all land owned by a council or under a council's care control and management, other than roads.

3.11. "**Native Vegetation Marker System** or **NVMS**" is a detailed register of ecological values of designated sites across the district, helping to protect approximately 420 kilometres of native vegetation in Council road reserves. The start and end of each site is marked with a blue sign with a yellow leaf symbol displaying a unique number, which relates back to the register.

3.12. "**Road**" means a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes a bridge, viaduct, subway, alley, laneway, walkway or unformed public road.

3.13. "**Unformed Public Road**" is one that is legally established but not formally constructed with a bitumen sealed surface or constructed to the standard of an unsealed road and which is under the care and control of Council. These can be dirt style tracks that are used to access private property, form part of a trail network, or contain remnant native vegetation and managed for conservation purposes.

4. SCOPE

4.1. The policy applies to Local Government land and roads which contain native vegetation or are managed for conservation value.

4.2. The policy does not apply to activities undertaken entirely on private land.

4.3. The policy applies to activities that have occurred in the past or could occur in the future.

4.4. The policy will identify proactive measures for preventing damage to native vegetation.

4.5. The policy does not override other legislation that relates to activities, such as clearance of native vegetation, discharge to a watercourse or construction.

4.6. The Policy provides a framework for assessing permit and lease applications and determining operational and regulatory responses.

4.7. The Policy will be implemented through Council strategies, plans, processes and procedures affecting native vegetation management and lands of conservation value, such as S221 and reserve access permit applications, leases, by-laws, regulatory and development application processes and procedures.

Commented [SK24]: OK so now we know the scope of the policy - why isn't this stated up-front in paragraph 1.1?

Commented [RE25R24]: It has been recommended to alter the title of the Policy to better reflect the original intent. Decision lays with Council.

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5. GUIDING PRINCIPLES

5.1. Native vegetation, particularly remnant vegetation, is a highly valuable Council asset that should be retained and conserved for the habitat to threatened and declining species it offers, the ecosystem services it provides to the greater Adelaide region and the unique and desirable character it delivers the Adelaide Hills region.

5.2. Prevention is preferable to remediation and is to be prioritised. To this end Council will continuously review its processes and procedures to identify points of opportunity to prevent damage to native vegetation or encroachments onto land of conservation value before they happen, primarily through permit applications, leases and the development application process.

5.3. All activities undertaken by an individual or organisation on Local Government land or roads require a permit. Damage to native vegetation and land of conservation value can occur through a range of activities, and applications for developments, permits and leases need to be assessed by staff with the relevant skills to identify potential risks and set conditions that will prevent such damage.

5.4. An impact assessment tool will be used to determine an impact score which will be used to assess and define conditions for permits and leases for applications that may impact native vegetation or land or road of conservation value.

5.5. When unauthorised activities result in damage to native vegetation or alienation of Local Government land or road reserves managed for conservation purposes, Council will act to hold the individual or organisation who caused the impact accountable and aim to recover the condition of the vegetation or area of land of conservation value.

5.6. Council recognises that damage to native vegetation and encroachments may occur accidentally or intentionally, and that prevention and voluntary compliance are preferred methods for protecting native vegetation and land of conservation value.

5.7. Council's regulatory response to unauthorised vegetation damaging activities or encroachments will be guided by an impact assessment tool which takes into account the level of impact of the damaging activity.

5.8. Where Council staff are aware that other legislation applies, staff will report the activity to the relevant statutory authority, however Council will not solely rely on other authorities to act when Council has authority to prevent or respond to damaging activities.

6. POLICY STATEMENT

Commented [SK26]: This sentence would be logical if it started "Remnant native vegetation is a highly valuable Council asset.

There aren't just threatened and declining species.

Commented [RE27R26]: Revegetation undertaken by volunteers and as part of offset programs are also valuable and not to be discounted by the Policy.

Commented [SK28]: The vegetation offers habitat for other species that are not threatened or declining and they are also as important

Commented [RE29R28]: Noted. Wording amended.

Commented [SK30]: What on earth are "ecosystem services"??? The definition in section 3 is pretty odd - maybe re-think this and better define how Greater Adelaide benefits.

In addition what is the boundary of Greater Adelaide these days?

Commented [RE31R30]: Provided in definitions 3.7. Greater Adelaide Region added to definitions 3.15.

Commented [SK32]: As before, details of what and how an "impact assessment tool" are needed and are critical to understanding just how much Council cares for and maintains native vegetation. Or indeed allows it to be disturbed or removed.

Commented [RE33R32]: Noted.

Commented [SK34]: A laudable aim but how will Council know what was there before an impact occurs? This is actually difficult unless you can document what was there before the impact and otherwise in a court of law will be hard to establish.

Commented [RE35R34]: In cases where monitoring has been taking place, or Atlas of Living Australia/Biological Database of SA, Council can access excellent records of the vegetation. Satellite and LIDAR could also be used to assist with vegetation assemblages.

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6.1. Council is committed to implementing a strategic, consistent and comprehensive approach to preventing and managing impacts to native vegetation and local government land or roads of conservation value through the following measures:

6.1.1. Community education - education for residents, landholders and the community to increase knowledge about the ecological values and responsible interaction with local government land and roads, as well as rights and responsibilities in relation to local government land and roads.

6.1.2. Proactive management - a commitment to assess impacts to native vegetation and lands of conservation value to either reject or set conditions for permits and leases, or provide advisory notes regarding other relevant legislation and approvals on development applications.

6.1.3. Process improvement - identify opportunities within existing and new procedures or processes where damage to native vegetation or land or roads of conservation value could be prevented with the appropriate interventions or management, and detailing within the relevant procedure or process how it will be done.

6.1.4. Encroachment Register - for Council to document the occurrence of encroachments onto lands of conservation value to enable monitoring the management actions for each of these cases.

6.1.5. Operational and regulatory response: Council response to damage to native vegetation or land of conservation value will be enacted as soon as practicably possible after the event, and be directed by:

6.1.5.1. an impact assessment tool, which will attribute a score based on factors such as total area of impact, level of proposed or actual modification, the biodiversity value of the area affected, if the land is managed for conservation purposes and the level of alienation of public land from the public;

6.1.5.2. compliance with relevant legislation and Australian standards; and

6.1.5.3. the level of voluntary compliance undertaken by the relevant individual or organisation.

6.2. In the event of negative impacts to native vegetation on local government land, Council reserves the right to undertake or manage remediation itself and recover associated costs from the relevant individual or organisation.

6.3. Council will support the achievement of the objects of this policy through appropriate funding allocations through the usual annual business planning and budget setting processes and budget reviews where necessary. In doing so, Council will need to balance the cost of taking compliance action and remediation works against the benefits of same.

Commented [SK36]: Why this discrimination? All areas of native vegetation have conservation value

Commented [RE37R36]: The sentence references both native vegetation AND lands of conservation value.

Commented [SK38]: OK so now we see a list of potential parameters of an impact assessment tool.

BUT I can't see "conservation value of the locality in that list". This should include things like the presence of rare or threatened plant species, structural attributes like the presence of hollows in trees for birds and ring-tail possums, the degree of existing degradation via impacts like weediness or structural losses of one or more of the canopy elements. Neither is the size of the area to be disturbed listed or the reason for the disturbance. I doubt that this is a complete list but surely all of these factors and many others need to be considered.

This needs a lot more thought and description.

Commented [RE39R38]: Yes. The tool will align with Native Veg Branch SEB tools.

Commented [SK40]: How about South Australian ones too? What are the Australian standards?

Commented [RE41R40]: Australian Standards set out specifications and design procedures for goods, services and systems. A list could be provided with educational materials to accompany launch of the Policy.

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6.4. Council will manage historic encroachments on a case by case basis, owing to potential changes in land ownership, changes in legislation and policies and old or informal agreements made with property occupiers at the time.

7. DELEGATION

7.1 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 period of its currency.

8. AVAILABILITY OF THE POLICY

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

Commented [SK42]: So is the CEO given the power to delete this policy as she or he wishes?

Commented [RE43R42]: No. Once adopted, deletion of a Policy must undergo a Council process.

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Page 3: [1] Commented [RE17R16] **Renae Eden** **25/08/2025 12:42:00 PM**

Since 2012, Council have entered 25 reserves into Heritage Agreements with approval to enter an additional 19 to be phased over the next 4 years in order to be accommodated within available administrative resourcing both within Council and NVC.

Pre 2012, Council had 4 Heritage Agreements:

1. Lobethal Bushland Park
2. Lenswood Centennial Reserve
3. Camp Gooden
4. Bradwood Park

Exisiting HA's since 2012:

1. Kersbrook Conservation (previously Stone) Reserve
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12. Shanks Reserve
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14. Leslie Creek Reserve
15. Mi Mi Reserve
16. Aldgate Valley 2 Reserve
17. Kyle Road Nature Reserve
18. Carey Gully Water Reserve
19. Heathfield Conservation (Previously Stone) Reserve
20. Hillcrest (RAA Tower) Reserve
21. Heron Reserve, Bridgewater
22. The Deanery, Bridgewater
23. Smith Rd/Stone Quarry Reserve
24. Hampton Reserve
25. Heathfield/Longwood Reserve

Upcoming HAs 2025 and beyond:

1. Charleston Waste Facility
2. Grasby Reserve
3. Halliday Reserve
4. Rudall Reserve
5. Smith Rd/Stone Quarry Reserve
6. Cooper's Reserve
7. Gurr Rd Reserve
8. Aldgate Tennis Courts
9. Chapman Water Reserve
10. Aldgate Valley Wildlife Corridor
11. Silver Rd Reserve
12. Pitt Road Reserve at Pitt Rd
13. Head Rd Reserve
14. Fernwood Reserve
15. Pound reserve
16. Mt Bold Cutting
17. Stirling Cemetery
18. Aldgate Valley Reserve

19. Windmill Reserve

Q7 level of support for the objectives in the draft Policy (If you would like to provide further explanation on your level of support, please use the space below.)

Volume of feedback	Theme including example comments	Respondents	Council response
16	Support for Native Vegetation Protection in general and/or this Council Policy	1. HAHNDORF 3: I was for many years a volunteer for Bush for Life, in the AHC area. I endorse any moves to protect our valuable native species. 2. MYLOR 6 Any legislation that further protects native vegetation is welcome. 3. NORTON SUMMIT 14 Healthy native vegetation is critically important to the sustaining and improving the status of biodiversity in this region. A rigorous approach is needed to ensure additional impacts do not occur and to enhance currently extant populations. 4. BALHANNAH 18 The wording is not strong enough in specifying the actual protection of native vegetation and areas of conservation value. 5. KIDMAN PARK 26 I am surprised that there is not already a Native Vegetation Protection and Conservation Policy as it is so important to protect remnant native vegetation especially in the Adelaide Hills where the biodiversity is amazing. 6. WOODSIDE 22 I'm very happy that the council has taken this initiative. I see a lot of native vegetation being cleared on roadsides (particularly after bushfire events) and welcome any education efforts that help keep people informed. 7. MYLOR 28 We have the immense pleasure of living in an Australian Biodiversity hotspot. In addition to the moral obligations (sadly most of us don't have any cultural ones) for looking after these ecosystems, research is increasingly showing that maintaining and enhancing biodiverse environments is a key step in controlling our carbon emissions. 8. ALDGATE 34 I would like to congratulate the AHC for its increasing recognition over the past decade of the importance of conserving remnant native vegetation as a key asset for ratepayers and businesses in the council area. The natural biodiversity of the Adelaide Hills is a far more important asset to the the future of the Council than is the built environment. The nomination of native vegetation for heritage listing is a particularly important mechanism for conserving this asset, and I urge the Council to continue to nominate more areas for Heritage Listing. Many Hills' businesses depend directly or indirectly on the conservation of biodiversity assets - far more than those individuals who wish particular assets to be compromised in specific areas for short-term financial gain. I urge the Council to remember its responsibility to the whole community - businesses and ratepayers - when it is making decisions on specific development proposals." 9. MYLOR 35 It's fantastic that Council is taking these proactive and structured steps to protect and conserve native vegetation, especially as so much has been cleared for housing, hobby farms etc. This is a	Great to see so much support for native vegetation/conservation land and actions taken to increase protection of it.

Volume of feedback	Theme including example comments	Respondents	Council response
		forward-thinking and necessary part of mitigating casual and cumulative vegetation clearance. 10. ALDGATE 37 I fully support the notion that Council puts a Policy in place to help protect native vegetation and (Council) land managed for conservation purposes. 11. ALDGATE 36 The draft policy is proactive and structured, and when applied, should go a long way to protecting and conserving native vegetation in this area. It is forward-thinking, and a necessary part of mitigating casual and cumulative vegetation clearance 12. STIRLING 44 I do appreciate the Council's commitment to maintaining our dwindling native flora and fauna on Council land, HOWEVER, it is ridiculous that Council cannot control the maintenance/survival of significant or old growth habitat trees on private land. The policy draft mentions the importance of 'corridors' but corridors include private land and these decisions really need to be taken away from the State Government. If this can't be done, the Council will need to step up to strongly fight to save these trees. Engage your tree-loving rate payers to help stand up to developers, the useless Native Vegetation Council and PlanSA. 13. BRIDGEWATER 48 It is great to see the council trying to unify their response to activities that infringe on the little remnant native there is. I am surprised that this policy doesn't already exist! 14. ALDGATE 49 Highly supportive because a policy is absoloutely needed to clearly define council's principles, guidelines, assessment of damage and enforcement it will use, to protect native vegetation. 15. BRIDGEWATER 10 I have put unsure as although I support these policies in theory, I am unsure, if they will be carried out to the preservation & protection of our native bushlands. when it says "including development application, permit and lease processes" I worry that these could be open to interpretation and undermined. However I fully support any policies that protect our native vegetation, including stricter laws regarding home owners cutting down existing trees which is happening all over the hills. Mature trees which provide habitat for birds and wildlife are being removed by people who have no idea of the impact to wildlife corridors. 16. MYLOR 43 Council employees supported by the community enables better outcomes.	
1	Bushfire Risk and Fuel Management not specifically addressed in this Policy	1. KENTON VALLEY, SA "The Guiding Principles lack any mention of bushfire mitigation strategies which the Council should be applying. The aftermath of the Cudlee Creek bushfire in 2019 should provide an object lesson in the consequences of failing to carry out fuel load reduction in areas of native forest and the roadsides. The idea that remnant native vegetation can be protected while ignoring excessive fuel build-up is farcical; indeed, that vegetation has evolved to be dependent on fire for regeneration, so regular controlled burns must	1. How Council addresses bushfire mitigation is addressed in other strategies/programs, particularly the Bushfire Mitigation Landscape Strategy, and is beyond the scope of this Policy. The Policy states in Scope 4.5 "The policy does not override other legislation that relates to activities, such as clearance of native vegetation, discharge to a watercourse or construction." Amended the Policy to refer to the Fire and Emergency Services Act in the

Volume of feedback	Theme including example comments	Respondents	Council response
		be included in the policy. Principle 5.2 states ""prevention is preferable to remediation"". Maintenance of fire breaks and regular forest floor fuel load reduction must be incorporated to protect the habitat of tree-dwelling native animals, to minimise the risk that another bushfire will again become so hot that the fire gets into the crown of the trees and wipes out everything. Landowners should be encouraged to keep roadside vegetation (whether 'remnant' or not) between their property boundary and any road short, free of deadwood and fallen trees. The value of any 'remnant' vegetation which might be protected by disallowing any clearing, cutting or deadwood removal is negligible compared to the risk of facilitating a fire risk which could prevent access to vehicles seeking to either flee from, or go to fight, a bushfire. AHC is unique in that its area of responsibility is significantly at risk from bushfires; accordingly, its environmental policies and guiding principles should have a high degree of focus on those risks and their mitigation.	Relevant Legislation section to help highlight that this Policy can not override clearance under that legislation.
3	Concerns regarding Council's capability or follow-through	1. ALDGATE 9 I chose to not support council left in charge to the protection of native vegetation because I believe 100% that they are not intellectually equipped to do so. The property next to me (10 Kiley Road, Aldgate) was tagged for protection, yet all ones need to do is a quick Google Earth search to see that the only bit of vegetation left on a property of over 2 acres is now nothing more than a tiny patch left in the front corner.... literally no more than a few meters around a councils protection sign! From clear observations, I believe his role should not be left in the hands of council! 2. MOUNT TORRENS, SA Eave on Eave subdivisions are a disgraceful to our native vegetation in rural areas and need to be stopped NOW! Also the roads being widened and trees and native vegetation being cut down for Bdubs and now huge triples is disgraceful! Eave on eave Subdivisions in water catchment areas? Why is there planting of non native trees in these disgusting sub road areas? Eg ASH TREES? A known pest. What the hell is wrong with this government. Time to get out if the office and look at the future of our area. You council are going back in time not learning or thinking of the future of your kids kids. It's all money money. A real worry now. Wakeup! 3. BIRDWOOD 17 consistent decision making can be good or bad,	1. The native vegetation clearance referred to in this comment occurred on private land and may have been legal through a DA and SEB offset payment, this is not something Council has power to decide, it's State Government jurisdiction. Council do not have legal power to act on unauthorised clearance on private land, that is the jurisdiction of the NVC, the regulatory body we report clearances on private land to. 2. The State Commission Assessment Panel SCAP independently assesses and determines subdivisions. The Planning, Development and Infrastructure Act 2016 and the Planning and Design Code is also set by the State Government, Council planners assess against those and approve/deny based on proposal's compliance. Council can (and do) provide recommendations/comments in some cases, but do not have legal power to prevent a development if deemed compliant. 3. Noted
2	View that this Policy is not required/Council's core business	1. ALDGATE 2 I am concerned this is going to increase my rates even further. They are already triple what they were when I moved in 15 years ago. Why are you concerned about this? I would prefer to see you address your core competencies better - like road maintenance, Hills roads are in a sorry state 2. IRONBANK 29 "NO new Council Policy is required. The Council should already be following the 8 Acts listed under "Relevant Legislation" Why does the Council have to re-invent the wheel? All planning decisions should already have in place procedures that ensure these 8 Acts are	1. Noted 2. The point of the Policy is to navigate the 'gaps' in the legislation where the decision lays with Council, and where Council has the power to determine the outcome, e.g. we can legally clear up to 5m of native veg from a fenceline if we choose to, but if the vegetation is completely cleared on the other side of the fence, we can make a determination NOT to clear the full 5m on Council side of the fence.

Volume of feedback	Theme including example comments	Respondents	Council response
		followed to the letter of the law. If not, Why not? All this policy will be is an effective summary of what should be already in place and operational."	
3	Need for stronger laws/enforcement/ penalties	1. ALDGATE 5 We just need to change the way that people react and interact with their natural landscape. It is largely based on education and well defined and adequate penalties that need to be applied. 2. BRIDGEWATER 10 I have put unsure as although I support these policies in theory, I am unsure, if they will be carried out to the preservation & protection of our native bushlands. when it says "including development application, permit and lease processes" I worry that these could be open to interpretation and undermined. However, I fully support any policies that protect our native vegetation, including stricter laws regarding homeowners cutting down existing trees which is happening all over the hills. Mature trees which provide habitat for birds and wildlife are being removed by people who have no idea of the impact to wildlife corridors. 3. BALHANNAH 18 The wording is not strong enough in specifying the actual protection of native vegetation and areas of conservation value.	1. If the Policy is adopted, we can then fully explore the penalties available to us and will align them with the level of impact. 2. Some of these issues are addressed in the new Biodiversity Act and changes to significant and regulated trees under the PDI Act. 3. Noted.
1	Policy language inconcise	1. BRIDGEWATER 38 - "OBJECTIVE 1 should remove the overwrought/redundant language that waters down the Objective to no clear benefit, i.e., rewrite it to simply ""Protect native vegetation and areas of conservation value."" not ""Demonstrate.... commitment to the protection of" Similarly, OBJECTIVE 2 should be simplified to: ""OBJECTIVE 2: Develop educational, procedural and regulatory initiatives to protect native vegetation and land of conservation value, including development application, permit and lease processes." Similarly - although far less importantly - Objective 3 should instead read: ""Embed an impact assessment tool..."" not ""Embed the use of an impact assessment tool...	1. Wording changed from "Demonstrate the Council's commitment to the protection of native vegetation and areas of conservation value" to "Protect native vegetation and areas of conservation value". Wording changed from "Protect native vegetation and land of conservation value through the development of educational, procedural and regulatory initiatives across Council departments and teams, including development application, permit and lease processes" to "Develop educational, procedural and regulatory initiatives to protect native vegetation and land of conservation value, including development application, permit and lease processes". Wording changed from "Embed the use of an impact assessment tool..." to Embed an impact assessment tool..."
2	Concerns that Native Veg/Conservation prioritised over other competing interests (e.g. development, horseriding)	1. BALHANNAH, SA The draft policy does not recognise the need to balance vegetation protection, particularly of naturally regenerating vegetation, with other pre-existing uses. As an example, there is potential for future conflict as unmade road reserves regenerate, bringing pressure to close off access these corridors to protect vegetation at the expense of other users such as walkers, cycle and horse riders. AHC often is unaware of other users of such unmade roads. (Refer to my deputation of March 2023). The draft policy is written from the viewpoint that "the vegetation is always the most important thing". It should recognise from the start that there will inevitably be tradeoffs needed, and the best way to do this is to write it into the policy	1. If the activity is not damaging Native Vegetation or the Land (e.g causing erosion), it will not be excluded, denied or penalised. Road closure (including unmade road reserves) is regulated under the Roads (Opening & Closing) Act 1991 and requires public consultation as part of the process. 2. Council cannot generally deny a development if it is compliant with the PDI Act and Planning and Design Code.

Volume of feedback	Theme including example comments	Respondents	Council response
		2. ALDGATE 2 - I am concerned that this will be used as yet another anti-development tool - another example of how you have been captured by the Greens"	
5	Frustration with Native Veg clearance on private land	1. ALDGATE 9 I chose to not support council left in charge to the protection of native vegetation because I believe 100% that they are not intellectually equipped to do so. The property next to me (10 Kiley Road, Aldgate) was tagged for protection, yet all ones need to do is a quick Google Earth search to see that the only bit of vegetation left on a property of over 2 acres is now nothing more than a tiny patch left in the front corner.... literally no more than a few meters around a councils protection sign! From clear observations, I believe his role should not be left in the hands of council! 2. BRIDGEWATER 10 I have put unsure as although I support these policies in theory, I am unsure, if they will be carried out to the preservation & protection of our native bushlands. when it says "including development application, permit and lease processes" I worry that these could be open to interpretation and undermined. However I fully support any policies that protect our native vegetation, including stricter laws regarding home owners cutting down existing trees which is happening all over the hills. Mature trees which provide habitat for birds and wildlife are being removed by people who have no idea of the impact to wildlife corridors. 3. STIRLING 30 "Since I came to live in Stirling over 20 years ago I have seen a rapid decline in native vegetation. Everytime I have contacted the council to see if we can stop the destruction of an old tree, the response has been pretty pathetic...notably when an ancient tree was illegally cut down on a Sunday, when I was told by you there was nothing you could do to stop it, until after the event when you said you were referring the owner to the native vegetation board as it seemed the tree should not have been destroyed after all!! The land on which that tree stood is still empty, and the native birds who nested there are gone. Business development clearly over rides any real consideration of the natural environment. And any fines imposed are pathetically small providing absolutely no deterrent to developers who just pay the small fine and do what they want. It would be nice to see some strong and enforced laws to protect our diminishing nature. 4. MOUNT BARKER 41 I appreciate this is about protecting native vegetation on Council owned land but there should also be some commitment from Council about encouraging (and incentivizing) the retention of native vegetation on private land. AHC planners should be working with developers to keep native vegetation on private land as well. This should be a default position. 5. STIRLING 44 I do appreciate the Council's commitment to maintaining our dwindling native flora and fauna on Council land, HOWEVER, it is ridiculous that Council cannot control the	1. Addressed above, copy & paste: The native vegetation clearance referred to in this comment occurred on private land and may have been legal through a DA and SEB offset payment, this is not something Council has power to decide, it's State Government jurisdiction. Council do not have legal power to act on unauthorised clearance on private land, that is the jurisdiction of the NVC, the regulatory body we report clearances on private land to. 2. Some of these issues are addressed in the new Biodivesrity Act (see item 3 below) and changes to significant and regulated trees under the PDI Act. Regulated Trees are now 1m+ circumference (previously 2m) and Significant Trees are now 2m+ circumference (previously 3m), increased penalties, decreased allowable pruning, and clearance exemptions reduced from 10m from a pool or dwelling to 3m, with some species excluded from exemptions. You can read more about it here: • Frequently asked questions - regulated and significant tree reforms • Significant and regulated trees | PlanSA 3. Some of these frustrations are addressed in the changes within the new Biodiversity Act, which replaces the Native Vegetation Act and protected/threatened fauna in the National Parks and Wildlife Act. This Act is being phased in over the next 2 years and includes stronger native vegetation laws and tougher penalties for harming wildlife and illegal clearance of native habitat. You can read more about it here: Department for Environment and Water - Biodiversity Act. Also changes to regulated and significant trees in item 2 above. 4. LG cannot deny a development if it is compliant with the PDI Act/Planning and Design Code, nor make decisions about Native Veg Clearance Applications. Some of these frustatrations are addressed through the new Biodivesrity Act (see item 3 above). 5. Some of these frustrations are addressed through changes to state legislation in items 2 & 3 above.

Volume of feedback	Theme including example comments	Respondents	Council response
		maintenance/survival of significant or old growth habitat trees on private land. The policy draft mentions the importance of 'corridors' but corridors include private land and these decisions really need to be taken away from the State Government. If this can't be done, the Council will need to step up to strongly fight to save these trees. Engage your tree-loving rate payers to help stand up to developers, the useless Native Vegetation Council and PlanSA.	
2	Concerns that other competing interests will be prioritised over Native Vegetation/Conservation (e.g. development)	1. BRIDGEWATER 10 I have put unsure as although I support these policies in theory, I am unsure, if they will be carried out to the preservation & protection of our native bushlands. when it says "including development application, permit and lease processes" I worry that these could be open to interpretation and undermined. However I fully support any policies that protect our native vegetation, including stricter laws regarding home owners cutting down existing trees which is happening all over the hills. Mature trees which provide habitat for birds and wildlife are being removed by people who have no idea of the impact to wildlife corridors. 2. MOUNT TORRENS 13 Eave on Eave subdivisions are a disgraceful to our native vegetation in rural areas and need to be stopped NOW! Also the roads being widened and trees and native vegetation being cut down for Bdubs and now huge triples is disgraceful! Eave on eave Subdivisions in water catchment areas? Why is there planting of non native trees in these disgusting sub road areas? Eg ASH TREES? A known pest. What the hell is wrong with this government. Time to get out if the office and look at the future of our area. You council are going back in time not learning or thinking of the future of your kids kids. It's all money money. A real worry now. Wakeup!	1. "including development application, permit and lease processes" refers to implementing measures in these processes that reduce opportunities for 'oversights' and 'grey areas' that result in native vegetation clearances. 2. Addressed above.
1	Suggestions to utilise existing tools/methods/mechanisms	1. MOUNT TORRENS 31 Objective 3 would take the pressure off NVC. Would similarly impact assessment tools/method be used as per other organisations to stay inline and not re-invent another one	1. Impact Assessment tool would align with State Government SEB tools
1	Education needed	1. WOODSIDE 22 I'm very happy that the council has taken this initiative. I see a lot of native vegetation being cleared on roadsides (particularly after bushfire events) and welcome any education efforts that help keep people informed.	1. Noted.
1	Aligns with volunteer role	1. MYLOR 42 Coordinator of a bushcare group.	1. Noted.
General Comments			
1	Frustration with unmanaged weeds on private land ,	1. PICCADILLY 45 I have a small patch of endemic remnant vegetation which is becoming very weedy with weeds from surrounding properties ,	1. Noted. Can be incorporated into education materials.

Q9 (For any 'guiding principles' that you felt were not clear nor easy to understand, can you please provide an explanation? Please include the reference number to any particular guiding principle you provide an explanation for (i.e. 5.1 - 5.8).)

Volume of feedback	Theme including example comments	Respondents	
1	All are vague/lack clarity	1. ALDGATE 2 This is very vague and open to interpretation (i.e. precisely the opposite of what it should be)	1. Noted
1	Too wordy	1. BALHANNAH 8 Most of the policy is too wordy. Be more concise. At least one third of the verbage could be removed without loss of meaning.	1. Noted.
5	Guiding principles are clear and easy to understand	1. KENTON VALLEY 7 "The guiding principles espoused are clear enough; as detailed in my comments above, I think they need to include a reference to Council bushfire mitigation strategies and policies. e.g. under what circumstances will Council undertake, or permit to occur, forest or roadside fuel load reduction activities? 2. ALDGATE 9 They are clear... but I am not confident they will be adhered to within council. 3. BRIDGEWATER 10 in principle yes, but as mentioned above I hope that these are not undermined by industry, or financial incentives. 4. MYLOR 35 All the guiding principles are clear and very well considered. 5. ALDGATE, SA None were too difficult to understand.	1. These issues are addressed through Council's Roadside Vegetation Management Plan and the Bushfire mitigation Landscape Strategy, detailing these technicalities are beyond the scope of the Policy. 2. Noted 3. Noted 4. Noted 5. Noted
General comments/feedback/suggestions			
	4.3	1. KENTON VALLEY 7 4.3 "The policy applies to activities that have occurred in the past or could occur in the future." I'm not sure how this policy could be applied to activities which have occurred in the past. Is it suggested that there might be retrospective penalties applied for any activities which are found to have breached this policy? I suggest this be re-thought and re-worded. "	1. With satellite and LIDAR imagery it is getting easier to detect native vegetation clearance, and unauthorised developments on Council Reserves, and pinpoint when they occurred (e.g. the unauthorized development may have been undertaken by the previous resident). Council has the right to instruct the residents to remove unauthorised developments, move their fence back to the correct property boundary in order to reclaim community land of conservation value that belongs to Council. Penalties may not be issued if the resident agrees to return community land to Council at their own cost and voluntarily remediate damages caused by the unauthorised encroachment.
	5.4	1. MOUNT TORRENS 31 The impact assessment tool - how vigorous will the assessment of the damaging activities be but keep in balance of being a rapid process to maintain consistency, collect the relevant information/indicators and not take up council resources. Once the data is collected from an impact assessment tool process how will be stored and shared to the public? 2. BALHANNAH 18 5.4 - details on how the impact assessment tool works should be included 3. WOODSIDE 22 I am keen to know more about how an impact assessment tool works 4. BRIDGEWWATER 38 I would also encourage the Council to draw upon the resources of the Native Vegetation Branch of the	1. Many areas of remnant vegetation/conservation value are already assessed regularly as part of the Biodiversity Program, and it will be easy to use this data to assess impacts. It may be possible to use satellite and LIDAR imagery to determine condition and assess impact in a very cost-effective way. The data collected will be stored in accordance with requirements of record keeping under the LG Act. It may not be appropriate or legal to make all information public. 2. The impact assessment tool will be made public and will align with State Government Native Vegetation Branch guidelines, but as it is a procedural tool, it won't be detailed in the Policy. 3. See 2 above.

Volume of feedback	Theme including example comments	Respondents	
		Department of Environment and Water in developing their impact assessment tools."	4. Yes that is the intent, see 2 above.
	General comments	1. ALDGATE 12 The relevant statutory authority will not do anything. 2. MOUNT TORRENS 13 SA All. If council recognises all these then WHY IS DISTRUCTION TO OUR NATIVE HABITATE WITH SUBDIVISONS ROAD WIDENING STILL HAPPENING? Hurryup before it's too late! 3. MYLOR 4 I see what looks like a kill zone from spraying on roadside verges such as the Bradbury road that have native flora adjacent to the spray zone. It looks like Ridge Road is not sprayed. I'd like to see some detailed assessment of whether to slash or spray on the verges. In may places the verge has remnant vegetation such as Dipodium orchids, Lomandra fibrata, various Lepidosperma sp. that are almost impossible to propagate. Is there an assesmment somewhere that can be made public? 4. CROMER 27 The problem seems to be with just looking at vegetation. Where I live there are many animals that are part of this vegetation. Koalas, Possums, Echidna, Parrots, Raptor, Quoll etc not included. Some sort of field study needs to be implemented. Raptors should not be allowed to be shot. 5. MYLOR 28 You stop short or even avoid saying that people will be prosecuted for willful damage which I fully support. 6. STIRLING 30 I guess, I need to see it in action to see if it's just more words or actually will be implemented. I feel so burnt by the council not supporting real action on environmental care in the past. 7. ALDGATE 5 People need to know that they cant do as they wish and then deliberately incur a fine of far less of an impost than the gain they have made from destrying native vegetation and habitat 8. IRONBANK 29 "What has been listed is the easy parts of the 8 Acts that should already be used and followed by Council. Council needs to follow these Acts in totality." 9. BRIDGEWATER 38 "Two key elements should be added - a reference to the importance of considering the cumulative impacts of activities to native vegetation and conservation value; and a principle about to the importance of seeking, where appropriate, formal protection for high value native vegetation and conservation value on local government land. (e.g. Heritage Agreements, Native Vegetation Marker System, etc.). It could be that this principle refers to the Council's Strategic Plan and its target re: 30 by 30 (for which Heritage Agreements would count as formal protection for 30 by 30 - see: p15, Strategic Plan 2024, ""NE4.4 Work with others toward the national '30 by 30' target to protect and conserve 30% of the land area by 2030""	1. Noted. 2. Noted. 3. If you would like to nominate a road to be included in the Native Vegetation Marker System, you can email us to arrange and assessment, and if it meets criteria, it will be added to the register and maintenance program. 4. Native wildlife is referenced at 1.3, 'native/endemic species' includes wildlife and is referenced in 1.5, 3.2, 5.1 5. Individuals have already been prosecuted under the LG Act for unauthorized native vegetation clearance on Council land. 6. Noted. 7. Noted. 8. There are 'gaps' in legislation where Council has some authority to determine if and how much native vegetation can be cleared. This Policy intends to guide decision making where Council has discretion. 9. Principle 5.1 adjusted to include "and protected", and 5.3 ". Damage to native vegetation and land of conservation value can occur through a range of activities, and has cumulative impacts". Our Heritage Agreement Program has been underway since 2016 and implemented via the Biodiversity Strategy. Council is committed to putting 30 % of Council land under HA by 2030, this goal is detailed in the Strategic Plan and will also be carried into the next Biodiversity Strategy. We're already at around 25%. You can find 2 most recent Council reports for this program here: https://www.ahc.sa.gov.au/assets/meetings/2018/08-August/ordinary-council-meeting-28-aug-2018/minutes/COUNCIL-CONFIDENTIAL-Council-Minute-2018-08-28.pdf (item 12.5) and here 230314-Council-Agenda.pdf (item 12.2)

Volume of feedback	Theme including example comments	Respondents	
	5.1	1. NORTON SUMMIT 14 "5.1 suggests that native vegetation is more valuable if it is remnant, which is true. However that may imply to some people that larger areas that are contiguous to private and public protected areas are not even more important to the survival of functional ecological systems and the species they contain. This principle also suggests that native vegetation is only valuable if it contains threatened species. It is important for the survival of all of the species it contains. 2. BRIDGEWATER 48 "5.1 Waterways aren't explicitly referenced despite the unique ecosystems they create.	1. Reworded "for the habitat it offers native species, including threatened and declining species", 2. Waterways aren't specifically referenced, but they are included in the concept of Council land. Policy amended to be reference watercourses in Council land definition. The watercourse itself is regulated by Landscapes Hills & Fleurieu, while Council is responsible for the land beside watercourses on community lands and roads.
	5.2	1. MOUNT BARKER 41 5.2 ""Prevention is preferable to remediation and is to be prioritized."" Comment: This is excellent but needs to be resourced properly so that Council can be proactive and respond quickly. 2. MYLOR 42 5.2 could be expanded to include education/compulsion of owners of adjoining properties who support infestations of declared weeds that encroach on and damage land of conservation value 3. MYLOR 43 5.2 - 5.6 Encroachment to include declared weeds on private land seeding and spreading in protected areas causing damage to native vegetation and creating fire hazard. 4. STIRLING 44 5.2 - This principle should make it clear that, at this stage, the Council doesn't have the power to overrule bad decisions made by developers and the State Government. It's all very well to state that the Council will identify opportunities to prevent damage to native vegetation ... via permits and development approval processes. Using the planning approval for 35 Paratoo Road, Stirling as an example, the State Government can overrule Council and Council can cry crocodile tears about the removal of important trees but then run a mile if questioned as to why they didn't stand up for the trees when false and misleading information about the trees was given (this relates to only a few people).	1. Noted. 2. This is the role of Landscapes Hills and Fleurieu and we collaborate with them regularly to advise. Council do not have legal authority to compel private landowners to manage weeds, except for in accordance with fire prevention requirements through Hazard Reduction (105F) Notices to residents who do not comply with legislation relating to fire prevention under the Fire and Emergency Services Act 2005. 3. See 2 above. 4. Scope addresses this in 4.1, 4.2 & 4.5.
	5.3	1. BRADBURY 24 5.3 is clear, but problematic. Council want a permit done per individual site/property. As a group we have maybe 30 sites, and NO capacity to do this qty of work (nor do council). Would suggest a more sustainable option all round would be to offer a permit to a trained individual or group to work across a project or area. Especially following natural disasters when all are stretched. 2. BIRDWOOD 17 5.3 there does need to be an allowance for overgrowth that leads to blind and hazardous corners"	1. Where a volunteer group is working on Council Land to improve biodiversity values, bushcare type activities are contributing to the management of community land and will not negatively impact native veg or conservation value. Council will bear the administrative load for any permits required to support volunteers collaborating with Council to undertake bushcare activities on Council land. 2. Road safety is a legislative requirement, this is addressed in Scope 4.5 and through Council's Roadside Vegetation Management Plan.
	5.5	MOUNT BARKER 41 5.5 Comment: Council must implement strong penalties (large monetary fines) in order to deter future bad behaviour and discourage potential future offenders. And have the legal ability to do so."	Maximum penalties under the LG Act are substantially lower than those in the Native Vegetation/Biodiversity Act. Maximum penalties under the LG Act are determined through Court (not at the discretion of Council).

Volume of feedback	Theme including example comments	Respondents	
			The impact assessment tool will help determine what avenue/which level of prosecution will be pursued, outlined in 5.7.
	5.6	NORTON SUMMIT 14 5.6 suggests that the emphasis of the application of this policy will be on preventing impact (which is very good) and voluntary compliance (also good as that implies education and community commitment). But it would be even better if Council staff will also actively enforce this Policy."	The development of the Policy commits Council to undertake enforcement actions – 5.5. "Council will act".
	5.7	BIRDWOOD 17 5.7 as we have established, proving who did what and actually prosecuting them is an issue	Yes, a successful prosecution requires investigation and evidence. Council have undertaken 2 prosecutions for unauthorized clearances.
	5.8	1. STIRLING 44 5.8 - It would be helpful to know the specific legislations the Council CAN 'overstep' to 'prevent or respond to damaging activities'. Does this mean that the Council could actually stand up to the Native Vegetation Council for example, and say 'no' to the removal of habitat trees that are important to the 'corridors' the Council has acknowledged as vitally important? Corridors do cross private land." 2. BRIDGEWATER 48 5.8 'damaging activities' could be more specific eg. clearing/polluting/tramping"	1. Council cannot 'overstep' or override decisions where the Native Vegetation Council is the regulatory authority. Council do regularly report clearances to the Native Vegetation Council. New Biodiversity Act may address some of these concerns. 2. Have included damaging activities in Section 3 – Definitions.

Q10 (Would you like to share any thoughts on the 'Policy Statement'?)

Volume of feedback	Theme including example comments	Respondents	
2	The Policy is meaningless/not required	1. ALDGATE 2 I see this as an excuse for draconian action by subjective (and meaningless) methods like 'impact assessment'. 2. IRONBANK 29 "Another glossy page that can be linked to from the front page of your web site. Policy statements like these are not required"	1. Impact assessment would align with the Native Vegetation Council's methods. 2. Noted.
7	Policy Statement fit for purpose (acceptable/good/clear and easy to understand)	1. HAHNDORF 3 Sounds good as long as it is implemented thoroughly and consistently. 2. BRIDGEWATER 20 very clear and considered 3. MYLOR 28 I fully support it but it must also be followed by staffing resources to ensure these commitments are met. 4. MYLOR 35 Well considered, a fair approach and comprehensive. 5. ALDGATE 36 "Aldgate Valley Landcare Group fully supports this Council initiative. The Group recognises the importance of the policy covering land with a mixed quality of native vegetation as these areas can and should be rehabilitated. We believe that the policy is well measured, incorporating education, proactive management, and evaluation of impact. It uses fair means to assess impact - by using an impact assessment tool to allow for a quantifiable approach. It is appropriate for remediation costs to be at the landholders expense, and positive that the policy allows for retrospective remediation. It is excellent to see that Council recognises the many benefits provided by native vegetation - now remnants in the Hills. This includes the many free economic benefits to local businesses and the general amenity and health benefits for residents and visitors. " 6. ALDGATE 49 Excellent, clear and to the point, assessment tool objective 7. LOBETHAL 15 It is very basic but serves a purpose.	1 – 6 Noted, thank you. 7. Noted.
6	Concerns around resourcing the Policy meaningfully	1. MOUNT TORRENS 13 If you start practising this and not bloody talk about it I and many other trade payers will be happy! 2. BRADBURY 24 "I think when so many road verges are completely out of control weed-wise, and native vegetation is progressively being destroyed, it is hard to see how council has credibility. Better partnerships with local groups where there are road verges not being taken care of at all as no one has the budget or is responsible (example.....Mt Bold Road along the edge of Mt Bold reservoir, SA Water)." 3. ALDGATE 9 I do not believe that council is dedicated or capable) of implementing above policies. 4. MYLOR 28 I fully support it but it must also be followed by staffing resources to ensure these commitments are met.	1. Noted. 2. Noted. 3. Noted. 4. Noted. 5. Noted. 6. Noted.

Volume of feedback	Theme including example comments	Respondents	
		5. ALDGATE 34 Compliance needs to be more fully enforced than is currently the case. 6. ALDGATE 40 It sounds very good, as long as the budget really does end up supplying adequate funding for all of this to be done. When the budget is tight, and cuts have to be made, will this be one of the areas targeted for heavy cuts?	
1	Needs more definition	1. ALDGATE 5 Still not well defined enough. A hard task I well understand but if any items in the policy are too open ended then any lawyer will have a field day when working against the Councils interests.	1. A lawyer would use relevant legislation in order to prosecute, those laws are highly prescriptive and contain the level of detail required.
6	General comments	**1.** STIRLING 44 "I think the Council should really push the education angle. I would have appreciated to have received a package of some sort, discussing the importance of native vegetation in the Adelaide Hill, when I moved here 10 years ago. Also, I think it would be great to highlight this every time an email or letter is sent out to rate payers. Working with schools etc is a great idea. Also, absolutely agree with **esuring fencing allows for movement of native fauna. Impenetrable fencing should not be allowed in much of the Adelaide Hills."** 2. MYLOR 4 I'd like to see something like: Council is committed to making public on an ongoing basis the implementation of its policies and detailed and comprehensive interactive land use map that has up to date assessment (including "not assessed", "not yet assessed but planned" and/or "no plan to assess") and means to drop comments by the public for any map location. For example, initially everything unknown could be "not assessed." 3. STIRLING 32 I would like for council to be supportive by permit, guidance & follow up support residents who wish to manage verge or areas adjacent to there residence in maintaining these areas under the provisions of the draft. 4. CROMER 27 Where is the idea that native wildlife need the vegetation to survive why is this left out? **5.** MOUNT TORRENS 31 Weed encroachment from council land into private and vice versa is a problem and threatens native vegetation. Much of significant removal of native vegetation comes from road and housing developments. **Overuse of blanket herbicide to manage weeds with off-target damage to native species (damage to native veg) which we should be encouraging particularly native grasses and herbs.** 6. ALDGATE 12 only that no-one will actually take any notice. **7.** "KENTON VALLEY 7 "6.2 is problematic. **I don't think Council should have the right to carry out remediation and simply present the bill to the relevant individual or organisation** - primarily because when people spend other people's money, the imperative to ensure that best value if achieved is usually missing. It also **opens the door for**	1. Noted. 2. Some information probably could not be made public due to legislation relating to privacy 3. Noted. 4. Native wildlife is referenced at 1.3, 'native/endemic species' includes wildlife and is referenced in 1.5, 3.2, 5.1 5. Noted 6. Noted 7. The impact assessment tool will determine the level of impact and guide decisions around whether interventions are required or regeneration is appropriate 8. Council have a procurement policy in place to ensure contractors have appropriate qualifications, licenses and insurances to undertake the work they are contracted to, and to ensure that work undertaken is to required standard/quality and agreed schedule of rates. 9. Noted. Will take into consideration when Policy implemented.

Volume of feedback	Theme including example comments	Respondents	
		back-door deals with mates to carry out such works with little control over costs. **8.** KENTON VALLEY 7 I would prefer this policy to read: 6.2 ""In the event of negative impacts to native vegetation on local government land, Council will as a first priority assess the degree of impact to determine whether remediation will be required. The nature and extent of remediation will be determined by the assessed long-term consequences of the damage. The individual or organisation responsible for the damage will be required to carry out such remediation as may be required by Council. In the event that such remediation is considered to be inadequate, or if the remediation is not undertaken at all, then Council reserves the right to complete or manage remediation itself and seek recovery of any subsequent costs."" 9. MOUNT BARKER 41 6.1.5 There should be an easy reporting mechanism for residents/visitors to report damage to native vegetation. And an ability to act/respond out of business hours as well.	
1	Calls to expand scope of Policy	1. LENSWOOD 47 The council's approach is specific to local government land. A proportion of the native vegetation within the Council boundaries exists in SAForestry land. While these areas could provide badly needed expansion to remnant vegetation of 10-20ha or less, there does not appear to be any proposed collaboration with other land holding government agencies in the Hills. Hundreds of hectares of land covered with various levels of native vegetation are being ignored and omitted from the overall Native Vegetation Plan. As neighbours to the Cudlee Creek Forestry land we have seen the demise of dense Stringybark forest that could have been regenerated to become higher quality habitat by the systematic removal of weeds, goats and deer. Instead it has been extensively cleared for a mountain bike park and removed the connectivity of our Heritage Agreement sites with a larger area of native vegetation and left them isolated. If the saving of the Adelaide Hills native vegetation is to succeed, s**houldn't there be stronger collaboration with other government agencies** to regenerate rather than destroy an opportunity to enhance the local native vegetation? 2. BRIDGEWATER 38 "Firstly, if it is not decided that it included as a principle (see above response) then the following should be incorporated in the Policy Statement in some way instead: the importance of seeking, where appropriate, **formal protection for high value native vegetation and conservation value** on local government land. (e.g. Heritage Agreements, Native Vegetation Marker System, etc.). 3. CRAFERS WEST 11 A clear indication that the AHC will undertake **feral rabbit and deer control** in a pro-active manner, rather than finally doing it after other councils had already started.	1. The Policy is specific to LG land, however many biodiversity projects implemented under the Biodiversity Strategy are collaborative and we regularly engage with other land managers in the AHC region – e.g. Council recently won a $1.97 Million grant for a riparian restoration project with much of this being allocated to DEW and National Trust, also regularly collaborates with Landscapes Hills & Fleurieu 2. Included/addressed previously on section 5 of the Policy and new principle 6.1.6 added for consideration by the chamber. Remnancy will be factored into impact assessment tool 3. Council has an annual rabbit control program, you can read about it on the website. We could also include this in our Biodiversity Strategy

Volume of feedback	Theme including example comments	Respondents	
	Concerns around uncontrolled weeds degrading native vegetaiton	1. MOUNT BARKER 41 "6.1.1 Community/landowner education should encouragement/incentives for planting native vegetation in their own gardens (so they can see the benefits). Council should lead the way by only preferencing planting native vegetation themselves on all Council owned land. Education should include more than just information on Council website and Facebook but being proactive by having Council staff visit all those people who live adjacent reserves, road reserves etc and explain the **negatives of growing invasive plant species on** their land. If they live adjacent patches of remnant vegetation then what they grow on their land may escape into the native patches. 2. PICCADILLY 45 Community education should also include information on managing private property so i**ndividuals do not impact their environmental and declared weeds on other land owners' properties and on council land and verges.** 3. MOUNT TORRENS 31 **Weed encroachment from council land into private and vice versa is a problem and threatens native vegetation.** Much of significant removal of native vegetation comes from road and housing developments. Overuse of blanket herbicide to manage weeds with off-target damage to native species (damage to native veg) which we should be encouraging particularly native grasses and herbs. 4. MYLOR 19 I would LOVE the education outlined in 6.1.1 to include the importance of the removal of weed species -- i**n >20 years of living in the hills** and maintaining our Heritage Agreement property **I am yet to see weeds dealt with effectively** and am pretty sure that it's because most people think that they're native species or are just too frightened of getting it wrong. (Except for SAPN tree-loppers, they just manicure weeds so they have a job to do next year, everyone's power bills be damned.)	5.
	Suggestions for education materials/approaches to be developed	1. MOUNT BARKER 41 "6.1.1 **Community/landowner education should encouragement/incentives for planting native vegetation in their own gardens (so they can see the benefits).** Council should lead the way by only preferencing planting native vegetation themselves on all Council owned land. Education should include more than just information on Council website and Facebook but being proactive by having C**ouncil staff visit all those people who live adjacent reserves, road reserves etc and explain the negatives of growing invasive plant species on their land.** If they live adjacent patches of remnant vegetation then what they grow on their land may escape into the native patches. 2. WOODFORDE 23 **Education is key and can be done in partnership with community organisations and groups.** This is because like many environmental issues native vegetation needs to be understood by the residents and community for it to work effectively **3.** FOREST RANGE 33 **I think a lot of work is needed to educate property owners in rural areas as to the importance of retaining high**	1. Noted. Will take into consideration when revising existing educational materials and developing new ones. 2. Noted. Will take into consideration when revising existing educational materials and developing new ones. 3. Noted. Will take into consideration when revising existing educational materials and developing new ones. 4. Noted. Will take into consideration when revising existing educational materials and developing new ones. 5. Noted. Will take into consideration when revising existing educational materials and developing new ones. 6. Noted. Will take into consideration when revising existing educational materials and developing new ones.

Volume of feedback	Theme including example comments	Respondents	
		quality native vegetation, where most see it as a fire risk and want to self manage. i**nformation packs to new rate payers or similar could be a good start?** 4. MYLOR 19 I would LOVE the education outlined in **6.1.1 to include the importance of the removal of weed species** -- in >20 years of living in the hills and maintaining our Heritage Agreement property I am yet to see weeds dealt with effectively and am pretty sure that it's because most people think that they're native species or are just too frightened of getting it wrong. (Except for SAPN tree-loppers, they just manicure weeds so they have a job to do next year, everyone's power bills be damned.) 5. STIRLING 44 "I think the **Council should really push the education angle. I would have appreciated to have received a package of some sort, discussing the importance of native vegetation in the Adelaide Hill, when I moved here 10 years ago.** Also, I think it would be great to highlight this every time an email or letter is sent out to rate payers. Working with schools etc is a great idea. Also, absolutely agree with esuring fencing allows for movement of native fauna. Impenetrable fencing should not be allowed in much of the Adelaide Hills." 6. PICCADILLY 45 **Community education should also include information on managing private property** so individuals do not impact their environmental and declared weeds on other land owners' properties and on council land and verges.	
	Support for recovering cost from those undertaking damaging activities	1. MOUNT BARKER 41 6.2 Y**es, Council must recover costs from the individual or organization, and include all costs - human resources, sourcing plants, equipment etc.** This should not be an option. Because if Council doesn't recover costs then the perpetrators have got off lightly. 2. BIRDWOOD 17 **6.2 makes me happy**	1. Noted. 2. Noted.
	Recommend Impact assessment tool developed with internal/external expertise	1. NORTON SUMMIT 14 "6.1.5 is good but the devil is in the detail. The **assessment tool should be developed and tested with appropriate internal and external expertise**. 2. BRIDGEWATER 38 Further, I would be wary of being too prescriptive in the policy about what **the impact assessment tool** will do (6.1.5.1) unless the Council is sure that they will adopt this approach as written - especially as, ideally, its **development should draw upon the expertise of the Native Vegetation Branch** of the Dept of Environment and Water before it is finalised."	1. Noted. Will take into consideration when Policy implemented. 2. Wording adjusted. The impact assessment tool will be made public, but as it is an administrative/procedural tool, the Policy is not the appropriate place for the assessment criteria to be detailed.

Q11 (Do you have any concerns if this Policy comes into operation? Please share them below.)

Volume of feedback	Theme including example comments	Respondents	Council response
2	Concerns/anxiety around increasing rates	1. ALDGATE 2 "- I am concerned this is going to increase my rates even further. They are already triple what they were when I moved in 15 years ago. Why are you concerned about this? I would prefer to see you address your core competencies better - like road maintenance, Hills roads are in a sorry state. I am concerned that this will be used as yet another anti-development tool - another example of how you have been captured by the Greens. The concept of an 'impact assessment' does not include any specific metrics, so it will be totally up to you to determine the ""impact"" - meaning it could be abused to suit your political aims." 2. ALDGATE 9 Yes... my rates will go up to pay for an ineffective service	1. Noted 2. Noted
3	Needs to be adequate education/promotion	1. MYLOR 6 "Promotion. Clear guidelines. Staff training. 2. MYLOR 17 As outlined above, I think that without really solid weed identification education support, people will err on the side of not removing ANY vegetation in case of getting it wrong -- if you make something difficult, people won't do it even if it's the right thing to do. Importantly, property owners need to understand that maintaining the integrity of (native) roadside vegetation and reducing weed-load/fire risk is their responsibility, not the Council's. 3. WOODFORDE 23 Native vegetation can be difficult to identify without professional help. There may also be native vegetation from other parts of Australia that could be considered a pest here. Native Vegetation changes over time and may not always show the full picture of what is and can grow there. The habitat created by native vegetation is also not always clear as fauna are not always sited and using their potential habitat	1. Noted – could be incorporated in education materials/programs. 2. Noted – could be incorporated in education materials/programs. 3. Noted – could be incorporated in education materials/programs.
	General Comments	1. CROMER 27 Nothing about native animals 2. KENTON VALLEY 7 I'll reserve judgement until the first complaint is lodged. 3. ALDGATE 12 It is the gradual loss of biodiversity which is the problem. Unless people want to look after it, they will ignore council and just do what they want. 4. BRADBURY 24 See 9. 5. IRONBANK 29 "As listed above - none of the 8 Acts that are linked to this policy are new So there should be no change operationally as the Council is (should) already be following the Law." 6. LOBETHAL 15 It needs to not just apply to third party activity on council land but also apply to council activities and administration decisions. I think it could go further and position Council to be more of a guardian for native vegetation and holding State authorities to account for action or lack of action in dealing with illegal clearance offences under Native Vegetation Act, which seems frequent in our district. ,	1. Addressed previously 2. Noted 3. Noted 4. Addressed previously 5. There are legislative 'gaps' where Council has some authority to determine if and how much native vegetation can be cleared. This Policy intends to guide decision making where Council has discretion. 6. Noted.

Volume of feedback	Theme including example comments	Respondents	Council response
4	Concerns around the Policy hindering resident activities on road reserves	1. MOUNT TORRENS 31 For example, planting out road verges, I've seen a great examples of this. We want to encourage "native" planting of road verges but important that the right species are selected, and that the area is going to be maintained. Will the Policy make it harder for residents to get approval to undertake road verge planting? E.g. more "red tape"! 2. BIRDWOOD 17 12. we shall in the future wish to put a driveway through a verge. one boundary is approximately 1.8 kms with one only access point 3. BALHANNAH 8 Many rural landholders maintain the adjacent roadside to control weeds, and for some species have an obligation to do so. If this policy comes into place there are likely to be many requests that will be hard for AHC to refuse to control weeds on their land. 4. MYLOR 17 As outlined above, I think that without really solid weed identification education support, people will err on the side of not removing ANY vegetation in case of getting it wrong -- if you make something difficult, people won't do it even if it's the right thing to do. Importantly, property owners need to understand that maintaining the integrity of (native) roadside vegetation and reducing weed-load/fire risk is their responsibility, not the Council's.	1. The Policy will make it harder for residents to remove native vegetation in order to plant out exotic plants, but will not make it harder for residents to undertake weed control 2. This activity would require an application to alter a road reserve. 3. Noted. 4. Noted – could be incorporated in education materials/programs.
7	No major concerns/supportive of the Policy	1. MYLOR 35 No concerns. 2. ALDGATE 36 None 3. BRIDGEWATER 38 No - other than seeing the refinements as proposed above, especially the formal protection component. 4. MYLOR, SA No 5. , MYLOR 28 No. I would fully welcome them. 6. ALDGATE 5 No not really except for what I have highlighted above. 7. NORTON SUMMIT 14 It sounds like Council is attempting to balance decisions and to be fair to all involved. I hope that there is the will to be tough when needed to protect what is left of biodiversity values on council lands.	1. Noted 2. Noted 3. Noted. 4. Noted 5. Noted 6. Noted. 7. Noted.
10	Concerns regarding lack of adequate resourcing/enforcement action to ensure success of the policy	1. MOUNT BARKER 41 "Council needs to be properly resourced in order to enact the Policy in a meaningful way. 2. Council planners need to be more pro native vegetation when in discussions with developers and fully encourage the retention of native veg on private property." 3. CRAFERS WEST 46 Lack of compliance 4. BRIDGEWATER 48 "It seems that implementing this policy will demand a lot of andministrative work: undertaking assessments in order to then be able to assess impact, developing a register of ecological values (3.11) in addition to the biodiversity register (3.3), requiring permits for all activities on local government land (5.3). It is not clear how this will be prioritised or funded? Whilst I am	1. Noted. 2. Noted. 3. Noted 4. Most of our sites currently managed for conservation purposes are already assessed regularly for vegetation condition for monitoring purposes. Sites are already assessed as part of permit application processes. 5. Noted. 6. Noted. 7. Noted. 8. Noted. 9. Noted. 10. Noted.

Volume of feedback	Theme including example comments	Respondents	Council response
		supportive of the intent I am aware that these initiatives will be time consuming 5. ALDGATE 49 That there is adequate funding for implementation and enforcement. 6. MOUNT TORRENS 13 Yes it will be a policy that never gets done just more writing on paper. 7. MOUNT TORRENS 16 The council needs to follow through, with the policy. Don't think it has the people power to do this, so once again the native vegetation will decline. 8. STIRLING 30 It needs to be supported by resources, strong oversight, and real consequences for damage to the environment. 9. WOODSIDE 22 My only concern is how will council respond to reports of illegal clearance. Is there a dedicated team for this? Are there enough resources to effectively manage these issues? 10. NORTON SUMMIT 14 It sounds like Council is attempting to balance decisions and to be fair to all involved. I hope that there is the will to be tough when needed to protect what is left of biodiversity values on council lands.	

Native Vegetation and Conservation Policy Feedback Table

The following summary includes key engagement feedback themes received across all forms of engagement along with responses from Council administration.

Q13 (Is there anything missing from the Policy that you feel should be included?)

Volume of feedback	**Theme including example comments** (full list of comments can be viewed in appendix x)	**Respondents**	
1	Policy should be more specific	1. ALDGATE 2 Any specifics. This is just deliberately vague.	
6	Education	1. MYLOR 6 A brief reference/link to legislation that relates to vegetation on private land to both prevent breaches and align with councils policy. 2. MOUNT TORRENS 31 Make it clearer in Policy as per No. 12 how it will directly affect residents. Right use of language so better understanding what it means to them and if they cause damage or don't get approval what are the potential risks/fines/litigation etc. Need to specifically define the areas of council land that are applicable under Policy, it's not always clear as a resident what land is owned by who? Maps, definitions, examples etc 3. BRADBURY 24 "I think it needs to be front and centre what council /expectation is of land owners with relation to remnant vegetation on road verges (who is responsible and what you can do) prior to people buying in the hills. Maybe then there would be better outcomes. Wanting people to maintain it.....but demanding a permit applied for before you touch it, and leaving people to figure that out and do themselves seems contradictory to me in terms of the outcomes that will result." 4. PICCADILLY 45 Education for all landholders to understand the value of the Adelaide Hills and how they can help manage it without destroying this value. 5. BRIDGEWATER 48 This policy does not acknowledge that pockets of council land are already 'managed' by voluntary group or outline how such volunteers will be educated. 6. WOODSIDE 22 What is the role of the Native Vegetation Council here?	1. Relevant legislation referenced at beginning of Policy. Could be added to education materials/program. 2. Noted. Could be added to education materials/program. 3. Noted. Could be added to education materials/program. 4. Noted. Could be added to education materials/program. 5. Better addressed in the Biodiversity Strategy 6. Native Vegetation Council has legal authority to act on native vegetation clearance on both private and public property. Could be added to education materials/program.
2	Should address bushfire management	1. KENTON VALLEY 7 As noted above, there should be considerable thought given to how AHC intends to minimise future bushfire risk. The level of destruction of habitat and wildlife which occurred during the Cudlee creek fire is testament to the lack of any credible fuel reduction or firebreak development strategies. Bushland Park provides the best example of the benefit of hazard reduction burning; in September 2019, a controlled burn was conducted just around the north shore of the old reservoir (the only time that I am aware that such a burn has been undertaken since we moved here in 1994). The burn was carefully controlled by the CFS and effectively minimised the fuel load such that when the Cudlee Creek fire blasted through the Park, the ONLY trees which did not burn through the crown - thus providing an opportunity for	1. How Council addresses bushfire risk is addressed in the Bushfire Landscape Mitigation Strategy. 2. How Council addresses bushfire risk is addressed in the Bushfire Landscape Mitigation Strategy. Environmental Health and Cultural Benefits are encompassed by the term 'ecosystem services' referenced at 5.1 & defined in the glossary at 3.7.

Volume of feedback	Theme including example comments (full list of comments can be viewed in appendix x)	Respondents	
		critters to escape - were in the area of the controlled burn. EVERY OTHER TREE in the park lost its crown and many have never recovered. Quite simply, this is due to the fact that there was no fuel reduction strategy in place even before 1994 - probably no controlled burn had occurred in at least the last 50 years if not longer. 2. WOODFORDE 23 Connection to the bushfire risk associated with keeping or managing native vegetation. Also highlighting the environmental, health and cultural benefits associated with native vegetation.	
	Should address pre-existing land use	1. BALHANNAH 8 As mentioned earlier, recognise the need to balance pre-existing uses with vegetation protection, particularly around access rights to corridors.	1. Addressed in 1.1 - Council is entrusted to manage these areas for the benefit of the community, maintaining equity and fairness in use and enjoyment of local government land and roads as well as the natural ecological values of the land.
	General comments	1. NORTON SUMMIT14 Already mentioned above 2. LOBETHAL15 As per previous answer could go a lot further. 3. ALDGATE 12 It needs to be delivered personally to every landholder and explained 4. IRONBANK 29 "As per the general feedback - Totally unnecessary time wasting by Council. Use the appropriate Acts already in Place, without pulling out and highlighting your preferences" 5. BRIDGEWATER 38 Yes - refer above. 6. ALDGATE 5 Not at this point except that it needs to be always explained as "Native Vegetation Habitat" not just "Native Vegetation" as we need to understand its ecosystems management not inert tree management in isolation 7. ALDGATE 40 Maybe well-publicised fines for violations of the policy (assuming Council has the authority to levy such fines). 8. BIRDWOOD 17 I would like to see the permanent use of cameras on blue marker roadside reserves 9. MOUNT TORRENS 13 Yes no more subdivisions allowed in rural areas and water catchment areas! Plant more natives on roadsides not invasive species from other other countries. Rid date palms, agapanthas, ash trees etc etc.	1. Noted 2. Noted 3. Noted 4. Addressed previously 5. Addressed previously 6. Habitat referenced at 1.3, 1.5, 3.2, 3.12, 5.1 and considered sufficient. 7. Noted. 8. Noted. 9. Noted.
	Policy should be expanded to include restoration of native vegetation/acquisition of land	1. FOREST RANGE 33 I'm not sure if Council has a restoration/regeneration policy? Given Council owns so much land (357ha of land parcels and 00's km of road reserves), are there considerations in place for restoring native vegetation forests on these lands? It would seem to fit into a policy on the conservation of native vegetation but I'd expect Council to be trying to maximise its ecological impact with the land it has available (within the constraints of a rates based organisation..). There are mechanisms available to assist, track and fund restoration projects (https://restor.eco/?, for example), if it is of any use.	1. Restoration and regeneration initiatives are developed and implemented through Council's Biodiversity Strategy. 2. Purchase/acquisition of land not considered viable at this time, reclamation of alienated lands is though. 3. New Principle added 6.1.6. : Formal protection of native vegetation and land of conservation value where biodiversity value criteria can be met through Heritage Agreements and inclusion in the Native Vegetation Marker System and Biodiversity register 4. Council investment into native forestry not considered core business or viable at this time.

Volume of feedback	Theme including example comments (full list of comments can be viewed in appendix x)	Respondents	
		2. GUMERACHA 39 Land should be acquired to re link corridors of native vegetation where possible 3. MYLOR 28 A stronger commitment to identifying, protecting and enhancing the most endangered ecosystems or species. 4. CROMER 27 Plantation forestry.	
	Nothing missing	1. MYLOR 35 Nothing that I can see. 2. ALDGATE 36 No	
	Policy should be expanded to include private property	1. MOUNT BARKER 41 All development throughout the district should be trying to avoid the further removal of native vegetation and that Council can be more proactive in advocating to retain native vegetation in public and private land (especially private land adjacent Council reserves etc). 2. ALDGATE 49 not sure if fits here but how council supports residents with native vegetation on their property	1. Education program could help to advocate values of native vegetation on private property. Policy seeks to reduce impacts of developments on native vegetation where Council has authority. 2. Private property is outside the scope of this Policy. The Stewardship Officers of the Landscapes Hills and Fleurieu Board support residents with native vegetation on their property. If native vegetation on a private property is placed under Heritage Agreement, the owner can receive a reduction in council rates and certain taxes such as Land Tax and the Emergency Services Levy. The reduction in rates and tax apply to the part of the property under Heritage Agreement. Heritage Agreement owners then have access to Heritage Agreement Officeers form the Native Vegetation Council and Heritage Agreement Grant Scheme. This information can be included in the education materials developed.
	Detail collaboration with government agencies	1. LENSWOOD 47 As mentioned above, collaboration with other government agencies is missing.	1. How Council collaborates with other agencies is outlined in the Biodiversity Strategy.

Native Vegetation and Conservation Policy Feedback Table

The following summary includes key engagement feedback themes received across all forms of engagement along with responses from Council administration.

Q15 (Do you have any final comments or feedback that you haven't already provided?)

Volume of feedback	Theme including example comments		
10	Support & encouragement for Council & the Policy	1. BRIDGEWATER 10 please keep up the great work to preserve what remains of our bushland and native vegetation 2. MYLOR 43 Council employees and communities supporting each other for better outcomes is very welcome. 3. ALDGATE 5 Well done on putting this policy together. It is and always should be a works in progress but its a great baseline to have in action ! 4. BRIDGEWATER 38 Thank you to the Biodiversity team for all their efforts and success on such few resources! We need to expand your team with some dedicated grant writing to generate additional grant income - the recent money for Cox's creek is an example of what the team can already achieve, imagine what they could achieve with more resources! So if you're an elected member reading this, get to it! :) 5. ABERFOYLE PARK 21 "As someone who is professionally involved with maintaining Council's Native Vegetation reserves, I consider this policy to be crucial to my work. Trees For Life has enjoyed council's support in improving the standard of the region's precious remaining indigenous biodiversity for some decades now. Empowering AHC staff with a structured plan to manage incursions and have more control in gaining positive outcomes for the ecosystem, will only serve to strengthen our relationship." 6. MYLOR 28 Thank you for your proactive and ongoing commitment to protecting what is left of our threatened native vegetation. This is an example that other Councils could also benefit from. 7. ALDGATE 36 The policy allows for a measured assessment of existing native vegetation and quantification of destruction, and ties this to a penalty. Once applied, it should help to dissuade future clearance on roadsides, unformed public roads and other Council land. 8. HAHNDORF 3 As long as there is implementation and not just consultation!!	Noted, thank you for your support.
1	Request that impact assessment tool approved by ratepayers before enacted	KENTON VALLEY 7 An impact assessment tool will be used to determine an impact score which will be used to assess and define conditions for permits and leases for applications that may impact native vegetation or land or road of conservation value. " It would be a very good idea to provide an exposure of the impact assessment tool to ratepayers prior to its adoption by Council, to enable its effect to be considered in relation to some relevant 'worked example' development applications. "	The impact assessment tool will align with the Native Vegetations Branch's tools and be made publicly available.
1	Frustration about rabbits	CRAFERS WEST 11 The AHC was extremely slow to react to the recent rabbit plague in the area. Mt Barker Council was way ahead and very pro-active! When I phoned to ask what the AHC was doing, I was told that the answer was "nothing as yet". I asked if they knew that MT Barker had already	Council have an annual rabbit control program, detailed on the website. Council participate in K5 releases but do not use pindone as this is lethal to Southern Brown Bandicoots and many other threatened species in the AHC region.

Volume of feedback	Theme including example comments		
		started releasing the calici virus, and it was suggested I might move to the Mt Barker Council area. The tardiness of the AHC cost me several thousand dollars in wasted brand new plants. As there is a new rabbit plague apparently on the way, let us hope that the AHC is a lot more efficient this time around!!!	
2	Concerns over native vegetation/biodiversity loss	1. ALDGATE 12 Biodiversity loss is increasing exponentially. According to all the experts it is now at about 40% and doubling every twenty years. So! Maybe it is all too late. 2. BIRDWOOD 17 people need to respect what we have or we won't have it	1. Noted 2. Noted
1	Request to specifically address watercourses in the Policy	BRIDGEWATER 20 "While the policy is generally very clear I was surprised there is no specific mention of waterways, even if this was just to clarify the limit of the Council's involvement in 'protecting and conserving' this aspect of the natural environment. The policy seems particularly concerned with stating the Council's role and proposed powers to protect native vegetation on lands and road reserves / verges etc. - there are many references to 'buffer zones', clearing, grazing, fencing, encroachments, 'made and unmade roads' etc. and one wonders if the use of the word 'land' here sufficiently includes watercourses as part of that. I understand much of the responsibility for watercourses is undertaken by LandscapeSA Hills and Fleurieu (and the EPA) but I notice there is clear reference to Council's own interest in and responsibilities for watercourses in the Biodiversity Strategy (pge. 13) including producing a Management Plan for key rivers and creeks etc. in the region - so perhaps the policy could also cover any capacity the AHC has to protect these watercourses and their riparian zones. Watercourses no less than solid land need proper management - while certain activities and unregulated processes can degrade reserves etc., such as land clearing, or the spread of invasive weeds, watercourses are so much more dynamic and so are particularly vulnerable to the transmission of invasive plants able to take over from native species, and to the spread of unwanted material to lands far downstream. I would contend that Council should have some basic powers to enforce landowners, at least in certain circumstances, to remove invasive listed plants (even Willows/Ash) from their watercourses if to not do so would lead to the spread of such plants to Council and private lands."	Local Government Land is inclusive of riparian zones. Have updated the definitions at 3.11 to reference riparian zones. The new biodiversity strategy can include more detail around actions Council can investigate/undertake to support watercourses. Council do not have legislative powers to compel landholders to manage weeds on their property outside the scope of the Fire & Emergency Services Act, but Landscapes Hills & Fleurieu do. They are also the regulatory body for watercourses and water resource planning.
1	Penalties could be allocated to offset damages	MYLOR 35 Perhaps it is appropriate to use a fine system for clearance, and then those funds can be used to either look after existing vegetation or remediate where considered appropriate."	Can be investigated if Policy is adopted.
1	Request to exclude humans/dogs from Conservation areas	ALDGATE 40 I'd like to comment on Section 1.4 of the Introduction: "Council is entrusted to manage these areas for the benefit of the community, maintaining equity and fairness in use and enjoyment of local government land and roads as well as the natural ecological values of the land." Given the small amount of native vegetation left in this State, I think the guiding principle should be to conserve these areas as much as possible, which may involve excluding humans from the area. There are already plenty of areas where people can enjoy themselves, and sadly, I have noticed that for some	Council would not want to exclude much valued volunteers from land of high conservation value. There are many parcels of Council land not accessible to the public. However, where Reserves have historically been accessed for passive recreation purposes, these would not be revoked, humans need to connect with nature to build stewardship motivation. However, in situations where an endangered or critically endangered species were identified, isolation from the general public may be required

Volume of feedback	Theme including example comments		
		people "enjoying themselves" is often incompatible with nature conservation, dog-walkers being a prime example. Most that I have encountered, eg along Cox Creek and in Woorabinda Reserve, have no respect for "dogs on leash" signs, or for what impact allowing their dog into a creek or body of water will have on the wildlife. And I constantly see dog droppings along the way, or little green bags of dog droppings tossed into the bush. So I'd rather see people excluded from the Council-owned areas that have high conservation value.	to conserve that species. Dogs off leash you can be reported to the Council Rangers.
4	General comments	1. MYLOR 42 7.1 CEO should only have ability to approve, amend, review the Policy if they are suitably qualified. i.e. have biodiversity qualifications. 2. CROMER 27 Why can we not value the native vegetation - some sort of value adding to a place suburb township etc. , 3. IRONBANK 29 "This is the reason why Councils need to be dissolved. This sort of decision making is not appropriate for individual councils to make - it is a state wide requirement." 4. MOUNT TORRENS 13 Get out of the office & do your job that I pay for through rates and taxes on top of taxes!	1. CEO reviews by delegation to staff with the correct skill sets. 2. Pg 5 of Council's Strategic Plan details in it's Guiding Principles: Natural Environment We acknowledge the natural environment as the foundation of the character of the Adelaide Hills landscape. We seek to minimise negative impacts and pursue conservation and other positive environmental outcomes. The Policy aims to support and implement this 3. Noted. 4. Noted
3	Frustration with Native Veg clearance and/or lack of enforcement on private land	1. STIRLING 44 I have answered 'neutral' for question 14 solely because I think the **policy draft is fine for public land but not for the decimation of native flora and fauna on private land. I think Council and interested rate payers need to find a way to stand up to being overruled by the State Government, if it benefits our declining biodiversity.** T**he Council knows the needs of the area more than the State Government.** 2. " PICCADILLY 45 "As custodians of AHC land we need to act responsibly to look after this land including what is left of the native vegetation and animals. **I have a small patch of remnant Endemic vegetation which is becoming increasingly difficult to protect as many new residents to the area (all of my 3 adjacent properties) have no idea how to do this. Some scalp the native grasslands** and let environmental weeds and declared plants, infiltrate their properties and then all of the properties around them.	1. The new Biodiversity Act may help address some of these concerns. 2. See 1 above. 3. Noted.
3	Concern/Frustration regarding uncontrolled weeds	1. " PICCADILLY 45 "As custodians of AHC land we need to act responsibly to look after this land including what is left of the native vegetation and animals. **I** have a small patch of remnant Endemic vegetation which is becoming increasingly difficult to protect as many new residents to the area (all of my 3 adjacent properties) have no idea how to do this. Some scalp the native grasslands and l**et environmental weeds and declared plants, infiltrate their properties and then all of the properties around them.** 2. BRIDGEWATER 20 "While the policy is generally very clear I was surprised there is no specific mention of waterways, even if this was just to clarify the limit of the Council's involvement in 'protecting and conserving' this aspect of the natural environment. The policy seems	1. Noted 2. Noted 3. Noted

Volume of feedback	Theme including example comments		
		particularly concerned with stating the Council's role and proposed powers to protect native vegetation on lands and road reserves / verges etc. - there are many references to 'buffer zones', clearing, grazing, fencing, encroachments, 'made and unmade roads' etc. and one wonders if the use of the word 'land' here sufficiently includes watercourses as part of that. I understand much of the responsibility for watercourses is undertaken by LandscapeSA Hills and Fleurieu (and the EPA) but I notice there is clear reference to Council's own interest in and responsibilities for watercourses in the Biodiversity Stategy (pge. 13) including producing a Management Plan for key rivers and creeks etc. in the region - so perhaps the policy could also cover any capacity the AHC has to protect these watercourses and their riparian zones. Watercourses no less than solid land need proper management - while certain activities and unregulated processes can degrade reserves etc., such as land clearing, or the spread of invasive weeds, watercourses are so much more dynamic and so are particularly vulnerable to the transmission of invasive plants able to take over from native species, and to the spread of unwanted material to lands far downstream. I would contend that **Council should have some basic powers to enforce landowners, at least in certain circumstances, to remove invasive listed plants (even Willows/Ash) from their watercourses if to not do so would lead to the spread of such plants to Council and private lands.** 3. GUMERACHA 39 Weed eradication in and around critical native vegetation is also vital.	
1	Suggestions for education content/approach	PICCADILLY 45 "In conjunction with your draft policy I would like to see a comprehensive education program (possibly in the form of a brochure or roadside posters or a television program like the current one on feral pests) identifying these problem plants with pictures and information about how they reproduce and spread to surrounding properties and verges and how much damage this does to native plants and animals. This also creates extra maintenance for the properties around them. One educated and responsive owner to identifying and managing the weed problems on their property can prevent massive future weed problems for our other landholders and the council. The education could also include identification of local native plants and grasses."	Noted. Can incorporate into education materials if Policy is adopted.

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 October 2025
AGENDA BUSINESS ITEM

Item:	**12.3**
Responsible Officer:	**Zoë Gill** **Executive Governance Officer** **Office of the CEO**
Subject:	**Frequency and duration of Elected Member leave of absences**
For:	**Decision**

SUMMARY

At the 12 August 2025 meeting, Council resolved that the CEO to prepare a report for the 28 October 2025 meeting on the frequency and duration of Elected Member leave of absences.

This report presents elected members with the information, analysis and options requested to make an informed decision in relation to any policy changes or other decisions that relate to leave of absences.

RECOMMENDATION

Council resolves:

1. **That the Frequency and duration of Elected Member leave of absences report be received and noted.**
2. **Any other decision of Council (see options section of this report)**

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1. BACKGROUND

At the 12 August 2025 meeting, Council resolved for the CEO to prepare a report for the 28 October 2025 meeting on the frequency and duration of Elected Member leave of absences.

Moved Cr Adrian Cheater
S/- Cr Chris Grant 273/25

The Council requests the Chief Executive Officer to prepare a report for consideration at the 28 October 2025 meeting which:

1. Examines the frequency and duration of Elected Member leave of absence approved by Council over the current Council term.

2. Analyses the impacts of ongoing or extended leave on:

   a. Council's ability to achieve quorum and conduct its business efficiently.

   b. The workload, responsibilities, and representation borne by Elected Members who continue to attend meetings.

3. Assesses the governance and reputational risks associated with repeated or ongoing Elected Member absences, particularly in the context of community perception, transparency, and accountability.

4. Presents options for Council to address high levels of leave of absence, including potential amendments to Council policy, meeting procedures, and any relevant legislative advocacy.

5. Identifies policy opportunities to acknowledge leave of absence request as 'medical', including recommendations for supporting evidence in such occurrences.

Carried Unanimously

This report presents elected members with the information, analysis and options requested to make an informed decision in relation to any policy changes or other decisions that relate to leave of absence approvals.

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.

This report aligns with the Strategic Plan 2024 - *Your place, your space*, specifically supporting the goal of fostering an effective and transparent organisation.

➢ Legal Implications

The rules for leave of absence are outlined in the:

a) *Local Government Act 1999* (the Act)
b) Council's Code of Practice for Meeting Procedures

Section 54(d) of the Act outlines that the office of a member of council becomes vacant if the member is removed from office by the council, on the ground that he or she has been absent, without leave of the council, from three or more consecutive ordinary meetings of the council.

Clause 7.5 of the Code of Practice for Council Meeting Procedures outline the requirements for requesting a leave of absence. This is limited to the logistics of requesting the leave of absence and does not provide any guidance to Council on considerations for granting the request.

- **Risk Management Implications**

The development of a leave of absence framework will assist in mitigating the risk of:

Poor governance practices leading to a loss of stakeholder confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (SC)	Low (3E)	Low

- **Budget, Financial and Resource Implications**

There are no budget or financial implications from providing a report to Council. Should Council determine to request new or amended policies or advocacy work is undertaken, this can be resourced by the Governance team's existing FTE.

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

The community expects that elected members attend Council meetings and that there is an appropriate framework for leave of absences.

- **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**

Council resolution (273/25) requests the following information:

1. the frequency and duration of Elected Member leave of absence approved by Council over the current Council term
2. the impacts of ongoing or extended leave on:
   a) Council's ability to achieve quorum and conduct its business efficiently
   b) The workload, responsibilities, and representation borne by Elected Members who continue to attend meetings.
3. the governance and reputational risks associated with repeated or ongoing Elected Member absences, particularly in the context of community perception, transparency, and accountability.
4. options for Council to address high levels of leave of absence, including potential amendments to Council policy, meeting procedures, and any relevant legislative advocacy.
5. policy opportunities to acknowledge leave of absence request as 'medical', including recommendations for supporting evidence in such occurrences.

Each of these items are discussed in detail in the remainder of this report. First, this report outlines the methodology undertaken to support the analysis.

Methodology of Analysis

The analysis in this report is supported by:

- a survey conducted with elected members
- a qualitative analysis of all leave of absences over the current term of Council
- a desk top review other Councils' approaches to leave of absences

Survey

Elected Members were given the opportunity to complete a targeted survey to allow the Administration to gather information necessary to provide analysis on the qualitative aspects of the information requested in resolution (273/25).

Eight (8) of the nine (9) serving elected members completed the survey. This means that the survey respondents do not include all elected members who have requested leave of absence over the Council term, due to:

- four elected members resigning prior to either the Council resolution or the survey being conducted
- one elected member did not respond to the survey
- three elected members beginning their Council term after the survey was finalised

The survey results are provided in ***Appendix 1*** with analysis and patterns examined further below.

Qualitative analysis of leave of absences

A review of all approved leave of absences over the current term was undertaken and the data is presented in ***Appendix 2*** with analysis and patterns examined further below.

Desk top review other Councils' approaches to leave of absences

A desktop review was conducted to examine how other South Australian councils manage leave of absence requests. This included analysis of publicly available policies and procedures, as well as engagement with the Governance Network—an online community of council governance professionals across South Australia. Councils were selected based on size, with larger Councils and Councils who had responded via the Governance Network being reviewed. A range of practices were revealed with no common theme. A summary of these findings is provided in ***Appendix 6***.

One example of is the City of Burnside's *Council Members Policy*, which includes a section on leave of absence requests. This policy also addresses related elected member governance matters such as gifts and benefits, register of interests, conflicts of interest, access to information, building access, wearing of robes, and recognition of service it provides an example. A copy of this policy is included in ***Appendix 7*** for reference. Should Council determine that it would like to implement a similar Policy, options are discussed further below.

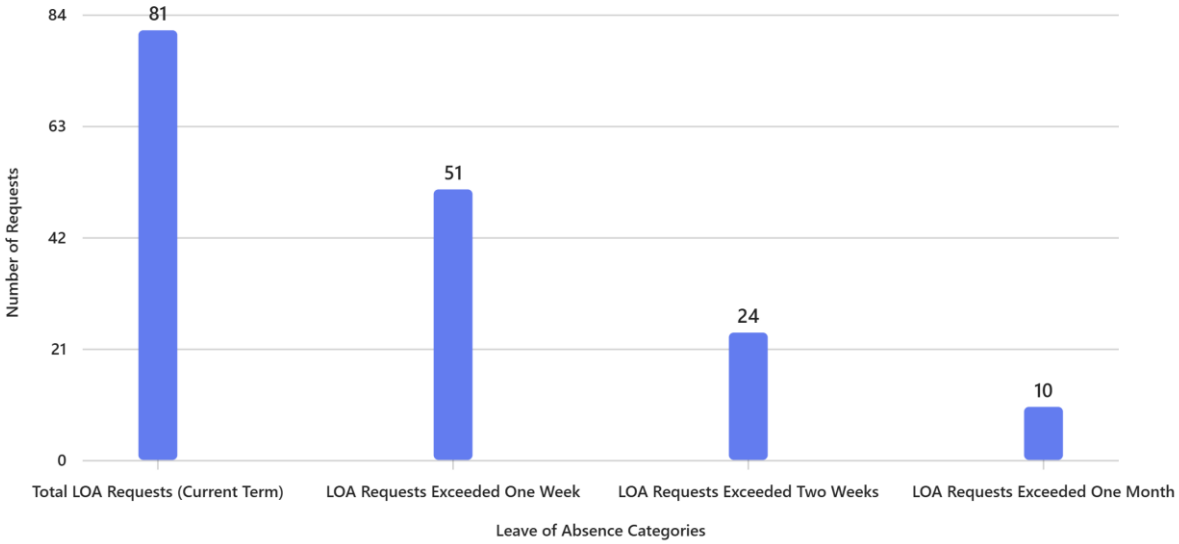
1. <u>Frequency and duration of Elected Member leave of absence approved by Council over the current Council term.</u>

In the current Council term 81 leave of absence requests have been approved by Council (see Chart 1).

Of the leave of absence requests that have been approved by Council over the term:

- 51 requests (63%) have exceeded 1 week
- 24 requests (30%) have exceeded 2 weeks
- 10 requests (12%) have exceeded 1 month

Chart 1: duration of leave of absence request

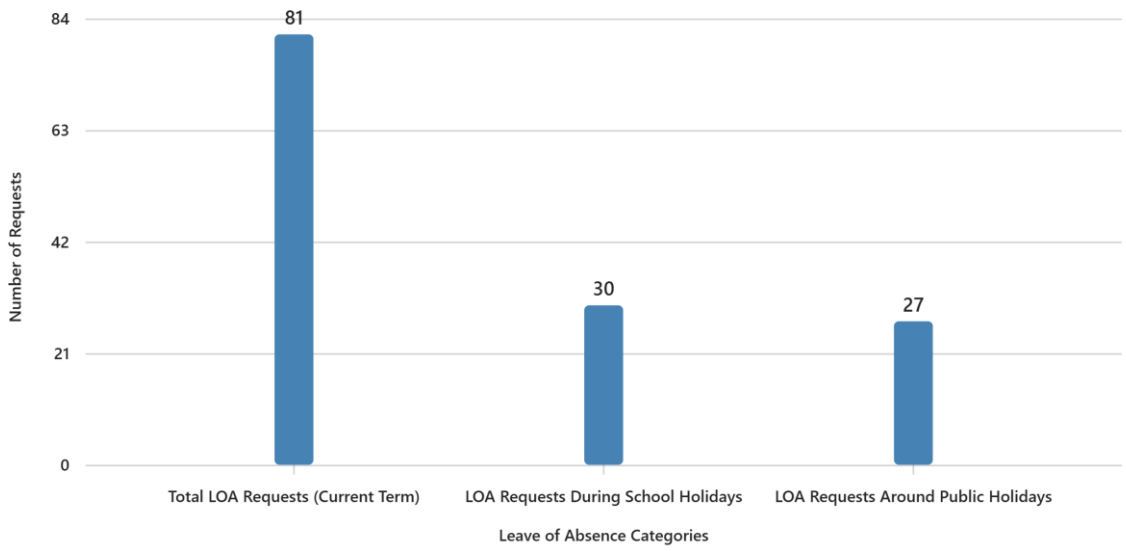


Of the leave of absence requests that have been approved by Council over the term (see Chart 2):

- 30 (37%) requests were during school holiday periods (Noting that the South Australian Department of Education school terms were used for this analysis, and independent schools may have different school holiday periods).

- 27 (33%) requests were during or adjacent to South Australian public holidays

Chart 2: Leave of Absence during holiday periods



This data may suggest a preference for aligning leave with existing holiday periods.

When completing the survey, elected members selected the following reasons for requesting leave of absence:

Family sickness	12.50%
Holiday / travel	75.00%
Work commitments	37.50%
Personal health	50.00%
Family responsibilities	12.50%
The behaviour of other Elected Members in the chamber	0%
Number of meetings / workshops	0%
Other	12.50%

The data reveals 50% of elected members noted personal health and 12.5% family sickness as reasons for requests. Holiday/Travel was the most selected reason at 75% of members selecting this reason.

2. <u>The impacts of ongoing or extended leave of absence</u>

Resolution (273/25) requested information on the impacts of ongoing or extended leave on:

a) Council's ability to achieve quorum and conduct its business efficiently
b) The workload, responsibilities, and representation borne by Elected Members who continue to attend meetings.

Council has failed to meet quorum on two (2) occasions during the term. There have been a small number of instances where agenda items have been deferred to a later date due to Council deciding that there were not enough members in the Chamber to consider an item.

The survey asked elected members to report on the impact of other members ongoing and extended leave on their workload, responsibilities and representation.

The feedback provided by elected members indicates that although Council has been able to maintain quorum on most occasions, 37.5%% of elected members have attended a meeting or workshop while unwell.

25% of elected members indicated that their workload increased by a great extent by others extended or frequent leave, while 37.5% indicated that their workload had somewhat increased.

12.5% of elected members indicated their ability to attend personal events or family activities had been greatly impacted by others extended or frequent leave, while 25% indicated their ability to attend such events had been somewhat impacted.

The data indicates that in this Council term the Deputy Mayors (more than one throughout this term) have been particularly impacted by approved leave of absences, with them collectively being the Acting Mayor for 356 days of the term. It should be noted that their workloads may not have been significantly impacted since late 2024 given Council had resolved to allocate many of the roles and functions of the Mayor to the Office of the Deputy Mayor.

37.5% of elected members have found others leave of absences have greatly affected their satisfaction with their role as an elected member.

3. Governance and reputational risks

Council resolution (273/25) requests information on the governance and reputational risks associated with repeated or ongoing Elected Member absences, particularly in the context of community perception, transparency, and accountability.

Elected Member's attendance at Council meetings supports good governance, particularly providing accountability and informed decision making. For this reason, the *Local Government Act 1999* provides that an elected member may lose their position on Council if they miss three consecutive meetings without a leave of absence approved by Council (see the legal analysis section of this report). Council's recent representation review determined that 12 Council members and one Mayor provides rate payers appropriate representation across Council.

Attendance at meetings supports good governance, including ensuring:

- Elected members participation in the debate, voting on motions, and contributing to setting Council's strategic and policy direction.

- The interests, desires, and concerns of constituents are being represented
- The consideration of diverse views when Council makes decisions
- Quorum is met
- Elected members receive and understand important Council information
- Responsible stewardship of Council's business

Many elected members believed that repeated or ongoing Elected member absences had impacted community perception, transparency and accountability. This is detailed in question 8 of the survey (***Appendix 1***).

75% of elected members indicated that community members had raised concerns about elected members taking extended or frequent leave of absences.

87.5% of elected members believed that elected members should be required to provide information around the reasons for requests for leave of absences. Under the current process, this is not required and the public and the elected body are given no supporting information.

4. and 5. Options for Council (including medical leave requests)

Council resolution (273/25) requests options for Council to address high levels of leave of absence, including potential amendments to Council policy, meeting procedures, and any relevant legislative advocacy.

Policy and procedure amendments

A desktop review of other South Australian councils indicates that most do not have a formal policy on leave of absences.

Currently, leave of absence is incorporated into the *Code of Practice for Council Meeting Procedures* under clause 7.5 (**Appendix 8)**.

To strengthen Council's position and improve transparency, Council may like to consider amendments to the policy or the creation of a new policy to include more detail around leave of absences. Below are some policy suggestions that Council may like to consider.

Allowances during an extended period of absence

While the *Local Government Act 1999* does not require Elected Members to forgo their allowance during a leave of absence, two councils have adopted provisions to address this issue.

For example, the City of Burnside includes the following in its *Council Members Policy*:

> "If a Council Member is granted a leave of absence for a period in excess of 3 months, the Council Member should consider whether they wish to decline the receipt of their Council Member allowance for the entire period of the leave of absence or for the period in excess of the 3 months and must advise the CEO in writing of their decision in this regard."

The Tatiara District Council takes a firmer stance:

> "Any Elected Member granted leave of absence from Council for a period greater than three months, shall not receive their members allowance for the period that exceeds three months"

Legal advice would need to be sought as to the legality of such an approach.

Reason for Leave

Council may wish to consider adding a clause to the existing *Code of Practice for Council Meeting Procedures* Policy, or creating a new leave of absence policy, to stipulate that elected members should provide information regarding the reason for their leave requests. This could include categories such as medical (further information provided below), family responsibilities, work commitments, holiday or travel, and other exceptional circumstances. Notably, the recent elected member survey showed strong support for this approach, with 7 out of 8 respondents (87.5 per cent) agreeing that elected members should be required to supply reason for a leave of absence request.

The City of Burnside's policy requires elected members to provide reasons for their leave of absence requests. Members must submit their request to the CEO, including the proposed dates and the reason for the absence. The CEO then prepares a report for Council consideration. The Elected Member is not obligated to reveal the reason for the leave of absence if it is of a personal nature. This process ensures transparency and accountability while respecting privacy.

Length of leave

Two South Australian councils, including the City of Burnside and Tatiara District Council, have adopted policies that specify a maximum amount of leave of absence an elected member can take within a 12-month period—up to three months. These policies provide a clear framework for managing extended absences, supporting governance integrity, and maintaining community confidence. Most other councils do not currently set a specific annual limit

Council may wish to consider whether introducing a similar clause—such as a maximum of three months leave of absence per elected member in any 12-month period—would be appropriate for its own policy framework. This approach could help ensure consistency, transparency, and effective functioning of Council business.

The recent elected member survey indicated that 75 per cent of respondents supported the introduction of clearer guidelines or limits about the acceptable amount of leave per year, with 2 elected members preferring a limit of 4 weeks

Advance notice requirements

While the recent elected member survey did not specifically ask about advance notice, several respondents commented on the importance of providing leave of absence requests ahead of time to assist with Council planning and ensure effective governance. For example, suggestions included submitting applications in writing at least one or two weeks before the intended start date, and providing advanced notice to help manage quorum and workloads.

The City of Burnside's policy requires elected members to submit their leave of absence request to the CEO with a minimum of five clear days' notice prior to the Council meeting.

Council may wish to consider stipulating a similar minimum notice period—such as one week prior to the intended start date—to further strengthen governance and operational efficiency.

Medical Leave

Council resolution (273/25) requests policy opportunities to acknowledge leave of absence request as 'medical', including recommendations for supporting evidence in such occurrences.

To ensure fairness and protect privacy, the following evidence standards could be included in any new policy or policy amendment:

- Medical Certificate: Issued by a registered health practitioner, confirming the member is unfit for duty. Diagnosis details are not required, in line with privacy protections under the Fair Work Act
- Statutory Declaration: Acceptable where a medical certificate cannot be obtained, especially for short absences
- Threshold for Evidence: Evidence may be requested for absences of three consecutive days or more, aligning with staff requirements under the *Office Enterprise Bargaining Agreement 2025 No. 11*
- Discretionary Clause: Council may reserve the right to request evidence for any absence, particularly where quorum is at risk or community perception may be impacted.

Meeting schedule amendments

Currently, meetings follow the two meeting per month schedule:

- Second Tuesday of the Month
- Fourth Tuesday of the Month

with the exception of December and January where only one meeting per month is scheduled:

- Second Tuesday of the Month in December
- Fourth Tuesday of the month in January

Council could make an amendment to the meeting schedule which considers:

- Not scheduling or limiting scheduled meetings during school holidays
- Not scheduling or limiting scheduled meetings directly after a long weekend/public holiday
- Changing the schedule to one meeting a month

Elected members had mixed views on whether reducing the frequency of ordinary Council meetings would reduce leave of absence requests:

Yes	25.00%
No	12.50%
Unsure	25.00%
Other	37.50%

Elected members also had mixed views on whether avoiding scheduling ordinary Council meetings during school and public holiday periods would reduce leave of absence requests:

Yes	37.50%
No	25.00%
Unsure	0%
Other	37.50%

In the leave of absence data there is some correlation with school holiday periods and public holidays and leave of absence requests.

Legislative Advocacy

Under the current legislative framework, Councils are unable to withhold payment of a Council Members allowance. Individual Councils do not determine the allowance of their Council Members, and the amount and terms are determined by the South Australian Remuneration Tribunal.

The management of leave of absence is a sector wide issue, which has impacted several South Australian Councils. It is recommended that the first step in exploring opportunities for legislative advocacy would be for the CEO to write to relevant stakeholders, including the Local Government Association seeking advocacy support and opportunities.

3. OPTIONS

Council has the following options:

I. To receive and note the report and take no further action.

OR

II. To receive and not the report and (select from options below).

III. That the CEO prepares a draft 'Leave of Absence Policy' which incorporates the feedback provided in the Elected Member Leave of Absence survey prior to the end of February 2026.

AND

IV. That the CEO prepares an amended 'Code of Practice for Council Meeting Procedures' and amended 'Council Member Allowances and Benefits' policy which aligns with the draft 'Leave of Absence Policy' prior to the end of February 2026.'

AND/OR

V. That the CEO writes to key stakeholders including the Local Government Association, Southern & Hills Local Government Association and the Minister for Local Government seeking advocacy support and opportunities for pursuing legislative amendments to leave of absence and allowance provisions.

AND/OR

VI. That the Administration prepare a report for Council amending the current meeting schedule to remove barriers for meeting preparation and attendance, such as meetings that fall directly after a public holiday or within school holiday periods.

4. APPENDICES

(1) Elected Member Leave of Absence Survey – Results
(2) Leave of Absence Data
(3) Section 7.5 of the Code of Practice for Council Meeting Procedures
(4) Allowance and benefits policy
(5) Remuneration tribunal determination
(6) Summary table of leave of absence policies amongst South Australian Councils
(7) City of Burnside Council Members Policy
(8) Code of Practice for Council Meeting Procedures

Appendix 1

Elected Member Leave of Absence Survey – Results

Elected Members Leave of Absence Feedback Form

Survey Outcomes

October 2025

Adelaide Hills
COUNCIL

1. Survey Outcomes

Question 1

If you have taken a leave of absence since the last general election, what has been the reason/s for your absence?		
Multi Choice | Skipped: 0 | Answered: 8 (100%)		
Answer Choice	Percent	Count
Family sickness	12.5%	1
Holiday / travel	75.00%	6
Work commitments	37.50%	3
Personal health	50.00%	4
Family responsibilities	12.5%	1
The behaviour of other Elected Members in the chamber	0%	0
Number of meetings / workshops	0%	0
Other	12.5%	1
Other (Comments)		
No LOA taken		

Question 2

Which of the below statements most closely reflects your views about attendance at ordinary Council Meetings?
Multi Choice | Skipped: 0 | Answered: 8 (100%)

Answer Choice	Percent	Count
Elected Members should attend every ordinary Council Meeting, unless there are exceptional circumstances.	37.50%	3
Elected Members have a right to miss some ordinary Council Meetings for personal reasons (e.g. 1-2 per year).	50.0%	4
Elected Members have a right to 4 weeks leave of absence a year irrespective of whether there is an ordinary Council Meeting.	50.00%	4
The Mayor and Deputy Mayor have a right to 4 weeks leave of absence a year due to level of responsibilities and necessity to be able to fill acting role/s.	50.00%	4
Elected members can miss as many ordinary Council Meetings as they like as the electorate will vote on their performance at the next general election.	0%	0
Other	25.00%	2
Other (Comments)		

Members get a break from meetings annually in December/January
Elected members should attend all ordinary Council Meetings unless they are sick, have work commitments (e.g. reasonable travel for work), or are on annual leave (up to 4 weeks per calendar year). This is commensurate with what is normally expected of salaried employees.

Question 3

Would you support the introduction of a policy around requesting and approving a leave of absence?		
Multi Choice | Skipped: 0 | Answered: 8 (100%)		
Answer Choice	Percent	Count
Yes	75.00%	6
No	12.50%	1
Other	12.50%	1
Other (Comments)		
If it were for extended periods of leave or if the EM had taken multiple periods of leave.		

Question 4

In your view, should Elected Members be required to provide information around reasons for requests for leave of absences?		
Multi Choice | Skipped: 0 | Answered: 8 (100%)		
Answer Choice	Percent	Count
Yes	87.50%	7
No	12.50%	1

Unsure	0%	0

Question 5

In your view, would reducing the frequency of ordinary Council Meetings (e.g. from fortnightly to monthly) reduce the need for leave of absence requests?		
Multi Choice | Skipped: 0 | Answered: 8 (100%)		
Answer Choice	Percent	Count
Yes	25.00%	2
No	12.50%	1
Unsure	25.00%	2
Other	37.50%	3
Other (Comments)		
Probably yes, but question does not cover A &R Cttee , CAP and other Sec 41 cttees		
There are other factors that affect attendance that are unrelated to frequency of meetings, and a functioning Mayor could probably step up and solve some of these issues.		
Technically it would but I do not support this as it would increase the length of council meetings if there were less meetings. The issue is not the amount of meetings missed per say, but the reasons. Why go to all the time, effort (and cost) of being elected if you are only going to turn up when you feel like it?		

Question 6

In your view, would avoiding ordinary Council Meetings during school and public holiday periods help reduce the need for leave of absence requests?

Multi Choice | Skipped: 0 | Answered: 8 (100%)		
Answer Choice	Percent	Count
Yes	37.50%	3
No	25.00%	2
Unsure	0%	0
Other	37.50%	3
Other (Comments)		
Ordinary Council meetings should be avoided on public holidays but not school holidays (except for the first meeting in January).		
it would not for me, but I suspect it would for other EM's, but they can give their views...		
possibly but there is adequate time off in December/January each year.		

Question 7

Have community members raised concerns with you regarding Elected Members taking extended or frequent leaves of absence?		
Multi Choice | Skipped: 0 | Answered: 8 (100%)		
Answer Choice	Percent	Count
Yes	75.00%	6
No	25.00%	2
Unsure	0%	0
Other	0%	0

Question 8

Please rate your level of agreement as to whether Elected Members being on extended or frequent leave of absence has affected Council in any of the following ways:					
Multi Choice | Skipped: 0 | Answered: 8 (100%)					
Answer Choice	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
Reduced community confidence in Council representation	12.5% 1	0% 0	12.5% 1	25.00% 2	50.00% 4
Impacted Council ability to conduct business effectively	25.00% 2	0% 0	0% 0	37.50% 3	37.50% 3
Increased workload above manageable level	12.50% 1	12.50% 1	25.00% 2	50.00 4	0%
Adversely impacted community	12.5% 1	25.00% 2	0% 0	50.00% 4	12.50% 1

satisfaction with Council as an organisation					7
Resulted in meetings / decisions being delayed	12.50% 1	12.50% 1	12.50% 1	50.00% 4	12.50% 1
Resulted in negative media coverage about Council	0% 0	0% 0	12.50% 1	25.00% 2	62.50% 5

Question 9

Has Elected Members being on extended or frequent leave, adversely affected you in any of the following ways?					
Multi Choice | Skipped: 0 | Answered: 8 (100%)					
Answer Choice	Not at all	Very Little	Somewhat	To a great extent	Not sure/not relevant
Increased your workload as an Elected Member	37.50% 3	0% 0	37.50% 3	25.00% 2	0% 0

Affected your satisfaction with your role as an Elected Member	12.50% 1	25.00% 2	12.50% 1	37.50% 3	12.50% 1
Affected your ability to attend personal events / family activities	12.50% 1	50.00% 4	25.00% 2	12.50% 1	0% 0
Required you to attend a meeting / workshop while unwell	37.50% 3	25.00% 2	37.50% 3	0% 0	0% 0
Negatively impacted your health and wellbeing	50.00% 4	0% 0	50.00% 4	0% 0	0% 0

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Affected your relationships with other Elected Members	12.50% 1	25.00% 2	25.00% 2	37.50% 3	0% 0
Affected your relationships with community members	62.50% 5	25.00% 2	0% 0	12.50% 1	0% 0

Question 10

Have community members raised concerns with you regarding Elected Members taking extended or frequent leaves of absence?		
Multi Choice | Skipped: 0 | Answered: 8 (100%)		
Answer Choice	Percent	Count
Yes	75.00%	6
No	25.00%	2
Other	0%	0

Question 11

Do you have any ideas / feedback about what these guidelines would include

Long Text | Skipped: 2 | Answered: 6 (75%)
Other (Comments)
Ultimately I believe we should be lobbying the LGA and state government to have set standards across the sector, in the interim I feel: - Where possible that EMs provide advanced notice regarding a LOA request to assist with planning - Maximum of two weeks at any one time unless the reason is provided - While a reason should be provided the EM should have the right to choose whether this is publicly communicated or privately.
1. applications must be submitted in writing 2 weeks before starting date. 2. the reason for LOA must be submitted to the CEO. (could possibly consider the reasons in confidence but release the decision immediately disclosed to public. 3. if not in this time frame, then an apology to be recorded. 4. differentiate between recreation, and sick(personal-e.g bereavement) leave. 5. maximum of 4 weeks recreation leave per annuum commencing in November each year, Not to be accumulated 6. details of absences to be recorded in the annual report.
Any guidelines would be good, as at the moment it is driven by each EM's own level of dedication and application. I think we can expect applications for leave of absence be treated like a MON or QON- be submitted in advance and at least be on the agenda that is circulated, rather than that we find out on the night. This should definitely apply for extended (>1 month) LOA. Leave of absence requests should be dealt with individually by the Chamber, and not allow grouping of LOA requests into a single motion. It might be fair to consider total LOA over the entire term, rather than on the basis of each year (so allow EM's to accumulate some LOA, not too much though). I think one month LOA p.a. seems fair (we get the Christmas break, after all).
# of consecutive meetings missed and for what purpose (i.e. recreational or sick- health should always be treated very differently, but if leave is consistently being taken for recreational leave then EMs need to reconsider their priorities before running for Council). Everyone is entitled to holidays, but there should be a limit.

Elected members should attend all ordinary Council Meetings unless they are sick, have work commitments (e.g. reasonable travel for work), or are on annual leave (up to 4 weeks per calendar year). This is commensurate with what is normally expected of salaried employees and sets a standard for community expectations. Extended leaves of absence outside of this reasonable expectation undermine community confidence in Council and applies unreasonable pressure to the remaining elected members (in particular to be present to provide quorum). If someone is sick for an extended period of time with no reasonable timeline for recovery or has to take an extended work trip or holiday (say more than 2 months), you have to ask whether they should consider their ability to undertake their obligations as an elected member to both the community that elected them, the chamber and Council staff. I don't think a policy should necessarily have hard and fast rules for extended leave of this type but should provide guidance for when elected members to consider whether they are providing value to the community and consider resignation.
I think an opt in option for denoting medical reasons for leave and a burden of proof for that note to be made. Possibly that LOA request that remain under a period of 4 weeks per year of the term can be processed by governance. Anything greater to the chamber. They can also manage quorum that way. LOA requests to be made at least 1 clear week from the next meeting if requiring council approval, otherwise can be an apology. May help with managing requests. Published closed calendar connected to EM accounts to see upcoming LOA for other members. If your LOA request will create a quorum problem with editing approved LOA, it will be denied. Not sure if possible with legislation, but that LOA requests greater than 3 months, allowances not be paid.

Requirement of voicemails and emails to inform inbound communication to elected members that they are on leave including start and end date

Question 12

12. Is there any other feedback you would like to provide about extended and frequent leave of Elected Members?
Long Text | Skipped: 2 | Answered: 6 (75%)
Other (Comments)
I have myself experienced significant health issues this year and had some time off following a major operation. I have also had treatment which may have been used as justification for additional absences, however I take my obligations as an elected member seriously and have endevoured to attend as many ordinary (and special) council meetings, workshops and council committee meetings as possible. It has been disappointing to observe other elected members who have not taken their obligations as seriously and their absence which I believe has not always been fully justified has created pressure on me to attend when I might have otherwise have had time off when I was not feeling 100%.
On a positive note, I think it has forced the current elected body to work together better and respect each other's time better.
This is a tough issue, and goes wider than simple attendance at Council meetings. For example, some EM's pull their weight both in the Chamber and on Committees and various other public functions, while others never do any of the extra work (outside of Council meetings) and that work is perhaps just as important. I think that should be recognised as well, but I'm not saying that would be easy. Again, a functioning Mayor could play a useful role here by helping encourage EM's make a fair contribution, and that might feed back to what is fair when it comes to leave. Sick leave, with a certificate should be valid, but "mental health leave" needs some verification. It is too easily exploited. We have one [redacted] who has not missed a meeting. That is dedication, and that person's choice, but it does seem unfair that absences of others serve to pressure that EM (and the rest of us) to have to give up important things to make sure the business of Council is done diligently.

1. Recommend to the Minister to amend the Act to provide the council with power to suspend the payment of allowances during leave i.e. no work no pay. 2. explore whether decisions of the council are subject to review/appeal
There was a question regarding the frequency of meetings. I'm open to considering a change for next year, dependent on how the next 4-5 meetings go with new elected members on board.
When leave is required for legitimate reasons such as family leave or medical reasons council should be supportive of this.

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Adelaide Hills
COUNCIL

Appendix 2

Leave of Absence Data

Leave of Absence Data for 2022-2026 Council Term

*The data includes former Elected Members and does not include Elected Members elected at the September 2025 supplementary election.

Councillor	Leave of Absence Requests (inc. duration of each request)											Total days of leave (over Council term):	Percentage of Council Term (%) on leave.
Number of Requests	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**		
Adrian Cheater	4	14	7									25	2.33%
Chris Grant	5	1	12	29								47	4.38%
Jan-Claire Wisdom	8	42	92	29	1	184						356	33%
Kirrilee Boyd	12	7	16	12	9	1	1	32	16			106	9.8%
Kirsty Parkin	7	8	9	6	5	7	17	4	9	5	12	89	8.3%
Leith Mudge	9	6	3	8	4	34	3	4				71	6.6%
Louise Pascale	19	24	25	5	11	21	53					158	14.7%
Lucy Huxter	13	16	1	18	4	12						64	5.9%
Malcolm Herrmann	7	12	7	1	7							34	3.17%
Mark Osterstock	13	5	34	1	8	14	13	1	1	7	1	98	9.14%
Melanie Selwood	4	6	2									12	1.1%
Nathan Daniell												0	0%
Pauline Gill	5	23	31	36	33	5	12	8				153	14.27%

Appendix 3

Section 7.5 of the Code of Practice for Council Meeting Procedures

Clause 7.5 of Code of Practice for Council Meeting Procedure

7.5 Attendees, Apologies and Absences

7.5.1 If a Member expects to be late or unable to attend a meeting, the Governance & Performance Department (governanceandperformance@ahc.sa.gov.au) is to be advised prior to the commencement of the meeting or as soon as possible.

7.5.2 If a Member intends to seek a leave of absence, the request must be made in writing via the Governance & Performance Department, specifying the period of leave that is being requested, prior to the commencement of the meeting.

7.5.3 A leave of absence will only be granted by a resolution of the Council and will involve leave from all Council duties (including roles on council committees, panels and advisory groups).

7.5.4 Where a Member is intending to be interstate, overseas or otherwise not able to attend to the full range of duties, they should seek a leave of absence at the preceeding meeting.

7.5.5 Where a Member recommences duties prior to the expiry of the approved period, the leave of absence will cease. For the sake of clarity, the leave of absence does not recommence without a new resolution of the Council to grant leave.

7.5.6 A leave of absence will not be retrospective.

7.5.7 All apologies and leaves of absence will be listed in the Minutes for each Council meeting that it relates to.

7.5.8 If no apology has been received by the commencement of the meeting and there is no leave of absence and the Member is not present, they will be recorded in the Minutes as being absent.

7.5.9 If a Member arrives after the meeting commences, the time of arrival will be included in the Minutes.

7.5.10 If a Member has to leave a meeting (for longer than a comfort break), the Member should draw their impending departure to the attention of the Mayor to ensure that the presence of a quorum can be monitored.

7.5.11 Council Officers who address the Council meeting will be recorded in the Minutes as being in attendance.

7.5.12 The number of members of the public or representation of any other organisations will not be recorded in the minutes, unless presenting on a specific item in the agenda.

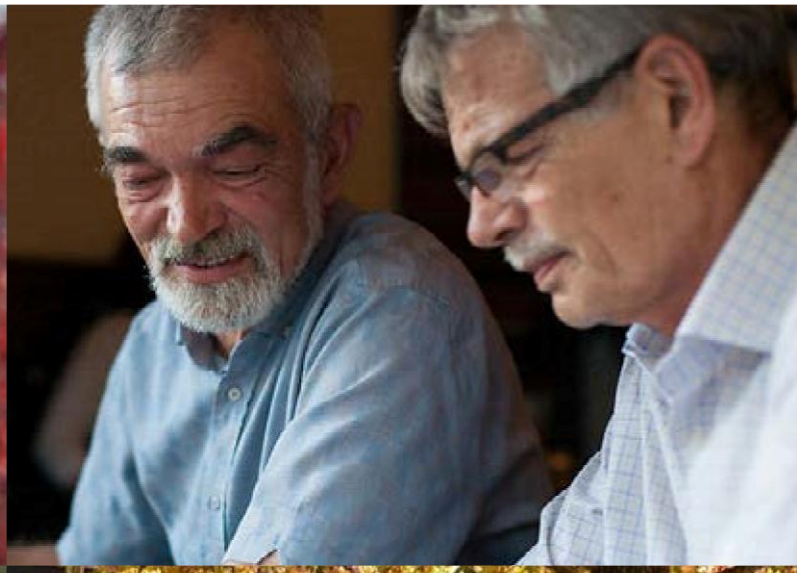
Appendix 4

Allowance and benefits policy

Adelaide Hills
COUNCIL

Council Policy

Council Member Allowances and Support



COUNCIL POLICY

ADELAIDE HILLS COUNCIL	**COUNCIL MEMBER ALLOWANCES AND SUPPORT**

Policy Number:	**CM-02**
Responsible Department(s):	**Governance & Performance**
Relevant Delegations:	**None**
Other Relevant Policies:	***Behavioural Management PolicyCode of Practice for Meeting Procedures*** ***Council Member Training & Development Policy***
Relevant Procedure(s):	**None**
Relevant Legislation:	***Local Government Act 1999*** ***Local Government (Members Allowances and Benefits) Regulations 2010***
Policies and Procedures Superseded by this policy on its Adoption:	***Council Member Allowances and Benefits*, 22 September 2020, Res 214/20**
Adoption Authority:	**Council**
Date of Adoption:	**25 February 2025**
Effective From:	**4 March 2025**
Minute Reference for Adoption:	**Res 77/25**
Next Review:	**At the end of the Council term (November 2026) or as required by legislation or changed circumstances**

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	27/11/18	Creation of Allowances and Support Policy	Council - Res 282/18
1.1	8/10/2020	Amendments to include provisions prohibiting the purchase of alcohol with public funds for Council Members	Council - Res 214/20
2.0	30/11/22	Legislative updates to roles of Principal Member and Councillor, revised the definition of prescribed meetings to incorporate s90A, updated Determination details, revised support provisions	Council - Re 316/22
3.0	25/02/25	1. The addition of clause 11.6 and the amendment of clause 15.1 to satisfy the requirements of resolution 430/24. 2. The insertion of a cover page.	Council 77/25

COUNCIL MEMBER ALLOWANCES AND BENEFITS POLICY

1. INTRODUCTION

1.1 Adelaide Hills Council will ensure that the payment of Council Members' allowances, the reimbursement of expenses and the provision of benefits by the Council is accountable and transparent and in accordance with the *Local Government Act 1999* (the 'LG Act') and the *Local Government (Members Allowances and Benefits) Regulations 2010* (the 'Regulations').

1.2 This Policy sets out the provisions of the LG Act and Regulations in respect of Council Member allowances, expenses and support. This Policy is also provided in accordance with Section 77(1)(b) of the LG Act by specifying the types of expenses that will be reimbursed without the need for specific approval of Council every time a claim is made.

1.3 Council Members are paid an allowance for performing and discharging their functions and duties on Council. Section 59 of the LG Act provides (in part) that the role of a Council Member, as a member of the governing body of the Council, is to:

(i) to act with integrity;

(ii) to ensure positive and constructive working relationships within the council;

(iii) to recognise and support the role of the principal member under the Local Government Act;

(iv) to develop skills relevant to the role of a member of the council and the functions of the council as a body;

(v) to participate in the deliberations and activities of the council;

(vi) to keep the council's objectives and policies under review to ensure that they are appropriate and effective; and

(vii) to keep the council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review;

(viii) to ensure, as far as is practicable, that the principles set out in section 8 of the Local Government Act are observed;

(ix) to participate in the oversight of the chief executive officer's performance under the council's contract with the chief executive officer; and

(x) to serve the overall public interest.

1.4 Section 58 of the Local Government Act specifies the role of the Principal Member as leader of the Council is to:

(a) to provide leadership and guidance to the council; and

(b) to lead the promotion of positive and constructive working relationships among members of the council; and

(c) to provide guidance to council members on the performance of their role, including on the exercise and performance of their official functions and duties; and

(d) to support council members' understanding of the separation of responsibilities between elected representatives and employees of the council; and

(e) to preside at meetings of the council; and

(f) to liaise with the chief executive officer between council meetings on the implementation of a decision of the council; and

(g) to act as the principal spokesperson of the council; and

(h) to exercise other functions of the council as the council determines; and

(i) to carry out the civic and ceremonial duties of the office of principal member.

1.5 This Policy also explains the information that must be recorded within the Council's Register of Allowances and Benefits to ensure compliance with section 79 of the LG Act.

1.6 This Policy, in its entirety, will automatically lapse at the next general election of this Council, which is November 2026.

2. POLICY OBJECTIVE

2.1 To ensure Council Member allowances, the reimbursement of expenses and the provision of benefits, facilities and support by the Council are compliant with the *Local Government Act 1999* and *Local Government (Members Allowances and Benefits) Regulations 2010 and consistent with community expectations*.

3. SCOPE & RESPONSIBILITIES

3.1 This Policy applies to all Council Members, who each have an obligation to abide by this Policy.

3.2 The Council's Chief Executive Officer has the duty to:

(a) maintain the Register of Allowances and Benefits;

(b) initiate a Consumer Price Index ('CPI') review of allowances paid to Council Members (to be adjusted on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the CPI under the scheme prescribed by the Regulations); and

(c) ensure copies of this Policy are available for inspection by the public at the principal office of the Council.

3.3 In addition, the Chief Executive Officer is responsible for:

(a) implementing and monitoring expense reimbursement procedures in accordance with the LG Act, the Regulations, this Policy; and

(b) ensuring a copy of this Policy is provided to all Council Members.

3.4 The *Council Member Allowances and Support Policy* has primacy over any other Council policies regarding allowances and/or benefits payable to Council Members. Those policies will be invalid to the extent that they are inconsistent with the provisions of this Policy.

4. POLICY STATEMENT

4.1 This Policy is underpinned by the following principles:

(a) Council Members should not be out-of-pocket as a result of performing and discharging their Council functions and duties.

(b) To assist Council Members in performing or discharging their official functions and duties they are entitled to be provided with a range of necessary facilities and support and to be reimbursed for expenses as specified in this policy.

(c) Any reimbursements claimed by Council Members must be for expenses actually and necessarily incurred in performing and discharging their official Council functions and duties, which will be assessed according to the role of a Council Member under the LG Act.

(d) Council encourages continued professional training and development for Council Members. This is seen as being necessary in terms of good governance and to the improved performance of their functions and duties.

(e) The accountability of the Council and its Members is to its community for the use of public monies.

(f) That the fees paid, civic expenses reimbursed and facilities and support provided to the Mayor, Deputy Mayor and Councillors are appropriate to the importance of the Office and are consistently applied and transparent.

5. DEFINITIONS

5.1 A '***prescribed committee***' means for the purposes of this determination, a committee that endures, irrespective of whether the council has assigned any particular work for the committee to perform and assists the council or provides advice to the council in any of the following areas or any combination thereof:

- Audit
- Chief Executive Officer performance review
- Corporate services
- Finance

- Governance
- Infrastructure and works
- Risk management
- Strategic planning and development

5.2 A ***'prescribed meeting'*** is defined under the Regulations to mean a meeting of the Council or Council committee, or an information or briefing session (s90A), , training course, advisory group meeting or similar activity which is directly or closely related to the performance or discharge of the roles or duties of the member.

5.3 A ***'function or activity on the business of the Council'*** includes the following official Council functions:

- Council-organised receptions, opening ceremonies, dinners, citizenship ceremonies, celebration events, remembrance ceremonies and official visits etc.;
- inspection of sites within the Council area which relate to current Council or Committee agenda items;
- meetings and functions of boards/committees to which the Council Member has been appointed by Council unless it is a remunerated position (i.e. East Waste, GRFMA, AHRWMA, S&HLGA);
- meetings related to the local government governance unless it is a remunerated position (i.e. ALGA, LGASA, LGFA, LGAMLS, LGAWCS, GAROC, etc);
- meetings of community groups and organisations as an invited Council Member – but not to attend meetings of community groups or organisations when fulfilling the role as a member of the Board of any such community group or organisation.

5.4 An ***'eligible journey'*** means a journey (in either direction) between the principal place of residence, or a place of work, of a Council Member, and the place of a prescribed meeting.

6. ALLOWANCES

6.1 Council Member allowances are determined by the Remuneration Tribunal on a 4 yearly basis with each determination required to be made 14 days before the close of nominations for each set of periodic elections held under the *Local Government (Elections) Act 1999*.

6.2 The relevant determination for the Council term commencing in November 2022 is *Determination No. 2 of 2022 – Allowances for Members of Local Government Councils* and the *Supplementary Determination No. 5 of 2022*.

6.3 An allowance determined by the Remuneration Tribunal will be payable for the period:

- commencing on the conclusion of the 2022 periodic election; and
- concluding at the time the last result of the 2026 periodic election is certified by the Electoral Commissioner under the Local Government (Elections) Act 1999.

6.4 Council Member allowances are to be adjusted on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the Consumer Price Index ("CPI") under a scheme prescribed by the Regulations. Adjustments will occur on 10 November 2023, 10 November 2024, and 10 November 2025. The change in the Consumer Price Index to be applied will be the most recently available annual percentage change in the Consumer Price Index as at the date of adjustment (which will likely be the most recent relevant September quarter figure).

6.5 In accordance with regulation 4 of the Regulations, (and for the purposes of section 76 of the LG Act), an allowance may be paid in instalments up to 3 months in advance or 3 months in arrears of each month in respect of which an instalment is payable. Council has determined that allowances will be paid monthly in arrears.

6.6 The annual allowance for a Council Member is determined according to the relevant Council group. There are six Council Groups which are each explained within the determination of the Remuneration Tribunal.

6.7 The Adelaide Hills Council has been identified as falling within Group 2 in the current Remuneration Tribunal Determination, with an initial council member annual allowance of $19,110.

6.8 The annual allowance for:

- principal members, is equal to four times the annual allowances for Council Members;
- deputy mayor or deputy chairperson or a Council Member who is the presiding member of one or more prescribed committees is equal to one and a quarter (1.25) times the annual allowances for Council Members of that Council; and

6.9 An additional allowance in the form of a sitting fee is also payable for councillors who are presiding members of other Section 41 committees (who are not deputy mayors or presiding members of prescribed committees). For a Group 2 council, the allowance is $188 per meeting limited to an aggregate amount of allowance of $1,129 per annum.

6.10 In accordance with Supplementary Determination No 5. of 2022, a Deputy Mayor who undertakes the duties of a Mayor for a period of one month or longer, is entitled to receive the Mayor allowance for the entirety of the time they undertake those duties; and

6.11 A member of a council who holds office for part only of the period in respect of which an allowance is payable is entitled to the proportion of the allowance that the period for which the member held the office bears to the total period (section 76(11) of the LG Act).

6.12 An allowance under this section is to be paid in accordance with any requirement set out in the Regulations (unless the member declines to accept payment of an allowance section 76(12) of the LG Act).

6.13 Council Members finishing their term of office should receive their allowances until their term expires – this is at the conclusion of the elections (i.e. when the Electoral Commissioner of South Australia makes the final declaration of the results of the elections).

7. LEAVE OF ABSENCE – COUNCIL MEMBER CONTESTING ELECTION

7.1 If a Council Member stands as a candidate for election as a member of State Parliament, section 55A of the Act automatically grants a leave of absence from the date on which nominations for the relevant election close until the result of the election is publicly declared.

7.2 During the leave of absence period the Council Member:

- is not entitled to receive any Council Member allowance or reimbursement of expenses; and
- must not use any facility, service or other form of support provided by the Council; and
- must not carry out any function or duty as a Council Member.

7.3 A maximum penalty of $15,000 applies for a breach of this section of the Act.

8. PRESCRIBED (MANDATORY) REIMBURSEMENTS (SECTION 77(1)(a))

8.1 Section 77(1)(a) of the LG Act provides that a Council Member is entitled to receive reimbursement of expenses of the kind prescribed in the Regulations incurred in performing or discharging official functions and duties related to 'prescribed meetings'.

Travel

8.2 Council Members are entitled to receive reimbursement for travelling expenses actually and necessarily incurred by the Council Member for travel within the Council area and associated with attendance at a "prescribed meeting" (section 77(1)(a) of the LG Act).

8.3 The following conditions apply to these reimbursements:

(a) reimbursement for travel expenses is restricted to 'eligible journeys' (as defined in Regulation 3) provided the journey is by the shortest or most practicable route and to that part of the journey within the Council area (i.e. any travelling outside the Council area in order to attend Council or Council committee meetings is not reimbursable under section 77(1)(a) of the LG Act. For reimbursement for travel outside the Council area refer to "Council Approved Reimbursements" below).

(b) where a Council Member travels by private motor vehicle, the rate of reimbursement is at a rate equal to the appropriate rate per kilometre prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the *Income Tax Assessment Act 1997* of the Commonwealth.

(c) travelling by taxi, bus or other means of public transport is reimbursed on the basis of expenses 'actually and necessarily incurred', but is still limited to 'eligible journeys' by the shortest or most practicable route and to the part of the journey that is within the Council area.

(d) the Council may aggregate claims for reimbursement of expenses that relate to journeys that do not exceed 20 kilometres and then pay them on either a quarterly or monthly basis.

(e) claims for accident damage to Council Member's private vehicles will not be met by Council, however Council will reimburse the insurance excess.

Child/Dependent Care

8.3 Council Members are entitled to reimbursement for child/dependent care expenses actually or necessarily incurred by the Council Member as a consequence of the Council Member's attendance at a prescribed meeting. Child/dependent care is not reimbursed if the care is provided by a person who ordinarily resides with the Council Member.

9. TRAVEL TIME PAYMENT

9.1 Pursuant to the determination made by the Remuneration Tribunal, Council Members (excluding Principal Members) of non-metropolitan Councils (which includes the Adelaide Hills Council) are eligible for payment for a travel time payment where the Council Member's:

(a) usual place of residence is within the relevant Council area and is located **at least 30kms but less than 50km** distance from their Council's principal office, via the nearest route by road - $454 per annum

(b) usual place of residence is within the relevant Council area and is located **at least 50km but less than 75km** distance from their Council's principal office, via the nearest route by road - $775 per annum;

(c) usual place of residence is within the relevant Council area and is located **at least 75km but less than 100km** distance from their Council's principal office, via the nearest route by road - $1,162 per annum;

(d) usual place of residence is within the relevant Council area and is located **100km or more** distance from their Council's principal office, via the nearest route by road - $1,649 per annum;

If eligible, this payment is made to a Council Member in addition to any entitlement to reimbursement of expenses incurred.

10. COUNCIL APPROVED REIMBURSEMENTS (SECTION 77(1)(b))

10.1 There are additional prescribed expenses incurred by Council Members, that can be reimbursed by the Council that do not fall within the category of mandatory reimbursement outlined above.

10.2 Section 77(1)(b) of the LG Act provides that the Council (meaning the Council as the governing body) may approve the reimbursement of additional expenses as set out in the Regulations incurred by Council Members, either on a case-by-case basis or under a policy adopted by Council. This Policy sets out the types of approved expenses that may be reimbursed.

10.3 These additional types of reimbursed expenses are distinguished from the payment of allowances and from the mandatory reimbursement of travel and child/dependent care expenses associated with attendance at a prescribed meeting.

10.4 Regulation 6 of the Regulations sets out the types of additional expenses that may be reimbursed under section 77(1)(b) with the approval of the Council. These are:

(a) an expense incurred in the use of a personal/private telephone, facsimile or other telecommunications device, or in the use of a form of electronic communication, on the business of the Council;

(b) travelling expenses incurred by the Council Member as a consequence of the Member's attendance at a function or activity on the business of the Council (other than for which the member is reimbursed under section 77(1)(a) of the LG Act);

(c) travelling expenses incurred by the Member in undertaking an eligible journey (i.e. prescribed meeting) to the extent that those expenses are attributable to travel outside the area of the Council;

(d) expenses for the care of:

(i) a child of the Member; or

(ii) a dependent of the Member requiring full-time care

incurred by the Member as a consequence of the Member's attendance at a function or activity on the business of the Council (other than for which the member is reimbursed under section 77(1)(a) of the LG Act); and

(e) expenses incurred by the Member as a consequence of the Member's attendance at a conference, seminar, training course or other similar activity which is directly or closely

related to the performance or discharge of the roles and duties of a Council Member (other than for which the member is reimbursed under section 77(1)(a) of the LG Act).

10.5 For the purposes of this Policy, and pursuant to section 77(1)(b) of the LG Act, the Council approves the reimbursement of additional expenses of Council Members as described below.

Telecommunications

10.6 Pursuant to section 77(1)(b) of the LG Act the Council approves reimbursement of expenses incurred in the use of a personal/private telephone on the business of the Council. The following conditions apply to these expenses:

(a) Home phone costs will be considered for reimbursement on production of itemised accounts for call charges only. Line rental fees are specifically excluded.

(b) Mobile phone plan costs will be considered for reimbursement up to the value of the Council's Standard Monthly Plan on production of evidence of the expense. This reimbursement cannot be claimed if the Council Member is the recipient of a Mobile Phone under clause 11.3(d) of this Policy.

Travel

10.7 Pursuant to section 77(1)(b) of the LG Act the Council approves reimbursement of expenses incurred in travelling to a function or activity on Council business. The following conditions apply to these expenses:

(a) travel both within and outside the Council area must be incurred by the Council Member as a consequence of attendance at a function or activity on the business of Council;

(b) reimbursement is restricted to the shortest or most practicable route;

(c) Council Members are encouraged to actively pursue cost-saving measure such as car-pooling;

(d) where a Council Member travels by private motor vehicle, the rate of reimbursement is at a rate equal to the appropriate rate per kilometre (determined according to the engine capacity of the vehicle) prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the Income Tax Assessment Act 1997 of the Commonwealth;

(e) car parking fees will be reimbursed (where they are a consequence of a Council Member attending a function or activity on the business of the Council);

(f) travel by taxi, bus, plane or other means of public transport will be reimbursed on the basis of being expenses where they are incurred as a consequence of the Member's attendance at a function or activity on the business of the Council however such travel must still be by the shortest or most practicable route;

(g) where the cost of the travel for a return trip to a function or activity is anticipated to be in excess of $500, prior approval of the Chief Executive Officer will be required;

(h) the Council may aggregate claims for reimbursement of expenses that relate to journeys that do not exceed 20 kilometres and then pay them on either a quarterly or monthly basis;

(i) claims for accident damage to Council Member's private vehicles will not be met by Council however Council will reimburse the insurance excess.

Child/Dependent Care

10.8 Pursuant to section 77(1)(b) of the LG Act the Council approves reimbursement of expenses incurred for the care of a child of a Council Member or a dependent of the Council Member requiring full time care as a consequence of the Council Member's attendance at a function or activity on the business of Council (other than expenses for which the Member is reimbursed under section 77 (1)(a) of the LG Act). The following conditions apply to these expenses:

- Child/dependent care is not reimbursed if the care is provided by a person who ordinarily resides with the Council Member.

Professional Development, Seminars and Conferences

10.9 Pursuant to section 77(1)(b) of the LG Act the Council approves reimbursement of expenses incurred in the attendance of professional development, seminars or conferences. The following conditions apply to these expenses:

- Expenses will only be reimbursed for attendance at professional development, conferences, seminars, etc. which have been approved under delegation/policy, e.g. under the Council Member Training and Development Policy.
- Expenses will normally be restricted to:
  - **Registration** – course/seminar/conference registration fees including official luncheons, dinners and tours relevant to the conference;
  - **Travel** – see clause 10.7 of this Policy;
  - **Meals** – Council will meet the cost of main meals for Council Members where any of these meals are not provided as part of the conference. These costs may include non-alcoholic beverages such as soft drinks and coffee/tea.
  - **Accommodation** – delegates will be accommodated in the hotel where the conference, seminar or training course is held or another nearby hotel of a suitable standard. Council will provide financial support for accommodation of a suitable standard, at the rate of a private room, for each Council member attending.
- For clarity, Council will not meet the cost of:
  - laundry or dry cleaning expenses;
  - any tips or gratuities paid by Council Members;
  - expenses incurred for the use of a bar fridge provided in a hotel room;
  - any expenses for alcoholic beverages; and
  - any expense incurred by any person accompanying a Member at any conference, seminar or training course.

11. FACILITIES AND SUPPORT

Council Members

11.1 In addition to allowances and the reimbursement of expenses, the LG Act provides that the Council can provide facilities and forms of support for use by its Council Members to assist them to perform or discharge their official functions and duties (section 78).

11.2 The Council must consider and specifically approve the particular facility and support as necessary or expedient to the performance or discharge of all Council Members' official functions or duties. In approving the provision of facilities and support section 78 requires that any such services and facilities must be made available to all Council Members on a uniform basis, other than those facilities or support specifically provided to the Principal Member set out below (if any).

11.3 Pursuant to section 78 of the LG Act, Council has considered and is satisfied that the following facilities and support are necessary or expedient for all Council Members to assist them in performing or discharging their official functions and duties:

(a) Laptop computers will be provided subject to compliance with the terms and conditions contained in the Usage Agreement, which must be signed prior to the issuing of the device.

(b) Internet access via a 4G/5G connection provided with Council Member's laptop computer.

(c) A Council email address for Council business which should not be used for personal business. Email access to be via the 4G/5G connection on Council Members iPads. Note: Email access can be made via a standard home internet connection, however, Council will not reimburse Council Members for the cost of this internet connection.

(d) Mobile Phones (including SIM) will be provided subject to compliance with the terms and conditions contained in the Usage Agreement, which must be signed prior to the issuing of the device.

(e) While electronic data use is preferred from a sustainability perspective:

- Reams of paper for printing.

- Stationery (such as pads, pens, diaries, etc.).
- Photocopying at a Council Service Centre (not to be used for distributing copies of documents to community members).

(f) Meals and non-alcoholic beverages provided in association with attendance at 'prescribed meetings'.

(g) Access to Council meeting facilities (to be booked in advance at the respective Council Service or Community Centre).

(h) Business cards

(i) Access fob to the Council Chamber at Stirling

11.4 The provision of these facilities and support are made available to all Council Members (including the Principal Member) under the LG Act on the following basis:

- they are necessary or expedient for the Council member to perform or discharge his/her official functions or duties;
- the facilities remain the Council's property regardless of whether they are used off site or not; and
- public funds are not used for the provision of alcoholic beverages to Council Members.

Principal Member

11.5 In addition to the above, Council has resolved to make available to the Principal Member (and to any acting Principal Member appointed during the Principal Member's absence) the following additional facilities and support to assist them in performing and discharging their official functions and duties:

(a) Council will supply and maintain a motor vehicle for Council business use by the Mayor;

(b) a Mayoral Office accessible 24/7 providing desk and meeting facilities;

(c) provision of media and communications support and

(d) access to administrative officer services.

11.6 In accordance with Council Resolution 430/24 on 26 November 2024, all functions, duties, responsibilities, and roles previously assigned to the Mayor have been transferred to the

Deputy Mayor. Consequently, the following additional facilities and support will be provided to the Deputy Mayor:

(a) Council will supply and maintain a motor vehicle for Council business use by the Deputy Mayor;

(b) Desk and meeting facilities when required;

(c) provision of media and communications support; and

(d) access to administrative officer services.

This provision ensures the Deputy Mayor has the necessary resources to fulfill the transferred responsibilities. However, it does not entitle the Deputy Mayor to any additional remuneration beyond the standard Deputy Mayor allowance, as determined by the Remuneration Tribunal.

11.7 In addition, although not required by the LG Act, the Council has determined that the provision of the above facilities and support are made available to Council Members on the following terms:

- each Council Member is solely responsible for those facilities released into their care and/or control for the duration of their term in office;
- all facilities must be returned to the Council at the end of each term in office, upon the office of a Member of a Council becoming vacant, or earlier at the request of the Chief Executive Officer;
- if the facilities provided to the Council Member are damaged or lost the Council Member must lodge a written report with the Council officer responsible for this Policy.
- Council Members may be held responsible for loss/damage of facilities in the absence of a satisfactory explanation.
- The use of Council facilities, support and/or services by Council Members for campaign or election purposes is not permitted under any circumstances on the basis it is not necessary or expedient to the performance or discharge of a Council Member's official functions or duties under the LG Act. The use of such facilities for electoral purposes during the election period would be a breach of section 78(3) of the LG Act.

12. OTHER REIMBURSEMENTS

12.1 Any additional reimbursements and facilities and support not detailed in this Policy will require the specific approval of Council prior to any reimbursements being paid, benefits being received and facilities and/or support being provided.

13. INSURANCE OF MEMBERS (SECTION 80)

13.1 Council will take out policies of insurance insuring every Council Member and a spouse, domestic partner or another person who may be accompanying Council Member, against risk associated with the performance or discharge of official functions or duties by members.

14. CLAIMS FOR REIMBURSEMENT

14.1 Reimbursements are to be claimed using the Council Member Expense Claim Form and submitting to the CEO's Office with relevant receipts and invoices, no later than 3 months after the expenses are incurred, and by the first week in July each year.

15. DISPUTE RESOLUTION/APPEAL PROCESS

15.1 In the event that a Council Member disputes a payment, a panel consisting of the Chief Executive Officer Deputy Mayor, and a Presiding Member of a Committee (except in circumstances where the Deputy Mayor or Presiding Member of a Committee is the complainant) will make a final determination on the reimbursement of expenses for official duties. Decisions of this panel, which must be by consensus, shall be final.

16. REGISTER OF ALLOWANCES AND BENEFITS

16.1 Pursuant to section 79(1) and (2) of the LG Act, the Chief Executive Officer must maintain a Register in which he or she shall ensure that a record is kept of:

(a) the annual allowance payable to a Council Member (in the case of section 79 (1)(a)); and

(b) details of any expenses reimbursed under section 77(1)(b) of the LG Act (in the case of section 79(1)(b)); and

(c) details of other benefits paid or provided for the benefit of the Member by the Council (in the case of section 79(1)(c)); or

(d) to make a record of the provision of a reimbursement or benefit not previously recorded in the Register (in the case of section 79(2)(b)),

on a quarterly basis (see regulation 7 of the Regulations).

16.2 Reimbursements paid under section 77(1)(a) of the LG Act are not required to be recorded in the Register, however Council has taken the position that all reimbursements will be recorded in the register.

16.3 The Chief Executive Officer is required to record in the Register any changes in the allowance or a benefit payable to, or provided for the benefit of, Council Members. Accordingly, the Chief Executive Officer will update the Register each quarter.

16.4 The Register of Allowances and Benefits is available for inspection by members of the public, free of charge, at the Council's office during ordinary business hours.. The policy is also available on Council's website www.ahc.sa.gov.au.

17. REVIEW AND EVALUATION

17.1 Council Member allowances are determined by the Remuneration Tribunal on a 4 yearly basis.

17.2 This Policy will lapse at the next general election at which time the newly elected Council will be required to adopt a new policy dealing with Council Member's allowances, reimbursements and benefits for their term in office (section 77(2) LG Act).

18. DELEGATION

18.1 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 period of its currency.

19. AVAILABILITY OF THE COUNCIL MEMBERS' ALLOWANCES AND SUPPORT POLICY

19.1 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.

Appendix 5

Remuneration tribunal determination

No. 2 of 2022

DETERMINATION OF THE REMUNERATION TRIBUNAL
ALLOWANCES FOR MEMBERS OF LOCAL GOVERNMENT COUNCILS

SCOPE OF DETERMINATION

1. The Remuneration Tribunal has jurisdiction under section 76 of the *Local Government Act 1999* ("the Act"), to determine the allowance payable to members of Local Government Councils constituted under that Act.

2. This Determination applies to the members of Councils constituted under the Act, but does not apply to members of the Adelaide City Council.

INTERPRETATION

3. In this Determination, unless the contrary appears:

"Committee" means a committee established by a council in terms of section 41 of the Act.

"Councillor" means a person appointed or elected as a member of a local government council under the Act.

"Principal Member" means a principal member under the Act.

"Prescribed Committee" means for the purposes of this determination, a committee that endures, irrespective of whether the council has assigned any particular work for the committee to perform and assists the council or provides advice to the council in any of the following areas or any combination thereof:

- Audit
- Chief Executive Officer performance review
- Corporate services
- Finance
- Governance
- Infrastructure and works
- Risk management
- Strategic planning and development.

ALLOWANCES

4. **Councillors**

The annual allowance for a councillor who is not a principal member, deputy mayor, deputy chairperson or presiding member of a prescribed committee shall be as follows:

Council Group	$ per annum
Group 1A	$25,838
Group 1B	$22,828
Group 2	$19,110
Group 3	$15,381
Group 4	$10,955
Group 5	$7,192

Council Groups are provided in Appendix 1.

5. **Principal Member (Mayor / Chairperson)**

   The annual allowance for the principal member of a local government council constituted under the Act will be equal to four (4) times the annual allowance for councillors of that council.

6. **Deputy Mayor / Deputy Chairperson**

   The annual allowance for a councillor who is a deputy mayor or deputy chairperson, or the presiding member of a prescribed committee or more than one prescribed committees established by a council, will be equal to one and a quarter (1.25) times the annual allowance for councillors of that council. For the purpose of this clause, the level of allowance is payable at a maximum of 1.25 times only and does not multiply for each of the qualifying criteria.

7. **Presiding Member of a Committee**

   A deputy presiding member who undertakes the duties of a presiding member of a committee for a minimum period of one month should receive the presiding member allowance for the entirety of the time they undertake those expanded duties.

8. An additional allowance in the form of a sitting fee is payable to a councillor (other than the principal member, deputy mayor, deputy chairperson or a presiding member of a prescribed committee) who is the presiding member of a committee that is not a prescribed committee at the following rates:

   a. Where the councillor is a member of a council in Group 1A or Group 1B; an allowance of $255 per meeting limited to an aggregate amount of allowance of $1,527 per annum;

   b. Where the councillor is a member of a council in Group 2 or Group 3; an allowance of $188 per meeting limited to an aggregate amount of allowance of $1,129 per annum;

   c. Where the councillor is a member of a council in Group 4 or Group 5; an allowance of $123 per meeting limited to an aggregate amount of allowance of $731 per annum.

TRAVEL TIME ALLOWANCE FOR MEMBERS OF NON-METROPOLITAN COUNCILS

9. An allowance of $454 per annum will be payable to council members, excluding principal members, whose usual place of residence is within the relevant council area and is located **at least 30 kms but less than 50 kms** from that council's principal office, via the most direct road route.

10. An allowance of $775 per annum will be payable to council members, excluding principal members, whose usual place of residence is within the relevant council area and is located **at least 50 kms but less than 75 kms** from that council's principal office, via the most direct road route.

11. An allowance of $1,162 per annum will be payable to council members, excluding principal members, whose usual place of residence is within the relevant council area and is located **at least 75 kms but less than 100 kms** from that council's principal office, via the most direct road route.

12. An allowance of $1,649 per annum will be payable to council members, excluding principal members, whose usual place of residence is within the relevant council area and is located **100 kms or more** from that council's principal office, via the most direct road route.

13. The non-metropolitan council members travel time allowance will be payable in addition to any entitlement to reimbursement of expenses actually incurred.

14. A list of the non-metropolitan councils to which this payment applies is provided in Appendix 2.

DATE OF OPERATION

15. As provided for by section 76(8) of the Act, this Determination will come into operation on the conclusion of the 2022 Local Government Elections.

Matthew O'Callaghan
PRESIDENT

Deborah Black
MEMBER

Peter de Cure AM
MEMBER

Dated this 5th day of July 2022

Appendix 1 – Council Groups

GROUP 1A
City of Charles Sturt
City of Onkaparinga
City of Port Adelaide Enfield
City of Salisbury

GROUP 1B
City of Holdfast Bay
City of Marion
City of Mitcham
City of Playford
City of Tea Tree Gully
City of West Torrens

GROUP 2
Adelaide Hills Council
Alexandrina Council
Barossa Council
Campbelltown City Council
City of Burnside
City of Mount Gambier
City of Prospect
City of Norwood Payneham and St Peters
City of Unley
City of Whyalla
District Council of Mount Barker
Port Augusta City Council
Rural City of Murray Bridge
Town of Gawler

GROUP 3
Berri Barmera Council
City of Port Lincoln
City of Victor Harbor
Clare and Gilbert Valleys Council
District Council of Loxton Waikerie
District Council of The Copper Coast
District Council of Yorke Peninsula
Light Regional Council
Mid Murray Council
Naracoorte Lucindale Council
Port Pirie Regional Council
Tatiara District Council
Wattle Range Council

GROUP 4
Adelaide Plains Council
Corporation of the Town of Walkerville
District Council of Coorong
District Council of Grant
District Council of Lower Eyre Peninsula
District Council of Yankalilla
District Council of Renmark Paringa
Kangaroo Island Council
Northern Areas Council
Regional Council of Goyder
Wakefield Regional Council

GROUP 5
Barunga West Council
District Council of Ceduna
District Council of Cleve
District Council of Coober Pedy
District Council of Elliston
District Council of Franklin Harbour
District Council of Karoonda East Murray
District Council of Kimba
District Council of Mount Remarkable
District Council of Orroroo Carrieton
District Council of Peterborough
District Council of Robe
District Council of Streaky Bay
District Council of Tumby Bay
Flinders Ranges Council
Kingston District Council
Southern Mallee District Council
Wudinna District Council

Appendix 2 – Non – Metropolitan Councils

Adelaide Hills Council
Adelaide Plains Council
Alexandrina Council
Berri Barmera Council
Barossa Council
City of Whyalla
Clare and Gilbert Valleys Council
District Council of Barunga West
District Council of Ceduna
District Council of Cleve
District Council of Coober Pedy
District Council of Coorong
District Council of Elliston
District Council of Franklin Harbour
District Council of Grant
District Council of Karoonda East Murray
District Council of Kimba
District Council of Lower Eyre Peninsula
District Council of Loxton Waikerie
District Council of Mount Barker
District Council of Mount Remarkable
District Council of Orroroo Carrieton
District Council of Peterborough
District Council of Renmark Paringa
District Council of Robe
District Council of Streaky Bay
District Council of The Copper Coast
District Council of Tumby Bay
District Council of Yankalilla
District Council of Yorke Peninsula
Flinders Ranges Council
Kangaroo Island Council
Kingston District Council
Light Regional Council
Mid Murray Council
Naracoorte Lucindale Council
Northern Areas Council
Port Augusta City Council
Port Pirie Regional Council
Regional Council of Goyder
Rural City of Murray Bridge
Southern Mallee District Council
Tatiara District Council
Wakefield Regional Council
Wattle Range Council
Wudinna District Council

No. 5 of 2022

SUPPLEMENTARY REPORT AND DETERMINATION OF THE REMUNERATION TRIBUNAL

Allowances for Members of Local Government Councils

REPORT

1. On 5 July 2022 the Remuneration Tribunal (**Tribunal**) issued a Report and Determination[1] in respect of the allowances payable to members of Local Government Councils constituted under the *Local Government Act 1999* (**Act**), and a Report and Determination[2] in respect of the allowances payable to members of the Adelaide City Council.

2. On 8 November 2022 the Local Government Association notified the Tribunal that one of its decisions as set out in the first of these Reports was not reflected in the accompanying Determination. The relevant decision is at paragraph 51 of Report No. 2 of 2022, where the Tribunal stated (emphasis added):

> *The Adelaide Hills Council proposed that the allowance amount for deputy mayors be set at two times the annual allowance for members or for this amount to be payable at the mayor's allowance rate when the deputy is undertaking the mayoral role. The Tribunal is not satisfied that there should be an across the board increase to two times the annual allowance for members because evidence about the comparative criteria for deputy mayors has not been provided* ***but has concluded that, if a deputy mayor is required to undertake the duties of a mayor for a period of at least one month, the mayoral allowance rate should apply.***

3. The Tribunal's intention was for the accompanying Determination to give effect to this, and for the principle to apply to deputy chairpersons as they perform an equivalent function to deputy mayors and receive the same allowance. The Tribunal has accordingly decided to correct the above by issuing a supplementary determination, as follows.

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[1] Report of the Remuneration Tribunal No. 2 of 2022 - 2022 Allowances for Members of Local Government Councils; and Determination No. 2 of 2022 - Allowances for Members of Local Government Councils.

[2] Report of the Remuneration Tribunal No. 3 of 2022 - 2022 Allowances for Members of Adelaide City Council; and Determination No. 3 of 2022 - Allowances for Members of Adelaide City Council.

4. The Tribunal did not receive any submissions from members of the Adelaide City Council or from anyone else in respect of its most recent review. The Tribunal also did not decide whether to apply the abovementioned principle to the circumstances of the Deputy Lord Mayor acting for one month or longer as Lord Mayor. Accordingly, there is no issue to correct in the current Determination for the Adelaide City Council. The appropriate time to consider this issue will be during the next review, in light of any submissions received on the topic.

DETERMINATION

Deputy Mayor / Deputy Chairperson

5. This Determination applies to members of Local Government Councils constituted under the Act, except for members of the Adelaide City Council. It supplements Determination No. 2 of 2022, and should be read in conjunction with that Determination.
6. A deputy mayor who undertakes the duties of a mayor for a period of one month or longer, is entitled to receive the mayor allowance for the entirety of the time they undertake those duties.
7. A deputy chairperson who undertakes the duties of a chairperson for a period of one month or longer, is entitled to receive the chairperson allowance for the entirety of the time they undertake those duties.
8. The mayor / chairperson allowance is to be paid instead of the member's usual allowance, and in proportion to the time the member performs the relevant duties.
9. In accordance with section 76(8) of the Act, this Determination will come into operation upon the conclusion of the 2022 Local Government Elections.

Matthew O'Callaghan	Deborah Black	Peter de Cure AM
PRESIDENT	**MEMBER**	**MEMBER**

Dated this 15th day of November 2022

Appendix 6

Summary table of leave of absence policies amongst South Australian Councils

Summary of Council Leave of Absence Policies

Council	Policy Exists	Maximum Leave Specified	Reason Required	Advance Notice Required	Other Notes
City of Burnside	Yes	3 months	Yes	Yes (minimum 5 clear days)	Reasons can be kept confidential;
Tatiara District Council	Yes	3 months	No	Not specified	Allowance suspended for leave exceeding 3 months.
City of Salisbury	No.	-	-	-	-
City of Adelaide	No	-	-	-	Approval is delegated to the CEO. Ems to email the CEO requesting LOA and the dates for the LOA. No reason required.
City of Norwood, St Peters	No	-	-	-	-
City of Port Adelaide & Enfield	No	-	-	-	Approval is delegated to the CEO
City of Campbelltown	No	-	-	-	-
City of Charles Sturt	No. But references to LOA include in Code of Practice for Meeting Procedures	No	No	-	Staff prepare a report to Council. No reason is required for LOA.
City of Marion	No	-	-	-	-
City of Onkaparinga	No	-	-	-	-
City of Playford	No	-	-	-	-
City of Tea Tree Gully	No	-	-	-	-

Appendix 7

City of Burnside Council Members Policy

Council Members Policy

Classification:	Council Policy
First Issued / Approved:	May 2003
Last Reviewed:	19 June 2007 February 2011 (CEO) 25 February 2014, C9600 27 May 2014, C9732 27 April 2017, C11163 14 November 2023, C141123/13568
Next Review:	November 2027
ECM tracking number:	986691
Responsible Officer:	Chief Executive Officer
Relevant Legislation:	*Local Government Act 1999* *Local Government (General) Regulations 2013* *Independent Commission Against Corruption Act 2012*
Related Policies:	Council Members Allowances and Benefits Council Members Training and Professional Development Records Management

Introduction

1.1 The role of the Council Members of Council is governed by the *Local Government Act 1999*.

1.2 Council has also developed a number of policies to assist Council members in the performance of their roles and these are outlined in this policy.

1.3 This policy applies to all Council members.

Strategic Plan Desired Outcomes

Principles: 4. Governing with Integrity

Theme: Spans all Strategic Plan Themes

Goals: Spans all Strategic Plan Goals

Priorities: Spans all Strategic Plan Priorities

Our Approach

3.1 Ensure good governance by Council Members.

3.2 Ensure that Council Members are provided with appropriate support in accordance with the *Local Government Act 1999* and Council's adopted policies.

Legislative Requirements and Corporate Policy Context

4.1 Chapter 5 of the *Local Government Act 1999* pertains to the Members of Council.

4.2 This Policy is in addition to the requirements set out in the legislation for the good governance of the Council.

Interpretation

"Act" means the *Local Government Act 1999*

"Behavioural Standards for Council members" refers to the Behavioural Standards for Council Members as published by the Minister for Planning for the purposes of section75E of the Local Government Act 1999 (Government Gazette 17/11/2022)

"CEO" means the Chief Executive Officer.

Councillor refers to a member of the Council who is not the elected principal member

"Clear Days" is defined by section 3(2) of the Local Government (Procedures at Meetings) Regulations 2013

"Council Meeting" means a meeting convened and conducted under the provisions of the Act.

"Conflict of Interest" a person in public office has a conflict of interest when they have a personal or private interest that might compromise their ability to act in the public interest. A conflict of interest can exist even if no improper action results from it.

"Council Member" means the Principal Member or a Councillor elected by the electors of a particular ward, as a representative of the ward in Council.

"Council Members" means the duly elected representatives of the community, including the Mayor and all Councillors

"in writing" includes email

"Leave of absence" means a permission granted by the Council that enables an Council Member to be absent from Council Meetings for a period of time without triggering consideration of the provisions of section 54(1)(d) of the Act.

"LGA" is the Local Government Association.

"Mayor" is the person elected as the principal member of Council to represent the local government area as a whole.

"Retiring" refers to the conclusion of a Council Member's term with Council, whether through not successfully gaining a position on Council following the General Election or choosing not to contest an election.

"Resigning" refers to the conclusion of a council Member's term through resignation during an election term.

"Service" includes continuous and accumulative service as a Council Member of the City of Burnside.

"Staff" includes Council staff, contractors, volunteers and all others who perform work on behalf of Council.

"Suspension" the Act outlines in some circumstances that Council Members can be suspended from office, if this occurs the Act needs to be referred to as suspensions can include the stopping of allowance payments and the withdrawal of access to council benefits and entitlements.

Policy

6.1 **Conflict of Interest**

6.1.1 Managing conflicts of interest is integral to the accountability, transparency and effectiveness of local government.

6.1.2 The conflict of interest provisions under the Act apply in the same way to a Council Committee Member in respect of matters to be discussed by a Council Committee as they apply to Council Members with respect to matters to be discussed by a Council.

6.1.3 Council Members who have an interest in a matter before the Council, as defined in the Act, must disclose the interest to the Council.

6.1.4 The Member, when making the disclosure, must provide full and accurate details of the relevant interest, as prescribed under the Act.

6.1.5 The minute taker must record in the minutes of the relevant Council meeting the type and details of the relevant interest so declared by the Council Member.

6.2 **Leave of Absence**

6.2.1 As the decision-making body of the Council, Council Members commit to regularly attending Council meetings. This position is reinforced by the Act.

6.2.2 Whilst absence from a meeting may, on occasion, be unavoidable, it is recommended practice to request a 'leave of absence' when an Council Member knows in advance that they will be unable to attend two or more consecutive Council meetings.

6.2.3 An apology for non-attendance at a Council meeting may be offered but this is a gesture of courtesy and does not provide any legal protection as it does not grant an Council member formal 'leave of absence'.

6.2.4 A Leave of Absence is legally distinct from an apology as it is recognised under the Act and occurs when an Council Member requests and receives approval, in advance, to be absent from a meeting or meetings.

6.2.5 All Leave of Absence applications for Council consideration be made available by the CEO to Council Members for their consideration, whether in public or for confidential consideration. It is at the absolute discretion of the Council to approve or refuse the Leave of Absence request after being provided with all relevant information.

6.2.6 If the leave of absence request is refused by the Council, reasons must be provided in support of the refusal. The CEO will advise the Council Member in writing of Council's refusal and its reasons.

6.2.7 Unless requested (and subject to appropriate grounds being available), the leave of absence request will be dealt with in public at the Council meeting. If a request is made to consider the leave of absence request in confidence, the grounds for confidentiality must be identified in the request by the Council Member.

6.2.8 Decisions about whether a request should be subject to a recommendation that it be considered in confidence, will be made by the CEO. If, in the view of the CEO, there are no legally available grounds and/or the reasons for considering the leave of absence request in confidence are not sufficient, the leave of absence report will be included in the public agenda papers.

6.2.9 If an Council Member attends a Council meeting (whether or not an ordinary meeting) despite having been granted a leave of absence by the Council, the leave of absence is rescinded at that time. Attendance at a meeting does not prevent a further Leave of Absence being granted.

6.2.10 Where a period of Leave of Absence is longer than 3 months, the Council Member should resign their membership of any Council Committees or External Organisations occupied as a representative of Council.

6.2.11 If an Council Member is granted a leave of absence for a period in excess of 3 months, the Council Member should consider whether they wish to decline the receipt of their Council Member allowance for the entire period of the leave of absence or for the period in excess of the 3 months and must advise the CEO in writing of their decision in this regard.

6.2.12 If more than three months' leave of absence is requested within any one twelve month period, the Council Member should consider, and confirm to Council that they have considered - whether it is likely that their circumstances are such, that it would be more appropriate to resign their office.

6.2.13 The CEO will prepare a short report to the Council regarding the request for the leave of absence for the consideration of the Council. This report will include a recommendation as to whether or not the leave of absence request is consistent with the Policy and if it should be approved.

6.2.14 If a Council Member stands as a candidate for election as a member of the Parliament of South Australia, the member will be taken to have been granted leave of absence from the council in accordance with section 55A of the Act.

6.2.15 The procedure for leave of absence is shown in Attachment 1.

6.3 **Access to Information**

6.3.1 Section 61 of the Act allows for a member of Council, in the performance or discharge of the functions or duties of the member to have access to any relevant council document, this includes information that the Council or

committees have or will be considered under the provisions of 90(3) and 91(7) of the Act.

6.3.2 The CEO or delegate may determine how access to information that is considered to be sensitive or confidential. Documents which access is granted may be provided to Council Members as encrypted electronic documents

6.3.3 Distribution of Confidential Information including documents, reports, attachments and minutes to Council Members will be via encrypted electronic methods only.

6.3.4 Council Members will be provided access to all documents held by Council unless they are irrelevant to the Member's function or duties.

6.3.5 Council Members will not be granted access to documents regarding the personal affairs of Council staff, except for the Register of Interests that is required to be maintained under section 116 of the Act and be made available for Council Members' inspection upon request (section 118 of the Act).

6.3.6 This policy does not limit the rights of a Council Member to use the Questions on Notice (r 9) or the Notice of Motion (r 12) provisions of the *Local Government (Procedures at Meetings) Regulations 2013* to seek answers to questions or to request that a report be prepared on certain issues.

6.3.7 This policy does not restrict a Council Member from exercising their rights as a citizen to use the provisions of the *Freedom of Information Act 1991* to seek access to certain documents held by the Council.

6.3.8 The procedure for access to information is shown in Appendix 2.

6.4 Register of Interests

6.4.1 The CEO maintains a Register of Interests and all information pursuant section 68 of the Act is included in the register.

6.4.2 The CEO will remind Council members of the requirement for them to submit a return. It is the Council member's responsibility to submit the return within the statutory timeframes.

6.4.3 The Act requires a Council Member to notify the CEO of a change or variation to the information appearing in the Register within one month of the change or variation. If a Council Member fails to notify the CEO of a change or variation within 30 days, the Council Member may be guilty of an offence.

6.4.4 Section 70 of the Act and the Regulations outline the information that the council must publish on its website regarding each member of the council. The Chief Executive Officer has determined that the register will be published on burnside.sa.gov.au.

6.4.5 If a Council Member fails to submit a return to the CEO within the time allowed, the CEO is required, to follow the procedure outlined in section 68

of the Act. Ultimately, failure to submit a return will result in the Council Member being suspended and removed from office.

6.5 **Mayor – Ex-Officio Appointments**

6.5.1 The Mayor is an ex-officio member on all Committees[1] other than the Council Assessment Panel and the Audit and Risk Committee.

6.5.2 The Mayor, as an ex-officio member of any Committee, sub-Committee or Working Party, may exercise a deliberative vote but not a casting vote.

6.5.3 Where quorum provisions and membership make it clear that a certain number of persons are specified as constituting the membership, the number is in addition to the ex-officio- membership of the Mayor and quorum calculations take into account the Mayor's ex-officio membership as a member of each body whenever the Mayor is present at a meeting[2].

6.6 **Building Access**

6.6.1 Council Members are provided with building access to the Council Members areas.

6.6.2 Council Members seeking access to Administration Offices' of Council are to be escorted by a staff member at all times.

6.7 **Wearing of Robes**

6.7.1 Robes may be worn by Council Members on ceremonial occasions only.

6.8 **Council Delegate**

6.8.1 The Mayor of the City of Burnside will be the Council's nominated delegate at meetings of the LGA, LGFA and other events where the Mayor is expected to attend or has been invited as Council's representative

6.8.2 Council will be represented at the ALGA National Assembly of Local Government by the Mayor and where appropriate the CEO[3].

6.11.3 In the event that the Mayor is unable to attend LGA and LGFA meetings council will determine at least 6 weeks prior to the meeting an alternative delegate.

6.9 **Recognition of Service**

6.9.1 The City of Burnside recognises the service of Council Members at the achievement of service milestones and at the completion of their service

6.9.2 To ensure a consistent and equitable approach to recognising the service of a Council Member on resignation or retirement, a Certificate of Service will be provided outlining:

6.9.2.1 Length of service

6.9.2.2 Membership of Council Committees and

6.9.2.3 Membership of external organisations

[1] Decision of Council 25 February 2014
[2] (C9600, 25/2/2014)
[3] Council decision (C8058)

at the time of resignation or retirement.

6.9.3 Presentation of Certificates will occur at an ordinary meeting of the Council as soon as practicable following the conclusion of a Council Member's term.

6.9.4 If a former Council Member is unable to attend the scheduled meeting, the certificate should be provided in person by the Mayor at a mutually agreed time.

6.9.5 The Local Government Association (LGA) provides certificates for the recognition of service to Council Members through a 'Merit, Service and Recognition Awards Program'

6.9.5.1 On the achievement of 10 or more years of service as a Council Member, a Council Member is eligible to receive a Local Government Service Award through the LGA 'Merit, Service and Recognition Awards Program'.

6.9.5.1.1 The award is also available at 5 year intervals thereafter.

6.9.5.1.2 The Office of the CEO will notify the LGA of the service milestones.

6.9.5.2 It is the responsibility of the Council Member to notify the Office of the CEO when they have reached a service milestone. The Council will then contact the LGA on their behalf.

6.10 **Gifts and Benefits**

6.10.1 It is the Council Member’s responsibility to disclose any gift or benefit that is valued greater than the amount determined by the Minister in accordance with the Act.

6.10.2 A register is maintained and published on the Council website outlining all gifts and benefits received by members.

6.10.3 The register published on the Council website (burnside.sa.gov.au) will disclose any benefits provided to Council members greater than the amount determined by the Minister, this includes but is not limited to the provision of meals, data plans etc.

Review and Authority

7.1 This Policy will be reviewed every four years in line with Council’s Policies and Protocols Framework.

Availability

8.1 The Policy is available to be downloaded, free of charge, from Council’s website www.burnside.sa.gov.au

Further Information

9. For further information about this policy please contact:

City of Burnside Civic Centre; 401 Greenhill Road, Tusmore SA 5065
Telephone; 8366 4200; Email; burnside@burnside.sa.gov.au

Appendix 1 – Leave of Absence Procedure

1. When a Council Member intends to request a leave of absence, they must indicate this to the Council as soon as practicable.
2. The Council Member must provide to the CEO, in writing their leave of Absence request, with a minimum of five clear days' notice prior to the Council meeting, which outlines:
    a. the proposed commencement and end dates of the proposed leave of absence
        i. the reasons for the leave of absence
        ii. if the leave of absence request is for a period in excess of three months:
        iii. if they will be resigning their membership from Council Committees or representing Council on External Organisations, and
        iv. if they wish to receive or decline their Council Member allowance for the period of their leave of absence.
    b. If a request for a leave of absence misses the deadline for receipt the items will be placed on the next Council Meeting Agenda.
    c. If ana Council Member does not provide, in writing, reasons for the leave of absence request, the CEO in reporting the request to the Council will not provide any recommendation.
3. A Council Member is not obligated to reveal personal information if the reasons for the leave of absence request are of a personal nature.

Appendix 2 – Access to Information Procedure

1. A request for access to a Council document under section 61 of the Act must:
    a. be directed in the first instance to the CEO. The request may be made in person, by phone or in writing.
    b. identify the document/s being sought with enough detail for the document/s to be identified and state the reason(s) for the request. Only documents which are in existence at the time of the request will be provided.
2. A Council Member will be provided access to the document/s if they are held by Council. Where access to a document is not provided, the reason is to be provided to the Council Member in writing.
3. The form of access to the document/s will be negotiated with the Council Member to accommodate the particular needs of the Member and administrative efficiency.

4. Where the document is publicly available (e.g. available on Council's website) the Council Member will be sent a link to the document.

5. Where access is granted to a document that is not publicly available and there is no sensitivity/confidentiality to the document, a copy of the document will be provided to the Council Member in an agreed form and may be provided to other Council Members if relevant.

6. Where there is a degree of sensitivity, existing confidentiality orders under sections 90(3) and 91(7) of the Act or there are other reasons to restrict distribution of the document(s) (e.g. if the documents contain legal advice, confidential information or internal corporate information) access may be limited to 'view only' access at a mutually convenient time at the Civic Centre...

7. The CEO or delegate will advise members of the arrangements to view these documents and email advice confirming the 'view only' access arrangements will be sent to the Council Member.

8. All documents covered by the *Independent Commissioner Against Corruption Act 2012* are excluded in accordance with the provisions of that Act or at the direction of the Commissioner.

9. Where the information being sought is not in the form of existing Council document/s, and the request requires more than a simple response, Council Members will be advised that they should propose a Motion on Notice to be presented to Council requesting a report.

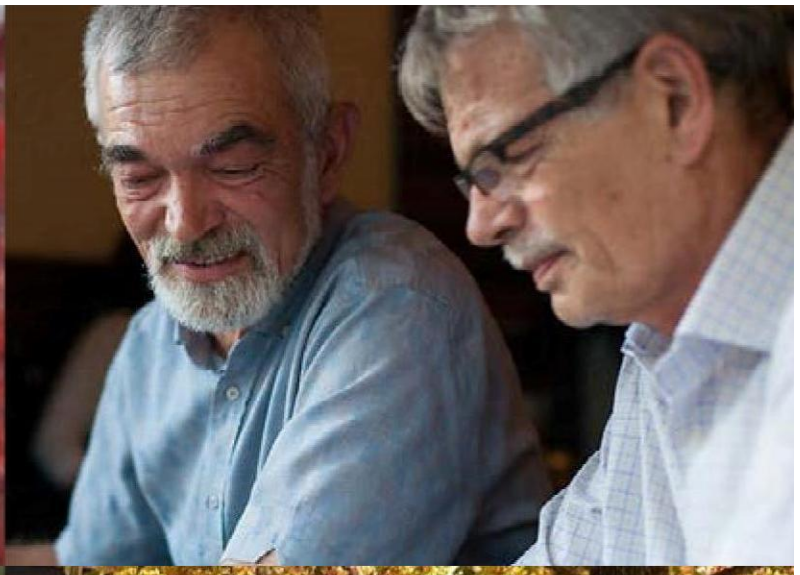
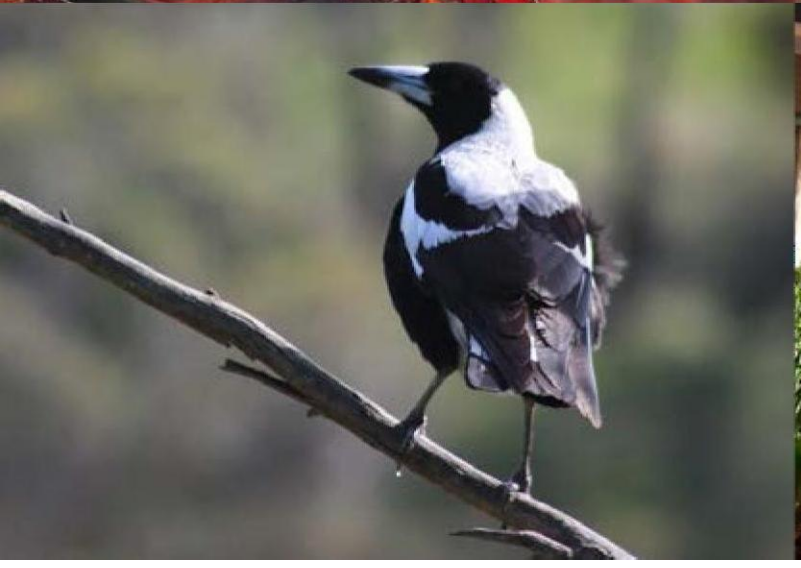
Appendix 8

Code of Practice for Council Meeting Procedures

Adelaide Hills
COUNCIL

Council Policy

Code of Practice for Council Meeting Procedures

COUNCIL POLICY

Adelaide Hills COUNCIL	**CODE OF PRACTICE FOR COUNCIL MEETING PROCEDURES**

Policy Number:	**GOV-14**
Responsible Department(s):	**Governance & Performance**
Relevant Delegations:	**As per the delegations schedule and as included in this Code**
Other Relevant Policies:	***Acknowledgement and Welcome to Country Policy*** ***Council Member Conduct Policy*** ***Code of Practice for Access to Council and Council Committee and Information or Briefing Sessions Meetings & Documents*** ***Petitions Policy*** ***Information or Briefing Sessions Policy*** ***One Team – Communication Protocols for Council Members and the Administration***
Relevant Procedure(s):	**None**
Relevant Legislation:	***Local Government Act 1999*** ***Local Government (Procedures at Meetings) Regulations 2013***
Policies and Procedures Superseded by this policy on its Adoption:	**Code of Practice for Council Meeting Procedures, 25 February 2025, 62/25**
Adoption Authority:	**Council**
Date of Adoption:	**08 April 2025**
Effective From:	**22 April 2025**
Minute Reference for Adoption:	**122/25**
Next Review:	**At the end of the Council term (November 2026) or as required by legislation or changed circumstances**

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	28/1/2020	Code adopted	Council – Res 17/20
1.1	25/2/2020	Amendments to clause 3.10 to provide consistency with changes to Council *Petitions Policy*	Council - Res 47/20
1.2	21/4/2020	Amendments to provide consistency with *Electronic Participation in Council Meetings Notice (No 1) 2020*	Council - Res 63/20
1.3	22/9/2020	Amendments to provide for the broadcasting of Council meetings	Council – Res 198/20
1.4	31/1/2021	Amendment to provide consistency with the *Acknowledgement and Welcome to Country Policy*	Council – Res 295/20
1.5	10/11/2021	Consequential amendments from adoption of Information or Briefing Sessions Policy and changes to Local Government Act regarding question and motion notice periods.	Council – Res 226/21
1.6	11/11/2021	Updated legislative references relating to publication of *Electronic Participation in Council Meetings Notice (No 5) 2021*	N/A
2.0	5/4/2022	Multiple amendment to Sections 3 and 4	Council – Res 65/22
2.1	21/6/22	Provisions relating to Notice No 5 (electronic participation) removed following 28 day elapsed period after Public Health Emergency Declaration cessation	Council – Res 65/22
2.2a	17/7/23	Removed all electronic meetings provisions regarding for Council Members, updated the conflict of interest provision references and the leave of the meeting definition, inserted reference to the Behavioural Standards for Council Members and provisions regarding suspension of Members	Council – Res 187/23
3.	25/2/25	Amendment to clause 4.6.1 (addresses by members) and clause 3.8.1 (Mayor's Opening Remarks)	Council – Res 62/25
4.	22/4/2025	Additional of WHS sections (Clauses 2-5)	Council – Res 122/25

CODE OF PRACTICE FOR COUNCIL MEETING PROCEDURES

1. INTRODUCTION

1.0.1 Adelaide Hills Council (AHC) is committed to the principle of honest, open and transparent governance and encourages community participation in the business of Council. The rules and procedures for all meetings of Council and its Committees are outlined in the:

a. *Local Government Act 1999* (the Act)
b. *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations)

1.0.2 These Regulations provide that a council may develop and adopt a Code of Practice for its own meetings of Council and Committees that add to, or vary certain aspects of, these provisions. Committees, in this regard, refer to committees established under section 41 of the Act.

1.0.3 The purpose of this Code is to establish a consistent approach and provide clear expectations to Council Members, staff, residents, ratepayers and guests for the order of business, procedures and etiquette of AHC Council meetings.

1.0.4 This Code supplements the legislation, with any procedures that are required by legislation inserted into the document with reference to the relevant regulation (provided in boxes, with wording in italics). This enables the Code to be read in conjunction with AHC's meeting procedure requirements. Please note that this only applies to procedures at the meeting, rather than those aspects that relate to frequency, timing, and notice of meetings, where reference has only been made to the relevant section within the Act.

1.1. Application of the Code of Practice

1.1.1 This Code applies to all ordinary and special meetings of Council.

1.1.2 The section 41 committees of Council will be guided by the Act and Regulations as applicable to those committees and any provisions set out in the committee terms of reference. For clarity, Parts 1, 3 and 4 of the Regulations will apply to the committee but not the provisions of Part 2 of the Regulations.

1.1.3 References to the Mayor also include the acting Presiding Member in the Mayor's absence.

1.2. Guiding Principles

1.2.1 Regulation 4 of the Regulations prescribes guiding principles that should be applied with respect to the procedures to be observed at a meeting of a council or council committee.

1.2.2 In determining a matter of meeting procedure, the Mayor should consider the extent to which the proposed action upholds the following principles:

Legislation – Regulation 4
The following principles (the Guiding Principles) should be applied with respect to the procedures to be observed at a meeting of a Council or Council Committee. a) *procedures should be fair and contribute to open, transparent and informed decision making.* b) *procedures should encourage appropriate community participation in the affairs of the Council.* c) *procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting.* *d) procedures should be sufficiently certain to give the community and decision makers confidence in the deliberations undertaken at the meeting.*

1.2.3 These Guiding Principles underpin the details documented in this Code of Practice.

2. WORK, HEALTH AND SAFETY DUTIES[1]

2.0.1 Adelaide Hills Council values the safety of all Council meeting attendees.

2.0.2 Safety includes physical and psychological health and safety.

2.0.3 Adelaide Hills Council does not accept unsafe behaviour and encourages everyone to address safety concerns, including speaking out if they personally experience or witness unsafe behaviour.

2.0.4 Complaints made in accordance with this Policy will be managed on a confidential basis where practicable.

2.1. Council

Legislation – Work health and safety Act – s19
(1) A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of— *(a) workers engaged, or caused to be engaged by the person; and* *(b) workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking.* (2) *A person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.*

2.1.1. Council is a person conducting a business or undertaking (PCBU) under the *Work Health and Safety Act 2012.*

[1] Work Health and Safety terms are defined in the *Council Member Work Health and Safety Policy*

2.1.2. Council has a duty of care to ensure the work health and safety of people attending Council meetings.

The CEO and Executive Leadership Team may be 'officers' under the Work, Health and Safety Act.

2.1.3. Under s27 of the Work, Health and Safety Act, officers must exercise due diligence to ensure Council meets its Work, Health and Safety duties to protect workers and other persons against harm to health and safety at Council meetings.

2.1.4. Council will take all reasonable and practicable steps to eliminate or minimise risks to safety at Council meetings.

2.1.5. The principles followed by Council in management of risks includes:

a. Identifying reasonably foreseeable physical and psychosocial hazards that could give rise to risks
b. Carrying out risk assessments to assess potential risks
c. Implementing control measures
d. Reviewing control measures

2.2. Public

2.2.1. The public have work, health and safety obligations during council meetings. These obligations arise from s29 of the Work, Health and Safety Act 2012.

Legislation – Work health and safety Act – s29
A person at a workplace (whether or not the person has another duty under this Part) must— *(a) take reasonable care for his or her own health and safety; and* *(b) take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and* *(c) comply, so far as the person is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person conducting the business or undertaking to comply with this Act.*

2.2.2. The public is expected to:

a. Comply with the procedures set out in this Code of Practice.
b. Comply with conditions of entry for the meeting.
c. Comply with reasonable instructions given by the Presiding Member or Council Staff
d. Take reasonable care for their own health and safety including ensuring that their action or inaction does not negatively affect their own health and safety.
e. Take reasonable care that their actions or inactions do not negatively affect the health and safety of other persons attending the meeting, including not using threatening, abusive, insulting, intimidating or bullying language or behaviour to other persons.
f. Take reasonable care to not incite others to take actions that negatively affect the health and safety of other persons attending the meeting.

2.3. Council Members

2.3.1. Council Members have work, health and safety obligations during council meetings. These obligations arise from s 75G of the *Local Government Act 1999* and s 29 of the *Work, Health and Safety Act 2012*.

Legislation – Local Government Act – s75G

(1) A member of a council must—

(a) take reasonable care that the member's acts or omissions do not adversely affect the health and safety of other members of council or employees of the council; and

(b) *comply, so far as the member is reasonably able, with any reasonable direction that is given by a responsible person for the purposes of ensuring that the member's acts or omissions do not adversely affect the health and safety of other members of the council or employees of the council.*

Legislation – Work health and safety Act – s29

A person at a workplace (whether or not the person has another duty under this Part) must—

(a) take reasonable care for his or her own health and safety; and

(b) take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and

(c) comply, so far as the person is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person conducting the business or undertaking to comply with this Act.

2.3.2. Details of these obligations are set out in the Council Members Work Health and Safety Policy.

2.3.3. Council Members must:

a. Comply with the procedures set out in this Code of Practice.
b. Comply with reasonable instructions given by the Presiding Member or the Chief Executive Officer or the Executive Leadership Team.
c. Take reasonable care for their own health and safety including ensuring that their action or inaction does not negatively affect their own health and safety.
d. Take reasonable care that their actions or inactions do not negatively affect the health and safety of other persons attending the meeting, including not using threatening, abusive, insulting, intimidating or bullying language or behaviour to other persons.
e. Take reasonable care to not incite others to take actions that negatively affect the health and safety of other persons attending the meeting.

2.4. Staff

2.4.1 Council workers have work, health and safety rights and obligations during council meetings. These obligations arise from s28 of the *Work, Health and Safety Act 2012.*

Legislation – Work health and safety Act – s28
While at work, a worker must— *(a) take reasonable care for his or her own health and safety; and* *(b) take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and* *(c) comply, so far as the worker is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person to comply with this Act; and* *(d) co-operate with any reasonable policy or procedure of the person conducting the business or undertaking relating to health or safety at the workplace that has been notified to workers.*

2.4.2. Details of these rights and obligations are set out in the Work Health and Safety and Return to Work Policy.

2.4.3. Council workers must :

a. Comply with the procedures set out in this Code of Practice.
b. Comply with reasonable instructions given by the Presiding Member or the Chief Executive Officer or the Executive Leadership Team.
c. Take reasonable care for their own health and safety including ensuring that their action or inaction does not negatively affect their own health and safety
d. Take reasonable care that their actions or inactions do not negatively affect the health and safety of other persons attending the meeting, including not using threatening, abusive, insulting, intimidating or bullying language or behaviour to other persons.
e. Take reasonable care to not incite others to take actions that negatively affect the health and safety of other persons attending the meeting.

3. WORK, HEALTH AND SAFETY PROCEDURES – BEFORE THE MEETING

3.1. Risk Assessment

3.1.1 Administration have adopted a Risk Assessment for Public Notifiable Meetings Procedure and the Public Notifiable Meeting Risk Assessment Tool which outlines a process for responding to identified potential hazards and risks for Council Meetings.

3.1.2 Prior to each scheduled meeting Administration will undertake a risk assessment utilising the Risk Assessment for Public Notifiable Meetings Procedure and the Public Notifiable Meeting Risk Assessment Tool.

3.1.3 Council Members and Council workers must provide the information requested by Administration to inform the risk assessment.

3.1.4 Council Members must notify the Administration where possible of any emerging risks to health and safety at an upcoming Council Meeting that they become aware of.

3.1.5 Administration will implement appropriate hazard management controls based on the outcome of the Public Notifiable Meeting Risk Assessment Tool.

3.1.6 These hazard management controls may include:

a) Increased security measures.
b) Attendance of security personnel.
c) Restrictions on attendance for non-essential staff and others.
d) Other reasonable directions that control hazards.

3.2. Council Member work health and safety concerns regarding an upcoming meeting

Legislation – Local Government Act – s75G

(1) A member of a council must—

….

(b) comply, so far as the member is reasonably able, with any reasonable direction that is given by a responsible person for the purposes of ensuring that the member's acts or omissions do not adversely affect the health and safety of other members of the council or employees of the council.

(2) For the purposes of subsection (1)(b), the responsible person is—

…..

(b) if the person whose health and safety may be adversely affected is the principal member of the council—the deputy or another member chosen by the council; or

(c) if the person whose health and safety may be adversely affected is another member or the chief executive officer of the council—

(i) unless subparagraph applies, the principal member of the council; or
(ii) if the relevant acts or omissions are those of the principal member of the council—the deputy or another member chosen by the council.

(3) Without limiting subsection (1)(b), a reasonable direction may include a direction that a member of a council not attend a meeting of the council or a council committee (and a member the subject of such a direction will be taken to have been granted leave of absence from attending council meetings for the duration of the direction).

(4) However, a reasonable direction under subsection (1)(b) that a member not attend a meeting of a council may only be given if there are no other reasonable directions considered appropriate in the circumstances to ensure the health and safety of the affected person.

(5) If a reasonable direction under subsection (1)(b) that a member not attend a meeting of a council is given, the responsible person must ensure that a complaint relating to the matter is referred to the Behavioural Standards Panel

Conduct of Council Members

3.2.1 In the first instance, if Council Members have concerns that the conduct of another Council Members may impact work health and safety at an upcoming Council meeting,

they may raise this with the responsible person under s75G of Local Government Act 1999.

3.2.2 The responsible person under s75G may issue reasonable directions. These directions may include but are not limited to:

a. where Council Members can sit
b. limiting communication with others
c. Council member conduct prior to and after a meeting
d. To not attend a meeting

3.2.3 A direction to not attend a meeting may only be given if there are no other reasonable directions considered appropriate in the circumstances to ensure health and safety.

3.2.4 If a direction that a member not attend a meeting of a council is given, the responsible person must ensure that a complaint relating to the matter is referred to the Behavioural Standards Panel to ensure compliance with legislative requirements (s75G(5)).

3.2.5 After raising concerns with the responsible person under s75G of Local Government Act 1999, if the Council Members continues to have Work Health and Safety concerns, they may raise these concerns with the Chief Executive Officer or their delegate. The Chief Executive Officer or their delegate will undertake the steps outlined in section 3.2.6 - 3.2.8 below.

Other Work Health and Safety Concerns (not related to the conduct of Council Members)

3.2.6 If Council Members have work health and safety concerns (not related to the conduct of Council Members) about an upcoming Council meeting, they may raise these with the Chief Executive Officer, or their delegate.

3.2.7 If the work, health and safety concerns relate to the Chief Executive Officer or they have a conflict of interest in the matter, the matter should be raised with a member of the Executive Leadership Team.

3.2.8 The Chief Executive Officer, or their delegate (or the member of the Executive Leadership Team where applicable) will ensure the matter is included in the risk assessment for the meeting.

3.3 Council worker health and safety concerns regarding an upcoming meeting

Conduct of Council Members

3.3.1 In the first instance, if Council Workers have concerns that the conduct of a Council Member may impact work health and safety of staff at an upcoming Council meeting, they may raise this with the Chief Executive Officer as the responsible person under s75G of Local Government Act 1999.

3.3.2 The Chief Executive Officer may issue reasonable directions. These directions may include but are not limited to:

a. where Council Members can sit
b. limiting communication with others
c. Council member conduct prior to and after a meeting
d. To not attend a meeting.

3.3.3 A direction to not attend a meeting may only be given if there are no other reasonable directions considered appropriate in the circumstances to ensure health and safety.

3.3.4 If a direction that a member not attend a meeting of a council is given, the responsible person must ensure that a complaint relating to the matter is referred to the Behaviour Standards Panel to ensure compliance with legislative requirements (s75G(5)).

Other Work Health and Safety Concerns (not related to the conduct of Council Members)

3.3.5 Council workers should raise work health and safety concerns they have about an upcoming Council meeting in the usual way of reporting work health and safety hazards (via Skytrust).

3.3.6 If the work health and safety concern is identified immediately prior to a Council Meeting, the Council worker should also directly contact the Governance team.

3.4 Public health and safety concerns regarding an upcoming meeting

3.4.1 The public may raise work health and safety concerns with the Executive Governance Officer before a meeting via email governanceandperformance@ahc.sa.gov.au or via 8408 0400.

4 WORK, HEALTH AND SAFETY PROCEDURES – DURING MEETING PROCEEDINGS

4.1.1 Should an incident occur during a Council meeting the Presiding Member is responsible for managing work health and safety issues that relate to the conduct of Council members under section 75G. They may undertake the steps outlined in sections 3.2.1 – 3.2.4.

4.1.2 Should a work health and safety matter arise during a Council meetings that is related to Councils responsibilities as a 'person conducting a business or undertaking' the Chief Executive Officer is responsible for managing these issues.

4.1.3 If an incident occurs during a Council meeting that requires immediate action to ensure the safety of participants, the Presiding Member should be notified and will cease meeting proceedings to enable the Chief Executive Officer to take appropriate action to ensure the safety of participants.

4.1.4 In the instance that the Presiding Member ceases meeting proceedings due to a work health and safety incident the Public, Council Members and Council Workers must follow the directions of the Chief Executive Officer, which may include directions to evacuate the meeting room.

5 WORK, HEALTH AND SAFETY – AFTER MEETING PROCEEDINGS

5.1 Reporting Incidents

Council Members

5.1.1 Council Members may report work health and safety incidents after a Council Meeting by following the Council Members Work Health and Safety Policy.

Council Workers

5.1.2 Council Workers may report work health and safety incidents after a Council Meeting by following the WHS Incident Reporting and Investigation Procedure.

Public

5.1.3 The Public may report work health and safety incidents by reporting an incident to the Executive Governance Officer via email governanceandperformance@ahc.sa.gov.au or via 8408 0400.

5.2 Incident Investigation

5.2.1 All incident reports received about a Council meeting will be investigated following the *WHS Incident Reporting and Investigation Procedure* or *the Council Members Work Health and Safety Policy*, whichever is applicable.

6 OPERATING PROCEDURES – BEFORE THE MEETING

6.1 Calling Meetings

Ordinary Meetings

6.1.1 Section 81 of the Act prescribes the legislative requirements for the frequency and timing of Ordinary Council Meetings.

6.1.2 The schedules for Ordinary Council Meetings are resolved in advance and are maintained on the Council website.

Special Meetings

6.1.3 Section 82 of the Act prescribes the legislative requirements for the calling of Special Meetings of council.

6.1.4 Details of Special meetings of Council will be placed on the Council website as soon as possible after the decision to call the meeting.

6.2 Notice and Agendas for Meetings Ordinary Meetings

6.2.1 Sections 83 and 84 of the Act prescribe the legislative requirements for providing Council Members and the public with notice for Council meetings.

6.2.2 At least three (3) clear days[1] before the Council meeting the Chief Executive Officer (CEO) must give written notice of the meeting to all Council Members setting out the date, time and place of the meeting.

[1] 'clear days' means that the time between the giving of the notice and the day of the meeting, but excluding both the day on which the notice was given and the day of the meeting, (e.g. notice is given on a Thursday for a following Monday meeting, the clear days are Friday, Saturday and Sunday). If a notice is given after 5 p.m. on a day, the notice will be taken to have been given on the next day

6.2.3 The notice must contain or be accompanied by the agenda[2] and, as far as practicable, the documents and reports that are to be considered at the meeting. Council's practice, whenever possible, is to provide the notice four (4) clear days before the meeting (i.e. by 5.00pm Thursday for a Tuesday evening meeting).

6.2.4 Each Council Member may indicate their preference for delivery of the notice of meeting, agenda and reports for all Council meetings. Any changes to the delivery arrangements must be requested in writing.

6.2.5 For members of the public, a copy of the notice of meeting, agenda and reports (with the exception of confidential items) will be displayed for viewing on Council's website www.ahc.sa.gov.au and on public display at the principal office as soon as practicable after the time when the document or report is supplied to members of the Council[3].

6.2.6 The notice will remain on the website and on public display until the completion of the meeting. In practice these notices remain available indefinitely.

Special Meetings

6.2.7 For Special Meetings, the CEO must ensure that each Member of the Council is given at least four (4) hours' notice of a special meeting of the Council.

6.2.8 Notices of special meetings will be distributed by email to the Council-provided email address for each Member, and will be displayed on Council's website for viewing by members of the public. Where notice of Special Meetings is provided with less than 24 hours' notice, best endeavours will be used to bring the notice to the attention of each Member by making contact by phone, message service or similar.

6.3 Public Access to Meetings

6.3.1 Council has adopted a *Code of Practice for Access to Council, Council Committee and Information or Briefing Sessions Meetings & Documents* which outlines the arrangements for public access to Council meetings.

6.4 Questions for Clarification Prior to the Meetings

6.4.1 To facilitate efficient and effective meetings, Council Members are encouraged to contact the CEO or nominated delegate prior to Council meetings to clarify matters appearing on the agenda. For Administration Reports, the nominated delegate is the Council Officer whose name is listed as the Responsible Officer.

[2] 'agenda' under s4(1) of the Act means a list of items of business to be considered in a meeting. For clarity, reports and documents that accompany those business items are not considered to be the 'agenda'.
[3] For more information on public access to the Council agenda, please see the *Code of Practice for Access to Council and Council Committee and Designated Informal Gatherings Meetings & Documents*

7 OPERATING PROCEDURES – THE ORDER OF BUSINESS

7.1 Commencement of Meetings and Quorums

Legislation – Regulation 7
(1) A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.
(2) If the number of apologies received by the chief executive officer indicates that a quorum will not be present at a meeting, the chief executive officer may adjourn the meeting to a specified day and time.
(3) If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the presiding member or, in the absence of a presiding member, the chief executive officer, will adjourn the meeting to a specified day and time.
(4) If a meeting is adjourned for want of a quorum, the chief executive officer will record in the minute book the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.
(5) If a meeting is adjourned to another day, the chief executive officer must-
(a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and
(b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be published on a website determined by the chief executive officer.

7.1.1 A quorum for Council is determined under s85(1) of the Act by 'dividing the total number of members of the council for the time being in office by 2, ignoring any fraction resulting from the division, and adding one'. For the purposes of s85(1) the members of council in office used to calculate the quorum does not include a member of council who is suspended from office or a member of council who has taken a leave of absence under s55 (to contest a state election) – see s85(2).

7.1.2 In the normal course of events, AHC's quorum is seven (7) Council Members (this includes the Mayor).

7.2 Order of Business

7.2.1 The order of business for Council meetings will generally be in accordance with the attached agenda template – refer ***Appendix A***. However the Mayor at their own initiative or at the request of a Member of Council may bring forward items, with the leave of the meeting, for debate and resolution where:

a. a large contingent of interested parties is present in the gallery

b. contractors or consultants are present to make presentations; or

c. it may otherwise be considered expedient or appropriate.

7.3 Length of Council Meetings

7.3.1 Council meetings will commence upon a quorum being present at the time set down in the Notice of Meeting.

7.3.2 Council meetings will conclude at or before 10.00pm, or 3.5 hours after the commencement, whichever is the earlier, unless the meeting formally resolves on each specific occasion to continue beyond that time.

7.3.3 Where the business of a meeting is unlikely to be completed before 10.00pm, or within 3.5 hours of the commencement, a motion is to be put to the meeting whether to continue or adjourn to another date and time. Extensions of the meeting will normally be in 30 minute blocks.

7.3.4 During the course of a Council meeting, a motion may be put to adjourn the meeting for a specified period (e.g. for 10 minutes).

7.4 Opening Statement

7.4.1 After calling a Council meeting to order, the meeting shall be opened with an Acknowledgement of Country consistent with the Council's *Acknowledgement and Welcome to Country Policy*, as amended from time to time.

7.5 Attendees, Apologies and Absences

7.5.1 If a Member expects to be late or unable to attend a meeting, the Governance & Performance Department (governanceandperformance@ahc.sa.gov.au) is to be advised prior to the commencement of the meeting or as soon as possible.

7.5.2 If a Member intends to seek a leave of absence, the request must be made in writing via the Governance & Performance Department, specifying the period of leave that is being requested, prior to the commencement of the meeting.

7.5.3 A leave of absence will only be granted by a resolution of the Council and will involve leave from all Council duties (including roles on council committees, panels and advisory groups).

7.5.4 Where a Member is intending to be interstate, overseas or otherwise not able to attend to the full range of duties, they should seek a leave of absence at the preceeding meeting.

7.5.5 Where a Member recommences duties prior to the expiry of the approved period, the leave of absence will cease. For the sake of clarity, the leave of absence does not recommence without a new resolution of the Council to grant leave.

7.5.6 A leave of absence will not be retrospective.

7.5.7 All apologies and leaves of absence will be listed in the Minutes for each Council meeting that it relates to.

7.5.8 If no apology has been received by the commencement of the meeting and there is no leave of absence and the Member is not present, they will be recorded in the Minutes as being absent.

7.5.9 If a Member arrives after the meeting commences, the time of arrival will be included in the Minutes.

7.5.10 If a Member has to leave a meeting (for longer than a comfort break), the Member should draw their impending departure to the attention of the Mayor to ensure that the presence of a quorum can be monitored.

7.5.11 Council Officers who address the Council meeting will be recorded in the Minutes as being in attendance.

7.5.12 The number of members of the public or representation of any other organisations will not be recorded in the minutes, unless presenting on a specific item in the agenda.

7.6 Confirmation of Minutes

Legislation – Regulation 8
(1) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting
(2) No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.
(3) On the confirmation of the minutes, the presiding member will-
(a) initial each page of the minutes, which pages are to be consecutively numbered; and
(b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.

7.6.1 The Minutes included in an Ordinary meeting agenda will be those unconfirmed minutes of any previous meetings less any information that is subject to an order under section 90 of the Act.

7.7 Declaration of Interest

7.7.1 The provisions in relation to a Council Member's interests are set out in sections 73, 74, 75 and 75A-C of the Act and Reg 8AAA in the *Local Government (General) Regulations 2013* .

7.7.2 It is a Council Member's responsibility to ensure they are aware of, and understand, the legislative provisions relating to declarations of interest.

7.7.3 A Council Member who has an interest in a matter, as defined under sections 74 and 75 of the Act, must disclose the interest to the Council in accordance with the provisions of sections 75B and 75C of the Act. Disclosures will be recorded in the Minutes in accordance with the relevant provisions of the Act and Regulations.

7.7.4 Council Members may seek advice about a possible interest before a meeting by contacting the CEO or the Governance & Performance Department. If necessary, the Governance & Performance Department will facilitate the Member to contact the Council's lawyers directly for advice, at Council's expense.

7.8 Mayor's Opening Remarks

7.8.1 At each ordinary Council, the Mayor may present opening remarks which will be confined to matters regarding the conduct of the meeting (e.g. acknowledging members of the gallery, advising break times, proposals to reorder the agenda) or to acknowledge a significant civic, cultural or other event. A brief summary of these remarks will be minuted.

7.8.2 The Mayor will not use the Mayor's Opening remarks to make a personal explanation to Council.

7.8.3 Should the Mayor wish to make a personal explanation to Council, the Mayor should seek leave of Council in accordance with regulation 15 and section 4.6 of this Code of Practice.

7.9 Questions Adjourned/Lying on the Table

7.9.1 Sometimes 'questions'[4] being debated in the Chamber may need to be adjourned for reasons such as required information not being available at that time. In these cases a 'formal motion'[5] can be resolved to adjourn the matter for a later time.

Questions Adjourned

Legislation – Regulation 19
(1) If a formal motion for a substantive motion to be adjourned is carried: *(a) The adjournment may either be to a later hour of the same day, to another day, or to another place; and* *(b) The debate, will, on resumption, continue at the point at which it was adjourned.* *(2) If debate was interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was adjourned.* *(3) Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting*

7.9.2 The resolution to adjourn a question will nominate the time and place that debate on the question will continue and therefore they do not require a resolution for debate to resume (at the point of interruption) however these questions must be considered prior to any new business being dealt with.

Questions Lying on the Table

7.9.3 Questions Lying on the Table require a resolution for the question to be retrieved (and debate resumed at the point of interruption).

Legislation – Regulation 12
(19)Any question that lies on the table as a result of a successful formal motion under subregulation (14)(c) lapses at the next general election. *(20)The chief executive must report on each question that lapses under subregulation (19) to the council at the first ordinary meeting of the council after the general election.*

[4] Regulation 12 (14) refers to a motion that has been moved and seconded as a 'question'.
[5] For more information on formal motions see clause 4.3 of this Code.

7.10 Petitions

7.10.1 Petitions may be submitted to Council in line with Council's *Petition Policy*. If the petition is a compliant petition for the purposes of the Act and the *Petition Policy*, it will be placed on the agenda for the next scheduled meeting of Council.

7.10.2 The Council agenda will contain a report regarding petition(s) received. The report will contain the nature of the request or submission, the name and locality of the Principal Signatory, a brief statement as to the nature of the request or submissions, the number of signatories and an Officer's Response providing a brief commentary on the relationship/relevance of the petition topic to Council services/activities/plans/strategies/ resolutions and options available to Council to address the petition request. Further the report will recommend, as a minimum, that:

a. The report be received and noted; and
b. The CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter
c. The recommendation may also include further actions for the Council to consider taking in relation to the matter

7.10.3 A full copy of the petition will not be included in the agenda to protect the privacy of individuals. Council Members may request a copy of the petition and it is the Members' responsibility not to distribute or publish a copy of the full petition.

7.10.4 If, in consideration of a petition, a Council Member determines to move a Motion Without Notice, the Council will deal with the motion at that point in the agenda, subject to the compliance with the applicable requirements of legislation/policy.

7.11 Deputations

7.11.1 A deputation is a formal opportunity to address the Council on a particular matter during a meeting.

Legislation – Regulation 11
Deputation means a person or group of persons who wish to appear personally before a council or council committee in order to address the council or committee (as the case may be) on a particular matter. *(1) A person or persons wishing to appear as a deputation at a meeting must deliver) a written request to the council.* *(2) The chief executive officer must transmit a request received under subregulation (1) to the presiding member.*

Making a Deputation Request

7.11.2 A person or persons wishing to appear as a deputation at a Council meeting must forward a written request to the CEO, indicating the reasons for the deputation. Deputations will be limited ordinarily to a maximum of two (2) per Ordinary Council meeting.

7.11.3 In the normal course of events, the deputation request must be received no less than seven (7) clear days prior to the Council meeting, for inclusion in the Agenda. Details of Council meeting dates are contained on the Council website.

7.11.4 If however the matter relates to an item of business on the Agenda and there are not two (2) deputations already approved for the meeting, the Deputation Request Form may be lodged up to 5.00pm on the day prior to the Council meeting.

7.11.5 A request to make a deputation should be made by submitting a *Deputation Request Form*, which is available on Council's website. The Form, which must be completed in full, includes an acknowledgment of the deputation obligations and procedures to be observed at the meeting.

7.11.6 A deputation may comprise one (1) or a number of persons. When a deputation appears at a meeting up to two (2) members of the deputation (e.g. deputees) will be allowed to speak, and to reply to questions from Council Members.

7.11.7 Should a deputee be speaking on behalf of an association, organisation or other body, they may be required to provide a copy of the constitution and rules of that organisation, association or other body, and evidence, such as committee meeting minutes, that they are authorised to make a deputation of behalf of the body prior to the deputee's address.

Processing a Deputation Request

Legislation – Regulation 11
(3) The presiding member may refuse to allow the deputation to appear at a meeting.

7.11.8 Whether or not a deputation may appear is to be determined on a case-by-case basis by the Mayor. In determining whether a deputation request is granted the following considerations will be taken into account:

a. the subject matter of the proposed deputation;
b. relevance to the Council agenda nominated – and if not, relevance to the
c. Council's powers or purpose;
d. the integrity of the request (i.e. whether it is considered to be frivolous and/or vexatious);
e. the size and extent of the agenda for the particular meeting; and
f. 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.

7.11.9 Upon the expiration of seven (7) clear days prior to the Council meeting, the Mayor will consider the Deputation requests received and determine, as per clause 3.11.8, the requests that will be granted.

7.11.10 Notwithstanding clause 3.11.2, the Mayor has the delegation to accept one (1) additional deputation if it is determined that the matter of sufficient importance and urgency that it must be heard at that meeting.

Legislation – Regulation 11 (cont.)
(4) The chief executive officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.

7.11.11 Written notification will be forwarded to the person who made the request for a deputation notifying them of the outcome of the deputation request. If approved they will be notified of the date and time of the meeting at which the deputation will be heard and the method by which the person or persons are to appear at the meeting. For deputation requests received in accordance with clause 3.11.4, phone/email contact will be made with the deputee.

Legislation – Regulation 11 (cont.)
(5) If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the council or council committee (as the case may be).
(6) *The council or council committee may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.*
(7) A council may refer the hearing of a deputation to a council committee.

Presenting a Deputation at a Council Meeting

7.11.12 If the deputee wishes for notes or other documents are to be distributed for the deputation, these are to be provided to the Minute Secretary up to 5.00pm on the day prior to the Council meeting to distribute electronically to the Council Members. The deputee will remain legally liable for the content of any documents distributed.

7.11.13 The deputee(s) microphone will be unmuted and they will be invited by the Mayor to make the deputation on the topic or issue which has been nominated. The deputee must state their name and locality, which will be recorded in the minutes to the meeting (which is a public document).

7.11.14 Powerpoint (or similar) presentations are to be lodged up to 5.00pm on the day prior to the Council meeting for the purposes of confirming software compatibility and content suitability. The deputee will remain legally liable for the content of any presentation.

7.11.15 Deputees may address questions to the Council. The Mayor will determine if an answer is to be provided.

7.11.16 In the interests of fairness, each deputation is to be no longer than ten (10) minutes in duration. Deputees may address questions to the Council which must be accommodated within the 10 minute allocation. The Mayor will determine if an answer is to be provided to any questions asked.

7.11.17 Following the Deputation, a maximum of five (5) minutes will be allocated for Members to direct questions to the deputee(s) if required. Members of Council may ask questions of the deputee(s) presenting. Care should be exercised in framing questions to ensure they clearly relate to the subject of the deputation. The Mayor will use their best endeavours to manage this process fairly.

7.11.18 Notes or presentation material provided as part of the deputation will be referenced in the minutes of the meeting.

Deputation Conduct

7.11.19 All deputations are to be conducted in an orderly manner. Deputations should reflect levels of formality appropriate to the nature and scope of the Council meeting. Any

comments that may amount to a criticism of individual Council Members or Officers must not be made during the deputee's address. If this conduct occurs the Mayor will warn the deputee, if the conduct is repeated the deputation will be ceased. Any such criticism or comments should properly be directed in writing to the CEO outside of the meeting.

7.11.20 Council meetings are also open to the public including being livestreamed/broadcast and there is unlikely to be any legal protection or other privilege attached to any statements made during a deputation in this forum. This means that anything said during the deputee's address is subject to the normal laws of defamation. Consequently all deputees should take care in the statements they make and how they make their address.

7.11.21 An 'Information Sheet – Deputations and Public Forums – How to Address Council or Council Committees on Issues of Concern' provides a summary of the above requirements and is available on the Council website.

7.12 Public Forums

7.12.1 The Public Forum is a less formal opportunity to address Council on a particular matter during the meeting.

7.12.2 The guidelines which apply to Public Forum are:

a. The total time allocation for the Public Forum will be ten (10) minutes, except with leave from the Council, in which case the time allocation can be increased.

b. Each speaker in the Public Forum will have no longer than five (5) minutes (including questions), except with leave from the Council.

c. If a large number of presentations have been requested, with leave from the Council, the time allocation of five (5) minutes per speaker may be reduced.

d. People wishing to speak in the public forum (speakers) must advise the Mayor of their intention at the beginning of this section of the meeting. Those who do not flag their desire to speak at this time will only be permitted to speak at the discretion of the Mayor.

e. Where an intending speaker has made a deputation at the same meeting of Council they will not be permitted to speak in the public forum on the same or similar subject matter at that meeting.

f. Upon being requested to come forward to address the Council, the Mayor will ask the speaker to state their name and locality of residence and the subject matter they wish to speak on.

g. These details will be recorded in the minutes of the meeting (which is a public document).

h. The speaker will then wait for the Mayor to invite them to commence their speech.

i. The speaker may address questions to the Council which must be accommodated within the five (5) minute allocation. The Mayor will determine if an answer is to be provided to any questions asked.

j. Where a number of speakers are speaking on the same topic, the Mayor may encourage subsequent speakers to avoid repeating previous points and to focus on new points.

k. Members may ask questions of all speakers appearing relating to the subject of their presentation.

Public Forum Conduct

7.12.3 All public forum presentations are to be conducted in an orderly manner. These should reflect levels of formality appropriate to the nature and scope of the Council meeting. Any comments that may amount to a criticism of individual Council Members or Officers must not be made during the presentation. If this conduct occurs, the Mayor will warn the deputee, if the conduct is repeated the deputation with be ceased. Any such criticism or comments should properly be directed in writing to the CEO outside of the meeting.

7.12.4 Council meetings are also open to the public including being livestreamed/broadcast and there is unlikely to be any legal protection or other privilege attached to any statements made during a presentation in this forum. This means that anything said during the speaker's address is subject to the normal laws of defamation. Consequently all speakers should take care in the statements they make and how they make their address.

7.13 Presentations

7.13.1 Presentations are defined as an opportunity for an organisation, community group, Council Officer(s) or member of the public to address Council to provide information relevant to the Council at the invitation of Council.

7.13.2 Such presentations do not include deputations or representations under the *Planning, Development and Infrastructure Act 2016*.

7.13.3 The duration of each presentation is to be no longer than fifteen (15) minutes plus five (5) minutes for questions, if required. There is to be a limit of two (2) presentations per scheduled meeting, except with the leave of the meeting.

7.13.4 If notes or other documents are to be distributed for the presentation, these are to be provided to the Minute Secretary up to 5.00pm on the day prior to the Council meeting to distribute electronically to the Council Members

7.13.5 Powerpoint (or similar) presentations are to be lodged up to 5.00pm on the day prior to the Council meeting for the purposes of confirming software compatibility and content suitability. The presenter will remain legally liable for the content of any presentation.

7.13.6 Notes or presentation material referred to as part of the presentation will be referenced in the minutes of the meeting.

7.14 Questions on Notice

Legislation – Regulation 9
(1) A member may ask a question on notice by giving the chief executive officer written notice of the question at least 7 clear days before the date of the meeting at which the question is to be asked.
(2) *If notice of a question is given under subregulation (1) -*

(a) the chief executive officer must ensure that the question is placed on the agenda for the meeting at which the question is to be asked; and

(b) *the question and the reply must be entered in the minutes of the relevant meeting.*

(6) The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.

7.14.1 When sending the questions to the CEO, the Member asking the question should provide a brief history, context, or reason why the question is being asked. This preamble will be included in the agenda with the question(s). Subject to the provisions of the Act, the Member submitting the information is legally liable for its content

7.14.2 On receipt of the questions the CEO will forward the questions to Mayor. The Mayor will inform the CEO on one of the following processes:

- Request that the CEO (or delegate) respond to the questions; or
- Respond to the questions themselves; or
- Make a determination at the nominated meeting regarding the response.

Process 1

7.14.3 If the Mayor opts that the CEO (or delegate) responds to the questions and there is sufficient time to consider and respond to the questions, the questions and answers will appear in the Agenda and would then be replicated in the minutes in accordance with Regulation 9.

7.14.4 If the referral to the CEO (or delegate) does not allow for sufficient time to consider and respond to the questions and include the answers in the agenda, the CEO (or delegate) will arrange for answers to be tabled at the relevant meeting. The questions and answers will be included in the minutes in accordance with Regulation 9.

OR

Process 2

7.14.5 If the Mayor opts to respond to the questions they can either:

- Provide the response to the CEO and, if these answers are provided in sufficient time, the questions and answers will be included in the Agenda and would be replicated in the minutes in accordance with Regulation 9.
- Table at the meeting the written responses to the questions on the night of the nominated meeting and the questions and answers will be included in the minutes in accordance with Regulation 9.

OR

Process 3

7.14.6 If the Mayor opts to make a determination at the nominated meeting regarding a response, the questions will appear in the Agenda and these questions and the answers will be included in the minutes in accordance with Regulation 9.

7.14.7 This could include the Mayor answering the questions, referring it to the CEO (or delegate) for a response on the night or rule not to accept the questions in accordance with Regulation 9(6).

7.14.8 If a Mayor makes a determination that a question shall not be answered as per Regulation 9(6) the question and the reason for the determination shall be stated and recorded in the minutes.

7.15 Motions on Notice

Legislation – Regulation 12
(1) A member may bring forward any business in the form of a written notice of motion. *(2) The notice of motion must be given to the chief executive officer at least 7 clear days before the date of the meeting at which the motion is to be moved.* (3) *A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the council must be brought by written notice of motion.* (4) *If a motion under subregulation (3) is lost, a motion to the same effect cannot be brought-* *(a) until after the expiration of 12 months; or* *(b) until after the next general election, whichever is sooner*

7.15.1 Prior to lodging a motion, Members should liaise with the CEO (or nominated delegates) and may consult with the Mayor on the content of the proposed motion to explore options and implications.

7.15.2 In circumstances where a Motion on Notice has been placed on the Agenda and the Member who placed the Motion on Notice is not in attendance at the meeting, another Member may move the motion in their stead.

7.15.3 The following are desirable characteristics when framing a motion[6]:

a. *Form* – a motion should be in a positive, affirmative form. It should not be in a negative form, unless it achieves some specific advantage or value;

b. *Content* – a motion should be complete and plain, so that a resultant resolution when read in the future, identifies with certainty its object and substance;

c. *Wording* – It should be in precise and definite language. Its intention and import should be clear; and

d. *Drafting* – a motion should be framed and phrased in a way to enable persons to vote in favour of or against the proposal, and thus facilitate the ability of the meeting to make a decision,

7.15.4 The attached proforma should be used when framing Notices of Motion – refer ***Appendix B***.

7.16 Administration Reports

7.16.1 Each Council agenda includes report items prepared by the Council Administration, which may include recommendations. These recommendations are not a motion, and have no status until moved by a Member. Alternatively Members may move a completely different motion.

[6] A. D. Lang (2015) Horsley's Meetings procedure, Law and Practice (7th ed.), 119.

7.16.2 Administration Reports to Council will be prepared using the standard format – refer ***Appendix C***.

7.16.3 Administration Reports in the Order of Business will be grouped into the following categories:

a. ***Decision Items*** – these are agenda items that are seeking the Council's resolution in relation to a course of action in relation to the matter; and
b. ***Information Items*** – these are agenda items that are informing the Council of the status of the matter. Generally, the recommendation in these reports will be for the receiving and noting of the item.

7.16.4 Where additional information is required this may be included as attachments to the report which will be inserted in the agenda papers immediately following the report.

7.16.5 In order to contain the number of reports going before Council, report writers should consider any subsequent steps and, wherever practical, include them in the initial report and set of recommendations. Examples of these subsequent steps that should be included in the initial report include:

7.16.5.1 the authorisation for the Mayor and/or CEO to sign and seal documents

7.16.5.2 authorising the Chief Executive Officer or relevant Director to make minor amendments to an associated document

7.16.5.3 if a working party or sub-committee is required, to indicate that in the report and include a recommendation seeking nominations for Membership of the working party, etc.

7.16.5.4 indicating a price or value range within which a delegated staff member can negotiate rather than a single fixed price.

7.16.6 Reports are to be prepared so as to communicate the required information in a clear and succinct way. The information presented should be impartial, balanced and evidence-based (where reasonably possible).

7.16.7 As per clause 2.4, to facilitate efficient and effective meetings, Council Members are encouraged to contact the CEO or nominated delegate as early as possible prior to Council meetings to clarify matters appearing on the agenda. The nominated delegate is the Council Officer whose name is listed as the Responsible Officer.

7.16.8 In the normal course of business, report authors will not introduce their report unless requested by the Mayor. However the Mayor will ask the author whether there are any updates to be provided based on queries received or recent events since agenda distribution.

7.16.9 Where practicable, Council Officers may utilise online meeting functionality to provide information to the Council meeting rather than physically attending the meeting.

Status Report – Council and Committee Resolutions Update

7.16.10 A report will be provided monthly for noting, setting out the status of each resolution from Council meetings until the item is completed.

7.17 Questions Without Notice

Legislation – Regulation 9
(3) A member may ask a question without notice at a meeting.
(4) The presiding member may allow the reply to a question without notice to be given at the next meeting.
(5) *A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.*
(6) *The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.*

7.17.1 To facilitate the efficiency of meetings, Members are encouraged to use the availability of the CEO or nominated delegates prior to the meetings to clarify issues of concern.

7.17.2 Questions Without Notice can be asked at a meeting and the Mayor has the discretion to accept the questions in accordance with Regulation 9(6).

7.17.3 If the question is accepted, the Mayor will make the determination to choose to answer the questions or refer them to the CEO (or delegate) for a response. Where an answer is not possible at the meeting, the questions may be taken "on notice" and a response provided by email to all Council Members within 14 days.

7.17.4 In accordance with Regulation 9(5) Questions Without Notice and the reply will not be included in the minutes unless the Council meeting resolves to do so.

7.18 Motions Without Notice

Legislation – Regulation 12
(5) Subject to the Act and these regulations, a Member may also bring forward any business by way of a motion without notice.
(6) The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.
(7) *The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council or council committee (as the case may be)*

7.18.1 As they have not been foreshadowed to Members or the broader community and do not have an accompanying analysis (as do Motions On Notice and Administration Reports), it is not considered to be in the interests of good governance practice, and is a denial of natural justice, to consider Motions Without Notice other than those that meet the criteria set out in clause 3.18.2.

7.18.2 In general, Motions Without Notice should be restricted to:

a. A request that a report on a particular topic be presented at a future meeting;

b. A simple matter, requiring little information to be considered, and the impact of which on Council is deemed to be minor;

c. A matter arising from an item before Council that has been considered in detail at that meeting, and where a Motion Without Notice is seen as the best way to resolve or progress the matter in a timely manner; and/or

d. A matter of such urgency and importance that failure to consider it at the meeting would be likely to result in detriment to the Council or community.

7.18.3 Wherever practicable, Members wishing to move a Motion Without Notice (including a motion different from a report recommendation) are encouraged to make available a written copy of their motion to assist the Mayor in the conduct of the meeting and in the subsequent preparation of the minutes of the meeting.

7.18.4 Following the moving of a Motion Without Notice and prior to the seeking of a seconder, the Mayor will seek advice from the CEO or nominated delegate regarding the perceived implications of the motion.

7.18.5 The Mayor may refuse to accept the Motion Without Notice if, after taking into account the Guiding Principles (Regulation 4 and clause 1.2 of this Code), it is considered that the motion should be dealt with by way of a written Motion On Notice.

7.18.6 Any Motions Without Notice which, in the opinion of the Mayor, require action involving the expenditure of unbudgeted resources should be on the basis of a Motion On Notice.

7.19 Council Member Reports

7.19.1 At each ordinary Council meeting, Council Members may present a written or verbal report detailing those functions or activities on the business of Council.

7.19.2 Council Members are encouraged to submit their written reports seven (7) clear business days before the date of the meeting to enable the report to be incorporated into the Agenda.

7.19.3 Reports will be recorded in the minutes in summary form and will not include commentary on the activities or functions reported or the attendance of other Council Members or the personal details of residents/ratepayers.

7.20 Reports of Members/Officers as Council Representatives on External Organisations

7.20.1 At each Ordinary Council meeting, Members or Officers who are appointed as Council representatives on external organisations (e.g. regional subsidiaries) may provide a verbal or written report on their involvement in activities associated with that organisation.

7.20.2 Members and Officers are encouraged to submit their written reports seven (7) clear days before the date of the meeting to enable the report to be incorporated into the Agenda.

7.21 CEO Report

7.21.1 At each ordinary Council meeting, the CEO will present a verbal report detailing the status of key activities and initiatives and/or other items of importance which the CEO determines should be brought to the Council's attention. A brief record of the items raised will be noted in the minutes.

7.22 Reports of Committees

7.22.1 Committees will report to Council in accordance with the reporting requirements detailed in their respective terms of reference.

7.22.2 Council Committees will report to Council at the next Council meeting following the Committee meeting. The form of report will be by way of a verbal report from the Presiding Member (or other Member of the Committee should the Presiding Member not being present) in support of the minutes of the Committee meeting.

7.22.3 A copy of these minutes will be included in the Agenda of the next Council meeting. All recommendations from the Committee will be considered by Council in the form of an Administration Report.

3.22.3 Recommendations to Council arising from a Committee meeting will either be the subject of a separate Administration Report or consolidated in a report under this section accompanying the Committee minutes.

7.23 Confidential Items

7.23.1 Before Council orders that the public be excluded to enable the receipt, discussion and consideration of a particular matter, the meeting must, in public, formally determine if this is necessary and appropriate, and then pass a resolution to exclude the public while dealing with that particular matter.

7.23.2 This means that all members of the public (including staff), unless exempted by being named in the resolution as entitled to remain, will not be able to view or listen to the meeting proceedings. For the operation of section 90(2) of the Act a member of the public does not include a Member of Council.

7.23.3 Once discussion on that particular matter is concluded, the public will be permitted to re-enter the meeting. If there is a further matter that needs to be considered in confidence it is necessary to again undertake the formal determination process and to resolve to exclude the public as above.

7.23.4 Additional information of the use of the confidentiality provisions of the Act are contained in Council's *Code of Practice for Access to Council, Council Committee and Information or Briefing Sessions Meetings & Documents*.

8 OPERATING PROCEDURES – CONDUCT AT THE MEETING

8.12 Leave of the Meeting

Legislation – Regulation 3
(4) For the purposes of these regulations, a vote on whether leave of the meeting is granted may be conducted bya show of hands (but nothing in this subregulation prevents a division from being called in relation to the vote)

8.13 Motions in General, Speaking to Motions and Rights of Reply

Legislation – Regulation 12
(5) Subject to the Act and these regulations, a Member may also bring forward any business by way of a motion without notice. *(6) The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.* *(7) The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council or council committee (as the case may be)* *(8) A motion will lapse if it is not seconded at the appropriate time.* *(9) A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion.* *(10) A member may only speak once to a motion except-* *(a) to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or* *(b) with leave of the meeting ; or* *(c) as the mover in reply.* *(11) A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion* *(21) Subregulations (9), (10) and (11) may be varied at the discretion of the council pursuant to regulation 6.*

Seconder Speaking to a Motion

8.13.1 Regulation 12(9) is able to be varied at the discretion of Council and therefore Council has determined that the seconder has the option of reserving their right to speak to the motion at the time of seconding but if they choose to exercise this right it must be done prior to the mover in reply.

8.13.2 For clarity, where a Member seconds a motion and reserves their right to speak to it, they will not be considered to have spoken to the motion until they have exercised that right.

Questions Regarding a Motion

8.13.3 Council Members may ask questions of the Administration and/or other Members and answer questions directed to them regarding a motion for the purpose of clarification (but not debate) and this will not be considered as speaking to the motion. Members should ensure that it is clearly a question and not used as an opportunity to contribute to the debate.

Contributing to the debate

8.13.4 There is no legislative requirement for any or all Members to contribute to the debate (only to vote as per clause 4.7). In considering whether to contribute, particularly where there is a large agenda to be transacted, Members may wish to evaluate whether their contribution will facilitate a more informed and/or progressive debate. Further, Members are not required to advise whether they will/not support the motion as the voting process will reveal their intentions.

Prevention of inaccurate or misleading information during debates

8.13.5 If during the course of debate a Council Member or Officer becomes aware that the debate is predicated on incorrect/misleading information and could lead to any erroneous outcome (and may be a breach of the Behavioural Standards for Council Members), they may signal to the Mayor that they wish to advise the meeting to correct the record. It will be at the Mayor's discretion as to whether the Officer is to be heard.

8.13.6 If an opportunity to advise the meeting is granted, the Officer will limit their comments, to the best of their knowledge, the factual information related to the matter. For clarity, the Officer will take due care to ensure that they do not enter the debate.

Rights of Reply

8.13.7 Only the mover of the original motion will be granted the right to reply (this shall close the debate). This will occur after any or all amendments have been dealt with and immediately prior to the original motion or substantive motion being put to the meeting (i.e. immediately prior to the final vote).

8.13.8 The right of reply should be utilised to reinforce the rationale for moving the motion and to respond to issues raised in debate. Where possible, it should not be used to introduce new material into the debate.

8.14 Formal Motions

Legislation – Regulation 12
(12) A member who has not spoken in the debate on a question may move a formal motion. *(13) A formal motion must be in the form of a motion set out in subregulation (14) (and no other formal motion to a different effect will be recognised).* *(14) If the formal motion is-:* *(a) that **the meeting proceed to the next business**, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or* *(b) that **the question be put**, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the presiding member without further debate; or* *(c) that **the question lie on the table**, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by*

resolution (and, if so retrieved, debate is then resumed at the point of interruption); or

*(d) that **the question be adjourned**, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or*

*(e) that **the meeting be adjourned**, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.*

(15) If seconded, a formal motion takes precedence and will be put by the presiding member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).

(16) A formal motion does not constitute an amendment to a substantive motion.

(17) If a formal motion is lost-

(a) the meeting will be resumed at the point at which it was interrupted ; and

(b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (i.e., a motion to the same effect) cannot be put until at least 1 member has spoken on the question.

(18) A formal motion for adjournment must include the reason for the adjournment and the details for resumption.

(19) Any question that lies on the table as a result of a successful formal motion under subregulation (14)(c) lapses at the next general election.

8.14.1 For clarity, a 'question' as referred to Regulation 12 (14)(b-d) is a motion that has been moved and seconded.

8.14.2 A formal motion "the question be adjourned" must include the reasons for the adjournment and the details of time and place for the resumption of the debate.

8.14.3 If a formal motion that 'the question lie on the table" or "the question or meeting be adjourned" as per Regulation 14(c), (d) and (e) is carried, the minutes shall record those that have spoken in the debate. This will ensure that the debate can recommence at the point of the interruption.

8.15 Amendments to Motions

Legislation – Regulation 12

(11)A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion.

Legislation – Regulation 13

(1) A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.

(2) An amendment will lapse if it is not seconded at the appropriate time.

(3) A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.

(4) If an amendment is lost, only 1 further amendment may be moved to the original motion.

(5) If an amendment is carried, only 1 further amendment may be moved to the original motion.

(6) Subregulations (1), (3), (4) and (5) may be varied at the discretion of the council pursuant to regulation 6.

8.15.1 The purpose of an amendment is to refine or modify the substantive motion but not to substantially change the intent of the motion or contradict it. The Mayor will not accept a proposed amendment that is direct negative of the motion.

8.15.2 For the avoidance of doubt, any Member (including the mover and seconder of the original motion and any other person who has spoken to the original motion at an earlier stage) is entitled to speak to the amendment and, in doing so, is not taken to have spoken to the original motion.

8.15.3 Members speaking in a debate on an amendment must confine their remarks to the amendment and not debate the substantive motion.

8.15.4 There is no right of reply to an amendment because it is not a motion. Likewise, no division can be called on an amendment because it is not a motion.

8.16 Variations

Legislation – Regulation 14

(1) The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.

(2) The presiding member must immediately put the question for leave to be granted and no debate will be allowed on that question.

8.16.1 The withdrawal of a motion does not preclude another motion on the same matter being moved. Variations, alterations or withdrawal of a motion will be minuted in accordance with Regulation 8(4)(d).

8.17 Addresses by Members

Legislation – Regulation 15

(1) A member must not speak for longer than 5 minutes at any 1 time without leave of the meeting

(2) A member may, with leave of the meeting, raise a matter of urgency

(3) A member may, with leave of the meeting, make a personal explanation

(4) The subject matter of a personal explanation may not be debated

(5) The contribution of a member must be relevant to the subject matter of the debate

(6) Subregulations (1) and (2) may be varied at the discretion of the council pursuant to regulation 6.

8.6.1 A personal explanation should:
a) provide the Member's account of the reasons or factors regarding an event or situation in which they had an involvement, or
b) address a requirement of Council or satisfy a Council resolution.

The explanation will not, under any circumstances, either directly or indirectly, make imputations of improper motives or conduct, or contain personal opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions (except where the personal explanation is to satisfy clause (b) above).

8.6.2 If a Member making a personal explanation wishes that the full text of that Personal Explanation be included in the minutes, it may be included by resolution of the Council, if not, only a brief account shall be included.

8.18 Voting

Council Meetings

8.18.1 Voting in Council meetings is applied as follows:

Legislation – Regulation 16
(1) The presiding member, or any other member, may ask the chief executive officer to read out a motion before a vote is taken.
(2) The presiding member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.
3) A person who is not in his or her seat is not permitted to vote.
4) Subregulation (3)—
a) may be varied at the discretion of the council pursuant to regulation 6; and
b) does not apply in relation to a member participating in a council committee meeting by telephone or electronic means approved in accordance with procedures determined by the council or council committee for the purposes of section 89 of the Act.

8.18.2 Each Member present at the meeting of council, must, subject to the provisions of the Act to the contrary, vote on a question arising from that meeting [section 86(4)].

8.18.3 The Mayor, or another member presiding in the absence of the Mayor, at a meeting of council, does not have a deliberative vote on a question arising but has, in the event of an equality of votes, a casting vote [section 86(6)].

8.18.4 In most cases the requirement is a simple majority of the Members present and entitled to vote however there are provisions in both the Act and the Regulations that require either a two-thirds or an absolute majority of the Members of Council for resolutions on specified matters [section 84(5)].

8.18.5 A vote in relation to a question for decision before the Council may be taken a show of hands.

8.18.6 The Mayor, or any other Member, may ask the CEO to read out a motion or amendment before a vote is taken.

8.18.7 In relation to a Member participating in a Council meeting by electronic means, a member is not permitted to vote in circumstances where there has been a disconnection of the electronic means.

Appointments to Positions

8.18.8 Due to the potential implications of the Conflict of Interest provisions under s74 and s75 regarding the appointment of Council Members to positions (particularly those with potential personal or pecuniary benefits), the Council should adjourn the meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote (Indicative Voting Process) to determine the preferred person for the positions.

8.18.9 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, it is an Information or Briefing Session that is required to be open to the public under s90A(3) (see the *Information or Briefing Sessions Policy* (the Policy). As an Information or Briefing Session that is required to be open to the public, the Chief Executive will conduct the meeting in accordance with the Policy.

8.18.10 The Indicative Voting Process is:

a. The Mayor seeks a motion to adjourn the meeting for the purpose of conducting an Indicative Voting Process.
b. Once the meeting is adjourned (and the Information or Briefing Session has commenced), the Chief Executive Officer calls for self-nominations for the position(s). If Council Officers or Independent Committee Members are eligible for appointment to the position, they can also self-nominate. If Council Officers are being put forward for consideration by the CEO this will be included in the report.
c. If the number of nominees is equal to or less than the number of positions, no election will be required. If the number of nominees is greater, an election will be necessary.
d. The CEO will appoint a Council Officer as the Returning Officer and may enlist other Council Officers to assist with the conduct of the vote and the count.
e. The method of voting will be by secret ballot utilising the preferential counting system
f. Each Council Member (including the Mayor) shall have one vote.
g. Ballot papers will be provided to each Council Member
h. The nominee's names will be drawn by the Returning Officer to determine the order on the ballot paper.
i. Each Member will write the nominee's names on the ballot paper in the order they are drawn.
j. Each nominee will have two (2) minutes to speak to the Information or Briefing Session in support of their candidacy. The speaking order will be as listed on the ballot paper.
k. Members will cast their votes and the 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 Member (not being a nominee for the position being determined) or an Officer] present.
l. 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.
m. After all votes have been counted, the Returning Officer shall return to the Gathering and publicly declare the result of the election (i.e. the preferred person).
n. The ballot papers will be shredded.
o. With the conclusion of the Indicative Voting Process, the Council meeting will resume in accordance with the adjournment resolution.

p. Upon resumption, any Council Members who nominated for the positions would be advised to consider their obligations under s75B or s75C of the Act (as applicable).
q. Council can then consider a motion for the preferred person to be appointed to the position(s)

8.19 Divisions

Legislation – Regulation 17

(1) A division will be taken at the request of a member.

(2) If a division is called for, it must be taken immediately and the previous decision of the presiding member as to whether the motion was carried or lost is set aside.

(3) The division will be taken as follows:

(a) subject to subregulation (3a), the members voting in the affirmative will, until the vote is recorded, stand in their places;

(b) subject to subregulation (3a), the members voting in the negative will, until the vote is recorded, sit in their seats;

(c) the presiding member will count the number of votes and then declare the outcome.

(3a) Where a member is participating in a meeting by electronic means which has audio only, the member will provide a verbal indication of voting in the affirmative or voting in the negative.

(4) The chief executive officer will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).

(5) Subregulation (3) may be varied at the discretion of the council pursuant to regulation 6

8.20 Tabling of Information

Legislation – Regulation 18

(1) A member may require the chief executive officer to table any documents of the council relating to a motion that is before a meeting (and the chief executive officer must then table the documents within a reasonable time, or at a time determined by the presiding member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).

(2) The chief executive officer may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under section 90 or 91 of the Act.

8.20.1 A record of any request for documents tabled at the meeting and a record of any documents tabled at the meeting must be made in the minutes of the meeting.

8.20.2 If the tabling of documents is crucial to the consideration of the matter and the documents are not able to be tabled in an expeditious manner, the meeting may consider a formal motion to adjourn the question.

8.21 Short-Term Suspension of Proceedings

Legislation – Regulation 20

(1) If the presiding member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the presiding member may, with the approval of at least two- thirds of the members present at the meeting, suspend the operation of this Division (or any part of this Division) for a period determined by the presiding member.

(2) The Guiding Principles must be taken into account when considering whether to act under subregulation (1).

(3) *If a suspension occurs under subregulation (1)—*

(a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and

(b) the meeting may proceed provided that a quorum is maintained but, during the period of suspension—

(i) the provisions of the Act must continue to be observed; and

(ii) no act or discussion will have any status or significance under the provisions which have been suspended; and

(iii) no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and

(c) the period of suspension should be limited to achieving the purpose for which it was declared; and

(d) the period of suspension will come to an end if—

(i) the presiding member determines that the period should be brought to an end; or

(ii) at least two-thirds of the members present at the meeting resolve that the period should be brought to an end.

8.21.1 Use of a short term suspension can be useful when Members could benefit from some informal sharing of ideas, opinions without the constraints of speaking to motions.

8.22 Points of Order

Legislation – Regulation 28

(1) *The presiding member may call to order a member who is in breach of the Act or these regulations*

(2) A member may draw to the attention of the presiding member a breach of the Act or these regulations, and must state briefly the nature of the alleged breach

(3) A point of order takes precedence over all other business until determined

(4) The presiding member will rule on a point of order

(5) If an objection is taken to the ruling of the presiding member, a motion that the ruling not be agreed with must be moved immediately

(6) The presiding member is entitled to make a statement in support of the ruling before a motion under subregulation (5) is put

(7) A resolution under subregulation (5) binds the meeting and, if a ruling is not agreed with –
(a) the ruling has no effect; and
(b) the point of order is annulled

8.22.1 Points of order are not recorded in the minutes. The only entry in the minutes in relation to a point of order would be to record the process of a motion to disagree with a ruling by the Mayor.

8.23 Exclusion of member from meeting by Presiding Member

Legislation – Regulation 28A

(1) For the purposes of section 86(6b) of the Act, before giving a direction under that subsection, the presiding member must allow the member to make a personal explanation.

(2) If a member is excluded from a meeting for a contravention of section 86(6a) of the Act, action cannot be taken under regulation 29 in respect of the contravention.

(3) A member will not be taken to contravene section 86(6a) of the Act merely because the member is—

(a) objecting to words used by a member who is speaking; or

(b) calling attention to a point of order; or

(c) calling attention to want of a quorum.

(4) For the purposes of section 86(6e) of the Act, if a member the subject of a direction excluding them from a meeting under section 86(6b) of the Act refuses to comply with the direction or enters the meeting in contravention of the direction, the remaining members at the meeting may, by resolution—

(a) censure the member; or

(b) suspend the member for a part, or for the remainder, of the meeting.

8.23.1 For clarity regulation 28A (1) is entirely at the Presiding Members discretion.

8.23.2 Section 86(6b) provides that any suspension resolved by the Council in accordance with Regulation 28A will be for a period not exceeding 15 minutes as determined by the presiding member. Further, a matter must not be put to the vote while a member is suspended [section 68(6d)].

8.23.3 The suspended member must for the duration of the suspension, leave the meeting room (including any area set aside for the public) such that the member cannot view or hear and discussion at the meeting [section 86(6b)].

8.24 Interruption of Meetings by Members

Legislation – Regulation 29
(1) A member of a council or council committee must not, while at a meeting *(a) behave in an improper or disorderly manner or* *(b) cause an interruption or interrupt another member who is speaking* *(2) Subregulation (1)(b) does not apply to a member who is –* *(a) objecting to words used by a member who is speaking or* *(b) calling attention to a point of order or* *(c) calling attention to want of a quorum* *(3) If the presiding member considers that a member may have acted in contravention of subregulation (1), the member must be allowed to make a personal explanation* *(4) Subject to complying with subregulation (3), the relevant member must leave the meeting while the matter is considered by the meeting* *(5) If the remaining members resolve that a contravention of subregulation (1) has occurred, those members may, by resolution –* *(a) censure the member or* *(b) suspend the member for a part, or for the remainder, of the meeting* *(6) A member who –* *(a) refuses to leave a meeting in contravention of subregulation (4) or* *(b) enters a meeting in contravention of a suspension under subregulation (5)* *is guilty of an offence.*

8.24.1 Offences under Regulation 29 carry a financial penalty of $1,250.

8.24.2 In contrast to Regulation 28A(1) above Regulation 29 (5) requires a resolution of Council

8.25 Interruption of Meetings by Others

Legislation – Regulation 30
A member of the public who is present at a meeting of a council or council committee must not – *(a) behave in a disorderly manner or* *(b) cause an interruption*

8.14.1 Offences under Regulation 30 carry a financial penalty of $500.

8.26 Meeting Protocols

Mobile Phones/Pagers

8.15.1 Mobile phones/pagers should be switched off or silent during Council meetings unless prior approval is granted by the Mayor for the phone/pager to remain active.

Speaking during meetings

8.15.2 Council Members and Council Officers will raise their hand and wait to be invited to speak by the Mayor prior to addressing the Council.

8.15.3 Upon being invited to speak, the Member or Officer will lower their hand, unmute their microphone for the duration of their speech and will mute their microphone when concluded.

8.15.4 When addressing Council, the Member or Officer will speak 'through the chair' (e.g. 'through your Worship').

Forms of Address

8.15.5 The Mayor shall be addressed as Your Worship or Mayor.

8.15.6 Councillors should be referred to as 'Councillor' followed by their surname.

8.15.7 Council Officers should be referred to by the relevant prefix followed by their surname or by their position title (i.e. CEO, Director Community Capacity).

Interaction with the Gallery

8.15.8 The Mayor may speak to members of the Gallery for the purposes of welcoming attendees, arranging Deputees and Public Forum speakers and providing other information related to the functioning of the meeting.

8.15.9 Councillors must not speak to members of the Gallery during the meeting or accept notes from those present in the Gallery. The only exception is when Members of the Gallery are making a Deputation or speaking in the Public Forum.

8.15.10 Council Officers should also minimise discussion with members of the Gallery during the meeting other than to provide guidance regarding meeting logistics.

9 OPERATING PROCEDURES – RECORDING/BROADCASTING OF THE MEETING

9.15 Recording of Meetings

9.15.2 Council meetings will be recorded using the electronic meeting software (i.e. audio and visual).

9.15.3 As a general rule, the recordings will be captured by the Administration of open Council meetings to be used for the purpose of:

a. assisting in the preparation of minutes
b. ensuring decisions are accurately recorded
c. verifying the accuracy of minutes prior to their confirmation.

9.15.4 Recordings will be managed in accordance with the provisions of the *State Records Act 1997, Surveillance Devices Act 2016* and the *Freedom of Information Act 1991* (FOI Act).

9.15.5 The recording is an internal working document and is not the official record of the meeting. The official record of the meeting is the meeting minutes which require confirmation by resolution and are signed by the Mayor.

9.15.6 In the absence of any technical difficulties, recordings of Council meetings [with any provisions subject to s90(3) redacted] will be placed on the Council website to coincide with the publication of the Council minutes.

9.16 Livestreaming/broadcasting of Meetings

9.16.2 Council meetings will be livestreamed/broadcast using the electronic meeting software (i.e. audio and visual) into social media channels and/or Council's website as determined by the Chief Executive Officer.

9.16.3 Details of the livestream/broadcast will be included on the Council website to enable members of the public to observe the meeting. The livestream/broadcast settings will not allow the public to participate in the meeting, other than by deputation.

9.16.4 Further information on the public access to Council Meetings can be found in the *Code of Practice for Access to Council, Council Committee and Information or Briefing Session Meetings & Documents.*

9.17 Minutes of Meetings

9.17.2 In accordance with section 91 of the *Local Government Act 1999*, the CEO must ensure that minutes are kept of the proceedings at every meeting of Council.

9.17.3 If the CEO is excluded from a meeting, the Mayor must ensure the minutes are kept.

9.17.4 Each Member of the Council must, within five (5) days after a meeting of a Council, be supplied with a copy of all minutes of the proceedings of the meeting.

9.17.5 Minutes of all Council meetings will be posted on Council's website as soon as practicable after they are completed.

9.17.6 More information of public access to Council documents is contained in the *Code of Practice for Access to Council, Council Committee and Information or Briefing Session Meetings & Documents.*

Legislation – Regulation 8

(1) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

(2) No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.

(3) On the confirmation of the minutes, the presiding member will -

(a) initial each page of the minutes, which pages are to be consecutively numbered; and

(b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.

(3a) For the purposes of subregulation (3), the presiding member may initial or sign the minutes in hardcopy or electronically.

(4) The minutes of the proceedings of a meeting must include –

(a) the names of the members present at the meeting; and

(b) in relation to each member present -

(i) the time at which the person entered or left the meeting; and

(ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and

(c) each motion or amendment, and the names of the mover and seconder;and

(d) any variation, alteration or withdrawal of a motion or amendment; and

(e) whether a motion or amendment is carried or lost; and

(f) any disclosure of interest made by a member; and

(g) an account of any personal explanation given by a member; and

(h) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and

(i) a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section; and

(j) details of any adjournment of business; and

(k) a record of any request for documents to be tabled at the meeting; and

(l) a record of any documents tabled at the meeting; and

(m) a description of any oral briefing given to the meeting on a matter of council business; and

(n) any other matter required to be included in the minutes by or under the Act or any regulation.

9.17.7 As the minutes are a reflection of decisions made by meeting as a whole, minutes of the meeting do not record (with the exception of a Division in accordance with Regulation 17 and as required under section 75B – *Dealing with general conflicts of interest*) the manner in which the Member voted and the manner in which the majority of persons who were entitled to vote at the meeting voted on the matter

9.17.8 Minutes will also not record or reflect specifics of debate of an item.

10 ADMINISTRATIVE ARRANGEMENTS

10.15 Availability of the Code

10.15.2 This Code is available via the Council's website www.ahc.sa.gov.au.

10.16 Delegation

10.16.2 The CEO has the delegation to:

10.16.2.1 Approve, amend and review any procedures that shall be consistent with this Code.

10.16.2.2 Make any legislative, formatting, nomenclature or other minor changes to the Code during the period of its currency.

APPENDIX A - AGENDA TEMPLATE FOR ORDINARY COUNCIL MEETINGS

1. **COMMENCEMENT**
2. **OPENING STATEMENT**
3. **APOLOGIES/LEAVE OF ABSENCE**
   - **3.1. Apology**
   - **3.2. Leave of Absence**
   - **3.3. Absent**
4. **MINUTES OF PREVIOUS MEETINGS**
5. **DECLARATION OF INTEREST BY MEMBERS**
6. **MAYOR'S OPENING REMARKS**
7. **QUESTIONS ADJOURNED/LYING ON THE TABLE**
   - **7.1. Questions Adjourned**
   - **7.2. Questions Lying on the Table**
8. **PETITIONS / DEPUTATIONS / PUBLIC FORUM**
   - **8.1. Petitions**
   - **8.2. Deputations**
   - **8.3. Public Forum**
9. **PRESENTATIONS**
10. **QUESTIONS ON NOTICE**
11. **MOTIONS ON NOTICE**
12. **ADMINISTRATION REPORTS – DECISION ITEMS**
13. **ADMINISTRATION REPORTS – INFORMATION ITEMS**
14. **QUESTIONS WITHOUT NOTICE**
15. **MOTIONS WITHOUT NOTICE**
16. **REPORTS**
    - **16.1. Council Member Reports**
    - **16.2. Reports of Members/Officers as Council Representatives on External Organisations**
    - **16.3. CEO Report**
17. **REPORTS OF COMMITTEES**
18. **CONFIDENTIAL ITEMS**
19. **NEXT MEETING**
20. **CLOSE MEETING**

APPENDIX B – MOTION ON NOTICE TEMPLATE

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
<day> <date>
AGENDA BUSINESS ITEM

Item: **12.1 Motion on Notice**

Originating from:

Subject:

---

1. MOTION

I move… <body of motion>

2. BACKGROUND

3. OFFICER'S RESPONSE – Officer Name, Position

ANALYSIS

- **Strategic Management Plan/ Functional Strategy/Council Policy Alignment**
- **Legal Implications**
- **Risk Management Implications**
- **Financial and Resource Implications**
- **Customer Service and Community/Cultural Implications**
- **Sustainability Implications**
- **Engagement/Consultation conducted in the development of the report**
- **Other Matters**

APPENDIX C – ADMINISTRATION REPORT TEMPLATE

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
<day> <date>
AGENDA BUSINESS ITEM

Item: **12.**

Responsible Officer:

Subject:

For: **Decision/Information**

SUMMARY

RECOMMENDATION

That Council resolves:

1. **To receive and note the report**
2.

---

1. BACKGROUND

2. ANALYSIS

- **Strategic Management Plan/ Functional Strategy/Council Policy Alignment**
- **Legal Implications**
- **Risk Management Implications**
- **Financial and Resource Implications**
- **Customer Service and Community/Cultural Implications**
- **Sustainability Implications**
- **Engagement/Consultation conducted in the development of the report**
- **Other Matters**

3. OPTIONS

4. APPENDICES

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 October 2025
AGENDA BUSINESS ITEM

Item:	**12.4**
Responsible Officer:	**Gary Lewis** **Director Corporate Services** **Corporate Services**
Subject:	**Drought Support Rates Reduction Funding & Rating of Energy Infrastructure**
For:	**Decision**

SUMMARY

Council has received correspondence from the Northern Areas Council seeking support on two matters. These matters are in relation to drought support for farmers, and the rating exemption granted on energy generation infrastructure. This correspondence is attached as ***Appendix 1***.
The Administration have considered the matters and would agree to providing support.

RECOMMENDATION

Council resolves:

1. **That the correspondence from Northern Areas Council – Drought support and Energy generating infrastructure report be received and noted.**

2. **That the budget and financial impacts are noted.**

3. **That the Chief Executive respond to the correspondence, indicating Council's support of both matters.**

1. BACKGROUND

On 14 October 2025, correspondence was received from the Chief Executive Officer of the Northern Areas Council, in relation to the two matters as attached in ***Appendix 1***.

In summary, the Northern Areas Council is seeking support from fellow country and regional Councils to:

1. Through the LGA SA, advocate that the State Government provide indirect support to those farmers affected by the drought. A portion of this support is proposed to be provided by funding a 40% reduction in rates to those affected farmers.

2. Present a united position to the Minister for Local Government that the current rating exemption on energy generating infrastructure is unfair for rate payers who fund the supporting infrastructure such as roads.

2. ANALYSIS

➢ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

Goal 4	Organisation
Objective O4	Engage and advocate for our communities
Priority O4.2	O4.2 Advocate on behalf of the community to represent its needs and views with relevant stakeholders and decision makers.

➢ Legal Implications

Not applicable.

➢ Risk Management Implications

Failure to influence and advocate for drought relief for farmers and rating exemption granted on energy generation infrastructure, leading to loss of community, sector and stakeholder confidence in Council

Inherent Risk	Residual Risk	Target Risk
Med	Low	Low

➢ Financial and Resource Implications

The provision of support for these matters does not appear to have a material financial, budget or resource implication, aside from a bit of staff time to prepare the necessary correspodance.

➢ Customer Service and Community/Cultural Implications

The community expects that Council will provide support to other Councils in the advancement of broader community objectives.

➢ 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**

Drought relief

Qualifying criteria

The correspondence from North Areas Council suggests that the rebate would be granted to "farmers significantly impacted by drought". This is however not defined and therefore in preparing this report, it has been assumed that all primary producers may have been significantly impacted by the drought. This may turn out not to be the case.

Additional budget and financial analysis

Whilst the current report deals with the provision of support to the Northern Areas Council, should this support be successful, there is likely to be a budget and potentially a financial impact on the Council.

It appears that Northern Areas Council is seeking support for the State Government to provide rate relief to farmers affected by drought.
Whilst the exact mechanics of this are less clear, although guidance would likely be taken from the Victorian Government, it would likely be through a grant paid to Council, and for Council to then extend a rebate to the farmers. This would require an adjustment to Council's budget to accommodate the additional grant income and the additional rebate granted.

Assuming that only the amount of the grant received is passed on to the farmers (i.e: that no further rebate is given by Council in addition to the grant received from the State), this would not have a financial impact, as Council will be no better or worse off financially.

Notwithstanding the above, should Council choose to grant a rebate of some sort, it should be noted that total rates earned from primary procuduction rate payers across the Council is $6,364k for financial year 2025-26. The proposed 40% rebate would be $2,546k.

Rating exemption on energy generating infrastructure

There is currently no commercial energy generating infrastructure within the Council area. In addition, there are no proposed future projects. Therefore, this item is currently of limited concern to Council.

However, given the State Government's target of 100% renewable generation by 2027, this situation may change in the medium term.

3. OPTIONS

Council has the following options:

1. To note the report titled Correspondence from Northern Areas Council – Drought support and Energy generating infrastructure and approve for the Chief Executive Officer to respond to the correspondence in support of both initiatives.

2. To note the report titled Correspondence from Northern Areas Council – Drought support and Energy generating infrastructure and provide alternative direction to the Chief Executive Officer in relation to the matter.

4. APPENDICES

(1) Correspondence from Northern Areas Council

Appendix 1

Correspondence from Northern Areas Council

You don't often get email from ross.mcneil@nacouncil.sa.gov.au. Learn why this is important

Good morning fellow CEOs of Country and Regional SA Councils

At a recent Northern Areas Council meeting two resolutions were passed seeking support from Country/Regional Councils on matters of importance to this Council:

1. Presenting a united position to LGA SA on the importance/value of State funding to enable a 40% reduction in rates for farmers significantly impacted by the drought – the effects of which we know are still being felt and will continue to be felt for some time to come. This is fully consistent with the approach taken by the Victorian Government in response to the drought impacts in that State. See below:

Primary Producer Support Payments – south west Victoria

Primary Producer Support Payments will provide cashflow relief to primary producers in 11 south west local government areas and parts of West Wimmera shire that have experienced the effects of drought the longest.

Eligible councils will receive a lump sum payment to support primary producers equivalent of up to a 40% farm property rate reduction in 2025–26.

Councils are responsible for distributing these payments.

2. Presenting a united position to the Minister of Local Government that the current rating exemption on energy generating infrastructure is inequitable and manifestly unfair to all other ratepayers when asset-owning energy generation companies rely on Council infrastructure, particularly road networks, funded by others. Again, as an option, we look to Victoria where a payment in lieu of rates system (PiLoR) operates https://www.energy.vic.gov.au/renewable-energy/payment-in-lieu-of-rates-for-electricity-generators. See below:

Established under section 94 of the Electricity Industry Act 2000, the payment in lieu of rates (PiLoR) framework allows electricity generators to negotiate payments made to local councils.

It includes a methodology under section 94(6A) to assist in calculating these payments. For most generators, the methodology includes both a fixed and variable component, the latter based on the nameplate capacity of the power station.

While not every Council has energy generating infrastructure in their area, this is a signficaint issue for those Councils that do. The State Government's target of 100% renewable electricity generation by 2027 means there is a big pipeline of generating projects headed for country and regional South Australia. Presenting a united position from all country and regional councils on this to the State Government is an important first step in addressing this anomaly. While Nortern Areas Council is land-locked, and therefore not specifcally impacted by the current algal bloom crisis, we have given our support to those councils directly impacted. We hope that same collective support can be shown here.

Can you please signal whether your Council is happy to support either or both of these matters. I will look to collate responses and draft formal position statements to present to the LGA and Minister of Local Government as directed by my Council members. I will circulate these prior to submitting. If anyone already has background/position information on either of these matters, then I'll gratefully receive that.

Many thanks,
Ross
0459233258

Ross McNeil
Chief Executive Officer
Northern Areas Council
P.O. Box 120 Jamestown SA 5491
Tel: 08 8664 1139
E: ross.mcneil@nacouncil.sa.gov.au

NORTHERN AREAS COUNCIL

www.nacouncil.sa.gov.au

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ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 October 2025
AGENDA BUSINESS ITEM

Item:	**12.5**
Responsible Officer:	**Gary Lewis** **Director Corporate Services** **Corporate Services**
Subject:	**2024-25 Annual Financial Statements**
For:	**Decision**

SUMMARY

The 2024-25 General Purpose Financial Statements are attached (***Appendix 1***) for information and review. They have been prepared in accordance with the model statements prescribed in the *Local Government (Financial Management) Regulations 2011.*

In accordance with Section 126(4)(a) of the *Local Government Act 1999* the Audit and Risk Committee needs to review the 2024-25 General Purpose Financial Statements and be satisfied that they present fairly the situation of Council in accordance with the *Local Government Act 1999*, the *Local Government (Financial Management) Regulations 2011* and Australian Accounting Standards.

The purpose of this report is to consider and approve for certification the audited financial statements of Council for the year ended 30 June 2025.

The Audit and Risk Committee considered the 2024-25 General Purpose Financial Statements at its meeting on 20 October 2025. At that meeting the Audit and Risk Committee resolved as follows:

8.3 2024-25 GPFS Financial Report

Moved Pamela Lee
S/- Natalie Simmons **ARC51/25**

The Audit and Risk Committee resolves:

1. **That the report on 2024-25 Annual Financial Statements and End of Year report be received and noted (8.3, 20 October 2025, Audit and Risk committee meeting).**
2. **That the Committee recommends to Council (8.3, 20 October 2025, Audit and Risk committee meeting):**
    a. **That the Financial Statements present fairly in all material respects the financial position and the results of the operations of the Adelaide Hills Council, having reviewed the Financial Statements for 2024-25 as per Appendix 1.**
    b. **That it is appropriate that the Management Representation Letter requested by the external auditor, as per Appendix 2, is signed by management.**
    c. **That it notes the Certification of Auditor Independence as per Appendix 3 is signed by the Chief Executive Officer and the Presiding Member of the Audit Committee.**
    d. **That it authorises the Chief Executive Officer and the Acting Mayor to certify the Financial Statements for 2024-25 in their final form.**
3. **To authorise the CEO to make minor editorial changes (8.3, 20 October 2025, Audit and Risk committee meeting).**

Carried Unanimously

RECOMMENDATION

Council resolves:

1. **That the report on the 2024-25 Annual Financial Statements be received and noted.**

2. **That, in accordance with Section 127 of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 1999, Council adopts the General Purpose Financial Statements for the financial year ended 30 June 2025.**

3. **To authorise the Acting Mayor and CEO to sign the General Purpose Financial Statements for the financial year ended 30 June 2025.**

---

1. BACKGROUND

The financial statements for the year ended 30 June 2025 have been prepared in accordance with the Local Government Act 1999 (SA) and the Local Government (Financial Management Regulations 2011 (SA) and all applicable Australian Accounting Standards. The format used in these statements is prescribed by legislation and are in accordance with the Model Financial Statements, approved by the Minister for Local Government in June 2025.

The financial statements must include a statement signed by the Chief Executive Officer and the Principal Member of Council. The Chief Executive Officer and the Acting Mayor have been authorised by Council to certify the financial statements in their final form.

The role of the external auditor is to provide an audit opinion to Council with respect to the audited financial statements. The external auditor, BDO, has completed the audit and in their Audit Completion Report, has provided audit clearance for the financial statements as part of a report to the Audit and Risk Committee.

Final audit clearance is subject to BDO conducting a subsequent event review up to the date of signing the financial statements together with the required Letter of Representation being signed by the relevant parties.

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 02.1	Demonstrate accountable and transparent decision making

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

➢ Legal Implications

Section 127 of the *Local Government Act 1999* states that a council must prepare for each financial year financial statements and notes in accordance with standards prescribed by the regulations and that a copy of the audited statements be submitted by the Council to the persons or bodies prescribed by the regulations on or before the day prescribed by the regulations.

➢ Risk Management Implications

Failure to complete the year end process in accordance with the endorsed timetable can result in increased financial, compliance and reputational risk.

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

➢ Financial and Resource Implications

The End of Year Financial Statements are considered to be the most significant output from Council's financial management and reporting processes and are required for inclusion in the Annual Report.

Funding and resources required to prepare the End of Year Financial Statements is provided for as part of the annual budget process.

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

Not applicable.

- **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

Council Committees:	A 2024-25 End of Financial Year Update Report was presented to the Audit and Risk Committee on 18 August 2025 where the preliminary end of year results was presented. The final financial statements were presented to the Audit and Risk Committee on 20 October 2025.
Council Workshops:	Not Applicable.
Advisory Groups:	Not Applicable.
External Agencies:	BDO International, Ltd.
Community:	Not Applicable.

- **Additional Analysis**

Preliminary end of year vs Final end of year final position

At the time of reporting, it was noted that further changes to Council's financial result may occur following the finalisation of the audit, and resolution of outstanding matters relating to Council's subsidiaries results, asset revaluations and finalisation of work in progress.

The financial statements present an operating surplus result of $592k, which is a deterioration of $203k from the $795k surplus reported in the End of Financial Year Update 2024-2025 report.

$'000	FINAL 2024-25 $'000	PRELIMINARY 2024-25 $'000	VARIANCE Fav/(Unfav) $'000
Operating income	63,772	63,784	(12)
Operating expenditure	63,180	62,989	(191)
Operating Surplus	**592**	**795**	**(203)**

The following adjustments occurred after preliminary end of year reporting.

1. Lower than previously expected net gain on investments in Council business of $12k.

2. Additional salary costs due to lower salary capitalisation of $112k. Whilst there has been significant progress made in this area, a degree of judgement will always be required when forecasting time to be spent on projects. This forecast informed the preliminary result. Thereafter, and once timesheets had been received from staff of the actual time spent on the projects, the actual results were processed. A slightly lower amount of time was spent than forecast and this resulted in a lesser amount being capitalised.

3. The Administration is currently investigating a new time tracking and recording system which will integrate with the current payroll system. Whilst this project is currently in the investigation phase, should it be successful, there will improved project time allocation both from an accuracy and a timing perspective.

4. Additional depreciation costs in relation to Kerb and Gutter of $79k. At the time of preparing the draft financial statements, a decrement in value of the Kerb and Gutter asset class was projected. This did not appear to be correct and following a detailed review, this was adjusted to be a minor increment. This adjustment had a flow on impact into the depreciation and resulted in a minor increase in the depreciation costs for year.

Prior year correction of error

Whilst working through the finalisation of the valuations and the depreciation charges, it was confirmed that a number of items of ICT equipment were being depreciated over periods which were longer than their useful lives. This had previously been reported as a risk to both the Audit and Risk Committee and Council.

Following consultation with BDO, this has been accounted for as a prior period error and the 2023-2024 financial results have been restated to account for this.

The impact is an adjustment to opening retained earnings in 2023-2024 of $657k and an increase in the depreciation expense in 2023-24 of $75k.

Year on Year Analysis

Detailed analysis is included in ***Appendix 2***.

Annual Audit Completion Report

As part of the audit process, BDO have tabled their final "Annual Audit Completion Report" ***Appendix 3*** dealing with matters arising from the audit. The report addresses:

- Status of the audit
- Areas of audit focus
- Summary of any misstatements
- Internal controls

The audit was conducted in accordance with the Australian Auditing Standards per the Act and provide Council with reasonable assurance that the Financial Statements are free of material misstatement.

Having identified no significant deficiencies with internal controls, BDO have concluded that in all material respects, the Financial Statements present fairly the financial position of Adelaide Hills Council as of 30 June 2025.

Budget to Actual Analysis and Financial ratios

Detailed analysis of the financial results is included in ***Appendix 4***.

Management Representation Letter

The Audit Committee has reviewed the representation letter requested by the external auditor before they are signed by management. A copy of the representation letter required by the external auditors is as per ***Appendix 5***.

The representation letter is standard practice of any audit and provides the auditor with confirmation from management, that, accounting standards have been applied, all matters that need to be disclosed have been disclosed and the valuation of assets has been consistently applied.

Certification Statement of Auditor Independence

Section 21(2) of the Regulations requires the Chief Executive Officer and the Presiding Member of the Audit Committee to provide a statement, that the council auditor is independent of the Council for the applicable financial year as per ***Appendix 6.***

3. OPTIONS

Council has the following options:

1. To adopt the General Purpose Financial Statements as recommended by the Audit and Risk Committee; or

2. To defer adoption of the General Purpose Financial Statements in order for further information to be provided.

3. APPENDICES

(1) 2024-25 Draft Financial Statements
(2) Year on Year Analysis
(3) Annual Completion Report and Auditor Independence Statement
(4) 2024-25 Actual to Budget Comparison
(5) Management Representation Letter
(6) Certification of Auditor Independence

Appendix 1

2024-25 Draft Annual Financial Statements

Adelaide Hills Council

GENERAL PURPOSE FINANCIAL STATEMENTS

for the year ended 30 June 2025

Adelaide Hills
COUNCIL

Adelaide Hills Council

General Purpose Financial Statements

for the year ended 30 June 2025

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Council certificate n/a

Understanding Council's Financial Statements 3

Principal Financial Statements

Statement of Comprehensive Income 4
Statement of Financial Position 5
Statement of Changes in Equity 6
Statement of Cash Flows 7

Notes to and forming part of the Financial Statements 8

Independent Auditor's Report – Financial Statements n/a

Independent Auditor's Report – Internal Controls n/a

Certificates of Audit Independence

Council Certificate of Audit Independence 52
Audit Certificate of Audit Independence n/a

Council certificate

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Adelaide Hills Council

General Purpose Financial Statements
for the year ended 30 June 2025

Understanding Council's Financial Statements

Introduction

Each year, individual Local Governments across South Australia are required to present a set of audited Financial Statements to their Council and community.

About the Certification of Financial Statements

The Financial Statements must be certified by the Chief Executive Officer and Mayor as "presenting a true and fair view" of the Council's financial results for the year and ensuring both responsibility for and ownership of the Financial Statements across Council.

What you will find in the Statements

The Financial Statements set out the financial performance, financial position and cash flows of Council for the financial year ended 30 June 2025.

The format of the Financial Statements is standard across all South Australian Councils and complies with both the accounting and reporting requirements of Australian Accounting Standards and the requirements as set down in the South Australia Model Financial Statements.

The Financial Statements incorporate four (4) "primary" financial statements:

1. **A Statement of Comprehensive Income**
   A summary of Council's financial performance for the year, listing all income and expenses.

2. **A Balance Sheet**
   A 30 June snapshot of Council's financial position including its assets and liabilities.

3. **A Statement of Changes in Equity**
   The overall change for the year (in dollars) of Council's "net wealth".

4. **A Statement of Cash Flows**
   Indicates where Council's cash came from and where it was spent.

About the Notes to the Financial Statements

The notes to the Financial Statements provide greater detail and additional information on the four (4) Primary Financial Statements.

About the Auditor's Reports

Council's Financial Statements are required to be audited by external accountants (that generally specialise in Local Government).

In South Australia, the Auditor provides an audit report, with an opinion on whether the Financial Statements present fairly the Council's financial performance and position.

About the Independence Certificates

Council's Financial Statements are also required to include signed Certificates by both the Council and the Auditors that the Council's Auditor has maintained its independence in accordance with the requirements of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*.

Who uses the Financial Statements?

The Financial Statements are publicly available documents and are used by (but not limited to) Councillors, residents and ratepayers, employees, suppliers, contractors, customers, the Local Government Association of South Australia, the SA Local Government Grants Commission, and financiers including banks and other financial institutions.

Under the *Local Government Act 1999* the Financial Statements must be made available at the principal office of the Council and on Council's website.

Adelaide Hills Council

Statement of Comprehensive Income

for the year ended 30 June 2025

$ '000	Notes	2025	Restated 2024 [1]
Income			
Rates	2a	51,484	48,389
Statutory charges	2b	1,612	1,520
User charges	2c	1,048	934
Grants, subsidies and contributions - capital	2g	901	1,293
Grants, subsidies and contributions - operating	2g	7,790	3,332
Investment income	2d	34	35
Reimbursements	2e	324	398
Other income	2f	524	512
Net gain - equity accounted council businesses	17	55	142
Total income		63,772	56,555
Expenses			
Employee costs	3a	22,651	21,915
Materials, contracts and other expenses	3b	25,345	25,886
Depreciation, amortisation and impairment	3c	14,237	12,345
Finance costs	3d	921	758
Net loss - equity accounted council businesses	17	26	79
Total expenses		63,180	60,983
Operating surplus / (deficit)		592	(4,428)
Physical resources received free of charge	2h	1,486	1,106
Asset disposal and fair value adjustments	4	(2,651)	(2,307)
Amounts received specifically for new or upgraded assets	2g	2,236	3,277
Net surplus / (deficit)		1,663	(2,352)
Other comprehensive income			
Capital WIP write-off prior years		(413)	(218)
Changes in revaluation surplus - I,PP&E	9a	37,460	76,020
Other equity adjustments - equity accounted council businesses	17(a)i	267	42
Share of other comprehensive income - equity accounted council businesses	9a	12	1,197
Total other comprehensive income		37,326	77,041
Total comprehensive income		38,989	74,689

(1) Please refer to Note 21 for the restatement made.

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

Adelaide Hills Council

Statement of Financial Position
as at 30 June 2025

$ '000	Notes	2025	Restated 2024 [1]	Restated 1 July 2023 [1]
ASSETS				
Current assets				
Cash and cash equivalent assets	5a	249	534	489
Trade and other receivables	5b	5,126	7,208	3,573
Inventories	5c	18	10	17
Total current assets		5,393	7,752	4,079
Non-current assets				
Trade and other receivables	6a	247	260	–
Equity accounted investments in council businesses	6b	4,241	3,933	2,631
Infrastructure, property, plant and equipment	7	606,763	570,003	491,931
Total non-current assets		611,251	574,196	494,562
TOTAL ASSETS		616,644	581,948	498,641
LIABILITIES				
Current liabilities				
Trade and other payables	8a	6,787	7,879	6,107
Borrowings	8b	1,230	5,796	1,721
Provisions	8c	4,529	4,515	5,257
Total current liabilities		12,546	18,190	13,085
Non-current liabilities				
Borrowings	8b	18,070	16,683	13,230
Provisions	8c	607	643	583
Total non-current liabilities		18,677	17,326	13,813
TOTAL LIABILITIES		31,223	35,516	26,898
Net assets		585,421	546,432	471,743
EQUITY				
Accumulated surplus		148,418	146,881	149,364
Asset revaluation reserves	9a	436,906	399,446	322,268
Other reserves	9b	97	105	111
Total council equity		585,421	546,432	471,743
Total equity		585,421	546,432	471,743

(1) Please refer to Note 21 for the restatement made.

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

Adelaide Hills Council

Statement of Changes in Equity

for the year ended 30 June 2025

$ '000	Notes	Accumulated surplus	Asset revaluation reserve	Other reserves	Total equity
2025					
Restated balance at the end of previous reporting period		146,881	399,446	105	546,432
Restated Net surplus / (deficit) for year		1,663	–	–	1,663
Other comprehensive income					
Gain (Loss) on Revaluation of I,PP&E	9a	–	37,460	–	37,460
Share of OCI - equity accounted council businesses		12	–	–	12
Capital WIP Write-off prior years		(413)	–	–	(413)
Other equity adjustments - equity accounted council businesses	17(a)i	267	–	–	267
Other comprehensive income		(134)	37,460	–	37,326
Total comprehensive income		1,529	37,460	–	38,989
Transfers between reserves		8	–	(8)	–
Balance at the end of period		148,418	436,906	97	585,421
2024					
Restated balance at the end of previous reporting period		150,021	322,268	111	472,400
Adjustments (correction of prior period errors)	21a	(657)	–	–	(657)
Restated opening balance		149,364	322,268	111	471,743
Restated Net surplus / (deficit) for year		(2,352)	–	–	(2,352)
Other comprehensive income					
Gain (Loss) on Revaluation of I,PP&E	9a	–	76,020	–	76,020
Share of OCI - equity accounted council businesses		39	1,158	–	1,197
Capital WIP Write-off prior years		(218)	–	–	(218)
Other equity adjustments - equity accounted council businesses	17(a)i	42	–	–	42
Other comprehensive income		(137)	77,178	–	77,041
Total comprehensive income		(2,489)	77,178	–	74,689
Transfers between reserves		6	–	(6)	–
Balance at the end of period		146,881	399,446	105	546,432

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

Adelaide Hills Council

Statement of Cash Flows

for the year ended 30 June 2025

$ '000	Notes	2025	2024
Cash flows from operating activities			
Receipts			
Rates receipts		51,644	48,377
Statutory charges		1,612	1,520
User charges		1,048	934
Grants, subsidies and contributions (operating purpose)		8,875	1,163
Investment receipts		34	35
Reimbursements		324	398
Other receipts		51	1,386
Payments			
Finance payments		(902)	(758)
Payments to employees		(22,350)	(22,319)
Payments for materials, contracts and other expenses		(25,183)	(25,314)
Net cash provided by (or used in) operating activities	10b	15,153	5,422
Cash flows from investing activities			
Receipts			
Grants utilised for capital purposes		901	544
Amounts received specifically for new or upgraded assets		2,236	3,277
Sale of replaced assets		877	792
Sale of surplus assets		40	–
Payments			
Expenditure on renewal/replacement of assets		(11,830)	(11,115)
Expenditure on new/upgraded assets		(4,165)	(6,237)
Capital contributed to equity accounted Council businesses		(279)	–
Net cash provided (or used in) investing activities		(12,220)	(12,739)
Cash flows from financing activities			
Payments			
Repayments of borrowings		(3,086)	(561)
Repayment of lease liabilities		(147)	(247)
Repayment of bonds and deposits		–	(2)
Net cash provided by (or used in) financing activities		(3,233)	(810)
Net increase (decrease) in cash held		(300)	(8,127)
plus: cash & cash equivalents at beginning of period		(14,663)	(6,536)
Cash and cash equivalents held at end of period	10a	(14,963)	(14,663)

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

Adelaide Hills Council

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

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Adelaide Hills Council

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 1. Summary of Material Accounting Policy Information

The principal accounting policies adopted by Council in the preparation of these consolidated financial statements 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 financial report was authorised for issue by certificate under regulation 14 of the *Local Government (Financial Management) Regulations 2011*.

1.2 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 Council's accounting policies.

The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements are specifically referred to in the relevant sections of these Notes.

1.3 Rounding

All amounts in the financial statements have been rounded to the nearest thousand dollars ($'000).

(2) The local government reporting entity

Adelaide Hills Council is incorporated under the South Australian Local Government Act 1999 and has its principal place of business at 63 Mount Barker Road, Stirling. These financial statements include the Council's direct operations and all entities through which Council controls resources to carry on its functions. In the process of reporting on the Council as a single unit, all transactions and balances between activity areas and controlled entities have been eliminated.

Other entities in which Council has an interest but does not control are reported in Note 17.

(3) Income recognition

Income is measured at the fair value of the consideration received or receivable. Income is recognised when the Council obtains control over the assets comprising the income, or when the amount due constitutes an enforceable debt, whichever first occurs.

The Council 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 Council 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 council to acquire or construct a recognisable non-financial asset that is to be controlled by the council. In this case, the council 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.

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 1. Summary of Material Accounting Policy Information (continued)

In recent years the payment of untied financial assistance grants from the Commonwealth Government has varied from the annual allocation as shown in the table below:

	Cash Payment Received	Annual Allocation	Difference
2019-20	$1,640,046	$1,564,152	+$75,894
2020-21	$1,516,052	$1,581,658	- $65,606
2021-22	$2,304,241	$1,661,744	+$642,497
2022-23	$2,253,435	$1,810,018	+$443,417
2023-24	$95,844	$2,577,656	-$2,481,812
2024-25	$ 3,086,704	$2,029,378	+$1,057,326

As these grants are untied, the Australian Accounting Standards require that these payments be recognised upon receipt.

Accordingly, the operating results of these periods have been distorted compared to those that would have been reported had the grants been paid in the year to which they were allocated.

The Operating Surplus Ratio disclosed in Note 14 has also been calculated after adjusting for the distortions resulting from the differences between the actual grants received and the grants entitlements allocated.

(4) Cash, cash equivalents and other financial instruments

Cash Assets include all amounts readily convertible to cash on hand at Council's option with an insignificant risk of changes in value with a maturity of three months or less from the date of acquisition.

Receivables for rates and annual charges are secured over the subject land, and bear interest at rates determined in accordance with the *Local Government Act 1999*. Other receivables are generally unsecured 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, except for trade receivables from a contract with a customer, which are measured at the transaction price. A detailed statement of the accounting policies applied to financial instruments forms part of Note 11.

(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 and 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 Council includes the cost of all materials used in construction, direct labour on the project and other overhead cost directly attributable to bringing the asset to the location and condition necessary for it to be capable of operating in the manner by management.

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 1. Summary of Material Accounting Policy Information (continued)

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 Council 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 below. No capitalisation threshold is applied to the acquisition of land or interests in land.

Office Furniture & Fittings	$3,000
Other Plant & Equipment	$3,000
Artworks	$5,000
Building Fixture and Fittings	$5,000
Building Structures	$5,000
Paving & Footpaths, Kerb & Gutter	$5,000
Road construction & reconstruction	$5,000
Stormwater, Gravity mains and Culverts	$5,000
All Other Assets	$5,000

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. Significant uncertainties exist in the estimation of fair value of a number of asset classes including land, buildings and associated structures and infrastructure. Further detail of these uncertainties, and of existing valuations, methods and valuers are provided at Note 7.

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 Council, 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 Council, 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.

Plant, Furniture & Equipment

Office Furniture and Equipment	5 to 10 years
Vehicles and Heavy Plant	8 to 16 years
Other Plant & Equipment	5 to 10 years

Building & Other Structures

Buildings – masonry	50 to 100 years
Buildings – other construction	20 to 40 years
Benches, seats, etc	10 to 20 years
Park Structures – masonry	50 to 100 years
Park Structures – other construction	20 to 40 years
Playground equipment	5 to 15 years

Infrastructure

Bores	20 to 40 years
Bridges	80 to 100 years
Culverts	50 to 75 years
CWMS Pipes	70 to 80 years
Dams and Lagoons	80 to 100 years
Flood Detention Systems	80 to 100 years
Irrigation Pipes and Systems	25 to 75 years

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 1. Summary of Material Accounting Policy Information (continued)

Paving & Footpaths, Kerb & Gutter	40 to 100 years
Pumps & Telemetry	15 to 25 years
Road Pavement	65 to 180 years
Sealed Roads – Surface	15 to 25 years
Stormwater and Gravity Mains	80 to 100 years
Unsealed Roads	10 to 20 years

Other Assets

Artworks	indefinite
Right-of-Use Assets	2 to 5 years

6.5 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 Council 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.

6.6 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 & Deposits

Amounts other than grants received from external parties in advance of service delivery, and security deposits held against possible damage to Council assets, are recognised as liabilities until the service is delivered or damage reinstated, or the amount is refunded as the case may be.

(8) 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"

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 1. Summary of Material Accounting Policy Information (continued)

(9) Employee benefits
9.1 Salaries, Wages & Compensated Absences

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 oncosts) 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 oncosts) 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.

9.2 Superannuation

The Council 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 Council's involvement with the schemes are reported in Note 16.

Council 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 Council.

(10) Provisions for reinstatement, restoration and rehabilitation

Close down and restoration costs include the dismantling and demolition of infrastructure and the removal of residual materials and remediation and rehabilitation of disturbed areas. Estimated close down and restoration costs are provided for in the accounting period when the obligation arising from the related disturbance occurs and are carried at the net present value of estimated future costs.

Although estimated future costs are based on a closure plan, such plans are based on current environmental requirements which may change. Council's policy to maximise recycling is extending the operational life of these facilities, and significant uncertainty exists in the estimation of the future closure date.

(11) Leases

Accounting policy applicable from 01 July 2019

The Council assesses at contract inception whether a contract is, or contains, a lease. That is, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

11.1 Council as a lessee

The Council recognises lease liabilities to make lease payments and right-of-use assets representing the right to use the underlying assets.

i) Right-of-Use-Assets

The Council recognises right-of-use assets at the commencement 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 lives of the assets, as follows:

Computers & IT Equipment	3 to 5 years
Building Occupancy	Up to 3 years

The right-of-use assets are also subject to impairment. Refer to the accounting policies above - Impairment of non-financial assets.

continued on next page ...

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 1. Summary of Material Accounting Policy Information (continued)

ii) Lease Liabilities

At the commencement date of the lease, the Council 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 Council uses its incremental borrowing rate or the interest rate implicit in the lease.

iii) Short-term leases and leases of low-value assets

The Council applies the short-term lease recognition exemption to its short-term leases of machinery and equipment (i.e., those leases that have a lease term of 12 months or less from the commencement date). It also applies the low-value assets recognition exemption to leases of office equipment that are considered to be low value. Lease payments on short-term leases and leases of low-value assets are recognised as expense on a straight-line basis over the lease term.

(12) Equity accounted Council businesses

Council participates in cooperative arrangements with other Councils for the provision of services and facilities. Council's interests in cooperative arrangements, which are only recognised if material, are accounted for in accordance with AASB 128 and set out in detail in Note 17.

(13) GST implications

In accordance with Interpretation 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 net basis.

(14) New accounting standards adopted and not yet effective

Council has adopted all of the Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that are mandatory for the current reporting period.

New and revised accounting standards and amendments thereof, and interpretations effective for the current year that are relevant to the consolidated entity include:

Amendments to AASB101 for classifying liabilities as current or non-current
Council has significant borrowings with Westpac and the LGFA through various debenture facilities. The amendments mean that for Council, borrowings are classified as current liabilities unless, at the end of the reporting period, Council has a right to defer settlement of the liability for at least 12 months after the reporting period. Covenants that the group is required to comply with, on or before the end of the reporting period, are considered in classifying loan arrangements with covenants as current or non-current. Covenants that Council is required to comply with after the reporting date do not affect the classification.

Previously, Council classified borrowings as current, even when Council had the right to defer payments for more than 12 months after the reporting date, if Council attended to settle the loans sooner as cash flows allowed. Amendments made to AASB 101 however mean that the classification of a borrowing is unaffected by the likelihood that the entity will exercise its right to defer settlement of the liability for at least 12 months after the reporting period.

As a result, Council presents all borrowings for which Council has the right to defer payment at the reporting date for more than 12 months as non-current. Council has also made a retrospective adjustment to the 2024 borrowing comparatives, to present borrowings as non-current rather than current as a result of adopting the amendments.

The AASB has issued Australian Accounting Standards and Interpretations which are not mandatorily effective at 30 June 2025. These standards have not been adopted by Council and will be included in the financial statements on their effective date. AASB 18 Presentation and Disclosure in Financial Statements, once taking effect, is expected to impact Council's financial statements, however a full assessment has not been made with regards to such impacts.

(15) Comparative figures

To ensure comparability with the current reporting period's figures, some comparative period line items and amounts may have been reclassified or individually reported for the first time within these financial statements and/or the notes.

continued on next page ...

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 1. Summary of Material Accounting Policy Information (continued)

(16) Disclaimer
Nothing contained within these statements may be taken to be an admission of any liability to any person under any circumstance.

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 2. Income

$ '000	2025	2024
(a) Rates		
General rates		
General rates	48,010	44,885
Less: mandatory rebates	(373)	(332)
Less: discretionary rebates, remissions and write-offs	(93)	(67)
Total general rates	47,544	44,486
Other rates (including service charges)		
Community wastewater management systems	1,721	1,711
Landscape levy	1,676	1,641
Separate and special rates	–	5
Stirling Business Association Separate Rate	108	107
Total other rates (including service charges)	3,505	3,464
Other charges		
Penalties for late payment	358	332
Legal and other costs recovered	77	107
Total other charges	435	439
Total rates	51,484	48,389
(b) Statutory charges		
Animal registration fees and fines	596	565
Planning, Development and Infrastructure Act fees	665	637
Health and septic tank inspection fees	96	101
Other licences, fees and fines	66	55
Parking fines / expiation fees	123	99
Searches	66	63
Total statutory charges	1,612	1,520
(c) User charges		
Cemetery Fees	401	364
Community centres	197	158
Lobethal Woollen Mill Precinct	170	153
Sundry	280	259
Total user charges	1,048	934
(d) Investment income		
Interest on investments		
- Local Government Finance Authority	1	2
- Banks and other	33	32
Unwinding of premiums and discounts	–	1
Total investment income	34	35

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 2. Income (continued)

$ '000	2025	2024
(e) Reimbursements		
Employee costs	–	5
Lobethal Woollen Mill Precinct	242	263
Other Properties	8	15
Private works	4	3
Other	70	112
Total reimbursements	324	398
(f) Other income		
Insurance and other recoupments - infrastructure, property, plant and equipment	80	205
Fabrik net sales revenue (refer below)	28	–
Sundry	416	307
Total other income	524	512
Fabrik		
Exhibition sales	15	-
Cost of Goods Sold	8	-
Net Sales Revenue	7	-
Consignment sales	75	-
Cost of Goods Sold	51	-
Net Sales Revenue	24	-
Non-Consignment sales	0	-
Cost of Goods Sold	3	-
Net Sales Revenue	(3)	-

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 2. Income (continued)

$ '000	2025	2024
(g) Grants, subsidies and contributions		
Capital grants, subsidies and contributions		
Amounts received specifically for new or upgraded assets	2,236	3,277
Total amounts received for new or upgraded assets	2,236	3,277
Other grants, subsidies and contributions - capital		
Roads to Recovery	901	749
Lobethal Centennial Hall	–	15
Special Local Roads Funding	–	529
Total Other grants, subsidies and contributions - capital	901	1,293
Operating grants, subsidies and contributions		
Annual		
Community Home Support Program Grants	1,106	1,062
Community Wastewater Management Systems Contributions	32	69
Library and communications	285	298
Sundry	364	323
Supplementary Local Roads Funding	343	344
Untied - Financial Assistance Grant	3,087	96
Ad hoc / One Off		
Community Resilience Grants	323	466
Local Roads & Community Infrastructure Program	1,557	–
Open Space Biodiversity Grants	545	–
Stormwater Management Plan	–	32
Waste Management Grants	10	–
21-22 Blackspot Funding	138	642
Total other grants, subsidies and contributions - operating	7,790	3,332
Total grants, subsidies and contributions	10,927	7,902
(i) Sources of grants		
Commonwealth Government	8,367	3,905
State Government	2,095	3,820
Other	465	177
Total	10,927	7,902
(ii) Individually significant items		
Grant Commission Financial Assistance Grant received in advance recognised as Income	1,057	–
(h) Physical resources received free of charge		
Land and improvements	1,486	1,106
Total physical resources received free of charge	1,486	1,106

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 3. Expenses

$ '000	Notes	2025	2024
(a) Employee costs			
Salaries and wages		16,630	16,770
Employee leave expense		3,747	3,275
Superannuation - defined contribution plan contributions	16	2,051	1,939
Superannuation - defined benefit plan contributions	16	127	161
Other employee related costs		32	51
Fringe Benefits Tax		156	232
Personal Income Protection Insurance		297	313
Workers' compensation insurance		499	486
Less: capitalised and distributed costs		(888)	(1,312)
Total operating employee costs		22,651	21,915
Total number of employees (full time equivalent at end of reporting period)		193	186

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 3. Expenses (continued)

$ '000	2025	2024
(b) Materials, contracts and other expenses		
(i) Materials, Contracts and Expenses		
Bank Fees	99	91
Contractors	6,037	6,481
Contractors - Cleaning	427	338
Contractors - Tree Management	709	838
Consultants	242	88
Contributions & Donations	823	900
Contract Labour	829	1,263
Energy	686	678
Grant Related Expenditure	219	386
Heathfield High School Contribution	–	9
Insurance	1,042	893
Landfill Remediation	224	70
Legal expenses	832	500
Levies - other	373	352
Levies paid to Government - Landscape levy	1,676	1,642
Licencing - ICT	1,202	1,036
Memberships & Subscriptions	181	133
Parts, Accessories & Consumables	1,944	1,840
Plant & Equipment	230	569
Professional services	133	108
Return of LGA CWMS Contribution	–	1
Stirling Business Association	110	110
Sundry	439	338
Telephone (incl data)	271	279
Water	334	285
Waste	5,581	5,143
Work-in-Progress Write-off	–	919
Less: capitalised and distributed Costs	–	(69)
Subtotal - Material, Contracts & Expenses	24,643	25,221
(ii) Prescribed Expenses		
Auditor's remuneration		
: Auditing the financial reports	50	51
: Internal audit reviews	33	–
: Other	10	–
Elected members' expenses	411	408
Election expenses	13	13
Lease expense - low value assets / short term leases	185	193
Subtotal - prescribed expenses	702	665
Total materials, contracts and other expenses	25,345	25,886

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 3. Expenses (continued)

$ '000	2025	2024 Restated
(c) Depreciation, amortisation and impairment		
Depreciation and Amortisation		
Buildings	1,933	1,781
Infrastructure		
- Bridges	390	364
- Cemeteries	47	37
- Community Wastewater Management Systems	379	363
- Footpaths	497	468
- Guardrails	139	123
- Kerb & Gutter	633	610
- Playgrounds	102	108
- Retaining Walls	236	205
- Roads	6,512	5,440
- Sport & Recreation	516	433
- Stormwater	795	778
- Street Furniture	132	112
- Traffic Controls	52	51
- Other Infrastructure	13	2
Furniture and fittings	54	53
Plant and equipment	1,662	1,171
Right-of-use assets	145	246
Total depreciation, amortisation and impairment	14,237	12,345
(d) Finance costs		
Charges on finance leases	3	9
Interest on loans	304	346
Interest on overdraft and short-term drawdown	595	403
Unwinding of present value discounts	19	–
Total finance costs	921	758

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 4. Asset disposal and fair value adjustments

$ '000	2025	2024
Infrastructure, property, plant and equipment		
(i) Assets renewed or directly replaced		
Proceeds from disposal	884	792
Less: Carrying Amount of Assets Sold or Disposed of	(3,568)	(3,089)
Other sale costs	(7)	(10)
Gain (loss) on disposal	(2,691)	(2,307)
(ii) Assets surplus to requirements		
Proceeds from disposal	40	–
Less: carrying amount of surplus assets disposed of	–	–
Gain (loss) on disposal	40	–
Net gain (loss) on disposal or revaluation of assets	(2,651)	(2,307)

Note 5. Current assets

$ '000	2025	2024
(a) Cash and cash equivalent assets		
Cash on hand and at bank	249	531
Short Term Deposits	–	3
Total cash and cash equivalent assets	249	534
(b) Trade and other receivables		
Rates - general and other	1,441	1,611
Accrued revenues	330	1,370
Debtors - general	274	352
Other levels of government - operating	1,833	2,918
GST recoupment	680	427
Prepayments	568	530
Total trade and other receivables	5,126	7,208
(c) Inventories		
Stores and materials	18	10
Total inventories	18	10

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 6. Non-current assets

$ '000	Notes	2025	2024
(a) Trade and other receivables			
Receivables			
Council rates postponement scheme		245	235
Prepayments		2	25
Subtotal		247	260
Total receivables		247	260
Total financial assets		247	260
(b) Equity accounted investments in council businesses			
Adelaide Hills Regional Waste Management Authority (AHRWMA)	17ai	1,595	1,562
Eastern Waste Management Authority (EWMA)	17ai	146	112
Gawler River Floodplain Management Authority (GRFMA)	17ai	2,500	2,259
Total equity accounted investments in Council businesses		4,241	3,933

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 7. Infrastructure, Property, Plant & Equipment

Infrastructure, property, plant and equipment

$ '000	Fair Value Level	as at 30/06/24 At Fair Value	At Cost	Accumulated Depreciation	Carrying amount	Asset movements during the reporting period: Asset Additions New / Upgrade	Asset Additions Renewals	WDV of Asset Disposals	Depreciation Expense (Note 3c)	WIP Transfers	Adjustments & Transfers	Other Physical Resources Free of Charge	RoU Additions	Revaluation Increments to Equity (ARR) (Note 9)	as at 30/06/25 At Fair Value	At Cost	Accumulated Depreciation	Carrying amount
Capital work in progress		–	5,682	–	5,682	4,165	11,830	–	–	(20,469)	(413)	–	–	–	–	797	–	797
Land - community	3	110,161	–	–	110,161	–	–	(20)	–	108	–	760	–	1,796	112,805	–	–	112,805
Buildings	3	97,129	–	(39,277)	57,852	–	–	(52)	(1,933)	5,826	–	30	–	3,418	108,638	–	(43,496)	65,142
Infrastructure																		
- Bridges	3	26,716	–	(15,705)	11,011	–	–	(26)	(390)	733	–	–	–	302	27,995	–	(16,366)	11,629
- Cemeteries	3	2,303	–	(1,042)	1,261	–	–	–	(47)	57	–	–	–	64	2,480	–	(1,145)	1,335
- Community Wastewater Management Systems	3	24,826	–	(9,532)	15,294	–	–	(36)	(379)	198	–	–	–	418	25,654	–	(10,159)	15,495
- Footpaths	3	23,220	–	(6,788)	16,432	–	–	(101)	(497)	685	–	52	–	202	24,452	–	(7,679)	16,773
- Guardrails	3	6,667	–	(1,882)	4,785	–	–	(36)	(139)	27	–	–	–	148	6,833	–	(2,048)	4,785
- Kerb & Gutter	3	49,186	–	(14,020)	35,166	–	–	(8)	(633)	64	–	136	–	996	50,834	–	(15,112)	35,722
- Playgrounds	3	2,178	–	(1,024)	1,154	–	–	(30)	(102)	–	–	–	–	54	2,202	–	(1,127)	1,075
- Retaining Walls	3	15,980	–	(6,232)	9,748	–	–	–	(236)	286	–	–	–	1,678	16,823	–	(5,348)	11,475
- Roads	3	350,511	–	(123,501)	227,010	–	–	(2,417)	(6,512)	7,090	–	145	–	26,773	370,714	–	(118,626)	252,088
- Sport & Recreation	3	22,960	–	(10,259)	12,701	–	–	(36)	(516)	1,255	–	140	–	622	24,993	–	(10,828)	14,165
- Stormwater	3	76,068	–	(29,754)	46,314	–	–	(8)	(795)	607	–	217	–	706	78,425	–	(31,385)	47,040
- Street Furniture	3	3,608	–	(1,125)	2,483	–	–	(1)	(132)	130	–	6	–	120	3,911	–	(1,305)	2,606
- Traffic Controls	3	2,593	–	(834)	1,759	–	–	–	(52)	–	–	–	–	86	2,720	–	(926)	1,794
- Other Infrastructure	3	–	2,227	(650)	1,577	–	–	–	(13)	19	–	–	–	77	–	2,355	(695)	1,660
Right-of-use assets		–	1,682	(1,568)	114	–	–	–	(145)	–	–	–	37	–	–	1,720	(1,713)	7
Plant and equipment [1]		–	16,197	(7,002)	9,195	–	–	(797)	(1,662)	3,364	–	–	–	–	–	16,370	(6,270)	10,100
Furniture and fittings		–	710	(406)	304	–	–	–	(54)	20	–	–	–	–	–	730	(460)	270
Total infrastructure, property, plant and equipment		814,106	26,498	(270,601)	570,003	4,165	11,830	(3,568)	(14,237)	–	(413)	1,486	37	37,460	859,479	21,972	(274,688)	606,763
Comparatives		687,912	25,998	(221,322)	492,588	6,237	11,115	(3,089)	(12,270)	–	(1,137)	1,106	165	76,020	814,106	26,498	(271,333)	569,271

(1) The 2024 carrying amount for the plant and equipment class of assets has been restated. Please refer to Note 21 for the restatement made.

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 7. Infrastructure, Property, Plant & Equipment (continued)

Valuation of Infrastructure, Property, Plant & Equipment

Valuation of assets

The fair value of assets and liabilities must be estimated in accordance with various Accounting Standards for either recognition and measurement requirements or for disclosure purposes.

AASB 13 Fair Value Measurement requires all assets and liabilities measured at fair value to be assigned to a "level" in the fair value hierarchy as follows:

Level 1: Unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Inputs for the asset or liability that are not based on observable market data (unobservable inputs).

Refer to Note 7(a) for the disclosure of the Fair Value Levels of Infrastructure, Property, Plant and Equipment Assets.

Information on valuations

Valuations of Crown land, community land and land subject to other restrictions on use or disposal, shown above as being based on fair value hierarchy level 3 valuation inputs, are based on prices for similar assets in an active market, but include adjustments for specific advantages or disadvantages attaching to the particular asset that are not directly or indirectly observable in that market, or the number and / or amount of observable adjustments of which are so great that the valuation is more fairly described as being based on level 3 valuation inputs.

There is no known market for buildings, infrastructure and other assets. These assets are valued at depreciated current replacement cost. This 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 prime cost depreciation method adopted by Council.

This 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.

Other information

At 1 July 2004 upon the transition to AIFRS, Council elected pursuant to *AASB 1.D5* to retain a previously established deemed cost under GAAP as its deemed cost. With subsequent addition at cost, this remains as the basis of recognition of non-material asset classes.

Upon revaluation, the current new replacement cost and accumulated depreciation are re-stated such that the difference represents the fair value of the asset determined in accordance with *AASB 13 Fair Value Measurement*: accumulated depreciation is taken to be the difference between current new replacement cost and fair value. In the case of land, current replacement cost is taken to be the fair value.

Highest and best use

All of Council's non financial assets are considered as being utilised for their highest and best use.

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 7. Infrastructure, Property, Plant & Equipment (continued)

Transition to AASB 13 - Fair Value Measurement

The requirements of AASB 13 Fair Value Measurement have been applied to all valuations undertaken since 1 July 2013 as shown by the valuation dates by individual asset classes below.

Land & Land Improvements

Council being of the opinion that it is not possible to attribute value sufficiently reliably to qualify for recognition, land under roads has not been recognised in these reports.

Land - Level 3: Crown Land which is subject to restriction for its use or sale has been valued by Council officers based on the Valuer General's site values as at 1 January 2024 less allowances for the restriction on sale (requiring Ministerial consent) which are unobservable inputs that have a significant effect on valuation.

Buildings & Other Structures

- Basis of valuation: Fair Value
- Date of independent valuation: 1 July 2023
- Valuer: APV Valuers & Asset Management

Council discloses Buildings as a separate class of Infrastructure Assets for the purposes of AASB 13 Fair Value Measurement, and the level of fair value hierarchy to be Level 3, as no relevant observable inputs (Markets) are available.

- Valuations for buildings have been updated by Council Officers at depreciated current replacement cost based on Australian Bureau of Statistics Time Series data, table 17 (Construction industries - Building) movements specific to Adelaide for the period June 2023 to June 2024. The increase was 5.9% and applied on 1 July 2024 for the 2024-25 reporting period.

Infrastructure

Council discloses Infrastructure Assets for the purpose of AASB 13 Fair Value Measurement as level 3 as no relevant observable inputs (markets) are available.

- There were no assets valued where it was considered that the highest and best use was other than its current use.

Bridges

- Basis of valuation: Valuation was undertaken using modern equivalent asset principles as per the International Infrastructure Management Manual (IIMM 6th edition, 2020) and included a condition audit.
- The assets were indexed in between independent valuations.
- Date of independent valuation: June 2021
- Valuer: ARRB Group
- Valuations have been updated by Council Officers at depreciated current replacement cost based on Australian Bureau of Statistics Time Series data, table 17 (Construction industries - Roads and Bridge Construction) movements specific to Adelaide for the period June 2023 to June 2024. The increase was 2.73% and applied on 1 July 2024 for the 2024-25 reporting period.

Community Wastewater Management Systems (CWMS)

- Basis of valuation: Fair Value
- Date of independent valuation: 1 July 2022
- Valuer: APV Valuers & Asset Management
- Valuations have been updated by Council Officers at depreciated current replacement cost based on Australian Bureau of Statistics Time Series data, table 17 (Construction industries - Roads and Bridge Construction) movements specific to Adelaide for the period June 2023 to June 2024. This increase was 2.73% and applied on 1 July 2024 for the 2024-2025 reporting period.

Footpaths, Retaining Walls and Guardrails (safety barriers)

- Basis of valuation: Fair Value
- Date of independent valuation: 1 July 2022
- Valuer: Private Public Property

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Note 7. Infrastructure, Property, Plant & Equipment (continued)

- Valuations have been updated by Council Officers at depreciated current replacement cost based on Australian Bureau of Statistics Time Series data, Table 17 (Construction Industries - Road and Bridge Construction) movements specific to Adelaide for the period June 2023 to June 2024. This increase was 2.73% and applied on 1 July 2024 for the 2024-2025 reporting period.

Kerb and Gutter

- Basis of valuation: Fair Value
- Date of independent valuation: 1 July 2022
- Valuer: Private Public Property
- Valuations have been updated by council officers at depreciated current replacement cost based on Australian Bureau of Statistics Time Series data, Table 17 (Construction Industries - Road and Bridge Construction) movements specific to Adelaide for the period June 2023 to June 2024. This increase was 2.73% and applied on 1 July 2024 for the 2024-2025 reporting period.

Roads

- Basis of valuation: Fair value (Sealed road, surface and pavements)
- Date of independent valuation: 1 July 2024
- Valuer: Modelve Pty Ltd
- Valuations for the remainder of assets in this category, being formation, road shoulder and unsealed roads, have been updated by Council Officers at depreciated current replacement cost based on Australian Bureau of Statistics Time Series data, table 17 (Construction industries - Roads and Bridge Construction) movements specific to Adelaide for the period June 2023 to June 2024. This increase was 2.73% and applied on 1 July 2024 for the 2024-2025 reporting period.

Stormwater

- Valuations have been updated by Council Officers at depreciated current replacement cost based on Australian Bureau of Statistics Time Series data, Table 17 (Construction Industries - Road and Bridge Construction) movements specific to Adelaide for the period June 2023 to June 2024. This increase was 2.73% and applied on 1 July 2024 for the 2024-2025 reporting period.

Street Furniture, Cemetry and Traffic Controls

- Valuations have been updated by Council Cfficers at depreciated current replacement cost based on Australian Bureau of Statistics Time Series data, Table 17 (Construction Industries - Non-residential Building Construction - Other) movements specific to Adelaide for the period June 2023 to June 2024. This increase was 4.89% and applied on 1 July 2024 for the 2024-2025 reporting period.

Playgrounds, Sport and Recreation Facilities

- Valuations have been updated by council officers at depreciated current replacement cost based on Australian Bureau of Statistics Time Series data, Table 17 (Non-Residential Building Construction - Other) movements specific to Adelaide for the period June 2023 to June 2024. This increase was 4.89% and applied on 1 July 2024 for the 2024-2025 reporting period.

Plant & Equipment

- Basis of valuation: Historic Cost

Furniture & Fittings

- Basis of valuation: Historic Cost

Adelaide Hills Council

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 8. Liabilities

$ '000	Notes	2025 Current	2025 Non Current	2024 Current	2024 Non Current
(a) Trade and other payables					
Accrued expenses - employee entitlements		1,118	–	1,069	–
Accrued expenses - other		1,095	–	265	–
Deposits, retentions and bonds		74	–	76	–
Goods and services		3,517	–	3,867	–
Payments received in advance		983	–	2,600	–
Other		–	–	2	–
Total trade and other payables		6,787	–	7,879	–
(b) Borrowings					
Borrowings		612	14,600	96	15,100
Lease liabilities	15b	6	–	114	1
Loans		612	3,470	5,586	1,582
Total Borrowings		1,230	18,070	5,796	16,683
All interest bearing liabilities are secured over the future revenues of the Council					
(c) Provisions					
Employee entitlements (including oncosts)		3,501	298	3,227	320
Future reinstatement / restoration, etc [1, 2]		1,028	309	1,288	323
Total provisions		4,529	607	4,515	643

(1) At the reporting date, Council made provision for its monitoring and rehabilitation obligations regarding 3 former landfill sites. The provision represents Council's best estimate of the expenditure required to settle the present obligation at the end of the reporting period.

(2) At the reporting date, Council is investigating the purchase of a previously divested landfill site to ensure long term environmental stewardship and compliance with regulatory obligations.

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 9. Reserves

$ '000	as at 30/06/24 Opening Balance	Increments (Decrements)	Transfers	Impairments	as at 30/06/25 Closing Balance
(a) Asset revaluation reserve					
Land - community	84,285	1,796	–	–	86,081
Buildings	50,524	3,418	–	–	53,942
Infrastructure					
- Community Wastewater Management Systems	7,863	418	–	–	8,281
- Stormwater	35,177	706	–	–	35,883
- Sport & Recreation	3,031	622	–	–	3,653
- Bridges	6,281	302	–	–	6,583
- Cemeteries	2,343	64	–	–	2,407
- Footpaths	2,891	202	–	–	3,093
- Guardrails	2,542	148	–	–	2,690
- Kerb & Gutter	33,479	996	–	–	34,475
- Playgrounds	251	54	–	–	305
- Retaining Walls	6,060	1,678	–	–	7,738
- Roads	160,723	26,773	–	–	187,496
- Street Furniture	1,528	120	–	–	1,648
- Traffic Controls	988	86	–	–	1,074
- Other Infrastructure	64	77	–	–	141
Plant and equipment	23	–	–	–	23
Furniture and fittings	7	–	–	–	7
JV's / associates - other comprehensive income	1,386	–	–	–	1,386
Total asset revaluation reserve	399,446	37,460	–	–	436,906
Comparatives	322,268	77,178	–	–	399,446

$ '000	as at 30/06/24 Opening Balance	Tfrs to Reserve	Tfrs from Reserve	Other Movements	as at 30/06/25 Closing Balance
(b) Other reserves					
Biodiversity SEB Reserve	15	–	(2)	–	13
Scott Creek Progress Association	1	–	–	–	1
Significant Trees Reserve	7	1	–	–	8
Torrens Valley Community Centre	82	–	(7)	–	75
Total other reserves	105	1	(9)	–	97
Comparatives	111	2	(8)	–	105

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 9. Reserves (continued)

Purposes of reserves

Asset revaluation reserves
The asset revaluation reserve is used to record increments and decrements arising from changes in fair value of non current assets (less any subsequent impairment losses, where applicable).

Other reserves

Biodiversity SEB Reserve

Adelaide Hills Council is an Accredited Third Party Provider under Section 25C(12) of the *Native Vegetation Act 1991*. One of Council's conservation reserves is now a formal "SEB Area" (Significant Environmental Benefit) under the *Native Vegetation Act 1991* which allows Council to on-sell SEB credits.

The financial return on these credits will need to be spent in accordance with the SEB Management Plan which outlines what agreed actions will be undertaken in a 10 year period and how the area will be protected into the future.

The funds held will be accessed over the remaining 7 years of the plan in order to invest in the annual bushcare activities as set out in the plan.

Scott Creek Cemetery Reserve

The Scott Creek Cemetery is crown land dedicated to Council for use as a cemetery. Prior to 2010 the cemetery was managed by local community associations. In 2010 management responsibilities were transferred to the Council together with the balance of funds held for cemetery maintenance and improvements.

Funds held in the reserve account are to be used for:
- marking of unmarked graves with a small and simple identification piece detailing the name and date of death of the deceased,
- Installation of a single plaque with the names of the deceased who are buried in unmarked graves where the exact location of the graves is unknown,
- Renewal of existing gravel driveways, and
- Creation or extension of driveways to facilitate expansion of the cemetery.

Significant Tree Reserve

The *Development (Regulated Trees) Variation Regulations 2011* came into effect on 17 November 2011. Under the new regulations, applicants can make a financial contribution for each tree removed (relating to regulated and significant trees) as part of their development application. The reserve was established by Council in accordance with S50B of the *Development Act 1993* to ensure that monies generated would be spent within the Adelaide Hills area.

Monies received may be applied by the council to:
- maintain or plant trees which are, or will (when fully grown) constitute significant trees under this Act; or
- to purchase land in order to maintain or plant trees which are, or will (when fully grown) constitute significant trees under this Act.

Torrens Valley Community Centre Reserve

This reserve is funded by the community funds that flow through the centre via the Op Shop. These funds are used to support youth programs and other community initiatives that will result in an improvement or benefit to the community.

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 10. Reconciliation to Statement of Cash Flows

$ '000	Notes	2025	2024
(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 Statement of Cash Flows is reconciled to the related items in the Statement of Financial Position as follows:			
Total cash and equivalent assets	5	249	534
Less: short-term borrowings	8	(15,212)	(15,196)
Balances per Statement of Cash Flows		(14,963)	(14,662)
(b) Reconciliation of Operating Result			
Net surplus/(deficit)		1,663	(2,352)
Non-cash items in income statements			
Depreciation, amortisation and impairment		14,237	12,345
Equity movements in equity accounted investments (increase)/decrease		(29)	(63)
Premiums and discounts recognised and unwound		–	(1)
Non-cash asset acquisitions		(1,486)	(1,106)
Grants for capital acquisitions treated as investing activity		(3,137)	(3,821)
Net (gain)/loss on disposals		2,651	2,307
Other		279	909
		14,178	8,218
Add (less): changes in net current assets			
Net (increase)/decrease in receivables		2,095	(3,895)
Net (increase)/decrease in inventories		(8)	7
Net increase/(decrease) in trade and other payables		(1,090)	1,774
Net increase/(decrease) in unpaid employee benefits		252	(377)
Net increase/(decrease) in other provisions		(274)	(305)
Net cash provided by (or used in) operations		15,153	5,422
(c) Non-cash financing and investing activities			
Acquisition of assets by means of:			
Physical resources received free of charge	2h	1,486	1,106
Additions to right of use assets	15	37	165
Amounts recognised in income statement		1,523	1,271
Total non-cash financing and investing activities		1,523	1,271

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 10. Reconciliation to Statement of Cash Flows (continued)

$ '000	2025	2024

(d) Financing arrangements

Unrestricted access was available at balance date to the following lines of credit:		
Bank overdrafts	200	200
Corporate credit cards	180	180
Asset Finance - Leasing	750	750
LGFA cash advance debenture facility	17,500	17,000
Westpac Bank Bill Business Loan [1]	9,000	8,000

The bank overdraft facilities may be drawn at any time and may be terminated by the bank without notice.

(1) Council utilises the Westpac bank bill business loan as an overdraft facility which can be paid off at any time at the discretion of the Council

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 11. Financial instruments

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.

Terms & Conditions:
Deposits are returning fixed interest rates between 4.15% and 4.35% (2024: 4.55% and 4.85%).

Carrying Amount:
Approximates fair value due to the short term to maturity.

Receivables - rates and associated charges (including legals and penalties for late payment)

Accounting Policy:
Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:
Secured over the subject land, arrears attract interest of 5.50% (2024: 6.15%). Council is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Council's boundaries in the State.

Carrying Amount:
Approximates fair value (after deduction of any allowance).

Receivables - fees and 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.

Terms & Conditions:
Unsecured, and do not bear interest. Council is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Council's boundaries.

Carrying Amount:
Approximates fair value (after deduction of any allowance).

Receivables - other levels of government

Accounting Policy:
Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:
Amounts due have been calculated in accordance with the terms and conditions of the respective programs following advice of approvals, and do not bear interest. All amounts are due by Departments and Agencies of State and Federal Governments.

Carrying Amount:
Approximates fair value.

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 Council.

continued on next page ...

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 11. Financial instruments (continued)

Terms & Conditions:
Liabilities are normally settled on 30 day terms.

Carrying Amount:
Approximates fair value.

Liabilities - interest bearing borrowings

Accounting Policy:
Initially recognised at fair value and subsequently at amortised cost using the effective interest rate.

Terms & Conditions:
Secured over future revenues. Borrowings are repayable upon maturity. Interest is charged at a fixed rate between 4.30% and 4.45% (2024: 4.45% and 4.60%) and paid bi-annually.

Carrying Amount:
Approximates fair value.

Liabilities - leases

Accounting Policy:
Accounted for in accordance with AASB 16 as stated in Note 15.

continued on next page ...

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 11. Financial instruments (continued)

$ '000	Due < 1 year	Due > 1 year and ≤ 5 years	Due > 5 years	Total Contractual Cash Flows	Carrying Values
Financial assets and liabilities					
2025					
Financial assets					
Cash and cash equivalents	249	–	–	249	249
Receivables	4,558	245	–	4,803	4,803
Total financial assets	4,807	245	–	5,052	5,052
Financial liabilities					
Payables	4,686	–	–	4,686	4,686
Westpac bank bill	9,037	–	–	9,037	9,037
LGFA loan	6,958	3,621	–	10,579	10,257
Lease liabilities	6	–	–	6	6
Total financial liabilities	20,687	3,621	–	24,308	23,986
Total financial assets and liabilities	25,494	3,866	–	29,360	29,038
2024					
Financial assets					
Cash and cash equivalents	534	–	–	534	534
Receivables	6,679	235	–	6,914	6,914
Total financial assets	7,213	235	–	7,448	7,448
Financial liabilities					
Payables	4,210	–	–	4,210	4,210
Westpac bank bill	8,032	–	–	8,032	8,032
LGFA loan	13,070	1,690	–	14,760	14,332
Lease liabilities	114	1	–	115	115
Total financial liabilities	25,426	1,691	–	27,117	26,689
Total financial assets and liabilities	32,639	1,926	–	34,565	34,137

The following interest rates were applicable to Council's borrowings at balance date:

$ '000	2025 Weighted Avg Interest Rate	2025 Carrying Value	2024 Weighted Avg Interest Rate	2024 Carrying Value
Loans	5.12%	15,212	5.62%	15,196
Fixed interest rate loans	4.36%	4,082	4.55%	7,168
Leases	6.07%	6	4.72%	115
		19,300		22,479

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 Council.

continued on next page ...

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 11. Financial instruments (continued)

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 Council is the carrying amount, net of any impairment. All Council investments are made with the SA Local Government Finance Authority and NAB. Except as detailed in Notes 5 & 6 in relation to individual classes of receivables, exposure is concentrated within the Council'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 Council'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 Council 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. Council 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. Council 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.

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 12. Capital expenditure and investment property commitments

$ '000	2025	2024

Capital commitments

Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities:

Infrastructure	1,010	1,069
Plant and equipment	1,462	2,086
	2,472	3,155
These expenditures are payable:		
Not later than one year	2,472	3,155
	2,472	3,155

Other non-capital expenditure commitments at the reporting date but not recognised in the financial statements as liabilities:

Amy Gillett Stage 4	1,708	–
Contractors	507	–
Other	218	–
	2,433	–
These expenditures are payable:		
Not later than one year	2,433	–
	2,433	–

Adelaide Hills Council

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 13. Financial indicators

$ '000	Amounts 2025	Indicator 2025	Indicators 2024	Indicators 2023
Financial Indicators overview *These Financial Indicators have been calculated in accordance with Information paper 9 - Local Government Financial Indicators prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia.*				
1. Operating Surplus Ratio				
Operating surplus	**592**	**0.9%**	(7.8)%	2.6%
Total operating income	**63,772**			
This ratio expresses the operating surplus as a percentage of total operating revenue.				
2. Net Financial Liabilities Ratio				
Net financial liabilities	**25,601**	**40%**	49%	42%
Total operating income	**63,772**			
Net Financial Liabilities are defined as total liabilities less financial assets (excluding equity accounted investments in Council businesses). These are expressed as a percentage of total operating revenue.				
Adjustments to Ratios *In recent years the Federal Government has made advance payments prior to 30th June from future year allocations of financial assistance grants, as explained in Note 1. These Adjusted Ratios correct for the resulting distortion in key ratios for each year and provide a more accurate basis for comparison.*				
Adjusted Operating Surplus Ratio				
Operating surplus	**(465)**	**(0.7)%**	(3.3)%	1.3%
Total operating income	**62,715**			
Adjusted Net Financial Liabilities Ratio				
Net financial liabilities	**25,601**	**40%**	49%	42%
Total operating income	**63,772**			
3. Asset Renewal Funding Ratio				
Asset renewals	**10,953**	**105%**	106%	98%
Infrastructure and Asset Management Plan required expenditure	**10,424**			
Asset renewals expenditure is defined as capital expenditure on the renewal and replacement of existing assets, and excludes new capital expenditure on the acquisition of additional assets.				

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 14. Uniform presentation of finances

$ '000	2025	2024
The following is a high level summary of both operating and capital investment activities of the Council prepared on a simplified Uniform Presentation Framework basis.		
All Councils in South Australia 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 Council's finances.		
Income		
Rates	51,484	48,389
Statutory charges	1,612	1,520
User charges	1,048	934
Grants, subsidies and contributions - capital	901	1,293
Grants, subsidies and contributions - operating	7,790	3,332
Investment income	34	35
Reimbursements	324	398
Other income	524	512
Net gain - equity accounted council businesses	55	142
Total Income	63,772	56,555
Expenses		
Employee costs	(22,651)	(21,915)
Materials, contracts and other expenses	(25,345)	(25,886)
Depreciation, amortisation and impairment	(14,237)	(12,345)
Finance costs	(921)	(758)
Net loss - equity accounted council businesses	(26)	(79)
Total Expenses	(63,180)	(60,983)
Operating surplus / (deficit)	592	(4,428)
Less: grants, subsidies and contributions - capital	(901)	(1,293)
Adjusted Operating surplus / (deficit)	(309)	(5,721)
Net outlays on existing assets		
Capital expenditure on renewal and replacement of existing assets	(8,079)	(11,115)
Add back depreciation, amortisation and impairment	14,237	12,345
Add back proceeds from sale of replaced assets	877	792
	7,035	2,022
Net outlays on new and upgraded assets		
Capital expenditure on new and upgraded assets (including investment property and real estate developments)	(8,330)	(6,237)
Add back grants, subsidies and contributions - capital new/upgraded	901	1,293
Add back amounts received specifically for new and upgraded assets	2,236	3,277
Add back proceeds from sale of surplus assets (including investment property, real estate developments and non-current assets held for resale)	40	–
	(5,153)	(1,667)
Annual net impact to financing activities (surplus/(deficit))	1,573	(5,366)

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 15. Leases

(i) Council as a lessee

Set out below are the carrying amounts of right-of-use assets recognised within Infrastructure, Property, Plant and Equipment and the movements during the period:

(a) Right of use assets

$ '000	ICT Equipment Leases	Property Leases	Total
2025			
Opening balance	36	79	115
Transfer from leased assets (former finance leases)	–	–	–
Additions to right-of-use assets	–	–	–
Adjustments to right-of-use assets due to re-measurement of lease liability	–	37	37
Depreciation charge	(36)	(109)	(145)
Other	–	–	–
Balance at 30 June	–	7	7
2024			
Opening balance	114	81	195
Transfer from leased assets (former finance leases)	–	–	–
Additions to right-of-use assets	–	165	165
Adjustments to right-of-use assets due to re-measurement of lease liability	–	–	–
Depreciation charge	(78)	(167)	(245)
Impairment of right-of-use assets	–	–	–
Other	–	–	–
Balance at 30 June	36	79	115

(b) Lease liabilities

Set out below are the carrying amounts of lease liabilities (included under interest-bearing loans and borrowings) and the movements during the period:

$ '000	2025	2024
Balance at 1 July	115	197
Additions	37	165
Accretion of interest	3	9
Payments	(149)	(256)
Balance at 30 June	6	115
Classified as:		
Current	6	114
Non-current	–	1

The maturity analysis of lease liabilities is included in Note 11.

Council had total cash outflows for leases of $149k.

continued on next page ...

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 15. Leases (continued)

$ '000	2025	2024
The following are the amounts recognised in profit or loss:		
Depreciation expense of right-of-use assets	145	245
Interest expense on lease liabilities	3	9
Expense relating to short term leases	185	193
Total amount recognised in profit or loss	333	447

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 16. Superannuation

The Council 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 (11.50% in 2024/25; 11.00% in 2023/24). No further liability accrues to the Council 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. Council 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.

In addition, Council makes a separate contribution of 3% of 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), Council does not use defined benefit accounting for these contributions.

The Salarylink employer contribution rate is reviewed by the Fund's actuary every 3 years. The next actuarial review is scheduled to be completed as at 30 June 2026. Any employer contribution rate change recomended by the actuary is likely to be effective from 1 July 2027.

Contributions to other superannuation schemes
Council 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 Council.

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 17. Interests in other entities

All joint ventures and associates are required to prepare Annual Financial Statements that comply with the SA Local Government Model Financial Statements.

$ '000	Council's Share of Net Income 2025	Council's Share of Net Income 2024	Council's Share of Net Assets 2025	Council's Share of Net Assets 2024
Council's share of net income				
Joint ventures	29	62	4,241	3,933
Total Council's share of net income	29	62	4,241	3,933

((a)i) Joint ventures, associates and joint operations

(a) Carrying amounts

$ '000	Principal Activity	2025	2024
Adelaide Hills Regional Waste Management Authority	Waste Management	1,595	1,562
Eastern Waste Management Authority	Waste Management	146	112
Gawler River Floodplain Management Authority	Floodplain Management	2,500	2,259
Total carrying amounts - joint ventures and associates		4,241	3,933

Adelaide Hills Regional Waste Management Authority
Adelaide Hills Regional Waste Management Authority is a regional subsidiary pursuant to S43 of the *Local Government Act 1999*. Council has an interest in the assets and liabilities of the Adelaide Hills Regional Waste Management Authority. The other member Councils are Alexandrina, Mt. Barker and Murray Bridge.

Eastern Waste Management Authority
Eastern Waste Management Authority is a regional subsidiary pursuant to S43 of the *Local Government Act 1999.* Council has an interest in the assets and liabilities of the Eastern Waste Management Authority. The other member Councils are Burnside, Campbelltown, Mitcham, Norwood, Payneham & St. Peters, Prospect, Unley and Walkerville.

Gawler River Floodplain Management Authority
Gawler River Floodplain Management Authority is a regional subsidiary pursuant to S43 of the *Local Government Act 1999*. Council has an interest in the assets and liabilities of the Gawler River Floodplain Management Authority. The other member Councils are Adelaide Plains, Barossa, Gawler, Light Regional and Playford.

(b) Relevant interests

	Interest in Operating Result 2025	Interest in Operating Result 2024	Ownership Share of Equity 2025	Ownership Share of Equity 2024	Proportion of Voting Power 2025	Proportion of Voting Power 2024
Adelaide Hills Regional Waste Management Authority	30.73%	35.02%	36.50%	36.70%	20.00%	20.00%
Eastern Waste Management Authority	12.50%	12.50%	12.50%	12.50%	11.11%	11.11%
Gawler River Floodplain Management Authority	5.97%	5.34%	5.97%	5.34%	15.38%	15.38%

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 17. Interests in other entities (continued)

(c) Movement in investment in joint venture or associate

	Eastern Waste Management Authority		Gawler River Floodplain Management Authority		Adelaide Hills Regional Waste Management Authority	
$ '000	2025	2024	2025	2024	2025	2024
Opening Balance	112	148	2,259	1,091	1,562	1,392
Share in Operating Result	27	(46)	(26)	(33)	40	142
Share in Other Comprehensive Income	7	10	–	1,159	5	28
Adjustments to Equity	–	–	267	42	(12)	–
Council's equity share in the joint venture or associate	146	112	2,500	2,259	1,595	1,562

Adelaide Hills Council

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 18. Contingencies and assets/liabilities not recognised in the balance sheet

The following assets and liabilities do not qualify for recognition in the Statement of Financial Position, but knowledge is considered relevant to the users of the financial report in making and evaluating decisions about the allocation of scarce resources.

1. Land under roads

As reported in the Financial Statements, Council is of the opinion that it is not possible to attribute a value sufficiently reliably for these assets to qualify for recognition, and accordingly land under roads has not been recognised in the reports.

Land acquired for road purposes during the year is initially recognised at cost, but transferred to fair value at reporting date, effectively writing off the expenditure.

2. Potential insurance losses

Council is a multi-purpose organisation providing a large range of building, parks infrastructure, playgrounds and other facilities accessible to the public. At any time, it is likely that claims will have been made against Council that remain unsettled.

Council insures against all known insurable risks using a range of insurance policies, each of which is subject to deductable "insurance excesses", the amount of which varies according to the class of insurance.

Council has recognised the potential losses arising from claims known at reporting date based on average historical net cost (including insurance excess) of similar types of claims. Other potential claims not reported to Council may have existed at reporting date.

3. Legal expenses

The Adelaide Hills Council Assessment Panel (CAP) and the Assessment Manager are the relevant authorities under the *Planning, Development, and Infrastructure Act 2016* (the Act) for the determination of development applications for planning consent. Building Surveyors working for the Council have delegation to determine development applications for building consent.

Under the Act the Adelaide Hills Council Building Fire Safety Committee is the relevant authority to issue building fire safety notices, including emergency orders. Planning, building and development compliance staff have delegation to issue enforcement notices.

Pursuant to the Act, applicants and landowners have a right of appeal to the Environment, Resource and Development Court (ERD Court) against planning and building decisions, building fire safety notices and, enforcement notices issued by a relevant authority.

At 30 June 2025, there was one (1) ongoing appeal against a CAP decision in the ERD Court, one (1) appeal against a Building Fire Safety Notice and nine (9) enforcement matters active in the ERD Court.

Each party bears its own costs in relation to appeals against CAP decisions, Assessment Manager decisions and Building Consent decisions however, in relation to enforcement matters the ERD Court can award costs or, parties can reach agreement on costs. Council seeks cost reimbursement in the case of unlawful development where legal fees have been incurred.

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 19. Events after the balance sheet date

Events that occur after the reporting date of 30 June 2025, up to and including the date when the financial statements are "authorised for issue" have been taken into account in preparing these statements.

Council has adopted the date of receipt of the Auditors' Report as the appropriate "authorised for issue" date relating to these General Purpose Financial Statements.

Council is unaware of any "non adjusting events" that merit disclosure.

Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 20. Related party transactions

Key management personnel

Transactions with key management personnel

The Key Management Personnel of the Council include the Mayor, Councillors, CEO and certain prescribed officers under section 112 of the Local Government Act 1999. In all, 18 persons were paid the following total compensation.

During the 2024-2025 financial year, four (4) key management personnel ended their employment with Adelaide Hills Council.

$ '000	2025	2024
The compensation paid to key management personnel comprises:		
Short-term benefits	1,496	2,027
Long-term benefits	–	53
Termination benefits	17	348
Total	1,513	2,428

Amounts paid as direct reimbursement of expenses incurred on behalf of Council have not been included above.

Elected Members or their close associates are members of the following:

- Activating Bridgewater Inc
- Adelaide Hills Climate Action Group
- Adelaide Hills Regional Waste Management Authority
- Australian Labour Party (SA) Mayo Federal Electoral Council
- Charleston Emergency Recovery Response Group
- Eastern Waste Management Authority (East Waste)
- Forest Range Recreation Ground
- Gawler River Floodplain Management Authority
- Heysen ALP Sub-Branch
- Lenswood & Forest Range Community Association Inc
- Lobethal Football Club
- Old School Community Garden
- Piccadilly Country Fire Service
- Southern & Hills Local Government Association
- Treecovery Pty Ltd
- Woodside Residents Association
- Woodside Warriers Soccer Club

Council made payments totalling $6,152,660 to the above organisations for the period ending 30 June 2025.

The most material payments were made to:

- Eastern Waste Management Authority ($4.385m) for the collection and disposal of waste and recycling materials.
- Adelaide Hills Regional Waste Management Authority ($1.668m) for the collection and disposal of waste and associated services.

Key Management Personnel or their close associates are members of the following:

- Eastern Waste Management Authority (East Waste)
- Gawler River Floodplain Management Authority
- Southern & Hills Local Government Association

Council made payments totalling $4,470,776 to the above organisations for the period ending 30 June 2025.

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Adelaide Hills Council

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 20. Related party transactions (continued)

All Elected Members and Key Management Personnel manage their conflict of interest obligations regarding related parties in accordance with the applicable provisions of the *Local Government Act 1999*.

At the time of reporting, Related Party Disclosure information was not received from two (2) Elected Members.

Adelaide Hills Council

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 21. Equity - adjustment to retained earnings

Nature of prior-period error

During the year, Council identified that a number of items of ICT equipment were being depreciated over a period in excess of their useful lives. This error related to the periods prior to 1 July 2023.

Adjusting these depreciation rates results in increased depreciation in prior periods.

This error has been corrected in the current year as a prior period adjustment, with comparative information restated accordingly.

Changes to the opening Statement of Financial Position at 1 July 2023

Statement of Financial Position

$ '000	Original Balance 1 July, 2023	Impact Increase/ (decrease)	Restated Balance 1 July, 2023
Infrastructure, Property, Plant & Equipment	492,588	(657)	491,931
Total assets	**499,298**	**(657)**	**498,641**
Accumulated Surplus	150,021	(657)	149,364
Total equity	**499,298**	**(657)**	**498,641**

Adjustments to the comparative figures for the year ended 30 June 2024

Statement of Financial Position

$ '000	Original Balance 30 June, 2024	Impact Increase/ (decrease)	Restated Balance 30 June, 2024
Adjustment for Infrastructure Property Plant & Equipment	570,735	(732)	570,003
Total assets	**582,680**	**(732)**	**581,948**
Accumulated Surplus	147,613	(732)	146,881
Total equity	**582,680**	**(732)**	**581,948**

Statement of Comprehensive Income

$ '000	Original Balance 30 June, 2024	Impact Increase/ (decrease)	Restated Balance 30 June, 2024
Depreciation, amortisation and impairment	12,270	75	12,345

Independent Auditor's Report - Financial Statements

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Independent Auditor's Report - Internal Controls

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Financial Statements 2025

Adelaide Hills Council

General Purpose 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 Adelaide Hills Council for the year ended 30 June 2025, the Council's Auditor, BDO 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.*

Gregory Georgopoulos
Chief Executive Officer

Malcolm Herrmann
Presiding Member Audit and Risk Committee

Date: 20/10/25

Certificates of Audit Independence

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Appendix 2

Year on Year analysis

Operating Income

$ 000's	2024	2025	Var	Comment
Rates	48,389	51,484	6%	A 6.6% increase in general rates being applied plus growth in assessements, offset by immaterial growth in Regional Landscape Levy, CWMS and SBA Special rates
Statutory Charges	1,520	1,612	6%	Fees and Charges were increased in line with inflation with an additional $55k being raised from fines and expiation fees, and animal registration fees following a recalibration of priorities with a renewed focus on enforcement.
User Charges	934	1,048	12%	Fees and Charges were increased in line with inflation, with increases in all catergories of fees and charges from additional community use
Grants - capital	1,293	901	-30%	In 2024, funding of $592k and $15k was received for Special Local Roads and the Loberthal Centennial Hall. This did not occur in 2025. This is offset by increase income from Roads to Recovery (2025: $901k, 2024: $749k)
Grants - operating	3,332	7,790	134%	Impacted by the receipt of financial assistance and local roads grants in June 2025 resulting in a $3.0m variance YOY. Additional, LRCIP grant of $1.6m received in 2025 and nil received in 2024
Investment income	35	34	-3%	Immaterial change
Reimbursements	398	324	-19%	$58k decrease in recoveries from DIT for tree mitigation and road repairs from 2024 to 2025. Remaining balances immaterially different YoY.
Other income	512	524	2%	Updated accounting treatment of FABRIK shop sales is offset by decreases in insurance recoveries ($124K) due to fewer claims. In FY 2024, there were a significant number of insurance claims due to storms
Net gain - equity	142	55	-61%	Performance of Council subsidiaries.
Total income	**56,555**	**63,772**	**-11%**	

Operating Expenditure

$ 000's	2024 (Restated)	2025	Var	Comment
Employee Costs	21,915	22,651	3%	Impact of 4.55% EDA uplift, higher vacancy savings in 2025 FY, offset by lower capitalisation of salaries to capital projects.
Materials, contracts and other expenses	25,886	25,345	-2%	Higher legal costs ($294k increase) offset by lower WIP write-off ($919 decrease). Refer Note 3 for additional detail
Depreciation	12,345	14,237	15%	Revaluation of sealed roads resulted in a significant increase in the associated depreciation. Additionally, a detailed review of the ICT assets resulted in a shortening of useful lives and therefore increase in depreciation expense
Finance Costs	758	921	22%	Increased borrowings from the prior year.
Net loss - equity	79	26	-67%	Performance of Council subsidiaries.
Total expenditure	**60,983**	**63,180**	**-3%**	

Appendix 3

Annual Completion Report and Auditor Independence Statement

Adelaide Hills Council

Annual audit completion report

Year ended 30 June 2025

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Dear Committee Members

We are pleased to present this report to the Audit Committee of Adelaide Hills Council ('AHC' or the 'Council') in relation to the 30 June 2025 annual audit.

As at the date of this report, we have substantially completed our audit and subject to the satisfactory resolution of the matters outlined in the Executive Summary, we expect to issue an unmodified audit report.

We have set out in this document the significant matters arising from our audit. This summary covers those matters we believe to be material in the context of our work.

We look forward to the Audit Committee meeting on 20 October 2025 where we will have the opportunity to discuss this report.

Should you require clarification on any matter in this report before this date, please do not hesitate to contact me on +61 8 7324 6147.

We would like to take this opportunity to extend our appreciation to management for their assistance and cooperation throughout the course of our audit.

Yours faithfully

LINH DAO
Engagement Partner

Adelaide, 14 October 2025

Executive summary

Purpose

The purpose of this report is to communicate significant matters arising from our audit to the Audit Committee. This report has been discussed with management.

Scope

Our audit was conducted in accordance with Australian Auditing Standards and the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 for the year ended 30 June 2025.

Status of the audit

Our audit of the financial report is substantially complete. We expect to issue an unmodified audit report, subject to satisfactory completion of the following:

- Review of subsequent events post 30 June 2025
- Receipt of written management representations on various matters; and
- Receipt of formally adopted financial statements and agreement of these to the draft financial statements provided to us to date.

A draft of the proposed audit report is included at Appendix 1.

Summary of misstatements

We have identified misstatements during our audit. The list of corrected and uncorrected misstatements is included in the respective section of this report.

Areas of audit focus

In performing our audit, we have identified those matters that, in the auditor's judgement, were of the most significance in the audit of the financial report. Our audit procedures also focused on areas that were considered to represent significant and elevated risks of material misstatement. These areas of focus are outlined below:

- Revaluation of infrastructure, property, plant and equipment
- Accounting treatment of Capital Work in Progress (WIP)
- Management override of internal controls
- Cut-off of grant funding and accuracy of any amounts deferred on 30 June 2025.
- Measurement of rehabilitation liabilities

Refer to the relevant section for details on the key audit matters, significant risk areas and other areas focused on during the audit.

Areas of audit focus

In assessing the risks of material misstatement at the planning phase, we used a spectrum of risk based on the likelihood of a misstatement occurring and the magnitude of the misstatement in the context of our materiality. Our audit procedures focused on areas that were considered to represent risks of material misstatement.

Revaluation of infrastructure, property, plant and equipment		
Description	**Audit work performed**	**Summary of findings**
Council's infrastructure, land and buildings are carried at valuation. There is a risk that these balances are misstated as a result of the application and inappropriate valuation methodologies, or incorrect underlying assumptions.	We evaluated the competence, capability and objectivity of the independent experts, if any, obtained an understanding of their work and evaluated its appropriateness. We reviewed the process undertaken by management regarding the revaluation, performed audit procedures and checked the disclosures made for compliance with applicable Australian Accounting Standards. We reviewed the movement in respective asset revaluation reserves to verify the accuracy and appropriateness of the fair value changes during the year.	Council undertook valuations of infrastructure assets and land & buildings this year, using a combination of external experts as well as the indexation method, which resulted in a net increase of $37.46mil credited to asset revaluation reserve for the year. As disclosed to the accounts, external valuers were engaged to assist with the revaluation of seal road, surface and pavements with remaining classes being formation, road shoulders and unsealed road had been revalued internally using indexation method. AASB 116.36 states that if an item of property, plant and equipment is revalued, the entre class of property, plant and equipment to which that asset belongs shall be revalued. Though we are satisfied that revaluation exercise was undertaken over the whole class of road assets, we noted the different approach to revaluation and recommend management continue to review the classification of asset classes, considering Council's resourcing to ensure of effective and efficient approach to valuation exercise. A number of errors were identified as part of the audit around the revaluation exercise, most notably for kerb and gutter assets of $5.5mil. This has been corrected in the financial statements and included in the Summary Misstatement section of this report. Furthermore, we noted other differences which are not material to the financial statements as a whole, quantitatively and qualitatively, which are included in the Summary of Misstatement section of this report as 'uncorrected'. We noted that revaluation is undertaken through Confirm, Council's fixed asset management system. However, the process can be manual, and gaps in data quality within the system (i.e. assets missing active dates) can result in material misstatements which without a due quality control process, will remain undetected. We recommend that management review the revaluation process, including whether the existing revaluation functionality in Confirm, is fit for purpose and make sure independent review is undertaken to verify the integrity and accuracy of the revaluation impact at the end of the process.

Areas of audit focus *continued*

Revaluation of infrastructure, property, plant and equipment		
		We also recommend management continue to audit underlying data within Confirm and improve the quality of this to ensure completeness and accuracy of the input to maximise Confirm revaluation output. Lastly, we were advised that management undertook a deep dive review of Council's ICT assets and noted that there are a number of assets that were no longer in service, or should have been depreciated over shorter useful lives being 3-5 years rather than 8-10 years. This had been assessed as prior period error and corrected to comparative periods in accordance with AASB 108 *Accounting Policies, Changes in Accounting Estimates and Errors*. At the date of the report, we have completed the audit procedures over the restated figures and agreed with management on the adjustments being made. In accordance with BDO policy, restatement to prior period errors requires a technical review of financial statements by BDO approved IFRS & Corporate Reporting consultant which is concluded at the date of this report. No other exceptions were noted.

Accounting treatment of Capital Work in Progress (WIP)		
Description	**Audit work performed**	**Summary of findings**
There is a risk that the accounting treatment of items captured within capital WIP may not be in accordance with Australian Accounting Standards.	We obtained the WIP schedule and reviewed in detail a sample of projects outstanding at the end of the year to check if they are likely to generate assets. We have also reviewed a sample of assets transferred out of the Capital WIP to check that the categorisation and value allocated to the relevant fixed asset class is appropriate.	Council reported a minimal WIP of $797k at 30 June 2025. Amongst the lagest WIP projects completed and capitalised during the year included FABRIK of $5.13mil. Furthermore, during the year $413k in carried forward WIP balance into FY2025 was written off directly to the revaluation reserve.

Areas of audit focus *continued*

Accounting treatment of Capital Work in Progress (WIP)		
		We noted that the date of capitalisation to respective classes of assets defaults to the period end date, rather than the actual completion date or the date the assets are first available for use. We have calculated the depreciation impact for the year, assuming all capital projects were completed at 1 July 2024, rather than at 30 June 2025 and noted only an immaterial impact to Council's surplus or deficit. As a result, no adjustment was proposed. We however recommend management consider progressively capitalising capital projects during the year, as soon as assets are ready for use to reduce the workload around year-end for financial closing.

Management override of internal controls		
Description	**Audit work performed**	**Summary of findings**
Australian Auditing Standards require that we presume there is a risk that management has the ability to manipulate accounting records and override control that otherwise appear to be operating effectively.	Our response includes a review of key internal controls at the Council to mitigate the risk of management override. We tested the appropriateness of journal entries and other adjustments made in the preparation of the financial report. We also reviewed accounting estimates for bias and evaluated the business rationale (or lack of) of any significant transactions that are outside of the normal course of business or that otherwise appear to be unusual.	We did not identify any evidence of misstatement due to management override of internal controls.

Areas of audit focus *continued*

Cut-off of grant funding and accuracy of any amounts deferred on 30 June 2024		
Description	**Audit work performed**	**Summary of findings**
There is a risk of error in the calculation of grant income recognised and deferred at the end of the year by reference to grant agreements and Australian Accounting Standards	We obtained the schedule of grant income recognised and deferred at year-end. We selected a sample of grants and obtained the agreements to review in detail and test that they have been recognised in accordance with AASB 15 Revenue from Contracts with Customers and AASB 1058 Income of Not-for-Profit Entities.	AASB 1058 requires an entity to recognise grants in profit or loss when (or to the extent that) the entity satisfies its performance obligations under the grant agreement, if; • the grant is a transfer to enable an entity to acquire or construct a recognisable non-financial asset to be controlled by the entity (i.e. capital grant); or • the grant creates enforceable rights and obligations, and includes sufficiently specific performance obligations. Such performance obligations are satisfied either over time or at a point in time. From our sample testing, we noted that one capital grant where associated income should have been recognised in prior year, rather than in FY25 as eligible expenses had already incurred. Management's view was such that more conservative approach was taken in FY2024 due to lack of certainty that Council had fulfilled all relevant obligations under the contract until such time that acquittal report was produced and submitted to the grantor. As the impact of this was not material to the financial statements it was not corrected and has been included in the 'Summary of Uncorrected Misstatements' section of this report. We recommend management continue to review the approach around grant income recognition to ensure compliance with accounting standards and provide useful information to relevant stakeholders.

Areas of audit focus *continued*

Measurement of rehabilitation liabilities		
Description	**Audit work performed**	**Summary of findings**
Council has made provision for its monitoring and rehabilitation obligations regarding 3 formal landfill sites. There is a risk of error that the liabilities are not measured in accordance with the requirements of AASB 137 Provisions, Contingent Liabilities and Contingent Assets.	We have inquired the management of the treatment of provisions made as at the reporting date. We audited the accounting treatment by reference to supporting documents including engagement letter with external expert, and their advice. We also evaluated if relevant disclosures made to the financial statements are in accordance with the applicable reporting framework.	We noted that management has assessed that no additional provision is required regarding Council's monitoring and rehabilitation obligations at reporting date. We reviewed this and were satisfied that the assessment was supported by independent experts' advice. Management briefed us on the progress of the other approach to the obligation in relation to one of the former landfill site. We were satisfied with the accounting and relevant disclosures made to the financial statements based on audit evidence obtained during the year.

Summary of misstatements

Uncorrected misstatements

We detail below the uncorrected misstatements which we have identified during the audit, and that were determined by management to be immaterial, both individually and in aggregate to the financial report taken as a whole.

Misstatements have not been included if they are considered to be clearly trivial which we have set at $549,000 for infrastructure, property, plant and equipment assets and $82,600 for all other financial statement areas. Matters which are clearly trivial are regarded as clearly inconsequential when taken individually or in aggregate.

We will seek representation from management to acknowledge that:

- Uncorrected misstatements have been brought to their attention by us; and
- They have considered the effect of any uncorrected misstatements, aggregated during and pertaining to the latest period, on the financial report and consider the misstatements are immaterial individually and in aggregate to the financial report taken as a whole.

DESCRIPTION	ASSETS	(LIABILITIES)	RESERVES	(PROFIT)/LOSS
Correct the overstatement of LRCIP Phase 3 revenue recorded in current period that should have been recorded in prior year.	-	-	($429,980)	$429,980
Judgemental misstatement in relation to the revaluation impact for Road and Retaining Walls classes of assets for the year	($2,670,771)		$2,670,771	-
Net effect of uncorrected misstatements	($2,670,771)	-	$2,250,791	$429,980

Summary of misstatements *continued*

Corrected misstatements

We identified the following misstatements during the course of our audit which have been corrected:

DESCRIPTION	ASSETS	(LIABILITIES)	RESERVES	(PROFIT)/LOSS
Correct the overstatement of ICT Equipment depreciation expense recorded in the current period, in the prior period.	$732,038	-	-	($732,038)
Correct the overstatement of the revaluation increment applied to the Kerb and Gutter category of Infrastructure, property, plant & Equipment.	$5,445,369	-	($5,532,394)	$87,025
Net effect of corrected misstatements	$6,177,407	-	($5,532,394)	($645,013)

Internal control

Current year

In accordance with ASA 265 *Communicating Deficiencies in Internal Control to Those Charged with Governance and Management*, we are required to communicate in writing, significant deficiencies in internal control identified during our audit to those charged with governance on a timely basis.

The standard defines a deficiency in internal control as:

1. A control is designed, implemented or operated in such a way that it is unable to prevent, or detect and correct, misstatements in the financial report on a timely basis; or
2. A control necessary to prevent, or detect and correct, misstatements in the financial report on a timely basis is missing.

Significant deficiency in internal control means a deficiency or combination of deficiencies in internal control that, in the auditor's professional judgement, is of sufficient importance to merit the attention of the Audit Committee.

The matters being reported are limited to those deficiencies that we have identified during the course of our audit and that we have concluded are of sufficient importance to merit being reported to the Audit Committee.

Current period

Risk Category/ Business Cycle	Risk assessment	Issues identified	Potential effects	Recommendation	Management comments
Expense - Payroll	Moderate	The Team Leader of Finance has both input/edit access to employee details within the payroll system and is responsible for reviewing the payroll change report ('Payroll change log entry').	This dual control owner introduces a self-review risk for Council, which could result in: • Incorrect salary payments to the wrong bank accounts, or • Creation of fictitious employees.	Council should implement segregation of duties between staff who have the authority to input/edit employee details and staff who review the changes made. A common segregation of duties we see in other councils are: • The People & Culture department inputs or edits employee details in the payroll system based on the delegation authority, and finance independently reviews 'Payroll change log entry' reports with appropriate supporting documentation, and • The Finance team do not have the IT authority or access to input or edit employee details.	AHC does not currently have an HR system that interfaces into the payroll system. As a temporary measure, the TL Finance assumed the tasks that would normally have been done by HR. However, it is acknowledged that there is reduced segregation of duties as a result. TL Finance will explore with Open Office (Payroll provider) whether HR can be given access to the payroll system in a restricted manner to be able to input employee details. Alternatively, the Manager of Finance can independently check the payroll change log reports instead of the TL Finance.

Internal control *continued*

Follow up on prior period findings

We have detailed below the current status of matters relating to internal control that have been raised in prior communications and are not referred to in the current period findings.

	Risk Category/ Business Cycle	Risk assessment	Issues identified	Date previously reported	Current Status
1	Revenue – Lease/rental	**Moderate**	It was noted that the Council does not have the appropriate measures to monitor lease/ rent payments. There is no formal regular reviews conducted to ensure lease agreements and other Council facilities contracts are being met.	2 July 2024	The lease database has been transferred into Sharepoint as an interim measure to alert the Property team with an email when a lease is due for review. That is working well. The next step is to move the database to Confirm. This will allow Property to set up and extract reports such as lease renewal dates, rent review dates and inspection reports. An email will be generated advising an action is required. This is moving along quickly, and it is hoped that the lease database will be configured into Confirm in the coming weeks. Training will then be undertaken with David Collins on how to use the system and reporting functionality. Property is using an external contractor (Brightly) to integrate the current property information into Confirm.
2	Asset – Fixed Assets	**Low**	It was noted that the Council has a Disposal of Asset policy however the policy is very high level and does not provide detailed guidance around the delegation of authority regarding assets being disposed, or the process of disposing the assets from the fixed asset system or the General Ledger.	2 July 2024	The current Disposal of Asset policy is due to be reviewed no later than Sept 2025. The comments will be considered and incorporated into the next update.

Other reporting requirements

Independence and ethics

In conducting our audit, we are required to comply with the independence requirements of *the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 and*Part 4A of APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)*.

We have obtained independence declarations from all staff engaged in the audit.

We also have policies and procedures in place to identify any threats to our independence, and to appropriately deal with and if relevant mitigate those risks.

We have not become aware of any issue that would cause any member of the engagement team, BDO or any BDO network firm to contravene any ethical requirement or any regulatory requirement that applies to the audit engagement.

BDO has not provided any other services during the audit to Adelaide Hills Council.

The Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 requires the lead auditor to make a declaration to the directors regarding independence. We are in a position to make this declaration, a draft of which has been included at Appendix 2.

Non-compliance with laws and regulations

We have made enquiries in relation to any non-compliance with laws and regulations during the course of our audit. We have not identified any instances of non-compliance with laws and regulations as a result of our enquiries.

We have not identified any reportable matters during the course of our audit.

Fraud

Management have confirmed that there were no matters of fraud identified for the period under audit, or subsequently. It should be noted that our audit is not designed to detect fraud however should instances of fraud come to our attention we will report them to you.

We have not identified any instances of fraud during the course of our audit.

Appendix 1 Proposed audit report

INDEPENDENT AUDITOR'S REPORT
TO THE PRINCIPAL MEMBER OF ADELAIDE HILLS COUNCIL

Report on the Audit of the Financial Report

Opinion

We have audited the financial report of Adelaide Hills Council (the Council), which comprises the statement of financial position as at 30 June 2025, the statement of comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, and notes to the financial report, including a summary of material accounting policy information and the declaration by those charged with governance.

In our opinion the accompanying financial report of presents fairly, in all material respects, the financial position of the Council as at 30 June 2025, and its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards, the *Local Government Act 1999*, and the *Local Government (Financial Management) Regulations 2011*.

Basis for opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the Financial Report* section of our report. We are independent of the Council in accordance with the Local Government Act 1999 and the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for* Professional *Accountants (including Independence Standards)* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We confirm that the independence declaration required by the *Local Government Act 1999,* which has been given to the Council, would be in the same terms if given to the directors as at the time of this auditor's report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other information

Those charged with governance are responsible for the other information. The other information obtained at the date of this auditor's report are the general purpose financial reports of Adelaide Hills Council joint ventures including Adelaide Hills Regional Waste Management Authority, Eastern Waste Management and Gawler River Floodplain Management.

Our opinion on the financial report does not cover the other information and accordingly we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial report, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or our knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work we have performed on the other information obtained prior to the date of this auditor's report, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Appendix 1 Proposed audit report *continued*

Responsibilities of management and those charged with governance for the Financial Report

Management is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards, the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* and for such internal control as management determines is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, management is responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management intends to liquidate the Council or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Council's financial reporting process.

Auditor's responsibilities for the audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website (http://www.auasb.gov.au/Home.aspx) at:
http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf

This description forms part of our auditor's report.

BDO Audit Pty Ltd

Linh Dao
Director

Adelaide, XX Month 2025

Appendix 1 Proposed audit report *continued*

INDEPENDENT ASSURANCE REPORT OF THE INTERNAL CONTROLS OF ADELAIDE HILLS COUNCIL

Opinion

We have undertaken a reasonable assurance engagement on the design and the operating effectiveness of controls established by Adelaide Hills Council ('Council) in relation to financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities, throughout the period 1 July 2024 to 30 June 2025 relevant to ensuring such transaction have been conducted properly and in accordance with the law.

In our opinion, in all material respects:

(a) The controls established by the Council in relation to financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities were suitably designed to ensure such transactions have been conducted property and in accordance with law; and

(b) The controls operated effectively as designed throughout the period from 1 July 2024 to 30 June 2025.

Basis for opinion

We conducted our engagement in accordance with Standard on Assurance Engagements ASAE 3100 *Compliance Engagements on Controls* issued by the Auditing and Assurance Standards Board.

We believe that the evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

The Council's responsibilities for the Internal Controls

The Council is responsible for:

a) The receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities;

b) Identifying the control objectives

c) Identifying the risks that threaten achievement of the control objectives

d) Designing controls to mitigate those risks, so that those risks will not prevent achievement of the identified control objectives; and

e) Operating effectively the controls as designed throughout the period.

Our independence and quality management

We have complied with the independence and relevant ethical requirements relating to assurance engagements, and applied Auditing Standard ASQM 1 *Quality Management for Firms that Perform Audits or Reviews of Financial Reports and Other Financial Information, or Other Assurance or Related Services Engagements* in undertaking this assurance engagement.

Assurance practitioner's responsibilities

Our responsibility is to express an opinion, in all material respects, on the suitability of the design to achieve the control objectives and the operating effectiveness of controls established by Council in relation to financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities. ASAE 3100 requires that we plan and perform our procedures to obtain reasonable assurance about whether, in all material respects, with the controls are suitably designed to achieve the control objectives and the controls operated effectively throughout the period.

Appendix 1 Proposed audit report *continued*

An assurance engagement to report on the design and operating effectiveness of controls involves performing procedures to obtain evidence about the suitability of the design of controls to achieve the control objectives and the operating effectiveness of controls throughout the period. The procedures selected depend on our judgement, including the assessment of the risks that controls are not suitably designed or the controls did not operate effectively. Our procedures included testing the operating effectiveness of those controls that we consider necessary to achieve the control objectives identified. An assurance engagement of this type also includes evaluating the suitability of the control objectives.

Limitations of controls

Because of the inherent limitations of an assurance engagement, together with the internal control structure it is possible that, even if the controls are suitably designed and operating effectively, the control objectives may not be achieved and so fraud, error, or non-compliance with compliance requirements may occur and not be detected.

An assurance engagement on operating effectiveness of controls is not designed to detect all instances of controls operating ineffectively as it is not performed continuously throughout the period and the tests performed are on a sample basis. Any projection of the outcome of the evaluation of controls to future periods is subject to the risk that the controls may become inadequate because of changes in conditions, or that the degree of compliance with them may deteriorate.

BDO Audit Pty Ltd

Linh Dao
Director

Adelaide, XX October 2025

Appendix 2 Auditor independence declaration

CERTIFICATION OF AUDITOR INDEPENDENCE

I confirm that, for the audit of the financial statements of the Adelaide Hills Council for the year ended 30 June 2025, I have maintained my independence in accordance with the requirements of the APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code), 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 und the Act.

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

Linh Dao
Director

BDO Audit Pty Ltd

Adelaide, XX October 2025

Appendix 3 New developments

Upcoming changes in financial reporting

AASB 18 *Presentation and Disclosure in Financial Statements*

On 9 April 2024, the International Accounting Standards Board issued IFRS 18 *Presentation and Disclosure in Financial Statements* (AASB 18 in Australia), a new financial statements presentation standard to replace IAS 1 *Presentation of Financial Statements*. Our bulletin contains a high-level summary of the amendments.

The changes require income and expenses to be classified into five categories – investing, financing, income taxes, discontinued operations and operating ('operating' being the residual or 'catch all' category). Classification follows an entity's 'main business activities' so AASB 18 is likely to result in different presentations across entities. The Statement of Profit or Loss also includes two mandatory subtotals:

- Operating profit or loss – this is a sub-total of all income and all expenses classified as operating
- Profit or loss before financing and income taxes – this is the sub-total of operating profit or loss, and all income and expenses classified as investing.

Our publication provides in-depth guidance for classifying income and expenses in the Statement of Profit or Loss.

There are also changes to the Statement of Cash Flows, including how interest and dividend cash inflows and interest cash outflows are classified.

Lastly, the financial statements must include new disclosures in single note about 'management-defined performance measures' such as earnings before interest, taxes, depreciation and amortisation (EBITDA), 'adjusted profit', operating profit excluding recurring items, etc.

The new disclosures apply to 'management-defined performance measures' if they are used in public communications outside the financial statements, to communicate to users of financial statements, management's view of an aspect of the entity's financial performance.

They do not apply to certain specific sub-totals in the Statement of Profit or Loss such as gross profit. They also do not apply to social media posts and oral communications, and to non-IFRS information based on financial measures that are not performance-related (such as measures based only on the financial position of the entity). Also, they do not apply if an entity makes no public communications (as may be the case for private companies).

The changes are effective for annual periods beginning on or after 1 January 2027.

If you have any questions or require more information regarding upcoming changes in financial reporting , please contact our IFRS & Corporate Reporting team.

Appendix 4 Sustainability reporting

What is required?

Legislation to mandate sustainability reporting in Australia was passed by the Senate on 22 August 2024 and received Royal Assent on 17 September 2024. The start date is for years commencing 1 January 2025, with a phase-in period for entities of different sizes and types. Entities required to prepare and lodge financial reports with the Australian Securities and Investments Commission (ASIC) under Chapter 2M of the *Corporations Act 2001* may have to prepare sustainability reports if they meet certain criteria. In particular, entities that do not meet the size threshold tests in section 292A and are neither NGER reporters nor asset owners, are not currently required to prepare sustainability reports.

The legislation requires a 'sustainability report', but climate-related disclosures are the first, and currently the only component of mandatory sustainability reporting.

ASIC's Regulatory Guide 280 (RG 280) was issued on 31 March 2025 and provides entities with practical guidance about complying with their sustainability reporting obligations and about ASIC's approach to administration, supervision and enforcement moving forwards.

Where will climate-related financial disclosures be disclosed?

Climate-related disclosures are required within a sustainability report forming part of the annual report. The sustainability report required by the *Corporations Act 2001* consists of:

- The climate statements
- Notes to the climate statements
- Any statements prescribed by legislation
- The director's declaration.

ASIC says: Start preparing for climate reporting now

Climate reporting represents the biggest changes to financial reporting and disclosures standards in a generation.

Key actions to take now

Reporting Obligations: Assess whether mandatory sustainability reporting applies.

Risk Disclosure: Balance mandatory and voluntary disclosures, considering stakeholder needs, as this can be seen as a strategic work program vs a compliance activity.

Internal Capability: Train employees or build capability to allocate resources effectively. Given that this is a new area, capability and capacity can be inhibitors.

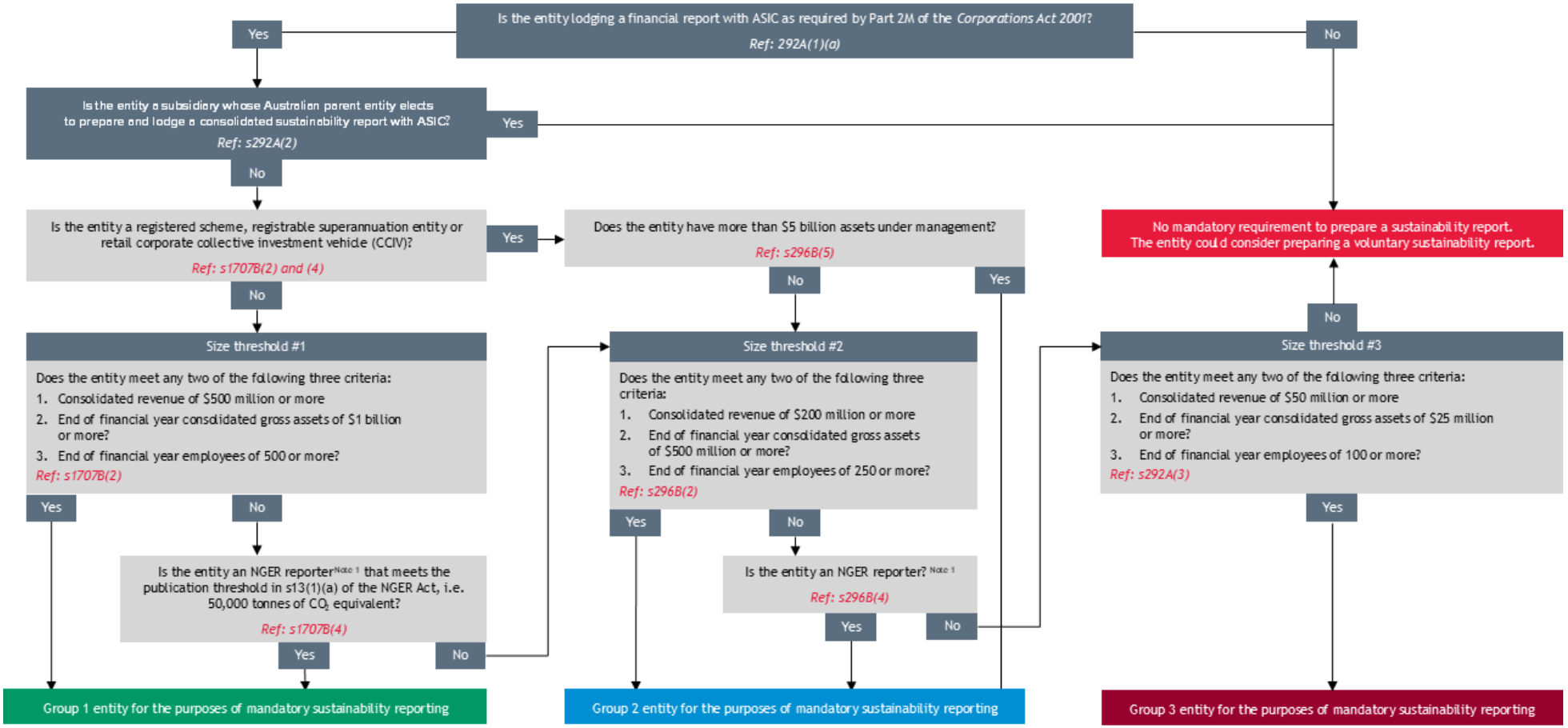
Data Quality and Technology Constraints: Given that some of this information will be being captured and generated for the first time, govern data and assess technology readiness.

Process Maturity and Change Management: Align processes, manage change effectively, and ensure people across the end-to-end process understand the "why".

Appendix 4 Sustainability reporting *continued*

Who is required to prepare climate-related financial disclosures?

The following decision tree diagram will assist you in determining whether your entity is subject to mandatory sustainability reporting, and if applicable, which of the three groups it falls into.



Note 1: An entity is an NGER reporter if it is a ***controlling corporation*** *registered or required to be registered under s12(1) of the National Greenhouse and Energy Reporting Act 2007 (NGER Act).*

Appendix 4 Sustainability reporting *continued*

When will climate-related reporting be mandated?

The following table outlines the first mandatory reporting period end for Group 1, Group 2 and Group 3 entities with different year-ends.

SUSTAINABILITY REPORTS REQUIRED FOR THE FIRST YEAR ENDING ON DATES SHOWN BELOW			
YEAR-END	**GROUP 1 ENTITIES**	**GROUP 2 ENTITIES**	**GROUP 3 ENTITIES**
31 December	31 December 2025	31 December 2027	31 December 2028
31 March	31 March 2026	31 March 2028	31 March 2029
30 June	30 June 2026	30 June 2027	30 June 2028
30 September	30 September 2026	30 September 2027	30 September 2028

Sustainability reporting standards

The Australian Accounting Standards Board is responsible for setting sustainability reporting standards. Its first two standards, AASB S1 *General Requirements for Disclosure of Sustainability-related Financial Information* (a voluntary standard) and AASB S2 *Climate-related Disclosures* (mandatory standard) align closely with IFRS® Sustainability Disclosure Standards.

Assurance over climate-related disclosures

The Australian Standard on Sustainability Assurance ASSA 5010 *Timeline for Audits and Reviews of Information in Sustainability Reports under the Corporations Act 2001* has been issued and includes the final timeline for assurance over the sustainability report. Assurance over the climate-related financial disclosures will be phased in as follows:

- First year – limited assurance over only the following disclosures[1]:
  - Governance
  - Strategy – climate-related risk and opportunities (only paragraphs 9(a), 10(a) and 10(b) of AASB S2)
  - Measurement of Scope 1 and Scope 2 emissions
- Second and third years – limited assurance over all disclosures, and
- Fourth year and thereafter – reasonable assurance over all disclosures.

[1] Group 1 entities with years commencing 1 January to 30 June will be subject to the Year 1 provisions twice (e.g. years commencing 1/1/25 and 1/1/26). Reporting of Scope 3 emissions is required for years commencing 1/1/26 to 30/6/26 for these Group 1 entities

Appendix 4 Sustainability reporting *continued*

Your sustainability roadmap

We've created a practical roadmap to guide your implementation of mandatory climate-related disclosures as well as your sustainability journey. It outlines the essential activities and their deadlines. Though Council is not required to report under Corporations Act, and we are yet aware of any changes in the Local Government Act that would require the inclusion of Sustainability Report in Council's annual report, we have included the suggested best practice roadmap if Council were a Group 2 entity for the mandatory climate reporting purpose in the following page for your information.

Learning Hub

A range of sustainability resources from BDO in Australia and around the globe.

Learn more

Sustainability webinar series

Breaking down the ESG fundamentals to help you start driving change.

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Group 2 entities: Best practice roadmap

PROJECT STREAMS			30 June 2025	30 June 2026	30 June 2027	30 June 2028
1	COMPLIANCE FOCUS: Carbon footprint measurement	Scope 1 and 2 emissions	• Set carbon inventory boundary • Develop a Basis of Preparation (carbon accounting methodology) • Measure and report internally scope 1 & scope 2 emissions	• Improve measurement and report internally scope 1 & scope 2 emissions • Set targets in relation to scope 1 & 2 • Conduct an assurance readiness assessment	**Mandatory** calculation and external reporting of Scope 1 and 2 emissions, subject to assurance	
		Scope 3 emissions	Initial measurement (significant estimation) and report internally scope 3 emissions	Improve measurement (significant estimation) and report internally scope 3 emissions	• Improve measurement (less estimation) and report internally scope 3 emissions • Set targets in relation to scope 3 • Conduct an assurance readiness assessment	**Mandatory** calculation and external reporting of Scope 3 emissions, subject to assurance
2	COMPLIANCE FOCUS: Climate-related disclosure	TCFD	Include **all** TCFD disclosures in the annual report, including the following pillars: • Governance • Strategy • Risk Management • Metrics and Targets	• Include **all** TCFD disclosures in the annual report, including the following pillars: ○ Governance ○ Strategy ○ Risk Management ○ Metrics and Targets	TCFD disclosures replaced by AASB S2	
		AASB S2 (mandatory)	Conduct an AASB S2 gap analysis	• Conduct a climate risk assessment • Prepare a scenario analysis • Financial modelling of impact on financial statements • Prepare draft AASB S2 (mandatory) disclosures for internal use	**Mandatory** reporting of all AASB S2 disclosures	
3	STRATEGIC FOCUS: Sustainability-related strategy disclosure	AASB S1 (voluntary)	Activate sustainability strategy • Step 1: ASSESS – Current state assessment • Step 2: PRIORITISE - Materiality assessment (stakeholder engagement) • Step 3: COMMIT – Identify gaps	Activate sustainability strategy • Step 4: MEASURE – Commit and measure to address gap identified • Step 5: REPORT – Prepare separate voluntary sustainability report Conduct an AASB S1 (voluntary) gap analysis	Continuous improvement of reporting to stakeholders (e.g. separate voluntary reporting)	

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We have prepared this report solely for the use of Adelaide Hills Council. As you know, this report forms part of a continuing dialogue between the company and us and, therefore, it is not intended to include every matter, whether large or small, that has come to our attention. For this reason we believe that it would be inappropriate for this report to be made available to third parties and, if such a third party were to obtain a copy of this report without prior consent, we would not accept any responsibility for any reliance they may place on it.

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Appendix 4

2024-25 Actual to budget comparison

Report on Financial Results for Adelaide Hills Council 2024-25

Financial Indicators

for the year ended 30 June 2024

2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Actual		2023-24 Actual	Target	Commentary
				1. Operating Surplus Ratio			
				Operating Surplus	592		The delivery of a small surplus for the Financial year aligns with the long-term target. This is however impacted by significant one-off adjustments, and deferral of expenses and appears unlikely to be repeated in the foreseeable future
				Total Operating Revenue	63,772		
4.50%	2.20%	2.60%	-7.70%	This ratio expresses the operating surplus as a percentage of total operating revenue.	0.9%	1%	
				2. Net Financial Liabilities Ratio			
				Net Financial Liabilities	25,601		Council remains within the target range.
				Total Operating Revenue	63,772		
39%	46%	42%	49%	Net Financial Liabilities are defined as total liabilities less financial assets (excluding equity accounted investments in Council businesses). These are expressed as a percentage of total operating revenue.	40%	100%	
				3. Asset Renewal Funding Ratio			
				Asset Renewals	10,953		Spend on the renewal of assets remains in line with Asset Management Plans
				Infrastructure & Asset Management Plan required expenditure	10,424		
85%	115%	98%	106%	Asset renewals expenditure is defined as capital expenditure on the renewal and replacement of existing assets, and excludes new capital expenditure on the acquisition of additional assets.	105%	90 to 110%	

Report on Financial Results for Adelaide Hills Council 2024-25

Statement of Comprehensive Income

for the year ended 30 June 2025

	Actual	Budget	Variance	Variance	Commentary
	$000's	$000's	$000's	%	
INCOME					
Rates	51,484	51,442	-42	-0.08%	Relates to additional penalties for late payment relative to budget
Statutory charges	1,612	1,513	-99	-6.54%	Additional Development and Planning fees, across Planning fees ($47k), Building fees ($5k) and Compliance fees ($21k), as well as additional dog and cat rego fees ($19k). These charges are user initiated and outside of Council's control to influence. Fees and charges were lifted by 4.3% in line with March 2024 CPI.
User charges	1,048	1,056	8	0.76%	Individually immaterial items
Grants, subsidies and contributions - capital	901	935	34	3.64%	Individually immaterial items
Grants, subsidies and contributions - operating	7,790	5,659	-2,131	-37.66%	$1,137k relates to Financial Assistance Grants and Local Roads Grants received in advance in 2024-25. These are recognised on receipt due to untied nature of the grant. $762k relates to LRCIP grants recognised in 2024-25. The budget was not adjusted due to concerns around meeting milestones in a timely manner.
Investment income	34	26	-8	-30.77%	Higher interest rates than budget.
Reimbursements	324	262	-62	-23.66%	Variance relates to recoveries from DIT in relation to various works undertaken, including Tree maintenance in advance of TDU, resealing works and potholing works. The majority of these were accrued at year-end, following works undertaken in the last quarter of the year (ie: post BR3).
Other income	524	702	178	25.36%	Lower than budgetted sales at FABRIK, offset by a settlement in relation to contract termination.
Net gain - equity accounted council businesses	55	103	48	46.60%	Share of operating result in EWMA and AHRWMA lower than expected.
Total income	**63,772**	**61,698**	**-2,074**		

Report on Financial Results for Adelaide Hills Council 2024-25

Statement of Comprehensive Income

for the year ended 30 June 2025

	Actual	Budget	Variance	Variance	Commentary
	$000's	$000's	$000's	%	
EXPENSES					
Employee costs	22,651	25,028	2,377	9.50%	The employee costs for the year are lower than budget due to vacancy and other cost savings of $2,709k. In addition, capitalised salaries were lower by $606k. The FTE at 30 June 2025 was 193. The average for the year was 189.5, relative to a budget of 216. This results in an average vacancy of 26.5, the majority of which is in the E and I directorate, specifically the Open Space team. To deliver services to the community, additional contract labour costs of $829k relative to a budget of $182k were incurred. These costs are accounted for under materials, contracts and other expenses.
Materials, contracts and other expenses	25,345	25,225	-120	-0.48%	Additional contract labour relative to budget of $647k has been incurred. This is offset by costs in relation to Amy Gillet Stage 4 not being incurred in 2024-25. Costs of ($500k) have been deferred into FY 2025-26.
Depreciation, amortisation and impairment	14,237	13,441	-796	-5.92%	Valuation uplifts (particularly sealed roads) have resulted in depreciation uplifts relative to budget.
Finance costs	921	857	-64	-7.47%	Higher than planned interest rates on overdraft & short term drawdowns, offset by lower interest costs recognised on ROU (right of use) assets.
Net loss - equity accounted council businesses	26	0	-26	0.00%	Share of operating result in GRFMA
Total expenses	63,180	64,551	1,371		
Operating surplus / (deficit)	592	-2,853	-3,445		The delivery of a small surplus for the Financial year aligns with the long-term target. This is however impacted by significant one-off adjustments, and deferral of expenses and appears unlikely to be repeated in the foreseeable future.

Report on Financial Results for Adelaide Hills Council 2024-25

Statement of Comprehensive Income

for the year ended 30 June 2025

	Actual	Budget	Variance	Variance	Commentary
	$000's	$000's	$000's	%	
Physical resources received free of charge	1,486	0	-1,486	0.00%	Gifted assets from developments primarily being undertaken at Woodside. These include land ($760k) and associated improvements such as stormwater ($217k), roads ($145k), sport & recreation ($140k), kerb and guttering ($136k), footpaths ($52k) and buildings ($30k)
Asset disposal and fair value adjustments	-2,651	-403	2,248	-557.82%	Includes the carrying amount of assets renewed or directly replaced in the period. Gains made on the sale/disposal of Plant and Equipment ($87k) have been offset by losses on Other Infrastructure, mostly Roads ($2.4m) and footpaths ($101k)
Amounts received specifically for new or upgraded assets	2,236	3,192	956	29.95%	Funding received for various Capital programs, including the Blackspot program ($1,084k), Special Local Roads Program ($400k), the AED roll-out ($42k), and the Woodside splashpark ($200k).
Net surplus / (deficit)	1,663	-64	-1,727		

Report on Financial Results for Adelaide Hills Council 2024-25

Statement of Comprehensive Income

for the year ended 30 June 2025

	Actual	Budget	Variance	Variance	Commentary
	$000's	$000's	$000's	%	
OTHER COMPREHENSIVE INCOME					
Capital WIP write-off prior years	-413	0	413	0.00%	WIP write-off of prior year capital projects either complete, no longer going ahead, or not classified as capital. Includes AHBTC divestment ($351k), Gumeracha irrigation and drainage (Repairs and Maintenance $49k).
Changes in revaluation surplus - I,PP&E	37,460	5,400	-32,060	-593.70%	The movement represents an accounting adjustment for the asset revaluations conducted during the year for Sealed Roads and a desktop indexation for all other asset categories based upon CPI and associated measures.
Other equity adjustments - equity accounted council businesses	267	0	-267	0.00%	Adjustment in relation to GRFMA
Share of other comprehensive income - equity accounted council businesses	12	0	-12	0.00%	Adjustments relating to AHRWMA ($5k) and EWMA ($75)
Total other comprehensive income	37,326	5,400	-31,926		
Total comprehensive income	38,989	5,336	-33,653		

1. GRFMA: Gawler River Flood Management Authority
2. EWMA: East Waste Management Authority
3. AHRWMA: Adelaide Hills Region Waste Management Authority

Report on Financial Results for Adelaide Hills Council 2024-25

Statement of Financial Position

for the year ended 30 June 2025

	Actual $000's	Budget $000's	Variance $000's	Variance %	Commentary
ASSETS					
Current assets					
Cash and cash equivalent assets	249	432	183	42.36%	Cash on hand in the bank as at 30 June 2025
Trade and other receivables	5,126	7,208	2,082	28.88%	Amy Gillett funding of $2.860m was recognised as accrued income in 23-24 and has now been received, offset by $739k of LRCIP Phase 4 funds yet to be received and accrued in 24-25.
Inventories	18	10	-8	-80.00%	Higher levels of stock on hand held at 30 June 2025
Total current assets	5,393	7,650	2,257		
Non-current assets					
Trade and other receivables	247	260	13	5.00%	Primarily postponed rates increased by $10k across 26 properties (23 properties in 24-25) offset by lower prepayments greater than 12 months of $23k.
Equity accounted investments in council businesses	4,241	4,036	-205	-5.08%	Equity share increase is primarily due to the recognition GRFMA uplift.
Infrastructure, property, plant and equipment	606,763	580,956	-25,807	-4.44%	Difference to budget relates to significant increase in revaluations relative to budget (Roads - $26.7m, Buildings $3.4m, land $1.8m, other asset classes $5.6m - Total $37.5m vs $5m budget), offset by lower Capital spend and unbudgetted disposals.
Total non-current assets	611,251	585,252	-25,999		
TOTAL ASSETS	616,644	592,902	-23,742		

Report on Financial Results for Adelaide Hills Council 2024-25

Statement of Financial Position

for the year ended 30 June 2025

	Actual	Budget	Variance	Variance	Commentary
	$000's	$000's	$000's	%	
LIABILITIES					
Current liabilities					
Trade and other payables	6,787	7,879	1,092	13.86%	Expenditure incurred but not paid - Amy Gillett ($305k), Fox Creek road & shoulder works ($220k), Super payment ($92k), Lobethal footpath & stormwater upgrade ($91k), Road reseals ($28k) and Heathfield Resource Recovery Centre true up ($22k), offset by lower payments received in advance (primarily relating to Amy Gillett which was recognised in 23-24).
Borrowings	1,230	25,783	24,553	95.23%	Change in accounting standards (specifically AASB 101) has resulted in a significant portion of borrowings being classified as non-current, due to the terms of borrowings. Borrowings are lower than budget due to reduced capital and operating spend.
Provisions	4,529	4,515	-14	-0.31%	No material change
Total current liabilities	12,546	38,177	25,631		
Non-current liabilities					
Borrowings	18,070	1,583	-16,487	-1041.50%	Change in accounting standards (specifically AASB 101) has resulted in a significant portion of borrowings being classified as non-current, due to the terms of borrowings. Borrowings are lower than budget due to reduced capital and operating spend.
Provisions	607	643	36	5.60%	LSL provision for existing staff decreased by $108k offset by an increase in LSL entitlement from new staff of $87k. The provision for future costs of Council's landfills decreased by approximately $15k compared to 23-24.
Total non-current liabilities	18,677	2,226	-16,451		
TOTAL LIABILITIES	31,223	40,403	9,180		
NET ASSETS	585,421	552,499	-32,922		

Report on Financial Results for Adelaide Hills Council 2024-25

Statement of Financial Position

for the year ended 30 June 2025

	Actual	Budget	Variance	Variance	Commentary
	$000's	$000's	$000's	%	
EQUITY					
Accumulated surplus	148,418	147,548	-870	-0.59%	A result of the Operating surplus. Refer to Statement of Comprehensive Income
Asset revaluation reserves	436,906	404,846	-32,060	-7.92%	Movement as a result of revaluations in the period
Other reserves	97	105	8	7.62%	No material change. Variance represents the overall movement in the reserve accounts for 24-25.
Total council equity	585,421	552,499	-32,922		
Total equity	585,421	552,499	-32,922		

Appendix 5

Management representation letter

Adelaide Hills
COUNCIL

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Stirling SA 5152
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www.ahc.sa.gov.au

Ms Linh Dao
Partner
BDO Audit Pty Ltd
Level 7, BDO Centre
420 King William Street
ADELAIDE SA 5000

_____ October 2025

Dear Linh,

AUDIT FOR YEAR ENDED 30 JUNE 2025 OF ADELAIDE HILLS COUNCIL

This representation letter is provided in connection with your audit of the financial report of Adelaide Hills Council for the year ended 30 June 2025, for the purpose of expressing an opinion as to whether the financial report gives a true and fair view in accordance with the Australian Accounting Standards, the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*.

We confirm that to the best of our knowledge and belief, having made such enquiries as we considered necessary for the purposes of appropriately informing ourselves:

Financial report

1. We have fulfilled our responsibilities, as set out in your engagement letter dated 31 March 2025, for the preparation for the financial report in accordance with Australian Accounting Standards and the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*; in particular that the financial report gives a true and fair view in accordance therewith.
2. We have established and maintained adequate internal controls to facilitate the preparation of a reliable financial report and adequate records have been maintained. Any and all deficiencies in internal control of which we are aware have been communicated to you.
3. We confirm that the selection and application of accounting policies remains appropriate, and that there have been no changes to the accounting policies applied in the previous annual financial statements or the methods used in applying them other than those that we have disclosed to you and in the financial statements.
4. We have no plans or intentions that may materially affect the carrying values, or classification, of assets and liabilities.
5. The entity has satisfactory title to all assets, and there are no liens or encumbrances on such assets that have not been disclosed, nor has any asset been pledged as collateral.

6. All significant judgments related to accounting estimates have taken into account all relevant information of which management is aware and the selection or application of the methods, assumptions and data used by management in making the accounting estimates are consistent and appropriate.
7. The assumptions used in determining accounting estimates and related disclosures appropriately reflect management's intent and ability to carry out specific courses of action on behalf of the entity.
8. Disclosures related to accounting estimates, including disclosures describing estimation uncertainty, are complete and reasonable within the context of the applicable financial reporting framework.
9. The appropriate specialised skills or expertise has been applied in making the accounting estimates as applicable.
10. We acknowledge that valuations of Infrastructure, Property, Plant & Equipment have been appropriate undertaken so as to ensure that the carrying amounts do not differ materially from that which would be determined using fair value at the end of the reporting. Individual classes of Infrastructure, Property, Plant & Equipment are assigned to the appropriate level in the AASB 13 fair value hierarchy.
11. We confirm that we have reviewed capital Work-In-Progress and are satisfied that they will likely generate assets in the future reporting period. All projects that are unlikely to generate assets or meet the recognition criteria of the applicable Australian Accounting Standards have been recognised through surplus or deficit.
12. We have advised you that Council is still evaluating the options regarding rehabilitation work for Ashton Landfill. Based on all reliable information available to management and Council, we have assessed that sufficient provision has been made for the rehabilitation liabilities as of 30 June 2025.

Books, records and documentation

13. We have provided you with:
    - Access to all information of which we are aware that is relevant to the preparation of the financial report such as records, documentation and other matters;
    - All minutes of meetings held by the Council and, the Audit and Risk Committee since the end of the previous reporting period have been given to you for your inspection;
    - Additional information that you have requested from us for the purpose of the audit;
    - Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
14. All transactions have been recorded in the accounting records and are reflected in the financial report.

Uncorrected misstatements

15. We acknowledge that you have brought to our attention uncorrected misstatements detected during the course of your audit (Schedule attached). We have considered the effect of any uncorrected misstatements on the financial statements. We consider the effect of the uncorrected misstatements to be immaterial, individually and in aggregate, to the financial report taken as a whole.

Related parties

16. We have disclosed to you the identity of the entity's related parties and all the related party relationships and transactions.
17. Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with Australian Accounting Standards in the financial report.

Fraud

18. We acknowledge our responsibility for the design, implementation and maintenance of accounting and internal control systems that are designed to prevent and detect fraud.
19. We have disclosed to you the results of our assessment of the risk that the financial report may be materially misstated as a result of fraud.
20. We have disclosed to you all information in relation to fraud or suspected fraud that we are aware of and that affects the entity and involves:
    - Management;
    - Employees who have significant roles in internal control; or
    - Others where fraud could have a material impact on the financial report.
21. We have disclosed to you all information in relation to allegations of fraud, or suspected fraud, affecting the entity's financial report communicated by employees, former employees, analysts, regulators or others.

Litigation and claims

22. We have disclosed to you all known actual or possible litigation and claims whose effects should be considered in the financial report; and accounted for and disclosed in accordance with Australian Accounting Standards.

Compliance with laws and regulations

23. We have disclosed to you all known actual or possible non-compliance with laws and regulations whose effects should be considered when preparing the financial report.
24. There have been no instances of non-compliance of laws and regulations involving management or employees who have a significant role in internal control.

    There have been no communications from regulatory agencies concerning non-compliance with, or deficiencies in, financial reporting practices that could have a material effect on the financial report.

Subsequent events

25. All events occurring subsequent to the date of the financial report and for which adjustment or disclosure are required, including but not limited to accounting estimates, have been adjusted or disclosed.

Other information

26. We have informed you of all the documents that we expect to issue which may comprise other information accompanying the financial report.
27. The financial report and any other information obtained by you prior to the date of the auditor's report are consistent with one another, and the other information does not contain any material misstatements.

Electronic presentation of Financial Report

28. We are responsible for the electronic presentation of the financial report.
29. We will ensure that the electronic version of the audited financial report and the auditor's report on the web site will be identical to the final signed hard copy version.
30. We will clearly differentiate between audited and unaudited information in the construction of the entity's web site as we understand the risk of potential misrepresentation.
31. We have assessed the controls over the security and integrity of data on the web site and that adequate procedures are in place to ensure the integrity of the information published.
32. We will not present the auditor's report on the full financial statements with extracts only of the full financial statements.

Yours faithfully

_____	_____
Greg Georgopoulos	Gary Lewis
Chief Executive Officer	Director Corporate Services

ADELAIDE HILLS COUNCIL

AUDIT FOR THE YEAR ENDED 30 JUNE 2025

SCHEDULE 1

UNCORRECTED MISSTATEMENTS SCHEDULE

DESCRIPTION	ASSETS	RESERVES	(PROFIT) /LOSS
Correct the overstatement of LRCIP Phase 3 revenue recorded in current period that should have been recorded in prior year.	-	($429,980)	$429,980
Judgemental misstatement in relation to the revaluation impact for Road and Retaining Walls classes of assets for the year	($2,670,771)	$2,670,771	-
Net effect of uncorrected misstatements	($2,670,771)	$2,250,791	$429,980

Appendix 6

Certificate of Auditor Independence

Adelaide Hills Council

General Purpose 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 Adelaide Hills Council for the year ended 30 June 2025, the Council's Auditor, BDO 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.*

Gregory Georgopoulos
Chief Executive Officer

Malcolm Herrmann
Presiding Member Audit and Risk Committee

Date: 20/10/25

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 October 2025
AGENDA BUSINESS ITEM

Item:	**12.6**
Responsible Officer:	**Gary Lewis** **Director Corporate Services** **Corporate Services**
Subject:	**Legal Fees Analysis 2024/25**
For:	**Information**

SUMMARY

The purpose of this report is to respond to the Motion on Notice endorsed by Council on 12 August 2025. This Motion required the CEO to provide detailed information with regards to Council's legal expenses in 2024/25 and two years preceding. This report aims to enhance transparency and accountability by presenting a breakdown of legal expenditure by department and subject matter, in line with Council's commitment to best practice governance and financial discipline.

RECOMMENDATION

Council resolves:

1. **That the Legal Fees Analysis 2024/25 report be received and noted.**

2. **That Council notes the detailed breakdown of legal expenditure by department and matter, as set out in this report.**

3. **That Council notes that legal expenses have risen by 66% or $332k from FY 2024 to FY 2025.**

4. **That the CEO provides a report to the Audit and Risk Committee on legal fee expenditure on a quarterly basis in a form similar to that provided to the Audit and Risk Committee at its meeting on 20 October 2025, up to and including the current financial year.**

1. BACKGROUND

At the Ordinary Meeting of 12 August 2025 Council, in response to a Motion on Notice from Councillor Herrmann resolved as follows:

11. MOTIONS ON NOTICE

11.1 Legal Costs – Cr Malcolm Herrmann

Moved Cr Malcolm Herrmann
S/- Cr Chris Grant **265/25**

Council resolves:

That at the ordinary meeting of Council when the 2024/2025 financial statements are considered for adoption, the CEO provides the following information:

1. **For 2023/24, the budget for legal costs, the actual expenditure by department and the reasons for any variation.**
2. **For 2024/25, the budget for legal costs, the actual expenditure by department and the reasons for any variation.**
3. **For 2025/26, the quantum in the Annual Business Plan for legal costs and the actual expenditure to the 30 September 2025.**

Carried Unanimously

In consideration of the fact that the financial statements would first be reported to the Audit and Risk Committee the Administration considered it appropriate to submit the Legal Fees Analysis 2024/25 to their meeting of 20 October 2025. This provided them with the information in support of their review of the financial statements and gave them the opportunity to offer advice and recommendations to Council.

At that meeting they resolved as follows:

8.5 Legal Fees

Moved Pamela Lee
S/- Leith Mudge **ARC56/25**

The Audit and Risk Committee resolves:

1. **That the Legal Fees Analysis 2024/25 report be received and noted (8.5, 20 October 2025, Audit and Risk committee meeting).**
2. **To recommend to Council that it notes the detailed breakdown of legal expenditure by department and matter, as set out in this report (8.5, 20 October 2025, Audit and Risk committee meeting).**
3. **To recommend to Council that (8.5, 20 October 2025, Audit and Risk committee meeting):**
   a. **Council notes that legal expenses have risen by 66% or $332k from FY 2024 to FY 2025**
   b. **the CEO provides a report to the Audit and Risk Committee on legal fee expenditure on a quarterly basis in a form similar to that provided to the Audit and Risk committee at its meeting on 20 October 2025, up to and including the current financial year**

Carried Unanimously

Legal fees are a necessary component of Council's operations, supporting compliance, risk management, and the resolution of complex matters. While the annual financial statements analyse legal expenses at a high level, this report provides a more detailed analysis to support Council's commitment to transparency and informed decision-making.

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 O2.1	Demonstrate accountable and transparent decision making

Council has identified both Organisational Priorities and guiding principles (Governance) that are supported by open and transparent decision making with regards the allocation of resources.

➢ Legal Implications

Not applicable.

➢ Risk Management Implications

Failing to explain significant and unusual costs may lead to reputational damage to Council.

The analysis of the expenses will assist in mitigating the risk of:

> *Increasing concerns in the community with regards how Council uses community resources leading to a loss of confidence in Local Government.*

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

➢ Financial and Resource Implications

Not applicable.

➢ Customer Service and Community/Cultural Implications

Not applicable.

➢ Sustainability Implications

Not applicable.

➢ Engagement/Consultation conducted in the development of the report

None (internal only).

➢ Additional Analysis

The response to the Motion on Notice is given in full in ***Appendix 1***.

Appendix 1 shows that the number of significant legal budgets (with value greater than $40k) has increased in recent years, however the budget for 2025/26 has not incorporated this as the Administration does not consider all the cost pressures to be ongoing, at this point.

Financial analysis of legal costs in 2024/25 by Function

Variance > $10k

	2024-25			
	Original Budget	**Final Budget**	**Actual Expense**	**Variation**
Function				
COMMERCIAL ACT - AHBTC: Lease	-	-	6,609	6,609
GOVERNANCE: Operations	50,000	400,000	350,965	(49,035)
PEOPLE & CULTURE: Litigation	20,000	70,000	66,585	(3,416)
BUILDINGS: General Property	20,000	20,000	28,678	8,678
LAND: Road Closure	2,630	2,630	6,766	4,136
CIVIL SERVICES: Litigation:	-	-	37,813	37,813
LAWS AND ENFORCEMENT: GI - Dog & Cat	6,400	5,000	7,134	2,134
LAWS AND ENFORCEMENT: GI - Parking	1,100	1,100	18,336	17,236
DEVELOPMENT SERVICES: Litigation	29,870	29,870	25,322	(4,548)
DEVELOPMENT SERVICES: Litigation	66,410	136,410	140,119	3,709
ENVIRONMENTAL HEALTH: Litigation	-	15,000	9,427	(5,573)
RATES - PROCESSING: Litigation	58,300	58,300	115,527	57,227
RATES - PROCESSING: Operations	6,750	6,750	5,829	(921)
INFORMATION MANAGEMENT: Operations	-	3,000	3,853	853
CORPORATE MANGT C&D: Operations	1,100	1,100	8,991	7,891
FINANCIAL MANGT: Financial Reporting	-	-	-	-
CORPORATE MANGT E&I: Operations	1,100	1,100	-	(1,100)
CORPORATE MANGT I&O: Operations	3,000	3,000	-	(3,000)
	266,660	**753,260**	**831,951**	**78,691**

It should be noted that the $115,527 cost for *'Rates Processing: Litigation'* is fully recovered through the rates billing processes or the Section 184 (sale for non-payment of rates) process. This leaves a net cost of $716,424.

It is further noted that the $140,119 cost for 'Development Services: Litigation' relates to the '*On the Run'* development application. These represent atypically high legal expenses, and excluding these costs from the net cost of $716,424 reduces the total to $576,305.

It is also noted that the $350,965 cost for *'Governance: Operations'* includes, among other matters, elected member behavioural matters, elected member WHS matters, and the independent inquiry. Excluding these costs from the net cost of $576,305 results in an adjusted amount of $225,340.

Some of the variations to budget highlighted in the above table in light blue are also explained below.

The Governance variation is due to the difficulty in predicting the costs of the various behavioural complaints and investigations that have occurred, with billing done in arrears. This means that expenditure occurring late in the year may exceed budgets.

The Rates – Processing: Litigation variation was due to significant fees being incurred late in the 2024/25 financial year (after the completion of Budget Review 3) in relation to the potential sale of properties under Section 184. These legal fees will be recoverable upon the sale of the property or through the collection of rates.

Analysis of the 2024/25 expenses by matter.

Department	Total Legal costs ($)	Key Matters	Firms Engaged
Governance	$128,433	Elected member behavioural matters	EMA Legal, Mellor Olsson, Kelledy Jones, Minter Ellison,
Governance	$46,000	Elected member WHS matters	EMA Legal, Minter Ellison, Snow Legal
Governance	$87,365	Independent enquiry	Minter Ellison
CEO/Governance	$25,508	General Governance Advice	Minter Ellison, Norman Waterhouse, Kelledy Jones,
CEO/Governance	$63,660	General legal advice	Kelledy Jones, Norman Waterhouse
People & Culture	66,584.50	EB negotiations, workplace investigations, employment advice	Kelledy Jones, Mellor Olsson, EMA Consulting, Norman Waterhouse
Development Services – Court Fees	140,119	Appeals – planning decisions, enforcement notices	Norman Waterhouse
Development Services – Legal Fees	25,322	Land management agreement, general advice (building fire safety, enforcement, planning)	Norman Waterhouse
Rates – Litigation	115,527	Debt recovery (recoverable)	ARMA Group, Scott Lawyers
Rates – Operations	5,829	Legal advice (non-recoverable)	Kelledy Jones, Scott Lawyers
Buildings	28,678	Leases, land acquisition, cemetery, property disputes	Norman Waterhouse, Mellor Olsson, Kelledy Jones, Wallmans Lawyers
Land – Road Closure	6,766	Land acquisition (Pedare Park Road)	Mellor Olsson
Civil Services	37,813	Contractor litigation (more than offset by reimbursements)	Norman Waterhouse
Laws & Enforcement – Dog & Cat	7,134	By-law review, expiation advice	Norman Waterhouse
Laws & Enforcement – Parking	18,336	Prosecutions for parking offences, FERU recovery fees, enforcement advice by-law offences	Norman Waterhouse
Environmental Health	9,427	Public health	Norman Waterhouse
Information Management	3,853	FOI legislative advice	Kelledy Jones
Corporate Management	8,991	Heritage issues, asset transfer	Norman Waterhouse, Kelledy Jones
Commercial	6,609	Commercial lease matters	Mellor Olsson

3. OPTIONS

Council has the following options:

This report is for information only and is presented in response to a Motion on Notice, as such Council is limited to receiving and noting the report. Although it may choose to expand on the resolution if it sees fit.

4. APPENDICES

(1) Financial analysis of legal costs 2023/24 to 2025/26.

Appendix 1

Financial analysis of legal costs 2023/24 to 2025/26

Financial analysis of legal costs 2021/22 to 2025/26

Budget > $40k
Actual >$40k
Variance > $10k

	2023-24				2024-25				2025-26 YTD September			
Function	**Original Budget**	**Final Budget**	**Actual Expense**	**Variation**	**Original Budget**	**Final Budget**	**Actual Expense**	**Variation**	**Year to date Budget**	**Full Year Budget**	**Actual Expense**	**Variation**
COMMERCIAL ACT - AHBTC: Lease	1,500	1,500	4,405	2,905	-	-	6,609	6,609	-	-	9,893	9,893
GOVERNANCE: Operations	5,250	136,000	132,798	- 3,202	50,000	400,000	350,965	- 49,035	33,000	100,000	27,385	- 72,615
PEOPLE & CULTURE: Litigation	11,850	11,850	47,085	35,235	20,000	70,000	66,585	- 3,416	-	10,000	2,920	- 7,080
BUILDINGS: General Property	17,940	38,940	53,787	14,847	20,000	20,000	28,678	8,678	-	20,000	7,087	- 12,914
LAND: Road Closure	2,520	2,520	3,477	957	2,630	2,630	6,766	4,136	-	2,700	3,166	466
CIVIL SERVICES: Litigation:	-	-	-	-	-	-	37,813	37,813	-	-	-	-
LAWS AND ENFORCEMENT: GI - Dog & Cat	6,400	18,900	18,773	- 127	6,400	5,000	7,134	2,134	-	5,000	13,292	8,292
LAWS AND ENFORCEMENT: GI - Parking	1,100	9,100	12,905	3,805	1,100	1,100	18,336	17,236	-	1,100	3,399	2,299
DEVELOPMENT SERVICES: Litigation	28,640	28,640	32,803	4,163	29,870	29,870	25,322	- 4,548	-	30,600	15,609	- 14,991
DEVELOPMENT SERVICES: Litigation	63,670	43,670	61,690	18,020	66,410	136,410	140,119	3,709	-	78,100	10,785	- 67,316
ENVIRONMENTAL HEALTH: Litigation	3,360	-	-	-	-	15,000	9,427	- 5,573	-	-	19,274	19,274
RATES - PROCESSING: Litigation	58,300	108,300	108,725	425	58,300	58,300	115,527	57,227	19,600	59,000	26,598	- 32,402
RATES - PROCESSING: Operations	6,750	6,750	7,901	1,151	6,750	6,750	5,829	- 921	2,400	6,800	1,865	- 4,935
INFORMATION MANAGEMENT: Operations	-	-	2,553	2,553	-	3,000	3,853	853	-	1,500	-	- 1,500
CORPORATE MANGT C&D: Operations	1,100	1,100	6,495	5,395	1,100	1,100	8,991	7,891	-	1,100	10,185	9,085
FINANCIAL MANGT: Financial Reporting	-	-	836	836	-	-	-	-	-	-	-	-
CORPORATE MANGT E&I: Operations	1,100	1,100	4,368	3,268	1,100	1,100	-	- 1,100	-	1,100	-	- 1,100
CORPORATE MANGT I&O: Operations	3,000	1,500	1,326	- 174	3,000	3,000	-	- 3,000	-	3,000	-	- 3,000
	212,480	**409,870**	**499,926**	**90,056**	**266,660**	**753,260**	**831,951**	**78,691**	**55,000**	**320,000**	**151,457**	**- 168,543**

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 October 2025
AGENDA BUSINESS ITEM

Item:	**12.7**
Responsible Officer:	**Zoë Gill** **Executive Governance Officer** **Office of the CEO**
Subject:	**Deputy Mayor Acting in office of Mayor and Acting Deputy Mayor Appointment**
For:	**Decision**

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. The position is representative only – it is not a recognised or statutory position under the *Local Government Act 1999* (LG Act).

At its meeting on 28 January 2025, and pursuant to section 51(4) of the LG Act, Council unanimously appointed Cr Nathan Daniell to the position of Deputy Mayor for a term of 12 months, which appointment concludes on 28 January 2026 (resolution 11/25).

Prior to her recent resignation, Council's (former) Mayor, Ms Jan- Claire Wisdom, took a six-month leave of absence. During that time, Deputy Mayor Daniells acted in the office of Mayor per section 51(6) of the LG Act.

At its meeting on 25 March 2025, Cr Adrian Cheater was appointed by Council to act as 'Acting Deputy Mayor' until 10 September 2025, aligning with the anticipated return of the (former) Mayor from leave.

Shortly after the Mayor's return from leave and on 23 September 2025, the Mayor formally resigned, resulting in a casual vacancy in the office of Mayor.

A supplementary election for appointment of a new Mayor will be held in January 2026, with the Electoral Commission of South Australia notionally scheduling the scrutiny and count of the election results for 10 February 2026.

In the interim, section 51(10) of the LG Act provides that in the event the of a casual vacancy in the office of Mayor, section 51(6) operates, unless Council makes another appointment.

> *(10) In the event of a casual vacancy in the office of mayor, subsections (6) and (7) operate subject to any appointment made by the council under section 54(8).*

As stated above, section 51(6) of the LG Act provides that *in the absence of the mayor, a deputy mayor may act in the office of mayor*.

Council's Deputy Mayor is Deputy Mayor Daniell. Council may, as a result of the casual vacancy of the in the office of the Mayor, endorse Deputy Mayor Daniell acting in the office of Mayor, or it may choose another councillor to act in the office of Mayor until the conclusion of the election (s54(8) of the LG Act).

If Council endorses the Deputy Mayor to act in the office of Mayor until the conclusion of the election, Council may wish to appoint an 'Acting Deputy Mayor'. The LG Act does not prescribe or recognise the position of an Acting Deputy Mayor, however, as it did when the (former) Mayor was on leave, and the Deputy Mayor acted in the office of Mayor, Council may wish to appoint an 'Acting Deputy Mayor' to assist the Deputy Mayor with his functions and duties (as required) until the declaration of the supplementary election result.

RECOMMENDATION

Council resolves:

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

1. **That the report on the Deputy Mayor acting in the office of Mayor, and the Acting Deputy Mayor Appointment be received and noted.**

2. **To note that, following the resignation of the former Mayor, Jan-Claire Wisdom, on 23 September 2025, Deputy Mayor Nathan Daniell, under s51(6) of the *Local Government Act 1999*, is to act in the Office of Mayor.**

3. **To note that Deputy Mayor Nathan Daniell's appointment as Deputy Mayor under section 51(4) of the L*ocal Government Act 1999*, and subsequently his endorsement to now act in the Office of the Mayor, under s51(6) of the Act, currently concludes on 28 January 2026.**

4. **To note that the Electoral Commission of South Australia has released the election timeline for the supplementary Mayoral election with the conclusion of the supplementary election and declared vote to notionally take place on Tuesday 10 February 2026.**

5. **To extend Deputy Mayor Nathan Daniell's appointment as Deputy Mayor until the conclusion of the of the supplementary Mayoral election (notionally 10 February 2026) and otherwise in accordance with section 4(2)(c) of the Local Government Act 1999 (SA).**

6. **To note that although the *Local Government Act 1999* does not prescribe or recognise the position of 'Acting Deputy Mayor', in reliance on section 36(1)(c) of the Act to do anything necessary or incidental to performing its functions and achieving its objectives , to establish the position of Acting Deputy Mayor for representational purposes only, with the function of the Acting Deputy Mayor to assist the Deputy Mayor whilst acting in the Office of the Mayor as required. The position is to exist only until the conclusion of the supplementary election for the Mayor, per part 5 of this Decision.**

7. **To appoint Cr_____ to the position of Acting Deputy Mayor to commence 28 October 2025 and conclude at the declared vote of the supplementary election (notionally 10 February 2026).**

8. For the avoidance of doubt, until the conclusion of the supplementary election for Mayor and/or until Council revokes its decisions or resolves otherwise, notwithstanding the Deputy Mayor's endorsement to act in the office of Mayor, the Deputy Mayor (ie not the Acting Deputy Mayor):

a. Subject to the Deputy Mayor being unable to perform a function, duty or responsibility, retains all functions, duties, responsibilities and roles of the Deputy Mayor under any Council resolution, policy, direction or convention.

b. Retains all functions, duties, responsibilities and roles (inclusive of any representative role) that would normally be given to the Mayor, including but not limited to those under any Council policy, resolution, direction or convention per Council resolution 430/24 of 26 November 2024.

9. Cr _____, as Acting Deputy Mayor, only takes on the functions, duties, responsibilities and roles of the Deputy Mayor (including under any Council policy, resolution, direction or convention affected by resolution 430/24) if the Deputy Mayor (Acting Mayor) Nathan Daniell is unavailable or unable to perform the functions, duties, responsibilities and roles.

10. That Council requests the Administration prepare, for consideration at a future meeting, recommendations to consider and if appropriate:

a. amend those Council policies that were altered as a result of resolution 430/24 of 26 November 2024

b. revoke any related resolutions.

so that—effective 11 February 2026 (or such other date) following the conclusion of the supplementary Mayor election—all such functions, duties, and responsibilities are vested back in the office of Mayor.

11. To note that a report will be presented to Council after the conclusion of the supplementary Mayoral election to advise Council of the new Mayor and to seek Council's appointment of a new Deputy Mayor for the remainder of the Council term.

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

Council resolves:

1. That the report on the Deputy Mayor acting in the office of Mayor, and the Acting Deputy Mayor Appointment be received and noted.

2. To note that, following the resignation of the former Mayor, Jan-Claire Wisdom, on 23 September 2025, Deputy Mayor Nathan Daniell, under s51(6) of the *Local Government Act 1999*, is to act in the Office of Mayor.

3. To note that Deputy Mayor Nathan Daniell's appointment as Deputy Mayor and subsequently his acting appointment in the Office of the Mayor, under s51(6) of the *Local Government Act 1999* currently concludes on 28 January 2026.

4. To note that the Electoral Commission of South Australia has released the election timeline for the supplementary Mayoral election with the conclusion of the supplementary election and declared vote to notionally take place on Tuesday 10 February 2026.

5. To extend Deputy Mayor Nathan Daniell's appointment as Deputy Mayor until the conclusion of the of the supplementary Mayoral election (notionally 10 February 2026) and otherwise in accordance with section 4(2)(c) of the *Local Government Act 1999*.

6. To note that although the *Local Government Act 1999* does not prescribe or recognise the position of 'Acting Deputy Mayor', in reliance on section 36(1)(c) of the Act to do anything necessary or incidental to performing its functions and achieving its objectives , to establish the position of Acting Deputy Mayor for representational purposes only, with the function of the Acting Deputy Mayor to assist the Deputy Mayor whilst acting in the Office of the Mayor as required. The position is to exist only until the conclusion of the supplementary election for the Mayor, per part 5 of this Decision.

7. 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.

8. 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 28 October 2025 and conclude at the declared vote of the supplementary election (notionally 10 February 2026).

2. For the avoidance of doubt, until the conclusion of the supplementary election for Mayor and/or until Council revokes its decisions or resolves otherwise, notwithstanding the Deputy Mayor's endorsement to act in the office of Mayor, the Deputy Mayor (ie not the Acting Deputy Mayor):

a. Subject to the Deputy Mayor being unable to perform a function, duty or responsibility, retains all functions, duties, responsibilities and roles of the Deputy Mayor under any Council resolution, policy, direction or convention.

b. Retains all functions, duties, responsibilities and roles (inclusive of any representative role) that would normally be given to the Mayor, including but not limited to those under any Council policy, resolution, direction or convention per Council resolution 430/24 of 26 November 2024.

3. Cr _____, as Acting Deputy Mayor, only takes on the functions, duties, responsibilities and roles of the Deputy Mayor (including under any Council policy, resolution, direction or convention affected by resolution 430/24) if the Deputy Mayor (Acting Mayor) Nathan Daniell is unavailable or unable to perform the functions, duties, responsibilities and roles.

4. That Council requests the Administration prepare, for consideration at a future meeting, recommendations to consider and if appropriate:

a. amend those Council policies that were altered as a result of resolution 430/24 of 26 November 2024
b. revoke any related resolutions.

so that—effective 11 February 2026 (or such other date) following the conclusion of the supplementary Mayor election—all such functions, duties, and responsibilities are vested back in the office of Mayor.

5. To note that a report will be presented to Council after the conclusion of the supplementary Mayoral election to advise Council of the new Mayor and to seek Council's appointment of a new Deputy Mayor for the remainder of the Council term.

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1. BACKGROUND

At the 28 January 2025 Council Meeting, and pursuant to section 51(4) of the *Local Government Act 1999* Cr Nathan Daniell was appointed Deputy Mayor of the Council for a 12-month term concluding on 28 January 2026 (resolution 11/25 refers).

12.3 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, then Mayor Jan-Claire Wisdom was granted a leave of absence from 11 March 2025 to 10 September 2025. During this period, it was approved (in accordance with section 51(6) of the Act) that Deputy Mayor Nathan 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, and in reliance on its power under section 36(1)(c) of the Act to do anything necessary or incidental to performing its functions or to achieving its objectives, Council established the Acting Deputy Mayor position and Cr Adrian Cheater was appointed to the role for the duration of the then 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) of the *Local Government Act 1999* Cr Nathan Daniell, substantive Deputy Mayor, becomes the Acting Mayor. This applies until 28 January 2026.

Deputy Mayor Nathan Daniell remains Council's Deputy Mayor unless and until Council's resolution 11/25 is revoked and another councillor is appointed in the role. (By endorsing the Deputy Mayor to act in the office of the Mayor, the Deputy Mayor does not vacate the Deputy Mayor role or appointment).

Because Deputy Mayor Daniell's appointment as Deputy Mayor concludes on 28 January 2026, Council may wish to extend Deputy Mayor Nathan Daniell's appointment as Deputy Mayor (and therefore his endorsement to act in the office of Mayor) until the conclusion of the supplementary Mayoral election (notionally 10 February 2026). (See extract from Electoral Commission of South Australia below).

During this period and until the conclusion of the supplementary Mayoral election (notionally 10 February 2026), Council may also wish to establish and appoint an Acting Deputy Mayor, as it did during the former Mayor's leave of absence.

The Electoral Commission of South Australia has declared the Council's supplementary Mayoral election with the key dates as follows:

Event	Legislation*	Date
Close of rolls	s 6(7)(a), s 15(9)(b)	5pm on Friday, 31 October 2025
Nominations open	s 19(4)	Thursday, 20 November 2025
Nominations close	s 23(b)	12 noon on Thursday, 4 December 2025
Draw for positions on the ballot paper	s 29(3)(b)	as soon as practicable after 12 noon on Thursday, 4 December 2025 **YouTube live link will be provided closer to the date*
Dispatch of ballot material to electors	s39(1)	Tuesday 13 January 2026 to Monday 19 January 2026
Telephone assisted voting dates of operation		9am – 5pm, Thursday 5 February 2026 9am – 5pm, Friday 6 February 2026 9am – 12pm, Monday 9 February 2026
Last day and time for re-issue of ballot material	[ss 39(4) and 43(4)]	5pm, Monday 2 February 2026
Close of voting (polling day)	s 6(6), s 6(7)(b)	Monday, 9 February 2026
Scrutiny and Count	s47(1)(a)	Tuesday 10 February 2026
Second campaign donation return due	s 80(3)(b)	Within 30 days of the 'conclusion of the election'

2. ANALYSIS

➢ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

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.

Section 51(10) states that in the event the of a casual vacancy in the office of Mayor, section 51(6) operates, unless Council makes another appointment.

Section 36(1)(c) stats that Council has the power to do anything necessary or incidental to performing or discharging its functions or to achieve its objectives.

Section 51(7) states that if the mayor is absent from official duties and there is no deputy mayor, or the deputy mayor is not available to act in the office of mayor, a member chosen by the council may act in the office of mayor during the relevant period.

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 and endorsement of appointing the Deputy Mayor to act in the office of 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.

Following legal advice regarding the determination and the remuneration framework, it has been confirmed that no additional remuneration will be provided to the Acting Deputy Mayor.

- **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 an Acting Deputy Mayor as the role is representative only.

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**

<u>Deputy Mayor – endorsement to act in office of Mayor</u>

In considering whether to endorse the Deputy Mayor to act in the office of 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 Deputy Mayor deputised for the former Mayor on several occasions and acted in the Office of the Mayor during an extended leave of absence.

Acting Deputy Mayor – establishment and appointment

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 (resolution 317/24 of 27 August 2024 refers), being on the CEO Performance Review Panel (resolution 316/24 refers) and all functions, duties, responsibilities and roles given to the Mayor under any

Council policy, resolution, direction or convention (resolution 430/24 of 26 November 2024 refers).

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.

The endorsement of Deputy Mayor Nathan Daniell and the establishment and appointment of a councillor to an Acting Deputy Mayor role will not impact of affect these resolutions. Deputy Mayor Daniell retains these roles and functions in his substantive position as Deputy Mayor unless and until Council resolves to revoke or amend them.

The proposed and recommended resolution above however, appoints the Acting Deputy Mayor to act in the role of Deputy Mayor during this time, only if the Deputy Mayor is unable to perform these roles and functions. It avoids the matter having to come back to Council for decision on who should act and take on these roles and functions.

Administration is currently preparing a report for consideration at a future Council meeting, recommending amendments to those Council policies and revocation of any related resolutions that were altered to transfer Mayoral functions, duties, and responsibilities to the Deputy Mayor. These amendments and revocations will be presented to Council for approval prior to the supplementary Mayoral election, with an effective date of 11 February 2026 (the day following the declaration of the supplementary Mayoral election result), so that the newly elected Mayor will immediately assume all rights, responsibilities and functions of the office.

<u>Conflict of Interest and Voting Process</u>

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 Deputy Mayor enquires as to how many members intend to nominate for the position of Acting Deputy Mayor;
2. if only one (1) elected member indicates their candidacy, that member will declare a material conflict of interest and leave the meeting, whilst the Deputy 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 Deputy 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 Deputy 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 Chief Executive Officer (or delegate) 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 Chief Executive Officer drawing lots, the candidate first drawn being the candidate excluded.
13. After all votes have been counted, the Chief Executive Officer shall formally declare the result of the election.
14. The ballot papers will be shredded.

3. APPENDICES

Nil

Administration Reports Information Items

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 October 2025
AGENDA BUSINESS ITEM

Item:	**13.1**
Responsible Officer:	**Jess Charlton** **Director** **Community and Development**
Subject:	**Principal Office Opening Hours**
For:	**Information**

SUMMARY

This report advises Council of the Chief Executive Officer's intention, under delegated authority, to determine to close the Principal Office at 63 Mount Barker Road, Stirling, from Thursday 25 December 2025 to Thursday 1 January 2026 inclusive.

This temporary closure reflects common practice across neighbouring councils and the broader public and private sectors during the Christmas–New Year period. It also ensures compliance with Adelaide Hills Council's *Enterprise Bargaining Agreement 2025 No. 11.*

The arrangement does not constitute a significant change requiring public consultation under section 45(3) of the *Local Government Act 1999*. Historical data indicates minimal public use of the Principal Office during this time, with reduced customer service activity and low visitation.

To ensure continuity of service, an emergency phone service will be in operation throughout the closure period, facilitated by a combination of Council staff and external after-hours call service. This will enable members of the public to speak with a staff member in the event of an emergency, while non-urgent matters will be responded to when the office reopens on 2 January 2026. Emergency enquiries will be managed by a skeleton staff on a roster and actioned as required.

RECOMMENDATION

Council resolves:

1. **That the Principal Office Opening Hours report be received and noted.**

2. **To note the closure of the Principal Office for the period Monday 29 December to Wednesday 31 December 2025.**

3. **To note that the Chief Executive Officer intends to exercise his delegated authority to enact this closure, and that this temporary arrangement does not constitute a significant change requiring public consultation under section 45(3) of the *Local Government Act 1999*.**

4. **To note that essential services will continue to be met during this period.**

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1. BACKGROUND

At the 22 May 2018 Council Meeting, Council determined that the Principal Office of Council be 63 Mount Barker Road Stirling:

Moved Cr John Kemp **117/18**
S/- Cr Kirrilee Boyd

Council resolves:

1. **That the report be received and noted**
2. **To determine the location of the Principal Office to be 63 Mount Barker Road, Stirling with the hours of business to be 8.30am – 5.00pm, Monday to Friday, except public holidays.**

Carried

In April 2023, the Acting CEO, under their delegated powers, amended the hours of business for the Principal Office to be 9.00am to 5.00pm, Monday to Friday, except public holidays. The Administration considered this to be a minor change that did not significantly affect customers and therefore did not require public consultation.

2. ANALYSIS

➢ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your Place, Your Space

Goal 4	Organisation
Objective 02	Operate with integrity using best practice governance processes
Priority 02.1	Demonstrate accountable and transparent decision making

➢ Legal Implications

Local Government Act 1999, Section 45(2) and 45(3)

Section 45(2) provides that "subject to subsection (3), the principal office of a council must be open to the public for the transaction of business during hours determined by the council."

Section 45(3) provides that Council should consult with its local community, in accordance with its public consultation policy, about the manner, places, and times at which its offices will be open to the public, and about any significant changes to these arrangements.

A snip of the Act is provided below.

45—Principal office

(1) A council must nominate a place as its principal office for the purposes of this Act.

(2) Subject to subsection (3), the principal office of a council must be open to the public for the transaction of business during hours determined by the council.

(3) A council should consult with its local community in accordance with its public consultation policy about the manner, places and times at which its offices will be open to the public for the transaction of business, and about any significant changes to these arrangements.

The CEO holds delegated authority under the *Instrument of Delegation under the Local Government Act 1999*, to determine the hours during which the Principal Office of the Council will be open for the transaction of business (Section 45(2)).

As the closure is considered a temporary operational adjustment rather than a substantive and permanent change to public access or service provision, this change is not considered significant and therefore does not require public consultation under section 45(3) of the *Local Government Act 1999*.

Enterprise Bargaining Agreement 2025 No. 11 (Clause 5.16 – Grace Days)

The EBA entitles all full-time employees (and part-time employees on a pro rata basis) to three paid Grace Days each year, to be taken over the Christmas break on dates determined by the CEO and notified to staff at least eight weeks in advance. To meet this obligation, staff must be notified of the Grace Days by 3 November 2025.

Access to Statutory Documents

A number of sections of the Act (ss 44, 48, 49, 50, 63, 68, 77(1)(b), 79, 80(A), 90(8), 92, 105, 110, 123, 188, 196, 207, 219, 231, 252, 259 and 270), *Local Government (Elections Act) 1999* (Part 14), *Freedom of Information Act 1991* (s9) and the *Local Government (Procedures at Meetings) Regulations 2013* (r7) require councils to have specified registers, codes and policies (the statutory documents) available for inspection at the Principal Office during ordinary office hours.

Statutory documents required under the Act are available for inspection at the Principal Office during ordinary hours and are also published on Council's website where applicable.

Section 280 identifies the locations and means by which a document may be served on or given to a council. Subsection (1)(a) provides that one of these means is by leaving it at the Principal Office of the council.

While the temporary closure of the Principal Office may be seen as an inconvenience to some, section 280 provides alternate delivery methods, such as by post, under subsection 1(b).

- **Risk Management Implications**

Determining the opening hours of the Principal Office over the Christmas/New Year break in a manner that is compliant with legislation 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)	Medium (3D)	Medium (3D)

- **Financial and Resource Implications**

Not applicable

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

The temporary closure of the Principal Office is not expected to significantly impact customer service delivery. Historical data indicates low visitation and enquiry volumes at the Principal Office during the Christmas–New Year period, with most interactions occurring via phone.

- **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**

The Principal Office of Adelaide Hills Council is located at 63 Mount Barker Road, Stirling, and is ordinarily open to the public from 9:00am to 5:00pm, Monday to Friday, except on public holidays or when affected by declared Extreme or Catastrophic Fire Danger Days.

Under the *Adelaide Hills Council Office Enterprise Bargaining Agreement 2025 No. 11*, which came into effect on 25 June 2025, staff are entitled to three paid "Grace Days" each year. These are to be taken during the Christmas-New Year period, with specific dates determined by the Chief Executive Officer (CEO) each year.

For 2025, the CEO intends to determine that the Grace Days will be Monday 29 December to Wednesday 31 December, and that during this period the Principal Office will be closed.

Given the alignment of public holidays (Christmas Day, Boxing Day, and New Year's Day) with the Grace Days, the Principal Office will be closed for one week—from Thursday 25 December to Thursday 1 January inclusive.

The temporary closure is not expected to significantly impact customer service delivery. Historical data consistently shows low visitation and enquiry volumes during the Christmas–New Year period, with most interactions occurring via phone.

Analysis of customer service activity between 27–31 December 2024 revealed:

- An average of 13 customer service requests per day (predominately via phone). This is significantly lower than the average daily volume of 45 requests recorded across 2025 to date.
- A 57% reduction in phone call volumes compared to the average daily rate.
- A marked decline in payment transactions, both in person and over the phone.

This is consistent with trends observed in previous years also showing reduced activity, likely due to community members not prioritising council-related matters during the holiday season. There may also be a general perception that Council operations are paused during this time.

The closure aligns with common practice across neighbouring Councils. While the following examples are from 2024, they are consistent with patterns observed in prior years:

- Mount Barker District Council closed at 12:30pm on 24 December 2024 and reopened on 2 January 2025
- Mitcham City Council closed at 2:00pm on 24 December 2024 and reopened on 2 January 2025
- City of Burnside Council closed 3:00pm on 24 December 2024 and reopened on 2 January 2025
- The City of Unley Council closed 3:00pm on 24 December 2024 and reopened on 2 January 2025.

In addition to being common practice among local councils, closing offices over the Christmas–New Year period is widely adopted across the public and private sectors. Many businesses and government agencies implement shutdowns or reduced operations during this time, recognising the seasonal lull in activity and the cultural expectation of rest and family time. This approach supports staff wellbeing, aligns with community behaviour, and reflects a broader societal norm of pausing non-essential services during the holiday season.

An emergency phone service will be in operation throughout the closure period, facilitated by a combination of Council staff and external after-hours call service. This will enable members of the public to speak with a staff member in the event of an emergency, while non-urgent matters will be responded to when the office reopens on 2 January 2026.

The Administration will ensure the community is informed of the closure through appropriate communication channels. This will include updates via Council's website, social media platforms, signage at the Principal Office, and direct messaging through customer service touchpoints.

3. APPENDICES

Nil

ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 October 2025
AGENDA BUSINESS ITEM

Item:	**13.2**
Responsible Officer:	**Zoë Gill** **Executive Governance Officer** **Office of the CEO**
Subject:	**CEO Key Performance Indicators Update – Quarter 1**
For:	**Information**

SUMMARY

This report provides recommendations to Council from the CEO Performance Review Panel in relation to the CEO's progress against his Key Performance Indicators during Quarter 1.

RECOMMENDATION

Council resolves:

1. **That the CEO Key Performance Indicators Update – Quarter 1 report be received and noted.**

2. **To note that the CEO provided a verbal and written update against his Key Performance Indicators to the CEO Performance Review Panel.**

---

1. BACKGROUND

2025-26 CEO Key Performance Indicators

The Employment Agreement (the "Agreement") between Council and the CEO was executed on 18 May 2023. The Agreement provides for a performance review process. The Agreement requires the review of the CEO's performance against the position description and any performance indicator(s).

At its Ordinary Meeting on 22 July 2025, Council adopted a new suite of CEO Key Performance Indicators for the 2025-26 financial year and resolved to realign the CEO performance review timing:

12.3 Proposed CEO Key Performance Indicators

Moved Cr Lucy Huxter
S/- Cr Kirsty Parkin **251/25**

Council resolves:

1. **That the report be received and noted.**
2. **To adopt the proposed CEO Key Performance Indicators in Appendix 1 for the 2025-26 financial year.**

Carried Unanimously

12.4 Realigning the CEO Performance Review Timing

Moved Cr Kirsty Parkin
S/- Cr Lucy Huxter **252/25**

Council resolves:

1. **That the Realigning the CEO PRP Review report be received and noted.**
2. **To note a full Performance Review was undertaken in March 2025.**
3. **To note that clause 17.1 of the Chief Executive Officer's Employment Agreement requires that the Chief Executive Officer participate in annual and/or periodic performance reviews.**
4. **To note that clause 17.3 of the Chief Executive Officer's Employment Agreement requires that performance is assessed within 3 months of the end of each financial year of the Term.**
5. **To note that section 102A of the Local Government Act 1999 requires Council to review the performance of its Chief Executive Officer at least once in each year that the Chief Executive Officer holds office.**
6. **That the CEO provide the CEO PRP an update against the CEO Key Performance Indicators in October 2025 and April 2026 and a progress report against the KPIs in January 2026.**
7. **To conduct a full KPI and KRA Performance Review in July 2026.**

Carried Unanimously

In summary, as is usual practice, the CEO provides updates to the CEO Performance Review Panel (the Panel) on progress against the agreed KPIs in October 2025 and April 2026. A progress report will be provided in January 2026, serving as a mid-point check-in between the two updates, which outlines both completed work and planned activities for each performance target. There will be a full KPI and KRA Performance Review in July 2026.

Council will be provided with recommendations from the Panel subsequent to each of these meetings in relation to the CEO's progress against his Key Performance Indicators.

CEO Performance Review Panel

At its meeting on 15 October 2025, the Panel received a written update ***(Appendix 1)*** and verbal presentation from the CEO against his Key Performance Indicators for the first quarter of the 2025-26 financial year.

The Panel resolved to recommend to Council to note the written update and that a verbal presentation was provided.

7.1. CEO Key Performance Indicators Progress Update – Quarter 1

Moved Cr Adrian Cheater
S/- Ms Hannah Wandel **PRP30/25**

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

2. **To recommend to Council to note:**

   a. **That the CEO provided a verbal and written update against his Key Performance Indicators to the CEO Performance Review Panel.**

   b. **The CEO's Key Performance Indicators Update – Quarter 1 report (in Appendix 1).**

Carried Unanimously

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 O2.1	Demonstrate accountable and transparent decision making.
Objective O3	Support and develop a skilled organisation that is aligned to Council's priorities.

The requirement for Council to undertake regular review of performance against the agreed CEO Key Performance Indicators enables accountability to be demonstrated and any decisions on changes to performance targets to be actively managed.

➢ Legal Implications

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

Under clause 3.1 of the Terms of Reference of the CEO PRP, the Panel is to provide advice to Council on the CEO's Performance Targets and monitor progress against these:

3.1 The Panel is to provide advice to Council on the CEO's performance and development, including, but not limited to, the following matters:

3.1.1 Determining the Performance Targets for the forthcoming 12 month performance period;

3.1.2 Monitoring the progress on the CEO's agreed Performance Targets for the current 12 month performance period;

3.1.3 Reviewing the CEO's performance over the preceding 12 month performance period, in particular assessing performance against the agreed Performance Targets and Position Description requirements;

- **Risk Management Implications**

Undertaking a regular review of the CEO's performance is not only a statutory obligation for the Council, but ensures there are not:

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

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

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

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

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

- **Financial and Resource Implications**

There are no direct financial or resource implications in reporting on the 2025-26 CEO Key Performance Indicators.

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

There is community and stakeholder expectation that the CEO will meet expectations to achieve the required outcomes for the organisation.

- **Sustainability Implications**

Not directly applicable.

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

Engagement and/or consultation on the development of this report was as follows:

Council Committees:	15 October 2025 CEO Performance Review Panel meeting
Council Workshops:	Not applicable
Advisory Groups:	Not applicable
External Agencies:	Not applicable
Community:	Not applicable

- **Additional Analysis**

Nil

3. OPTIONS

Council has the following options:

1. To receive and adopt the Panel's recommendations
2. To not receive and adopt the Panel's recommendations

4. APPENDICES

(1) CEO PRP Agenda Report: 15 October 2025 - CEO Key Performance Indicators 2025-26 – Quarter 1 Update

Appendix 1

CEO PRP Agenda Report: 15 October 2025
CEO Key Performance Indicators 2025-26
Quarter 1 Update

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL MEETING
Wednesday 15 October 2025
AGENDA BUSINESS ITEM

Item:	**7.1**
Responsible Officer:	**Zoë Gill** **Executive Governance Officer** **Office of the CEO**
Subject:	**CEO Key Performance Indicators Update – Quarter 1**
For:	**Decision**

SUMMARY

The purpose of the Quarter 1 report is to provide to the CEO Performance Review Panel (the Panel) an update of progress against the CEO's Key Performance Indicators, provided in ***Appendix 1***.

The CEO will present this report to the Panel.

RECOMMENDATION

The CEO Performance Review Panel resolves:

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

2. **To recommend to Council to note:**
   a. **That the CEO provided a verbal and written update against his Key Performance Indicators to the CEO Performance Review Panel**
   b. **The CEO's Key Performance Indicators Update – Quarter 1 report (in Appendix 1).**

---

1. BACKGROUND

Panel Functions

The Panel has specific functions in relation to the CEO's Performance Targets as set out in clauses 3.1.2 and 3.3.3, as follows:

3. SPECIFIC FUNCTIONS

3.1 The function of the Panel is to provide advice to Council on the CEO's performance and development, including the following matters:

3.1.1 Determining the Performance Targets for the forthcoming 12 month performance period;

3.1.2 Monitoring the progress on the CEO's agreed Performance Targets for the current 12 month performance period;

3.1.3 Reviewing the CEO's performance over the preceding 12 month performance period, in particular the performance against the agreed Performance Targets and position description requirements;

3.1.4 Identifying development opportunities for the CEO; and

3.1.5 Reviewing the remuneration and conditions of employment of the CEO.

2025-26 CEO Key Performance Indicators

The Employment Agreement (the "Agreement") between Council and the CEO was executed on 18 May 2023. The Agreement provides for a performance review process. The Agreement requires the review of the CEO's performance against the position description and any performance indicator(s).

At its meeting on 9 July 2025, the CEO Performance Review Panel received a new suite of CEO Key Performance Indicators for the 2025-26 financial year and recommended them to Council for adoption:

7.1 CEO Proposed Key Performance Indicators

Moved Cr Adrian Cheater
S/- Cr Nathan Daniell **PRP 22/25**

1. That the report be received and noted.

2. To recommend to Council that the proposed CEO Key Performance Indicators be adopted for the 2025-26 financial year, with minor amendments to the wording.

Carried Unanimously

At the same meeting, the Panel resolved to realign the CEO PRP review timing, recommending the following to Council:

7.2 Realigning the CEO PRP Review Timing

Moved Adrian Cheater
S/- Nathan Daniell **PRP 24/25**

The CEO Performance Review Panel resolves:

1. **To revoke resolution PRP17/25 from the CEO PRP Meeting of 18 June 2025**
2. **To receive and note the Agenda Report from Item 7.4 of the 18 June 2025 Panel Meeting**
3. **To note a full Performance Review was undertaken in March 2025.**
4. **To note that clause 17.1 of the Chief Executive Officer's Employment Agreement requires that the Chief Executive Officer participate in annual and/or periodic performance reviews.**
5. **To note that clause 17.3 of the Chief Executive Officer's Employment Agreement requires that performance is assessed within 3 months of the end of each financial year of the Term.**
6. **To note that section 102A of the Local Government Act 1999 requires Council to review the performance of its Chief Executive Officer at least once in each year that the Chief Executive Officer holds office.**
7. **To recommend to Council that the CEO provide the CEO PRP an update against the CEO Key Performance Indicators in October 2025 and April 2026 and a progress report against the KPIs in January 2026.**
8. **To recommend to Council to conduct a full KPI and KRA Performance Review in July 2026.**

Carried Unanimously

Council adopted the CEO Key Performance Indicators and resolved to realign the CEO performance review timing at its Ordinary Meeting on 22 July 2025:

12.3 Proposed CEO Key Performance Indicators

Moved Cr Lucy Huxter
S/- Cr Kirsty Parkin **251/25**

Council resolves:

1. **That the report be received and noted.**
2. **To adopt the proposed CEO Key Performance Indicators in Appendix 1 for the 2025-26 financial year.**

Carried Unanimously

12.4 Realigning the CEO Performance Review Timing

Moved Cr Kirsty Parkin
S/- Cr Lucy Huxter **252/25**

Council resolves:

1. **That the Realigning the CEO PRP Review report be received and noted.**
2. **To note a full Performance Review was undertaken in March 2025.**
3. **To note that clause 17.1 of the Chief Executive Officer's Employment Agreement requires that the Chief Executive Officer participate in annual and/or periodic performance reviews.**
4. **To note that clause 17.3 of the Chief Executive Officer's Employment Agreement requires that performance is assessed within 3 months of the end of each financial year of the Term.**
5. **To note that section 102A of the Local Government Act 1999 requires Council to review the performance of its Chief Executive Officer at least once in each year that the Chief Executive Officer holds office.**
6. **That the CEO provide the CEO PRP an update against the CEO Key Performance Indicators in October 2025 and April 2026 and a progress report against the KPIs in January 2026.**
7. **To conduct a full KPI and KRA Performance Review in July 2026.**

Carried Unanimously

In summary, as is usual practice, the CEO provides updates to the Panel on progress against the agreed KPIs in October 2025 and April 2026. A progress report will be provided in January 2026, serving as a mid-point check-in between the two updates, which outlines both completed work and planned activities for each performance target. There will be a full KPI and KRA Performance Review in July 2026.

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 O2.1	Demonstrate accountable and transparent decision making.
Objective O3	Support and develop a skilled organisation that is aligned to Council's priorities

The requirement for the Panel to undertake regular review of performance against the agreed CEO Key Performance Indicators enables accountability to be demonstrated and any decisions on changes to performance targets to be actively managed.

➢ **Legal Implications**

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

➢ **Risk Management Implications**

Undertaking a regular review of the CEO's performance is not only a statutory obligation for the Council, but ensures there are not:

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

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

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

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

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

➢ **Financial and Resource Implications**

There are no direct financial or resource implications in reporting on the 2025-26 CEO Key Performance Indicators.

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

There is community and stakeholder expectation that the CEO will meet expectations to achieve the required outcomes for the organisation.

➢ **Sustainability Implications**

Not directly 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

3. OPTIONS

The Panel has the following options:

I. To receive and note the report, CEO Key Performance Indicator Update – Quarter 1 report for recommendation to Council.

II. To make alternative/additional recommendations to Council relating to the status of the 2025-26 CEO Key Performance Indicators.

4. APPENDICES

(1) CEO Key Performance Indicator Update – Quarter 1

Appendix 1

CEO Key Performance Indicators Update Quarter 1

CEO Key Performance Indicators 2025 - 26

Pillar 1 - Organisational Performance

Prioritise a financially sustainable, accountable & representative organisation
Strategic Plan 2024

	JUN '25	JUL	AUG	SEP	OCT	NOV	DEC	JAN '26	FEB	MAR	APR	MAY	JUN
KPI #1 Develop a financially sustainable culture				Develop a Financial Literacy Program for Council budget holders ✓		Report on development of Financial Literacy Program rollout for budget holders		Implement the Financial Literacy Program			Report against the outcomes of the Financial Literacy Program		
KPI #2 Implement the Asset Management System Improvement Plan				An Asset Management Committee to enhance oversight, align asset management with strategic goals, improve integration of the asset management function across Council, and support engagement with community priorities. ✗		Asset Management Improvement Plan endorsed Establish reporting framework		Report against Asset Management Framework			Report against Asset Management Framework		
KPI #3 Working Together Initiative				Procure service provider to work with elected members and scope initiative including evaluation of initiative for commencement once new councillors are elected –		Update on implementation of initiative including workshops with councillors		Update on implementation of initiative including endorsement of the *Working Together* policies			Report on evaluation of initiative		

Pillar 2 – Delivery of Strategic Plan

An organisation that delivers on its commitments
Strategic Plan 2024

KPI #4 Implement & deliver against the *Your Place, Your Space Strategic Plan 2024*				Update on actions delivered within the Strategic Plan –		Update on actions delivered within the Strategic Plan		Update on actions delivered within the Strategic Plan			Update on actions delivered within the Strategic Plan		

Pillar 3 – Strategic Projects

Responsible custodians of our natural environment and considering the customer experience and continuous improvement in all that we do
Strategic Plan 2024

KPI #5 Food Organics Green Organics (FOGO) extended trial				Township properties in the Tuesday collection notified of upcoming service change ✓		Transition township properties on the Tuesday collection service to weekly FOGO and fortnightly waste collections		Monitor landfill diversion rates and trial costs			Progress update including recommendation to Council regarding broader rollout		
KPI #6 Cox Creek Bridgewater Restoration Project				Develop the DCCEEW – Department of Climate Change, Energy, Environment and Water (DCCEEW) reporting framework ✓		Project milestones update in line with (DCCEEW) reporting framework					Project milestones update in line with (DCCEEW) reporting framework		
KPI #7 CRM System – Delivery of advanced build				Go-live of Advanced Build, including digital application and permit forms –		Report on metrics: 1. Net Easy Score / Customer Effort Score 2. First Contact Resolution %					Report on metrics: 1. Net Easy Score / Customer Effort Score 2. First Contact Resolution %		
KPI #8 Further Fabrik Arts + Heritage as an arts culture destination & contribute to placemaking				Provide an update on programs and projects for the second year of operation, including high calibre exhibitions, workshops, venue hire, artists in residence and development of major arts collaboration. ✓		Report on the expansion of community connection and placemaking initiatives		Implement retail / sales metrics and reporting for the Fabrik Shop			Update on planned launch of *Mill Stories* Museum display		

Pillar 4 – Organisational Culture

Enhance the culture of the organisation and maintain a safe workplace
Strategic Plan 2024

KPI #9 Achieve 'Great Place to Work' Recognition				Conduct baseline Great Place to Work® Trust Index™ survey with staff and communicate intent to pursue certification ✓		Analyse survey results, address key feedback themes, implement at least two culture enhancing initiatives Refine professional development opportunities aligned to staff needs (particular emphasis on field staff)		Submit application for certification; promote internal awareness and participation			Gather feedback on certification process and identify additional accreditation paths; share progress and integrate insights into continuous improvement plans.		

Legend
✓ = complete
✗ = attention needed
– = in progress

Pillar 1 | Organisational Performance

Prioritise a financially sustainable, accountable & representative organisation

KEY PERFORMANCE INDICATOR		MILESTONE	STATUS	Q1 UPDATE
#1	Develop a financially sustainable culture	Develop a Financial Literacy Program for Council budget holders	**Complete**	A financial literacy program has been developed. The program has 3 main elements: 1. Delivery of training A training program has been developed which will be delivered across the organisation during Q2 and Q3. The goal of the program is to improve the knowledge and understanding of finance and Finance's process, to improve budget holders understanding of the budget process and financial reporting, and to improve the understanding of financial sustainability in a Council context. 2. Improvement in tools Improvements are being considered and made in reporting and budgeting tools. With better tools and information, the Council will be better informed when making decisions, particularly around the financial impacts of the decisions. 3. Improvement in comms To further embed a culture of financial awareness, Comms around finances will be improved, including in updates from the Chief Executive Officer, and when publishing the quarterly performance reporting.
#2	Implement the Asset Management System Improvement Plan	An Asset Management Committee to enhance oversight, align asset management with strategic goals, improve integration of the asset management function across Council, and support engagement with community priorities.	**Attention needed**	Administration is reviewing and realigning the structure and resourcing of Strategic Assets, Property, Environment and Emergency Management business units within the Environment and Infrastructure Directorate. This foundation is essential to then initiate the Asset Management Committee, develop a Terms of Reference and provide it with the necessary administration framework, capacity and capability to deliver on organisation performance.
#3	Working Together Initiative	Procure service provider to work with elected members and scope initiative including evaluation of initiative for commencement once new councillors are elected.	**In progress**	Tender process near completion, with tenderers providing presentations to the evaluation panel commencing the week of 7 October 2025.

Pillar 2 | Delivery of Strategic Plan

An organisation that delivers on its commitments

KEY PERFORMANCE INDICATOR		MILESTONE	STATUS	Q1 UPDATE
#4	Implement and deliver against the *Your Place, Your Space Strategic Plan 2024*	Update on actions delivered within the Strategic Plan	In progress	A revised Council Performance Report has been developed, aligned with the *Your Place, Your Space Strategic Plan 2024*. Actions delivered within the Strategic Plan will be monitored through this report and will be presented to Council on a quarterly basis. Quarter 1 closed on 30 September, and data collation from across the organisation is currently underway for inclusion in the report. The CEO Performance Review Panel will receive the document at its next meeting. The Council Quarterly Performance Report will be included in the Ordinary Meeting Agenda of 11 November 2025.

Pillar 3 | Strategic Projects

Responsible custodians of our natural environment & considering the customer experience & continuous improvement in all that we do

	KEY PERFORMANCE INDICATOR	MILESTONE	STATUS	Q1 UPDATE
#5	Food Organics Green Organics (FOGO) extended trial	Township properties in the Tuesday collection notified of upcoming service change.	**Complete**	Properties within the townships of Lobethal, Balhannah, Charleston, Oakbank and Woodside have been notified of their move to weekly green bin FOGO collections. Ratepayers have received notification letters and delivery of FOGO welcome packs, kitchen caddy and compostable bags. The AHC engagement platform is live with links to upcoming community information sessions. The Courier newspaper reported on the change in the October 1, 2025, edition.
#6	Cox Creek Bridgewater Restoration Project	Develop the Department of Climate Change, Energy, Environment & Water (DCCEEW) reporting framework	**Complete**	A Monitoring, Evaluation, Reporting and Improvement reporting framework has been developed via the online grant portal and approved by DCCEEW.
#7	CRM System – Delivery of advanced build	Go-live of Advanced Build, including digital application and permit forms	**In progress**	The Advanced Build of the CRM Upgrade Project remains on track for go-live on the weekend of October 25th, with key milestones successfully achieved including configuration of the in scope digital application and permit forms as well as completion of the first round of User Acceptance Testing (UAT). Change management preparation is also well progressed, with updated test plans and improvements to automated communications with customers as their applications and permits progress on track for completion. Additional readiness activities are underway, including final validation of automated notifications, testing of the new Customer Portal and refinement of form navigation design to ensure an optimal user experience for the community. The project team continues to engage closely with business stakeholders to confirm scope and resolve outstanding feedback on form functionality. Confidence in a successful go-live outcome remains high with ongoing successful management and mitigation of projects risks and issues that include unplanned absences and resource constraints as well as balancing both BAU and project workloads within the Information Services Team.
#8	Further FABRIK Arts + Heritage as an arts culture destination & contribute to placemaking	Provide an update on programs and projects for the second year of operation, including high calibre exhibitions, workshops, venue hire, artists in residence and development of major arts collaboration	**Complete**	FABRIK's exhibition program is fully booked until early 2027. Recent exhibition highlights include "FABRIK X ACSA", presented by Adelaide Central School of Art and "Crafting Memories" presented with the History Trust of South Australia. The audience for FABRIK's workshop program has been steadily growing, with the Heritage series of workshops, presented by culturally diverse artists being a highlight. FABRIK's venue hire offerings are now available on the online platform SpacetoCo, and FABRIK is currently hosting artist in residence Dai Trang Nguyen, in partnership with Guildhouse, which will result in an exhibition during the 2026 Fringe Festival. Preparations are underway for two upcoming Tarnanthi Festival exhibitions opening in late November, which are the outcomes of collaborations with the Art Gallery of South Australia and Country Arts SA.

Pillar 4 | Organisational Culture					
Enhance the culture of the organisation and maintain a safe workplace	**KEY PERFORMANCE INDICATOR**		**MILESTONE**	**STATUS**	**Q1 UPDATE**
	#9	Achieve Great Place to Work® Recognition	Conduct a baseline Great Place to Work® Trust Index™ survey with staff and communicate intent to pursue certification	**Complete**	The baseline Great Place to Work® Trust Index™ survey was launched on 24 September 2025, endorsed by the CEO at the All-Staff Meeting. Invitations reached 100% of staff with no delivery issues and full demographics loaded. Engagement has been strong, with 20% completion in the first two days. The survey remains open until 15 October and will provide a robust benchmark as we progress toward Great Place to Work® certification.

Correspondence for Noting

Southern & Hills Local Government Association

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25 September 2025

Hon Tom Koutsantonis MP
Treasurer
Minister for Energy and Mining
PO Box 1533
ADELAIDE SA 5001

Via email: Minister.Koutsantonis@sa.gov.au

Dear Treasurer

On behalf of the Southern and Hills Local Government Association (SHLGA), I warmly congratulate you on your appointment as South Australia's Treasurer. The six councils in the region encompassing the Adelaide Hills, southern Fleurieu Peninsula, and Kangaroo Island look forward to working constructively with you to shape the prosperity, resilience, and liveability of our communities.

The Greater Adelaide Region Plan (GARP) identifies major growth fronts in Mount Barker, Victor Harbor and Goolwa and targeted township expansions across the region to accommodate growth and create new employment opportunities. The draft Kangaroo Island Region Plan (KIRP) forecasts increased demand for housing, employment and sustainable tourism.

The scale of this projected growth across our region will require state investments in new and upgraded enabling infrastructure, including transport, health, education, water, emergency services, and the like. Councils will also need to invest in building or maintaining municipal infrastructure to support growth, such as local roads, open space, wastewater management, community facilities, and sport and recreation.

Growing our communities will take a partnership approach between state and local government, and we look forward to ongoing discussions with the state government to align the planning and timing of our respective investments across the Southern and Hills region.

SHLGA is currently working with our six constituent councils to develop key priorities that will shape the future of our region. We look forward to sharing the outcomes of this work with you, and being a constructive contributor to plans and decisions that shape the future of our communities.

Once again, congratulations on your appointment as Treasurer. We look forward to working with you.

Yours sincerely,

Mayor Moira Jenkins
President
Southern and Hills Local Government Association

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

The Hon Tom Koutsantonis MP

Government of South Australia

Treasurer
Minister for Energy and Mining
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Tel 08 8226 1866
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Mayor Moira Jenkins
President
Southern and Hills Local Government Association
admin@shlga.sa.gov.au

Dear Mayor

Thank you for your kind words and congratulations on my appointment as Treasurer. I sincerely appreciate the Southern and Hills Local Government Association's (SHLGA) message of support, and I look forward to working closely with your member councils across the Adelaide Hills, Fleurieu Peninsula, and Kangaroo Island regions.

The State Government is committed to working in partnership with local councils to ensure that planning, infrastructure delivery, and community investment are aligned and effective. I welcome SHLGA's proactive approach in developing regional priorities and look forward to reviewing these once they are finalised.

Thank you once again for your thoughtful message. I value the collaboration between state and local government, and I look forward to the work ahead. I remain committed to delivering positive outcomes for all South Australians.

Yours sincerely

Hon Tom Koutsantonis MP
Treasurer
Minister for Energy and Mining

14 / 10 / 2025

OmbudsmanSA

2024-25 ANNUAL REPORT

What does **Ombudsman SA do?**

Ombudsman SA investigates complaints about South Australian government and local government agencies under the *Ombudsman Act 1972* as well as complaints about breaches of the service standards under the *Return to Work Act 2014*. Ombudsman SA also conducts Freedom of Information reviews and receives reports and complaints about misconduct and maladministration in public administration.

The Ombudsman is a relevant authority for receiving information about state and local government activities confidentially from informants under the *Public Interest Disclosure Act 2018*.

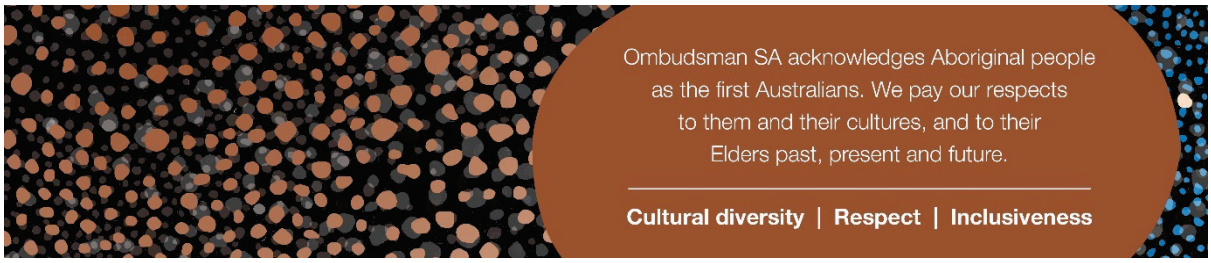
If you're not sure whether Ombudsman SA can help you, we are happy to discuss your matter further. If your matter is not in our jurisdiction, we will be happy to point you to another agency who may be able to assist.

Visit our website for further information about our services or to register a complaint directly online: www.ombudsman.sa.gov.au

Level 8
95 Grenfell Street
Adelaide SA 5000

Telephone: 08 7322 7020
Toll free (outside metro area): 1800 182 150
9.00am – 4.30pm, Monday to Friday

www.ombudsman.sa.gov.au/



OmbudsmanSA

Hon Terry Stephens MLC
President
Legislative Council
Parliament House
ADELAIDE SA 5000

Hon Leon Bignell MP
Speaker
House of Assembly
Parliament House
ADELAIDE SA 5000

Hon Kyam Maher MLC
Attorney-General
ADELAIDE SA 5000

Dear Mr President, Mr Speaker and Attorney

I am pleased to present the South Australian Ombudsman's Annual Report for 2024-25 to the Parliament, as required by section 29B of the *Ombudsman Act 1972*.

I note the requirement in section 29B(6) that this report be laid by the President and the Speaker before their respective Houses on the first sitting day after receiving it.

Yours sincerely

Emily Strickland
SA OMBUDSMAN

25 September 2025

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Introduction

Ombudsman's Message

It is my great privilege to present the Ombudsman's 2024-25 Annual Report.
Last year, in my first Annual Report as Ombudsman, I expressed my view that a modern Ombudsman should deliver in three key areas. I am pleased to report that my Office has increased its levels of impact in complaint resolution, investigation and preventative activities in 2024-25.

By providing an accessible, timely complaint-resolution service, we make a real difference to members of the South Australian community every day. This year we increased our early resolution rate by nearly 30% and more than doubled the number of complaints resolved by formal resolution or conciliation processes. In addition to achieving fairer outcomes for individuals, many of these processes result in systemic improvements to agency policy and practice. I acknowledge the productive engagement of agencies in these processes and their willingness to make change to prevent recurrence of issues.

By investigating serious and systemic issues we hold government to account and shine a light on systems and policy that require improvement. On 30 June 2025, we were investigating 43 matters (up from 11 last year). This significant increase has resulted from robust application of our public interest criteria in determining what to investigate, ensuring resources are prioritised and our impact is realised where most needed[1]; most matters involve systemic issues in public administration or integrity issues that left unaddressed compromise public trust in government and a third of current investigations impact vulnerable cohorts of the community or raise human rights issues.

By operating with a preventative focus, we promote good public administration and safeguard against integrity breaches. Education has been a strong focus of the Office this year; we have delivered 30 education sessions to agencies and increased our stakeholder engagement through regular and targeted meetings with agencies. We also set expectations and provide guidance as to good administrative practice when we resolve complaints, make recommendations and monitor agency investigations.
Our Strategic Plan, launched in June 2024, has informed delivering these priorities and more:

- *Goal One: Ensure fair outcomes for members of the public in their interactions with government* is at the centre of everything we do, but this year we have made it a priority to deliver targeted outreach activities to increase awareness and trust in our services and ensure we are accessible. Further, for the first time, we have collected data about complaints made by First Nations people to ensure that we are responsive to these matters and that we are addressing systemic issues in public

[1] The public interest criteria for investigating matters are on page 46 of this Report.

administration impacting Aboriginal people; we have published this data at page 26 of this report.

- We effect real change in public administration by making and monitoring the implementation of formal and informal recommendations (and in doing so *Ensure government acts with integrity and fairness in providing services to the public (Goal 2)*. This year we monitored the implementation of nearly 100 actions by agencies, including policy and procedure improvements.
- The benefits of implementing *data-driven practices (Goal 3)* have been borne out by our increased capacity to respond effectively and proactively to emerging complaint themes.
- We are committed to delivering in more effective ways and growing our capacity in a rapidly evolving world. To further *Goal 4: Continue to improve how we deliver our functions*, we have embraced business process change to increase efficiencies and improve timeliness, including implementing 35 recommendations from a lean review of our processes. Our internal capacity building activities have particularly focussed on understanding the challenges facing vulnerable cohorts in our community and the frameworks that agencies we oversee operate in.

Ombudsman SA's vision for public administration is exemplified in its three pillars – fairness, integrity and transparency. The case studies in this report speak to our work in upholding and ensuring fairness and integrity; what is also clear is that, for the most part, there is a willingness by both state and local government agencies and public officers to take action where we shine a light on failures in these areas. Public Interest Disclosures and self-reports by agencies and public officers have increased, which also signals a positive culture of awareness and commitment to integrity within the public sector.

On the other hand, it is concerning that there is an upward trend in misconduct and maladministration allegations (by 10%). In particular, I record my concern about integrity breaches by local government elected members; this year I have adopted an investigatory rather than a resolution approach to these matters and I will continue to do so.

The role of my Office in promoting and upholding transparency is, in my view, more important than ever in the context of increased reliance on emerging technologies to assist administrative decision-making. As external reviewer of Freedom of Information decisions, we issued 95 determinations and resolved 19 external review applications and 17 FOI complaints. Although agencies appear to be undertaking their obligations under the Freedom of Information Act efficiently, nearly half of the FOI determinations issued found agencies had not been as transparent as the legislation requires them to be. Twice during the reporting period, I joined other members of the Association of Information and Access Commissioners in calling on public sector leaders to invest in data governance and proactive disclosure and embrace their role as stewards of the vital public resource that is information held by government.

I am committed to leading an Office that itself upholds fairness, integrity and transparency, and welcome the scrutiny of my performance provided by the Inspector and the Crime and Public Integrity Policy Committee. The Committee concluded its review into and tabled its Report of the Performance of Functions and Operations of the Ombudsman in November 2024. I support its recommendations as to legislative reform and review of my resourcing.

I would like to extend my thanks to all of the staff at Ombudsman SA for their commitment to the work of the Office and for embracing change so that we can continue to maximise our impact. Much has been achieved but there is much more to do, and I look forward to the next 12 months of pursuing fairness, integrity and transparency for South Australians.

Emily Strickland
SA Ombudsman
September 2025

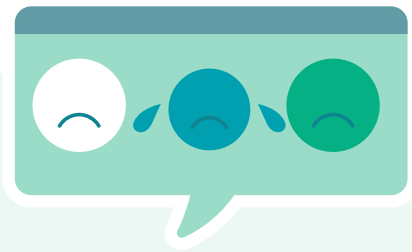
A year at a glance **2024-25**

134

FOI EXTERNAL REVIEWS COMPLETED

309

MISCONDUCT AND MALADMINISTRATION ISSUES COMPLETED
(AN INCREASE OF 12%)



4746

COMPLAINTS RECEIVED
(AN INCREASE OF 2%)

4742

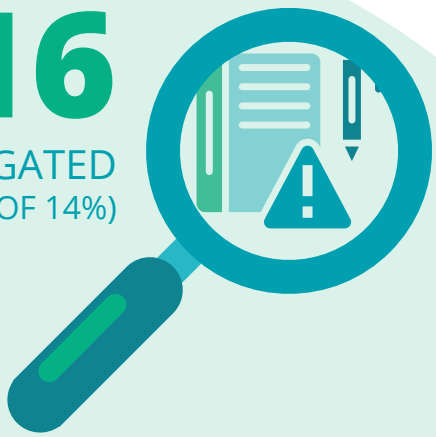
COMPLAINTS RESOLVED
(AN INCREASE OF 5%)

43

MATTERS UNDER INVESTIGATIONS
AS AT 30 JUNE
(AN INCREASE OF 290%)

16

ISSUES INVESTIGATED
(AN INCREASE OF 14%)



A year at a glance **2024-25**

206

EARLY RESOLUTION OF MATTERS
(AN INCREASE OF 29%)

48

FORMAL RESOLUTION OF MATTERS
(AN INCREASE OF 118%)

30

EDUCATION SESSIONS DELIVERED

41

AGENCY INVESTIGATIONS MONITORED
(AN INCREASE OF 2%)

181

PUBLIC INTEREST DISCLOSURES RECEIVED
(AN INCREASE OF 40%)

About **Ombudsman SA**

What we do

We safeguard fairness, integrity and transparency in public administration. The Ombudsman is empowered to:

- investigate and conciliate the administrative acts of state government agencies, local government councils and statutory authorities
- investigate misconduct and maladministration in public administration
- conduct audits of state and local government agencies and statutory authorities
- evaluate the practices, policies and procedures of agencies to assist in the prevention and minimisation of misconduct and maladministration
- undertake educational activities to assist in the prevention and minimisation of misconduct and maladministration
- conduct an annual audit under the *Criminal Law (Forensics Procedures) Act 2007*
- review determinations under the *Freedom of Information Act 1991*
- receive reports confidentially under the *Public Interest Disclosure Act 2018*
- investigate alleged breaches of service standards under the *Return to Work Act 2014*
- review determinations under the *Ageing and Adult Safeguarding Act 1995*.

Our jurisdiction

Certain agencies are outside Ombudsman SA's jurisdiction. We cannot consider actions of:

- private persons, businesses or companies unless they are acting under a contract for services with an agency within jurisdiction
- Commonwealth or interstate government agencies
- government Ministers and Cabinet
- courts and judges
- legal advisers to the Crown.

We can review applications made to Ministers under the *Freedom of Information Act 1991*.

Service Principles

If the complaint is within the Ombudsman's jurisdiction, we aim to:

- provide an accessible and timely service
- provide impartial and relevant advice and clear information about what we can and cannot do
- provide impartial and fair assessment and investigation of complaints
- ensure confidentiality
- keep people informed throughout the investigation of a complaint
- provide procedural fairness to persons affected by our decisions
- provide concise and accurate information about any decisions or recommendations made and provide reasons wherever possible.

Ombusman Act
Jurisdiction

Ombudsman Act **Jurisdiction**

Under the *Ombudsman Act 1972* (the Ombudsman Act), the Ombudsman receives, assesses and investigates or otherwise deals with:

- complaints about public administration (i.e. 'administrative acts' by relevant agencies)
- complaints and reports about misconduct by public officers
- complaints and reports about maladministration by public officers and public authorities.

The Ombudsman can also conduct investigations using own initiative powers and must investigate matters within jurisdiction which are referred by Parliament.

Relevant agencies and public authorities include state government departments and authorities, universities and local government councils.

Limits on the Ombudsman's complaints function include:

- a complainant must be directly affected by a relevant administrative act
- generally, a complaint must be made within 12 months of the complainant becoming aware of the matter (although there is a discretion in this regard)
- generally, the Ombudsman does not investigate where the complainant has a statutory right of review, or legal remedy (although there is a discretion in this regard)
- there needs to be a relevant administrative act (policy-making is not within jurisdiction).

Those limits do not apply to reports by public officers about misconduct and maladministration.

Complaints can be resolved by an agency agreeing to take appropriate action, as a result of a conciliated agreement between the complainant and the agency, or by formal investigation. Ombudsman SA also refers matters to agencies and monitors their handling of them to ensure robust and appropriate resolution.

The **complaint process**

Tell us what has happened

We receive your complaint and acknowledge it within two business days.

What we are looking for:

Administrative Error | Misconduct | Maladministration

We look into your complaint and either:

REFER

We may refer your back to the agency you are complaining about in the first instance to provide them an opportunity to resolve your complaint. We may refer the matter to the agency to investigate or deal with; we may monitor the outcome. We may also refer you to another complaint handling body better placed to deal with your complaint.

NO FURTHER ACTION

If the Ombudsman does not intend to take further action on your complaint, we let you know why and give you the opportunity to comment.

RESOLVE

Many complaints can be fixed by us contacting the relevant agency to facilitate a quick early resolution. Other complaints may be resolved by a formal agreement with the agency or conciliation between the parties.

INVESTIGATE

If the matter is not suitable for resolution, and meets our public interest criteria for investigation, we formally investigate the matter. While we have broad investigation powers, investigations may involve seeking a written response from the agency, assessing documents and interviewing witnesses.

Provisional view

The Ombudsman forms a provisional view about whether there has been error, misconduct or maladministration by the agency or a public officer. We give parties who may be affected by the provisional view a chance to comment (i.e. procedural fairness) before forming a final view.

Final view and recommendation

If the Ombudsman considers that the agency has made an error, or that there has been misconduct or maladministration, we make recommendations to address the issue and we notify the relevant Minister.

Publication

The Ombudsman will generally publish investigation reports or summary statements on the outcome of investigations. The Ombudsman may also publish details of formal resolutions. We seek the views of affected parties before making a decision to publish.

Complaints received and completed

This year saw a continuation of the upward trend in complaints received by Ombudsman SA. The Office received 4,746 complaints that were assessed as being within the Ombudsman's jurisdiction, an increase of 2.5%.

The Office completed 4,742 matters, an increase of 5% from last year. Of these, 246 matters were categorised as complex, compared with 60 matters in the previous year. This reflects both an increase in the complexity of complaints received as well as an increased focus on identifying and making enquiries where matters may raise systemic issues or impact vulnerable cohorts.

83% of all matters were completed in under 30 days, with an average completion time of 17 days for non-complex matters.

The Office also dealt with 1,084 approaches relating to matters outside jurisdiction and responded to 857 other enquiries.

Matters received and completed by year

OMBUDSMAN ACT JURISDICTION	2022-23				2023-24				2024-25			
	Government Departments	Local Government	Other Authorities	Total	Government Departments	Local Government	Other Authorities	Total	Government Departments	Local Government	Other Authorities	Total
Matters received	2,674	1,023	704	4,401	2,761	1,108	764	4,634	2,751	1,170	825	4,746
Matters completed	2,737	1,039	737	4,513	2,685	1,076	746	4,507	2,740	1,172	830	4,742
Audits completed	1	0	0	1	1	0	0	1	1	0	0	1

The increase in overall matters reflects increases in matters received relating to local government (up by over 5%) and other authorities[2] (up 8%). Consistent with the increase in public interest disclosures (see further below), the Office has seen an increase in some agencies self-reporting potential misconduct which has come to the agency's attention. This has been a particular feature of matters relating to local health networks, most of which have seen an increase in reports or complaints to the Office.

The Ombudsman expects agencies to report conduct which may amount to misconduct or maladministration under the Ombudsman Act. This enables the Office to assess whether it would be in the public interest to take action as well as to monitor any trends suggesting gaps in agency policies or training, or which may inform the exercise of the Ombudsman's

[2] Public authorities other than State government departments and councils

preventative or education functions. Self-reporting by agencies promotes accountability and transparency, and those agencies taking a proactive approach to this should be commended.

Where the Ombudsman is satisfied that an agency is taking appropriate action and has in place robust systems to investigate potential misconduct and prevent recurrence, the agency will generally be considered best placed to investigate and deal with most alleged misconduct. The number of matters referred to an agency to deal with increased this financial year, including over 10% of matters relating to "other authorities" being referred to the agency. Where the Ombudsman considers it appropriate, she will monitor the agency's investigation and may take further action if not satisfied that the matter has been adequately addressed (see Monitoring Agency Investigations below).

Administrative error

The traditional role of the Ombudsman involves receiving and resolving complaints about the administrative acts of government agencies and councils. This jurisdiction is broad and empowers the Office to consider any administrative act of an agency that appears to be unfair, unreasonable or contrary to law; complaints of this nature comprise approximately 95% of matters received by Ombudsman SA.

Complaints about agency complaint handling comprise 18% (850) of the matters received by the Office, representing the largest group of issues. The Ombudsman expects agencies to have robust and fair processes in place to deal with complaints from members of the public; this is an essential aspect of good administrative practice. In accordance with best practice in complaint handling, complainants are generally expected to have raised their concerns with the agency first. If they have not done so, complainants are usually referred back to the agency in the first instance (after consideration has been given to the seriousness of the issue and the complainant's capacity to raise the issues with the agency). Should the complainant return to this Office, the Ombudsman may consider the agency's complaint handling process as well as the original complaint.

As in the 2023/24 financial year, the Department for Correctional Services (DCS) and the SA Housing Trust (SAHT) continue to be the government agencies about which the Office receives the most complaints (762 and 716 respectively), followed by SA Police (286) and the Department for Child Protection (DCP) (267). A total of 244 complaints were received about the Department of Health and Wellbeing and all of the Local Health Networks, an increase of 75 compared to last financial year.

For the matters categorised as complex, DCP and DCS were the top two agencies (22 and 17 matters respectively), followed by the Department of Human Services (14) and the Department for Education (12). Examples of the Office's work relating to DCP and DCS are outlined below. Complex issues considered in relation to the Department for Education included allegations of failing to support students with additional needs, complaint handling and employee misconduct. Complex issues relating to the Department of Human Services primarily concerned employee conduct or management of employment issues.

Department for Correctional Services

One of an Ombudsman's most important functions is to provide independent oversight of places of detention. DCS operates an internal complaints service for prisoners and an internal investigations unit which deals with allegations of misconduct by correctional services officers. However, the Ombudsman resolves complaints made by prisoners and their families, oversees internal misconduct investigations, and investigates systemic issues occurring in the prison environment. Prisoners in each of the ten South Australian adult correctional institutions can contact Ombudsman SA free of charge on a direct line from prison phones and are immediately connected to an assessment officer to assist them.

Complaints about DCS increased 25% this year. Of the 762 complaints received, 638 were from prisoners (84% of all DCS complaints and an increase of 20% from last financial year).

Complaints received by prisons in 2024-25

Prison	Total
Adelaide Pre-Release Centre	5
Adelaide Remand Centre	68
Adelaide Women's Prison	100
Cadell Training Centre	13
James Nash House	1
Mobilong Prison	45
Mount Gambier Prison	68
Port Augusta Prison	49
Port Lincoln Prison	9
Yatala Labour Prison	280
Total	638

The most common issue raised in relation to DCS is health related services, followed by discipline management and property issues. 50 matters were resolved by agreement about issues ranging from missing property and funds, delay in responding to complaints, failure to book appointments and movement between units. Seven internal investigations were the subject of Ombudsman monitoring, five of which continue to be monitored. In two instances the Ombudsman commenced an investigation into the handling of the internal investigation.

As at 30 June 2024, there were four ongoing investigations concerning DCS.

Case Study

Refusal to provide religious books to prisoner

A prisoner complained that they had been refused access to religious books that their family had sent them from overseas. The Office made enquiries with the prison and, as a result, the complainant was given the religious materials.

Case Study

Failure to facilitate contact with family following death of child

An Aboriginal prisoner contacted this office after the death of their child. The prisoner did not have any money in their prison account and had a debt that they did not understand. Given this, they had not been able to phone their family or engage in the grieving process for their child. Following contact from Ombudsman SA, DCS explained the debt to the prisoner, ensured that their phone account had funds to enable them to speak to their family and arranged for an Aboriginal Liaison Officer to see them.

SA Housing Trust

Although the number of complaints about SAHT remained high, there was a 20% decrease in complaints received about SAHT in the period, with 716 complaints received.

Many complaints about SAHT require urgent action and often involve complainants with vulnerabilities. In these circumstances, enquiries about the issue are made immediately rather than referring complainants to SAHT's internal complaints process and outcomes often result from the Office's 'early resolution' function. 99 complaints about SAHT were resolved with agency cooperation during the reporting period.

Complaints about SAHT covered a variety of issues, including dissatisfaction with complaint-handling processes, disruptive tenants, transfers and allocations. As reported last year, a significant proportion of SAHT complaints related to maintenance issues, in particular delays in responding to work requests.

In June 2024, the Ombudsman, using own initiative powers, commenced an assessment of SAHT's handling of maintenance matters, particularly in relation to delays and backlogs in undertaking work. SAHT's response to a September 2024 review into the South Australian Maintenance Contracts (the Review), commissioned by the SA government, has clearly resulted in improvements in this area. The review made a number of findings, including that contractors must communicate better with tenants and that the pricing of works is below market rates, making it harder to attract sub-contractors and leading to delays, and recommended that SAHT improve communications with key stakeholders, including improve its processes for responding to Ombudsman SA enquiries.

SAHT engaged productively with the Office and improved its complaint handling during the reporting period such that maintenance issues raised by Ombudsman SA are resolved for the most part in a timely manner.

Given SAHT's commitment to implementing the Review's recommendations, the Ombudsman decided to monitor maintenance request response times and backlog rather than commencing an investigation of this issue. SAHT has provided regular data in relation to the status of the maintenance backlog throughout the Review recommendation implementation process. A particular focus of the communication between this Office and SAHT has been to ensure that maintenance issues that are identified as being urgent are addressed promptly and in accordance with SAHT's Maintenance Policy.[3] At the time of reporting, complaints to this Office about Priority 1 requests had reduced to nil and monitoring data indicated that 98% of Priority 1 issues were being completed within the relevant timeframes. The backlog of maintenance works had also reduced.

The benefits of these improvements also appear to have led to a reduction in the number of complaints received by Ombudsman SA about SAHT in the latter part of the reporting period.

Ombudsman SA will continue to monitor and, where appropriate, take action in relation to SAHT complaint handling and maintenance request processes. However, SAHT is to be commended for improving these issues during the reporting period.

Case Study

Failure to take action to prevent pests entering a property

A complaint was received about SAHT and its failure to respond to a maintenance request. The complainant advised that, due to a gap between a wall and a cupboard, rats had been entering their property. They had contacted SAHT, but the issue had not been promptly addressed. The complainant was elderly, distressed and had been sleeping on the couch for several months to avoid the rats. As a result of enquiries made by the Ombudsman, SAHT ensured that a contractor attended the property, sealed the point where the rats were entering and placed more poison throughout the property.

[3] Priority 1 maintenance issues are those that may affect someone's health or safety, for example a broken door lock, an uncontrolled burst hot water system or a broken sewerage system. SAHT's Maintenance Policy provides that work is to commence on Priority 1 issues within 4 hours of the issue being reported and are to be completed within 5 business days.

Case Study

Unsafe housing conditions for children in an overcrowded tenancy

Ombudsman SA received a complaint from a young Aboriginal mother who was living in a small SAHT unit. The unit had been suitable for her needs when she moved in with her partner, but she soon began caring for children in a kinship arrangement and also had her own babies.

SAHT had listed the family as Category 1 priority to transfer to a larger property but several years had passed and no house had become available. The kitchen of the unit suffered leaks and became water-damaged, mouldy and infested with white ants. The complainant had reported her concerns to SAHT, but it was not until a housing officer attended that the seriousness of the issue became clear to SAHT. Following enquiries from Ombudsman SA, SAHT agreed it was not safe for the family to reside in the unit any longer and they were soon transferred to a more suitable tenancy.

Case Study

Managing communication needs

Ombudsman SA received a complaint from a vulnerable SAHT tenant. She had health issues and had previously had a poor experience dealing with maintenance contractors. Due to her health issues, it was important that she only have calls and house visits occur after 1pm. She had been trying unsuccessfully for some time to have this arrangement put in place. Following contact from Ombudsman SA, SAHT agreed to put a note on the complainant's file that contacts were only to occur after 1pm, to pass this information on to maintenance contractors, and to have her Housing Officer contact her to discuss outstanding maintenance works.

Case Study (formal resolution)

Failure to comply with an Order of the South Australian Civil and Administrative Tribunal

Insight

Applicants and respondents to SACAT must adhere to directions of the Tribunal. Good public administration requires that people are provided with reasons for decisions made by a public agency. When an agency makes a mistake, it should promptly acknowledge the error, issue an apology and take steps to address the problem.

Complaint
A complaint was received about a failure of SAHT to comply with an Order of SACAT. In May 2023, SACAT made an Order that SAHT reconsider its decision in relation to the complainant's fence, taking into account specific factors. Despite receiving enquiries from the complainant, a further SACAT Order in August 2025 and enquiries from the Ombudsman, SAHT did not make a decision in accordance with the original Order until March 2025.

In response to a proposal from Ombudsman SA to resolve the matter, SAHT acknowledged it had:

- failed to comply with the SACAT order in a reasonable time
- failed to adequately record the Order
- failed to adequately consider the factors set out in the Order in making its March 2025 decision
- failed to provide the complainant with reasons for its March 2025 decision.

Outcome
SAHT took action to rectify the matter including re-making the decision in accordance with the Order and providing the complainant with reasons for its decision and a detailed apology. To ensure similar errors do not occur again, SAHT also implemented system improvements to ensure SACAT Orders are complied with in a timely fashion.

SA Police

The Office received 286 complaints about SA Police and closed 280, which is relatively consistent with the previous year (290 complaints received and 287 closed). Of the complaints closed in 2024/25, 126 related to the conduct of police officers. As Ombudsman SA does not have jurisdiction to consider police officer conduct, complainants are referred to the Office for Public Integrity. This type of complaint increased by over 60% this year (up from 78); given overall SA Police complaints remained steady, this indicates a reduction in complaints about administrative matters.

In 55 matters, complainants were referred back to the agency; as noted above, this generally occurs when a complainant has not raised their complaint with the agency before approaching Ombudsman SA. In 31 matters, it was determined that the complainant had another legal remedy.[4] The majority of these related to expiation notices. As expiation notice recipients have review rights under applicable legislation (both from the issuing authority and after the notice has been referred for enforcement), it is generally considered appropriate for complainants to exercise these rights.

[4] Section 13(3) of the Ombudsman Act.

Case Study

Fine issued to the wrong person

The complainant was issued with a fine and paid it without realising that they had paid the fine of another person with the same name. This fine had been sent to the complainant in error. The complainant had contacted SA Police but had been unable to get the issue resolved. Following contact from this Office, SA Police refunded the complainant the payment they had made for the incorrect expiation and agreed to provide training to staff to avoid the same error occurring in the future.

Department for Child Protection

Complaints about DCP increased slightly (276, up from 267). While DCP is fourth in overall number of complaints received, it represents the largest number of complex matters assessed by the Office this year. The Ombudsman investigated one matter involving DCP, formally resolved two matters and successfully conciliated one matter.[5] As at 30 June 2025, there were eight complex assessments and six ongoing investigations in relation to DCP. This increase of child protection matters being considered at the complex assessment and investigation stages can, in part, be attributed to the robust use of the Office's public interest criteria as described above.

Child protection has also been one of the focus areas for the outreach and education work of the Office this year. Outreach has been aimed at improving key stakeholders' awareness and understanding of the Office's role, as well as their confidence in its independence. The Ombudsman met with the Minister's Carer Council and attended an open board meeting of Connecting Foster and Kinship Carers South Australia (CF&KC SA) to provide information about how the Ombudsman deals with complaints from members of the carer community. The Office worked with CF&KC SA to update their guidance material for carers on the role of the Ombudsman. The Ombudsman also provided an education session to DCP Managers about trends in child protection complaints and how complaints can and do result in improvements to the child protection system.

It is noted that the *Children and Young People (Safety and Support) Act 2025* was passed by Parliament and received royal assent in June 2025, with a likely commencement date of two years. The Ombudsman provided submissions to the Minister regarding an earlier draft version of the Bill. This Act will extend the time limit for making a complaint to the Office in relation to prescribed child protection matters from one to two years. The Act maintains the role of the Ombudsman as the principal external oversight mechanism for child protection matters.

[5] This matter related to administrative error. A further two complaints relating to DCP's Freedom of Information Act processes were conciliated.

Case Study

Failure to provide information

Ombudsman SA received a complaint from a parent of a young person who wanted to apply to become a kinship carer of their sibling when they turned 18. They had made attempts to obtain this information from the department but had not been provided with it. Following enquiries from this Office, the department responded to the complainant in writing, providing a detailed explanation of the steps required and the assessment process for the young person to seek approval as a carer.

Case Study (formal resolution)

Unreasonable delay processing a foster care application

Complaint
A complainant had made an application to the Department for Child Protection to provide foster care for two children who were known to them. Despite following up the matter and lodging a formal complaint with the department, the application still had not been finalised nearly two years later. The complainant advised that, as a result of the delay, they had lost contact with the children, who had remained in residential care for most of the period since the application was lodged.

Outcome
The Ombudsman determined that the delays in the application process were unreasonable and constituted an administrative error. The Ombudsman also identified that the department did not have time frames for the carer application process, and the department was unable to unable to provide this Office with information about the time that it was taking to process carer applications, due to records system limitations and material being stored across multiple platforms.

The department acknowledged that the processing of the complainant's carer application was unreasonably prolonged and advised that it had taken action to improve processes around carer applications. Given this, the Ombudsman considered that the matter was suitable for formal resolution, thereby avoiding a lengthy and formal investigation process. The formal resolution constituted the department developing:

- a KPI specifying a timeframe for the entire application process, and
- a process to monitor and report on carer applications.

The department agreed to implement the above recommendations, and the Ombudsman has been monitoring implementation.

Complaints made by First Nations people

From July 2024, Ombudsman SA commenced collecting information about whether complainants who approach the Office identify as Aboriginal and/or Torres Strait Islander (ATSI). There is no requirement for complainants to answer this question.

Data about complaints made by ATSI people will assist in progressing and measuring Ombudsman SA's Strategic Plan Objective 1.4: *Engage with and be responsive to the needs of First Nations people*. In particular, insights from the data will ensure Ombudsman SA:

- understands and responds to systemic issues in government which impact First Nations people
- identifies and addresses any systemic barriers that First Nations people encounter when making complaints to this Office.

Collection of the data may also be useful in the context of the Closing the Gap Priority Reforms, in particular *Priority Reform 3: Transforming Government Organisations* and, in publishing this data, *Priority Reform 4: Shared Access to Data and Information at a Regional Level.*

The Office received 360 complaints or reports from individuals who advised they are an ATSI person, equating to 7.6% of total complaints and reports made over the reporting period. Nine applications for External Review under the *Freedom of Information Act 1991* were made by persons identifying as ATSI, equating to 5% of such applications.

Over the period approximately 8.5 in every 1,000 Aboriginal people in South Australia made a complaint to Ombudsman SA. By comparison over the same period, approximately 2.4 out of every 1,000 non-Aboriginal South Australians made a complaint to Ombudsman SA.

Of the 360 complaints made by ATSI people to the Office, 334 related to State Government agencies, while 19 related to local government and 7 related to other authorities.

The agencies most commonly the subject of complaints by people identifying as ATSI were the Department for Correctional Services, the SA Housing Trust, the SA Police and the Department for Child Protection. These same agencies were the subject of the highest number of complaints made to the Ombudsman generally.

Almost two in every three complaints received from ATSI people relate to the Department for Correctional Services or the SA Housing Trust.

Agency	Complaints by First Nations persons		Total Complaints (including from First Nations people)	
	Total	%	Total	%
Department for Correctional Services	125	34.7	768	16.3
SA Housing Trust	103	28.6	716	15.2
Department for Child Protection	37	10.2	295	5.96
SA Police	10	2.8	281	8.2
Department for Human Services	8	2.2	56	1.19

The five most common issues raised in complaints made by ATSI people were housing maintenance, health related services provided in custody, communication, prison management and housing transfer issues. During the reporting period ATSI people made 10 complaints about child removal to OSA, a rate approximately three times higher than the general population.

106 complaints were received from prisoners who identified as ATSI, compared with 477 complaints that were received from individuals who said they are not ATSI, or preferred not to say. Of the matters in which data was collected, 18% of the prisoner complaints received by the Office were from First Nations people; by comparison, First Nations people make up approximately 26% of the South Australian prison population[6]. This will inform future outreach activities to prisons.

[6] Australian Bureau of Statistic Corrective Services data, Average number of persons in full-time custody, June quarter 2025

Misconduct and **Maladministration**

In addition to responding to complaints about 'administrative error' in agencies, the Ombudsman investigates allegations of 'misconduct' and 'maladministration' in public administration.

Misconduct in public administration means an intentional and serious contravention of a code of conduct by a public officer while acting in their capacity as a public officer that constitutes a ground for disciplinary action against the officer.

Maladministration in public administration means:

- conduct of a public officer, or a practice, policy or procedure of a public authority, that results in an irregular and unauthorised use of public money or substantial mismanagement of public resources; or

- conduct of a public officer involving substantial mismanagement in or in relation to the performance of official functions;

and includes conduct resulting from impropriety, incompetence or negligence.

The Ombudsman has jurisdiction to investigate breaches of the integrity provisions of the *Local Government Act 1993* by council members. The integrity provisions constitute a relevant code for the purposes of the definition of 'misconduct'.

Complaints can be made about suspected misconduct and maladministration in public administration to Ombudsman SA by members of the public, public officers and public authorities.

The Office also receives referrals raising issues of misconduct and maladministration from both the Office for Public Integrity (OPI) and the Independent Commission Against Corruption (ICAC).

This year, Ombudsman SA received complaints, reports or referrals raising 314 potential issues of misconduct or maladministration. This represents an overall increase of approximately 10%.

The Office received 81 referrals from OPI (from which Ombudsman SA identified 97 issues of misconduct and maladministration) and four referrals from ICAC (from which five issues were identified). While there was a decrease in matters referred by OPI (down from 91 referrals last year), there was an 18% increase in matters received directly by this Office.

The Office completed 309 issues involving potential misconduct (204) or maladministration (105). Of these:

- nine issues resulted in suggested administrative improvements
- 13 issues were resolved with agency cooperation
- 12 issues were investigated (a number of these were ultimately discontinued or resolved with agency cooperation)

The Office also monitored agency action in relation to 41 issues (across 38 matters) involving potential misconduct or maladministration.

Misconduct and maladministration issues[7] received directly by Ombudsman SA as complaints or reports (i.e. not referral by ICAC or OPI)

	Received	Closed
Email	76	61
In Person	1	1
Letter	5	7
N/A	7	6
Telephone call	37	36
Website	86	80
Total	**212**	**191**

Misconduct and maladministration issues referred during 2024-25 and referred issues closed during 2024-25

Referred by	Referred	Closed
ICAC	5	1
OPI	97	117
Total	**102**	**118**

[7] This refers to individual issues of misconduct or maladministration recorded by Ombudsman SA; some complaints and reports involved multiple issues of potential misconduct or maladministration.

Respondent agency type of misconduct and maladministration issues closed in 2024-25

Respondent Agency Type	Total
Government Department	122
Local Government	101
Minister / Member of Parliament	4
Other Authority	78
Public Officer	4
Total	309

Elected member integrity matters

During the reporting period, there was an increase in matters involving potential integrity provision breaches in local government. The Office considered 22 general conflict of interest[8] issues (up from 15 in 2023-24) and 23 material conflict of interest[9] issues (up from nine in 2023-24). The conflict of interest provisions are a cornerstone of the elected member integrity provisions. Given the nature of local government, it is not unexpected that elected members will have personal or financial interests and connections within the local community. The requirements in the Local Government Act to declare and appropriately manage these conflicts of interests ensure that they are dealt with transparently and that members of the public can have confidence that decisions made by their elected members have been made in the interests of the community and not influenced by the members' private interests. This is essential to supporting public trust in local government.

The Office formally resolved seven matters involving elected member integrity breaches, largely involving general and material conflicts of interest and one breach relating to confidential information. The material conflict of interest matters that were formally resolved did not meet the threshold for misconduct under the Ombudsman Act and otherwise involved particular mitigating circumstances.

However, having regard to the increase in allegations of breaches of the conflict of interest provisions, the framework in the Local Government Act for dealing with such breaches and the fact that breaches of conflict of interest provisions represent a significant risk to public confidence in council decision-making, during the course of the reporting period the Ombudsman revised her approach to responding to such allegations. While the Ombudsman considers it may be appropriate to resolve first-instance breaches of general conflicts of interest through agreement, breaches of material conflict of interest provisions will be investigated unless there are exceptional circumstances that warrant a resolution approach.

[8] Local Government Act, s75B
[9] Local Government Act, s75C

As at 30 June 2025, this Office was investigating 12 matters involving potential council member integrity breaches, including six involving potential conflict of interest breaches. One investigation into a material conflict of interest allegation was completed with findings made that the elected member had breached the relevant provisions in the Local Government Act and that the breach was both intentional and serious so as to amount to misconduct under the Ombudsman Act. This matter is provided as a case study in the Investigations section of this report.

Employee conduct

Unless misconduct allegations are made about senior employees in an agency or otherwise appear to meet the 'serious and intentional' threshold in the definition of 'misconduct', Ombudsman SA will monitor the agency's internal investigation processes to ensure robust action is taken in response to any misconduct.

During the reporting period, the Ombudsman monitored two investigations regarding failures to appropriately manage conflicts of interest. In one instance, the Ombudsman was not satisfied that the agency had taken adequate action and, as a result of the subsequent investigation by the Ombudsman, the agency has implemented a number of systemic improvements. This matter is highlighted as a case study in the Investigations section of this Report.

Another matter examined a council's role and obligations in ensuring employee conflicts of interest are in place. In resolving the matter by way of formal resolution, the Ombudsman noted:

> *The best results are likely to be achieved when public officers and authorities work together to normalise a culture of transparency where conflicts are routinely disclosed and managed.*

This matter is highlighted in a case study in the Formal Resolution section of this Report. Other employee misconduct issues considered by the Office included allegations of workplace bullying, unauthorised access to information, unprofessional behaviour, improper recruitment practices and improper records management (including in relation to patient records in healthcare settings).

Potential maladministration issues considered by the Office included allegations relation to credit card expenditure, management of employment entitlements (including voluntary separation packages) and mismanagement of official functions or programs.

Case Study (formal resolution)

Disclosure of confidential information by an elected member

Insight

It is not for individual elected members to decide how confidential information is to be treated. Rather, this should be dealt with through established council processes, which control how sensitive information is shared. A disregard for council process risks the integrity of council's decision-making and privacy of individuals involved in a matter.

Complaint

The Ombudsman received a report that an elected member had disclosed confidential council information in breach of the member integrity provisions under the Local Government Act. The elected member sent an email to all other members of the council, which attached a copy of a confidential council investigation relating to a behavioural complaint against the member and a copy of the outcome letter. It was clear from the correspondence sent to the elected member and the council's behavioural management policy that this matter was to remain confidential. The council's policy provided a specific process in which an elected member could have a report made public, however, the elected member did not follow this process and sent the information on their own accord. The Ombudsman formed the view that the elected member's conduct would likely amount to a breach of section 62(4a)(b) of the member integrity provisions.

Resolution

The Ombudsman proposed that this matter was suitable for formal resolution, which involved the elected member publicly acknowledging their error. The member agreed to provide an acknowledgement at a public council meeting that they disclosed confidential council information, in breach of the member integrity provisions. The acknowledgement was recorded in the minutes.

Confidentiality under the Ombudsman Act

The assessments and investigations conducted under the Ombudsman Act are subject to strict confidentiality obligations.[10] A breach of these provisions may be an offence and/or may constitute misconduct under an applicable code of conduct. These provisions are in place to protect both the integrity of investigations and to protect parties from undue prejudice. Adherence to these statutory requirements is important in all Ombudsman matters, but breaches may have particularly serious ramifications in the context of matters involving potential misconduct and maladministration.

Concerns were raised with this Office or on the Ombudsman's own initiative about possible breaches of these provisions in relation to nine matters. In most cases, potential breaches appeared to be low-level and/or arose from a lack of understanding about the obligations. Generally, it was determined that the most appropriate response was to remind parties about their confidentiality obligations.

In one matter, an agency included information about an Ombudsman complaint in Court documents in proceedings relating to a child. While the breach appeared to arise from a lack of understanding of the obligations, the potential consequences were serious. After the agency agreed to apologise to the complainant, report the breach to the Privacy Committee and agency Chief Executive, and provide education to staff and leadership, the Ombudsman determined that it was appropriate to monitor these actions.

[10] Ombudsman Act, s29A

Public Interest **Disclosures**

The *Public Interest Disclosure Act 2018* is an important part of South Australia's integrity framework. It provides certain protections to people who make appropriate disclosures of environmental and health information, and to public officers who make appropriate disclosures of public administration information.

Public administration information is defined to include information that raises a potential issue of misconduct or maladministration as defined by the Ombudsman Act.

This Office is a 'relevant authority' for the purposes of receiving disclosures under the Public Interest Disclosure Act, where the information relates to an agency to which the Ombudsman Act applies. The Ombudsman is required to take action and to notify the informant and the OPI of action taken and the outcome.

Public Interest Disclosures received by this Office increased by 40% this financial year.

The overwhelming majority of Public Interest Disclosures involve potential misconduct and maladministration. Given the increase in Public Interest Disclosures is higher than the overall increase in misconduct and maladministration matters, this indicates a change in who is reporting potential misconduct and maladministration, with an increasing proportion of potential misconduct and maladministration being brought to light by public officers, rather than members of the public.

Disclosures received during 2024-25

			Disclosures
Government Departments			33
Local Government			86
	Councils	37	
	Elected Members	49	
Other Public Officers and Authorities			59
Minister			3
Total			181

Resolution of matters by agreement

In addition to undertaking formal investigations, this Office uses a number of methods to resolve complaints and reports by agreement. Factors such as the seriousness of the alleged error, whether it raises systemic issues and whether the agency has insight into the cause of the problem and a willingness to rectify it, determine whether the approach to a complaint requires an investigation or an alternative resolution method. This year, a total of 259 matters were resolved by agreement, in particular:

- 206 by informal early resolution
- five by way of agreement between the complainant and the agency after a conciliation (four of which related to Freedom of Information processes)
- 48 by formal resolution (where an agency acknowledges an error and agrees to take action proposed by Ombudsman SA) (an increase of 74% from last financial year).

Actions agreed to by agencies were monitored to ensure the matters were dealt with appropriately.

Early resolution – putting things right quickly

An important part of the role of an Ombudsman is to facilitate the quick resolution of complaints about government. This approach to a complaint is suitable where it is evident that an agency has acted unfairly or unreasonably, it appears to be an isolated matter affecting one complainant, and the agency is prepared to and can rectify the issue easily. It usually involves the Office contacting the relevant agency by email or telephone and requesting action to 'put things right'.

This year, 206 complaints were resolved with the co-operation of the agency at the 'early resolution stage', an increase of 25% resolved in this manner from last financial year. The following case studies illustrate that, while agencies make mistakes, they are for the most part willing to recognise when things should have been done differently and act swiftly to make amends.

Case Study

Unreasonable issuing of dog registration notices by a council

A complaint was received about a council that continued to issue dog registration notices despite the dog being deceased. The complainant advised that they had been caring for their adult child's dog for many years, however the dog remained registered under the child's name. When the dog passed away the complainant contacted the council to advise it of this, however the council said it would not be able to list the dog as deceased until the child contacted the council directly to confirm this information. The complainant and their child were estranged and therefore the complainant was unable to meet this requirement. Ombudsman SA made enquiries with the council,

which agreed to accept a death certificate from the vet to confirm the dog's death and to stop issuing registration renewal notices to the complainant.

Case Study

Lack of action to address property damage and fire hazard by a council

Ombudsman SA received a complaint about a council's lack of action to address a tree causing damage to the complainant's fence, and a neighbour's overgrown grass which had become a fire hazard. The complainant had contacted the council multiple times, but the council had not taken any action. The complainant was illiterate and lacked an understanding of the complaint process. Following Ombudsman SA's enquiries, the council agreed to remove the tree, rectify the damage to the complainant's fence, and ensure that the neighbour's overgrown grass was attended to.

Case Study

Unreasonable refusal to provide information in writing by the Public Trustee

A complainant contacted Ombudsman SA following the death of a family member the previous week. The family member's estate was administered by the Public Trustee and the complainant was the executor of their estate. The complainant had travelled from interstate to settle their relative's affairs. The complainant had gone to the office of the Public Trustee and had requested some advice about what they needed to do as the executor of the estate. The complainant asked for this information to be given to them in writing, and their request was refused. Following contact from Ombudsman SA, the Public Trustee contacted the complainant to discuss the issue further and provided them with the information in writing.

Case Study

Lack of action by Service SA to resolve issue with car registration

A complainant approached Ombudsman SA after a car had been registered in their name by someone who had used of photograph of their driver's license. The complainant had made multiple contacts to Service SA to have the registration removed but was unable to have the issue resolved. Following enquiries from Ombudsman SA, the agency investigated the matter and determined that a vehicle had been incorrectly registered in the complainant's name. The vehicle was removed from the complainant's record in the registration database and the complainant was advised by the agency how to apply for a change of client number and a replacement licence.

Case Study

Imposition of fixed annual rates on marina berths contrary to the *Local Government Act 1999*

Ombudsman SA received a complaint about a council imposing a fixed minimum rate on marina berths. The complainant alleged this was in contravention of the *Local Government Act 1999*. As a result of enquiries by Ombudsman SA, the council agreed that it was prohibited from imposing a fixed minimum rate on marina berths. The council agreed to remedy this error in its Rating Policy and refunded the complainant for the overpaid amount.

Formal resolution – voluntary agreements

Allegations made to this Office that raise serious or systemic issues may be resolved by way of a formal resolution process. Where enquiries identify a clear error, the Ombudsman will seek the agency's agreement to acknowledge the error, take action to rectify the issue and implement systemic improvements to avoid re-occurrence. In these cases, a formal agreement involving voluntary action to improve administration can be as impactful as a lengthy, resource-intensive investigation. Actions agreed upon are monitored by the Ombudsman to ensure they are implemented effectively.

In the reporting period, 48 matters were resolved by way of formal agreements with agencies. This is a significant increase (118%) on the 22 matters that were resolved by way of formal agreements with agencies in the previous reporting period. Issues resolved included failures in complaint-handling, enforcement action, privacy and confidentiality, record-keeping, service delivery and practices related to Freedom of Information applications. Resolution outcomes include alternative decisions, apologies, staff training,19 new practices and 15 changes to policy.

The case studies below provide illustration of some of the formal resolution work undertaken by this Office, and the improvement activities that agencies have taken as a result of this process.

Case Study – Department for Education

Unreasonable exclusion from school activity on grounds of mental health

Insights

Mental health issues can impact a student's ability to engage in school and participate in school activities. Schools must ensure students are not excluded from participating in activities for non-attendance arising from a mental health condition, and must make accommodations for students experiencing mental health challenges to facilitate access to all aspects of school life.

Complaint

Ombudsman SA received a complaint about a South Australian school and the Department for Education regarding the exclusion of a student from an extracurricular sporting event following poor attendance at school. The school was aware the student had a mental health condition and was making accommodations to encourage attendance and engagement at school. However, the student's parents complained that the decision to exclude the student from the extracurricular activity disregarded the fact that the attendance issues were due to the health condition.

The Ombudsman formed the view that the school had inflexibly applied guidelines that stated poor attendance may form grounds for exclusion from such activities, and failed to apply the provision that 'special circumstances' such as a serious illness should also be considered in exclusion decisions. In deciding that the school had failed to adequately consider the student's health condition, the Ombudsman noted that the *Equal Opportunity Act 1984* prohibits denying or limiting access to a benefit provided by a school on the grounds of a student's disability and that mental health conditions can comprise a disability.

Outcome

Following enquiries by the Ombudsman, the school agreed to:

- provide an apology to the student and their family
- apply the guidelines more flexibly in the future to take into account individuals' circumstances
- review the relevant guidelines.

Case Study – local council

Enforcing compliance with planning and development legislation

Insights

Local councils have an important role in ensuring compliance with planning and development legislation. Enforcement action under the *Planning, Development and Infrastructure Act 2016* should be considered wherever there is a breach of legislation, and actively pursued in circumstances where parties have ignored legislative requirements and where the community or environment is impacted by a breach.

Complaint

This Office received a complaint that a council was failing to respond to a resident's concerns about the use of a recreational pontoon at a marina by a commercial fishing vessel. The council had received complaints that the pontoon was in a residential area and that the noise and spotlights emanating from this commercial vessel were disruptive during the early hours of the morning. The council had explored a number of options, including mediation between the vessel owner and the complainant, but had decided against enforcement action. The Ombudsman formed the view that it was likely that the mooring of the commercial fishing vessel at a recreational pontoon was a change of land use requiring development approval under the *Planning,*

Development and Infrastructure Act 2016, and that the council should be taking action to prevent this.

Outcome

The Ombudsman proposed that the council reconsider its position in relation to enforcement action and, in response, the council agreed to:

- contact the vessel owner and urge them to apply for a marina berth that had recently become available in the commercial area, with a view to relocating the boat to that area
- if the vessel owner declined to take up this option, take enforcement action under the Planning, Development and Infrastructure Act.

Case Study – TAFE SA

Unreasonable cancellation of fee assistance grant and debt enforcement due to failure to arrange payment plan

Insight

TAFE SA has an important role in providing accessible education services to the public. When an individual is suffering financial hardship, reasonable assistance or other supports should be provided when requested. Communication with individuals that are being provided these supports should be comprehensive and consistent to ensure it is addressing the challenges they are experiencing.

Complaint

Ombudsman SA received a complaint about TAFE SA regarding the discontinuation of a fee assistance grant due to a failure to meet the required criteria. One of these criteria was the requirement of the student to make payment for their portion of the course fees. A default of these payments would result in bearing the full cost of the course. The complainant was experiencing financial hardship and had approached TAFE SA requesting assistance to arrange a payment plan for the student contribution aspect of the fees. This payment plan application was not received, however TAFE SA did not assist the student with the plan despite their requests for assistance and being aware of the student's financial situation. Due to this, the student's outstanding fees accumulated and were escalated for debt collection.

Resolution

After obtaining further information, the Ombudsman identified an error by TAFE SA in failing to assist a student experiencing financial hardship with securing a payment plan to pay for their contribution to the course fees. A formal early resolution was subsequently proposed to TAFE SA to reconsider its escalation of the matter to debt collection and the rescinding of the student's grant.

TAFE agreed to retrieve the debt to allow the student an opportunity to make their student contribution payment, and reinstated the fee assistance grant. TAFE also

agreed to review its policies and procedures and conduct staff training to ensure that financial assistance is more accessible to students experiencing hardship.

Case Study – local councils

Unlawful charging of ratepayers debt recovery fees

Insights

Councils have powers to charge rates and have certain powers if a ratepayer becomes in arrears with their rates. However, in the absence of civil proceedings resulting in a costs order in the council's favour, the council does not have the power to impose legal fees or costs associated with debt recovery, onto the ratepayer.

Complaint

The Ombudsman received two similar complaints about two different councils. In both matters, a ratepayer was in arrears with their rates payments, and the local council had applied legal fees/debt recovery fees to the arrears amount. In both cases, the local council had a policy which allowed them to do this. However, this action by a council is not lawful.

Chapter 10 of the *Local Government Act 1999* deals with rates, including that the owner of the land is liable to pay rates for the land as the principal ratepayer, and unpaid rates may be recovered as a debt.

Section 183 states that a council can apply rates recovered to its costs, if a court ordered the ratepayer to pay the council's costs during a civil proceeding.

There are no other provisions in the Local Government Act which empower a council to charge legal fees or debt recovery fees to a ratepayer.

Outcome

In each of the matters, the Ombudsman proposed that the council take the following actions:

- amend its debt recovery policy
- remove the legal fees from the arrears amount.

Each of the councils agreed with the proposed resolution.

Case Study – Public Trustee

Failure to comply with an Order of the South Australian Civil and Administrative Tribunal

Insight

Applicants and respondents to SACAT must adhere to directions of the Tribunal; the Public Trustee should act as an example to the public by doing so to a high standard. When an agency makes a mistake, it should promptly acknowledge the error, issue an apology and take steps to address the problem.

Complaint

The Ombudsman received a complaint that the Public Trustee had failed to provide, in a timely manner, a report to parties to proceedings in SACAT about the administration of an estate, in contravention of directions by SACAT. The directions of the Tribunal ordered that the parties to the matter were to be provided with a report concerning the management of the estate by a specified date. The Public Trustee did not provide the information to all of the applicants; and only supplied information to some of them shortly before the scheduled hearing, not by the due date. The complainants approached this Office complaining that the delay prejudiced them in the hearing. The Ombudsman considered that the SACAT directions clearly communicated an obligation on the Public Trustee to provide the report to the parties and that it had erred in failing to comply with the directions of the Tribunal.

Resolution

The Ombudsman recommended that the Public Trustee apologise to the applicants; and consider ways it could stop the error from happening again. In response, the Public Trustee issued apologies, provided clearer procedural guidance to staff, and conducted staff training about its obligations to comply with directions of the Tribunal.

Case Study – local council

Failure to ensure employee conflicts of interest are managed effectively

Insight

Agencies have an important role in ensuring employee conflicts are managed effectively. This includes implementing comprehensive conflict of interest policies and procedures and ensuring that, where conflicts arise, robust management plans are implemented early and reviewed often. Utilising system-based controls to restrict employee access to digital files and records is an important tool in managing the integrity risks emerging from conflicts.

The best results are likely to be achieved when public officers and authorities work together to normalise a culture of transparency where conflicts are routinely disclosed and managed.

Complaint

This matter arose in the context of considering a complaint that a local government employee had engaged in misconduct by accessing and disclosing confidential information obtained in the course of their employment for a private purpose. It was also apparent that the employee had a conflict of interest which called into question whether the employee should have had access to the relevant information at all.

The Ombudsman considered whether the council took appropriate steps to ensure the employee's compliance with conflict of interest obligations under legislation and council policy.

Based on the information provided by the council, it took limited steps to ensure the conflict was recorded, reviewed and appropriately managed. Relevantly, section 120(2) of the *Local Government Act 1999* requires council employees to disclose their interests to the Chief Executive Officer, and to not act in relation to them during the course of official duties unless the Chief Executive determines otherwise. That provision highlights the shared responsibility between employees and agencies, and that, importantly, councils must ensure that employee conflicts are managed effectively.

It is likely that the breach of confidentiality would have been avoided if the council had prevented the employee from accessing the relevant information when the conflict was first disclosed. The Ombudsman was particularly concerned that the management of the conflict was not reviewed at a point when the nature of the conflict changed.

Resolution

The council identified opportunities for administrative improvement in the way it manages employee conflicts of interest. The council commenced a review of its policies and procedures to ensure a more comprehensive approach to disclosing and managing conflicts of interest. It also agreed to consider potential system upgrades to ensure that conflicts of interest can be appropriately managed, including by restricting employee access to files and records, where required.

The Ombudsman monitored the implementation of the associated policy and process improvements.

Conciliation – facilitating agreements between parties

Conciliation is an alternative dispute resolution tool that provides the parties to a dispute with the framework and tools to resolve the matter. The Ombudsman Act provides that the Ombudsman may resolve a complaint by conciliation.[11] However, prior to the previous reporting period, this power was not utilised for some years.

The Ombudsman will consider conciliation in circumstances where some or all of the following factors are present:

- a breakdown in communication between the parties
- an ongoing relationship between the parties
- a complex or long running dispute
- a problem that may be fixed by both parties taking responsibility.

During the reporting period, the Office successfully resolved a complex complaint between the Department for Child Protection and carers by way of conciliation. The Ombudsman conducted three face-to-face conciliation conferences to facilitate a deep discussion of the issues in dispute and resolution pathways. Agreed outcomes were negotiated through constructive collaboration between the carers and the department (represented at the executive level). The outcomes achieved may not have been possible through the other resolution methods available to Ombudsman SA.

Ombudsman SA also holds settlement conferences in its Freedom of Information Act jurisdiction, which are akin to conciliations. For more information about that process, see the Freedom of Information 'settlement conference' section later in this report.

Referral of matters - monitoring agency investigations

On receipt of a complaint or report, this Office may determine that the matter raises an issue that should be referred to a public authority or a public officer. In most cases, these matters are referred to the agency that is the subject of the complaint or report, or that is the employer of the public officer whose conduct is in issue. When deciding whether it is appropriate to refer a matter to an agency for investigation, several factors are considered, including:

- whether the issues raised in a complaint are not of a seriousness, scale, or scope to warrant an investigation by the Ombudsman, but are of sufficient concern to require some further action being taken
- any action already taken by the agency and the agency's views regarding a potential referral
- relevant agency resources and subject matter knowledge
- whether an investigation by the agency might be affected by potential, perceived or actual conflict of interest or bias in relation to the subject matter or public officer
- whether the agency has demonstrated a capacity to conduct robust and thorough internal investigations, and whether investigations of public officers within the agency have resulted in fair and appropriate outcomes

[11] Ombudsman Act 1972 section 17A.

- whether a referral is likely to provide an opportunity for administrative improvement
- the confidentiality or sensitivity of the issues raised
- whether the reporter or complainant is vulnerable or may experience barriers to engaging with an internal investigation.

Where a matter is referred to an agency for investigation, the Ombudsman may monitor the progress and/or outcome of the agency's action; generally, this occurs where a matter involves potential misconduct or maladministration.

During the reporting period, the Ombudsman monitored 41 investigations conducted by agencies following a referral. A number of these matters involved multiple issues but, broadly speaking:

- 36 involved potential misconduct by a public officer, not including local government elected members.
- five involved potential maladministration
- four involved potential administrative error.

20 agencies received referrals from the Ombudsman which were monitored, including five local health networks and four councils.

The majority (23) of misconduct allegations raised concerns about professional and courteous behaviour by the public officer concerned. Seven involved the handling of official information and four involved the use of agency resources.

Of the 41 referrals, the Ombudsman continues to monitor 25. The remaining 16 have been finalised. 15 of these involved agency investigations of potential misconduct or maladministration by public officers.

Corrective or disciplinary action (including reprimands) was taken in seven matters where the relevant agency investigated potential misconduct or maladministration by a public officer. Two agency investigations resulted in the termination of a public officer's employment; two other public officers resigned before the respective agency investigations were finalised. Four agency investigations concluded without a finding against an individual public officer, but further improvement action was taken by the relevant agencies.

The Ombudsman is not empowered to direct an agency on its activities in response to a referral. However, where it appears that appropriate action has not been taken in response to a referral, the Ombudsman may investigate the original matter and/or the agency's response to the referral.

In the majority of monitored investigations that were finalised in this reporting period, the Ombudsman was satisfied that appropriate action had been taken. However, the Ombudsman has commenced investigations of two matters where she was not satisfied that the agency's investigation had been sufficient. In one additional matter, an agency investigation of an individual officer is being monitored alongside the Ombudsman's own investigation of broader, related issues. The Ombudsman completed one investigation into

a failure to take appropriate action in response to misconduct allegations and this is highlighted as a case study in the Investigations section of this report.

It is encouraging that in most referred matters, agency investigations were robust and resulted in appropriate outcomes.

Separately, the Ombudsman may commence monitoring particular matters where she considers it is not in the public interest to commence an investigation but there is a strong public interest in observing an agency's efforts, to undertake administrative improvements. This year, the Ombudsman commenced monitoring delays in maintenance works being undertaken on public housing under the SA Housing Trust (SAHT). This is discussed further above and in the case study below.

Case Study

South Australian Housing Trust maintenance requests

Following the State Government's *Review into the South Australian Maintenance Contracts,* which identified a persistent backlog that was impacting tenants and housing availability, the Ombudsman considered it was in the public interest to commence monitoring the SAHT's response to maintenance work orders while the agency implemented recommendations from the review. The Ombudsman's monitoring of this issue is ongoing, however, there has been a notable improvement in relation to the backlog, particularly as it concerns high priority work orders.

Investigations

The Ombudsman can investigate on receipt of a complaint, report or a referral from another integrity agency, or can use 'own initiative' powers to investigate a matter. In deciding whether to investigate a matter, the Ombudsman considers the public interest and the improvement of public administration, having regard to the following factors (our 'public interest criteria'):

- does the alleged administrative error amount to a serious failure to meet expected standards of public administration?
- is the complaint about matters of serious concern and benefit to the public rather than simply an individual's interest?
- is there evidence of ongoing systemic failure in public administration?
- are the circumstances of the complaint likely to arise again?
- is the complaint about an error of process?
- is the complaint about failures of ethical and transparent management?
- does the complaint relate to matters of public safety and security, the economic wellbeing of South Australia, the protection of public well-being, the protection of human rights or the rights and freedoms of citizens?
- has the complainant suffered significant personal loss or is the complainant in vulnerable circumstances?
- would investigation of the complaint be likely to lead to meaningful outcomes for the complainant and/or to improvement of public administration?
- has another review body considered the matter or is another body more appropriate to review the matter?
- what is the likelihood of collecting sufficient evidence to support a finding of administrative error?
- would investigation of the complaint involve effort and resources that are proportionate to the seriousness of the matter?

When investigating, the Ombudsman has coercive powers including the power to require documents and to interview under oath or affirmation.

The Ombudsman Act provides broad power to make recommendations to an agency or public authority once an investigation is completed. Recommendations may include, for example, that:

- action is taken to rectify or mitigate the effects of an error
- a practice is varied
- legislation is amended
- disciplinary action is taken in relation to misconduct.

The Ombudsman can publish a report or statement if determined that it is in the public interest to do so.

The Ombudsman investigated 16 issues during the reporting period, across 11 separate matters. This included issuing three investigation reports and making 11 formal recommendations. Issues investigated included allegations of misconduct (including alleged breaches of the Local Government Act integrity provisions), maladministration and administrative error.

In two matters, the Ombudsman commenced an investigation but subsequently determined that it was appropriate to formally resolve the matter.

The Ombudsman may commence investigations on her own initiative, rather than in response to a complaint or report. Two own-initiative investigations were commenced but subsequently discontinued, after information obtained in the course of the investigation led to the view that it was not in the public interest to continue investigating. One own initiative investigation was completed and is provided as a case study in this section.

As at 30 June 2025, the Office had 43 matters under investigation, compared with 11 at the same time the previous year. These matters range across agencies and include integrity matters as well as systemic issues affecting vulnerable cohorts of the community.

Case Study

Deficient record keeping

Insight
Robust record keeping practices are essential to good government administration and are key to ensuring trust and accountability in government. In the context of health records, a failure to manage patient information properly, can compromise patient care. State government agencies and public officers are reminded to create, store and maintain official records in accordance with the State Records Act and policies and practices relevant to their duties.

Investigation
The Ombudsman investigated staff of a health network in relation to a serious allegation of misconduct. The investigation did not substantiate misconduct, but the Ombudsman noted that the complainant's patient file was incomplete.

The Ombudsman's investigation found that the health network had erred in its record keeping, and that this amounted to an error under the *Ombudsman Act 1972*.

The Ombudsman said that the collection and maintenance of records is essential to good administration and, in this instance, the failure to do so in a fulsome manner was a serious error, noting that:

- the State Records Act sets out obligations that the official records in an agency's custody must be maintained in good order and condition[12]

[12] *State Records Act 1997* s13.

- good record keeping in a health setting is vital to patient care and the duties that medical staff hold. This is re-enforced by the Code of Conduct for Doctors in Australia that sets out 'maintaining clear and accurate medical records is essential for the continuing good care of patients'
- good record keeping is important to ensure trust and accountability of government.

The Ombudsman acknowledged that, since the incident in question, the health network had rolled out its Electronic Medical Record (EMR) across its Mental Health Service which aims to improve patient record keeping and compliance with the State Records Act.

Outcome

The Ombudsman recommended that the health network:

- include in its internal audit plan a regular audit of medical records to ensure compliance with the State Records Act
- ensure relevant and robust record management training is provided to staff.

The Ombudsman is monitoring compliance with these recommendations.

Case Study

Failure by elected member to declare and manage a material conflict of interest

Insights

Local government elected members have an obligation to declare and manage conflicts of interest under the *Local Government Act 1999*. A failure to do so compromises the integrity of council decision-making and undermines trust in this tier of government.

Conflicts of interest are an unavoidable aspect of public life and public administration; there is nothing inherently wrong with having a conflict of interest. However, it is essential that conflicts of interest are managed appropriately.

All public officers are reminded to observe their obligations in relation to declaring and managing conflicts of interest, and to understand the importance of these obligations in ensuring the integrity of, and public confidence in, public administration.

Investigation

The Ombudsman investigated reports that an elected member of a council had failed to declare and manage a material conflict of interest in relation to items for discussion at a meeting of the council and had therefore contravened the Local Government Act.

The elected member was the subject of two behavioural standards complaints made to the council, each from members of the community. The complaints were investigated, and at the relevant meeting, the investigation reports came before the council for decisions on whether to accept the findings of the investigations and whether punitive action would be taken against the elected member. The elected member declared a general conflict of interest in the matters and decided to stay in the meeting for discussions but not vote.

The investigation found that the elected member had a material conflict of interest in the matters, as they would gain a benefit or suffer a loss, depending on the outcome of the council's decision. This is because the council was both deciding whether the findings against the elected member would be accepted and whether punitive action would be taken. The Ombudsman found that the elected member had contravened section 75C of the Local Government Act by failing to declare and appropriately manage their material conflict of interest, noting that the legislation requires a member with a material conflict to leave the meeting.

The Ombudsman found that the conduct was both serious and intentional so as to amount to misconduct in public administration, including because the elected member had been advised on two separate occasions prior to the meeting that they had a material conflict of interest.

Outcome

The Ombudsman recommended that:

- council reprimand the elected member
- the elected member apologise at a public council meeting for contravening section 75C of the Local Government Act and for committing misconduct in public administration
- the elected member attend training on their conflict of interest obligations.

The Ombudsman monitored the council's and the elected member's implementation of the above recommendations, and is satisfied that they have been fully implemented.

Case Study

Failure to comply with public consultation requirements

Insights

Councils must comply with legislative requirements for consultation in relation to community land. However, legislative requirements for public consultation are the minimum, and it is open to agencies to engage in additional consultation measures where appropriate to ensure open, meaningful, and transparent consultation in relation to public assets.

Public consultation improves the quality of decisions and increases the public's trust in and satisfaction with agency decisions.

Complaint

The Ombudsman received a complaint about the District Council of Loxton Waikerie's decision to grant a five-year lease over the Paruna Golf Course, which is located on community land. It appeared the council had failed to comply with public consultation requirements in the Local Government Act 1999. Further, council had considered the matter in confidence. The lack of consultation and confidential treatment of the matter meant there was:

- little transparency in decision-making
- a lack of opportunity for alternative views to be presented
- a lack of opportunity for objections.

The Ombudsman commenced an investigation into the matter.

After receiving the notice of investigation, the council accepted that failing to undertake public consultation into the Paruna Golf Course lease was an error and indicated its willingness to commence a public consultation process - treating the lease as 'ultra vires' (without legal authority) and setting it aside.

Given this, the Ombudsman determined the matter suitable for a formal resolution and discontinued the investigation.

Outcome

To resolve the error, the council agreed to:

- undertake genuine and comprehensive public consultation regarding the proposed use of the Paruna Golf Course
- undertake training for council staff and members to ensure they understand their public consultation obligations under the Local Government Act
- acknowledge the failure to undertake public consultation at a public council meeting and acknowledge the importance of public consultation in relation to community land

- undertake a review of its Community Land Register and review the council's CLMPs to ensure that they are fit for purpose and compliant with legislation.

The Ombudsman monitored the council's implementation of these actions.

Case Study

Failure by a health network to adequately respond to employee misconduct

Insights
Public sector agencies should respond to allegations of misconduct in a robust manner. Failure to follow proper process in dealing with employee misconduct compromises accountability and undermines trust in government. Agencies have a duty to uphold expectations regarding integrity in public administration by holding employees to account for their misconduct.

Investigation
The Ombudsman received a report from a health network that a senior employee had failed to declare and manage an actual conflict of interest during an employment-related decision-making process. The failure to manage this conflict compromised the decision and required the agency to undertake a new process without involvement by the senior employee. The agency counselled the senior employee regarding their conflict and reminded them of their obligation to comply with the Code of Ethics for the South Australian public sector. No formal finding was made on whether the employee had committed misconduct.

The Ombudsman was not satisfied that the agency took appropriate action in relation to the senior employee and commenced an own-initiative investigation into the agency's handling of the alleged misconduct.

The Ombudsman formed the view that the agency had acted in error by failing to handle the employee's suspected misconduct appropriately. Despite having enough evidence available to make a finding on the employee's conduct, the agency determined to resolve the matter informally. In these circumstances, the Ombudsman considered that a decision by the agency on whether, and if so what, disciplinary action was appropriate should only have occurred after a finding was made; it may then have been appropriate to counsel the employee.

Outcome
The agency recognised that more was required in handling this employee misconduct matter. It has established further oversight and review processes for the management of alleged misconduct. The Ombudsman also recommended that training about the Code of Ethics and responding to misconduct allegations be provided to leaders and senior staff of the health network. The agency implemented this.

Recommendations and **Voluntary Actions**

On completion of an investigation, if the Ombudsman is of the opinion—

(a) that the subject matter of the investigation should be referred back to the appropriate agency or authority for further consideration; or
(b) that action can be, and should be, taken to rectify, or mitigate or alter the effects of, the act to which the investigation related; or
(c) that the practice in accordance with which the act was done should be varied; or
(d) that any law in accordance with which or on the basis of which the action was taken should be amended or repealed; or
(e) that the reason for any act should be given; or
(f) that any other steps should be taken,

the Ombudsman must report that opinion to the relevant agency or authority and may make such recommendations as the Ombudsman thinks fit.

The Ombudsman is required to provide a copy of any report or recommendation made under section 25(2) of the Ombudsman Act to the responsible Minister and, according to section 25(4), the principal officer of the agency in relation to which the recommendation is made must, upon the Ombudsman's request, report on what steps have been taken to give effect to the recommendation or give reasons why there has been inaction.

If the Ombudsman is not satisfied with the action taken to give effect to the recommendations, the Ombudsman may report this, firstly, to the Premier and then to the Houses of Parliament. The Ombudsman must advise the complainant if the Ombudsman is of the opinion that reasonable steps have not been taken to implement the recommendation within a reasonable time.

Where the Ombudsman resolves complaints by formal resolution, the Office also monitors the implementation of voluntary actions agreed to by agencies.

During the reporting period, the Ombudsman made 11 formal recommendations under the Ombudsman Act as a result of investigations, including the following:

- in relation to failing to declare a material conflict of interest under the *Local Government Act 1999*, it was recommended that an elected member provide an apology for their conduct, that a reprimand be imposed, and that the Ombudsman's report was to be tabled at a council meeting

- in relation to a disclosure of confidential information contrary to the integrity provisions of the *Local Government Act*, that an elected member undertakes relevant training in addition to making an apology and the Ombudsman's report being tabled
- that the agency adopts a new practice. As an example, it was recommended that an agency improve its practices and staff training in relation to internal misconduct investigations.

The Office continued to monitor the implementation of a further 15 formal recommendations made in previous financial years.

The 48 Formal Resolutions undertaken by the Office resulted in 69 voluntary actions being agreed to by agencies and monitored during the period. Satisfactory implementation of the voluntary actions has occurred in 33 of the 48 matters.

It is encouraging to note the high levels of implementation by agencies of formal recommendations and agreed actions. The case studies below illustrate the value in the Ombudsman making and monitoring the implementation of recommendations and voluntary actions.

Case Study

Failure to inform about alternative complaint avenues

Insight
Complainants have a right to complain, and agencies should advise complainants of complaint pathways wherever possible.

Complaint
The Ombudsman received a complaint from a person who was concerned that they had been diagnosed with a serious mental health condition later than they should have, resulting in them not receiving prompt treatment. The complainant also raised concerns about the failure of the health system in South Australia to provide adequate services to support mental health patients and their families.

The person had originally complained to the Health and Community Services Complaints Commissioner (HCSCC) but the issue central to the complaint was outside the two-year time frame for lodging complaints under the *Health and Community Services Complaints Act 2004* and, as such, the HCSCC declined to consider the complaint. The HCSCC had considered the complainant's circumstances and decided not to use its discretion to extend the time limit.

It was agreed that the HCSCC had not made an administrative error in refusing to consider the complaint, as it had arrived at this determination in accordance with the Act. It was, however, identified that the HCSCC had failed to advise the complainant that they could make a complaint to the Australian Health Practitioners Regulation Agency (AHPRA). It was also identified that the HCSCC had failed to advise the

complainant that the Chief Psychiatrist could conduct a 'desktop review' of a patient's medical records.

Resolution
The Ombudsman suggested that the HCSCC update its procedures to ensure complainants are made aware of other complaint avenues where it is appropriate to do so, including by amending its templates and telephone scripts. The HCSCC agreed to this.

The Office also met with the Chief Psychiatrist to discuss the issues the complainant raised, including whether there were missed opportunities to diagnose their condition. The Chief Psychiatrist agreed to conduct a review of the complainant's records.

Case Study

Ratepayers and financial hardship

Insight
As collectors of rates and other debts, councils play an important role in ensuring people experiencing financial hardship are treated fairly. Fairness in this context requires: transparency about the debt; offering assistance to those who appear to be experiencing hardship; ensuring all available options for assistance are canvassed; and communicating clearly about any payment arrangements agreed to.

Complaint
The complainant had fallen behind on their council rates due to illness and a gap in employment. A payment plan was agreed to over the phone in 2020, however:

- the council did not communicate that plan to the ratepayer in writing
- the ratepayer was not able to comply with the plan consistently and the council did not follow this up or offer further assistance
- council posted the ratepayer hard copies of rates notices, despite the ratepayer advising they were not regularly receiving their mail
- the notices showed arrears as a lump sum and therefore provided no insight into the council's calculation of arrears
- the parties held differing views as to what had been agreed upon in relation to interest and fees (the complainant had understood these would not be added to the outstanding amount).

The Ombudsman formed the view that the council had treated the ratepayer unfairly by:

- failing to communicate clearly and consistently about the debt and payment arrangement
- failing to offer alternative options and assistance when the ratepayer did not comply with the payment arrangement and advised that he was struggling to make payments.

Resolution
The Ombudsman determined the matter was suitable for formal resolution and proposed that the council take the following action:

- amend the debtor policy to include that any agreed payment arrangement must be communicated in writing, setting out clear obligations for both parties, including what will happen if a rate payer fails to fulfil their obligations
- amend council's financial hardship policy to:
    - refer to section 182 of the *Local Government Act 1999* (which provides that councils may remit and postpone rates in certain circumstances)
    - provide that the council should advise ratepayers who appear to be experiencing financial hardship that they can apply for financial hardship assistance, and act proactively to assist the ratepayer in that process
- communicate that itemised rates notices will be provided on request
- provide rates notices by email to ensure delivery.

The council agreed to implement all of these improvements, remitted a portion of the interest owing and organised a revised payment arrangement with the ratepayer.

Case Study

Cataloguing Covid-19 documents

Insight
The creation of accurate and appropriately catalogued government documents is central to good public administration and to the trust and accountability of governments to its citizens.

Complaint
In responding to the Covid-19 pandemic, the Department for Health and Wellbeing (the department) generated millions of documents. Those documents were created by disparate teams who used different methods for information capture and cataloguing.

A complaint lodged in 2024 by an FOI Applicant caused the Ombudsman to become aware that the department did not appear to have ready and appropriate access to much of the information created and stored by it during the Covid-19 pandemic.

Resolution
The Ombudsman proposed that the department undertake a review of the record keeping processes during the response to Covid-19, and that it undertake to catalogue and ensure secure storage and access to Covid-19 documents.

The department agreed and work commenced in early 2025, with an expected completion date later in 2025. The Ombudsman will continue to monitor the department's progress against its commitment to ensure that documents held by the department relating to Covid-19 are easily identifiable and accessible.

Case Study

Adherence to the Commissioner for Public Sector Employment's determinations

Insight
The Commissioner for Public Sector Employment's Determinations are binding on public sector agencies. In the course of assessing a complaint, the Ombudsman identified that the Department for Treasury and Finance's Overseas Travel Procedure was not consistent with the requirement in the Commissioner for Public Sector's Determination 3.2, Appendix 1, requiring agencies to subscribe to ECA International for daily travelling allowances. The Ombudsman brought this to the Under Treasurer's attention and the inconsistency was quickly rectified.

Complaint
In the course of considering a complaint about particular instances of travel, the Ombudsman formed the view that the Department for Treasury and Finance's Overseas Travel Procedure, which provided that Australian Taxation Office information should be used as a guide to maximum daily overseas expenses, conflicted with the Commissioner for Public Sector's Determination 3.2, Appendix 1, which requires agencies to subscribe to ECA International for daily travelling allowances.

Resolution
The Ombudsman determined that the particular travel expenditure under consideration did not constitute maladministration but she wrote to the Under Treasurer pointing out the requirement to obtain daily travelling allowances from ECA International and suggesting the department review its Overseas Travel Procedure in light of this. The Under Treasurer subsequently advised that department had amended the relevant part of its Procedure and published a revised version on its intranet.

Freedom of Information Act **Jurisdiction**

Freedom of Information Act **Jurisdiction**

The *Freedom of Information Act 1991* (FOI Act) gives every member of the public a right of access to documents held by state government-related agencies, Ministers, statutory authorities, councils, public hospitals and universities, subject to certain exceptions. Examples of documents that may be exempt include:

- documents that would lead to an unreasonable disclosure of another person's personal affairs
- documents that contain trade secrets or information of commercial value
- documents affecting law enforcement and public safety
- documents of exempt agencies as declared by the *Freedom of Information (Exempt Agency) Regulations, 2008*.

Parties who are dissatisfied with determinations made by agencies may apply to this Office for an external review of the decision concerning access to documents. The Ombudsman can confirm, vary or reverse the agency's determination. In some cases, this Office may facilitate a settlement between parties.

The FOI Act also gives any person a right to have records which concern their personal affairs amended, if those records are incomplete, incorrect, out of date or misleading. The Ombudsman is also able to review agency decisions in relation to the amendment of records.

Parties to a FOI matter may have the Ombudsman's determination reviewed by the South Australian Civil and Administrative Tribunal.

Our Freedom of Information **external review process**

We consider whether we can deal with your external review application.

- You must have sought an internal review from the agency before applying for external review. If you have not done this, we will direct you back to the agency.
- You have 30 days to apply for external review after receiving an internal review determination. If you make a late application, we will consider whether it is appropriate to accept it out of time.

SEEK INFORMATION

We notify the agency or council of your request for an external review and ask them to provide:

- a report explaining their FOI decision
- copies of the relevant documents.

RESOLVE

We may try to settle the matter between the parties.

We may seek to conciliate or negotiate to narrow the scope of the application.

PROVISIONAL VIEW

We issue a provisional determination and invite the parties to comment on it.

FINAL VIEW AND PUBLICATION

We make a final determination and inform the parties of the reasons for it.

We may publish the determination on our website if the Ombudsman considers it is in the public interest to do so.

REVIEW BY SACAT

If you are unhappy with our decision, you can apply to the South Australian Civil and Administrative Tribunal to review it. You must do this within 30 days.

External reviews

Overview

This year, Ombudsman SA received 175 external review applications, a decrease of approximately 40% on the previous year. This significant decrease may be attributable, at least in part, to greater timeliness in FOI decision making across all agencies over the past three years,[13] giving rise to fewer double deemed refusals of access. Of the 175 matters received, 36 matters were out of jurisdiction as the applicant had not yet applied for internal review, or the agency did not fall within Ombudsman SA's review jurisdiction.

Consistent with previous years, the largest proportion of external review applications related to determinations made by SA Police (22% of all applications). The following agencies make up the remainder of the top five agencies subject to FOI external review in the reporting period: Central Adelaide Local Health Network (7%), the Department for Correctional Services (7%), the Department for Infrastructure and Transport (6%), and the Department for Health and Wellbeing (5%).

The primary reasons for seeking external review were applicants seeking access to documents refused under the personal affairs exemption (23%), review of the secrecy provisions exemption (11%), seeking review of deemed refusal determinations (10%), review of the internal working documents exemption (8%), and review of the law enforcement exemption (8%).

External review applicants are largely members of the public (86%) while members of Parliament (12%) and media (2%) make up the remainder. This reporting period has seen a continued decrease in applications from members of Parliament compared to 2023-24 (18%) and 2022-23 (37%).

Ombudsman SA finalised 175 external review applications this year, compared to 308 determinations in 2023-24. This decrease is commensurate with the decrease in the number of external review applications received in the reporting period.

[13] See SA data for 'Metric 5: Percentage of all decisions made within the statutory timeframe' at OGP_metrics_all_jurisdictions_all_years_June_2024.pdf

FOI applications received and completed by year

FOI JURISDICTION	2022-23					2023-24					2024-25				
	Government Departments	Local Government	Other Authorities	Minister	Total	Government Departments	Local Government	Other Authorities	Minister	Total	Government Departments	Local Government	Other Authorities	Minister	Total
External reviews received	202	28	48	44	322	179	27	58	34	298	104	14	46	11	175
External reviews completed	179	22	47	39	287	195	25	55	33	308	93	20	46	16	175

This year the average timeframe taken to complete external reviews was 116 days, an increase from 87 days in the 2023-24 reporting period. This increase can partly be attributed to an observed increase in the complexity of matters and volume of documents at issue, as well as a need to divert some internal resources to work within the Ombudsman Act jurisdiction.

Timeframes for completing FOI reviews for the last three financial years

	<30 days	<120 days	<180 days	<270 days	<365 days	>365 days	Total
2022-23	91	190	3	2	1	0	287
2023-24	79	122	85	21	0	0	308
2024-25	42	58	36	26	9	4	175

Settlement of external reviews

Ombudsman SA looks for opportunities to resolve external review applications by conciliation or settle or reduce the scope of external reviews by agreement between parties. This approach can result in more expeditious and mutually agreeable outcomes than a formal determination process. It also has benefits such as opening up dialogue between applicants and agencies and promoting a greater understanding of the requirements and limitations of the FOI Act by agencies and applicants.

In the reporting period, ten matters (6%) were resolved by way of settlement or negotiation between the parties, while nine matters (5%) were withdrawn following action by this Office to assist applicants in gaining access to information.

Case Study

Conciliation to provide access to documents for health treatment

The FOI applicant made a request for access to documents about an incident that had occurred while a family member was receiving medical treatment. Initially, the agency refused access to video footage of the incident on the basis that providing access would amount to an unreasonable disclosure of the personal information of other patients. The applicant explained to Ombudsman SA that the footage was sought to assist the family member in working through trauma associated with the incident with their psychologist.

Following discussions with this Office, the agency agreed to provide access to the footage to a registered medical practitioner pursuant to section 26(4) of the FOI Act. However, the applicant advised that a treating psychologist would be best placed to discuss the incident with the family member. Following further discussions with the agency, the agency agreed to provide administrative access to the information outside of the FOI Act by allowing the applicant and psychologist to inspect the video footage in order to discuss this with the family member. This case study demonstrates the benefits of an agency taking a flexible approach to information access to assist members of the public.

Case Study

Negotiating authorisation to disclose information

In the reporting period, Ombudsman SA dealt with several external review matters concerning documents exempt pursuant to clause 12 of the FOI Act (secrecy provisions) due to the operation of confidentiality provisions in the *Police Complaints and Discipline Act 1991*. The confidentiality provisions were enlivened when the applicants had made complaints about SA Police conduct to the Internal Investigation Section (IIS) of the agency.

In circumstances where the documents contained routine information that would otherwise have been provided to the applicant, Ombudsman SA undertook negotiations with the IIS to obtain authorisations from the Police Commissioner's delegate to disclose the documents, such that the secrecy exemption was no longer applicable. These outcomes indicate the value in taking a practical and commonsense approach when considering a discretion that can be reasonably exercised where strict exemption provisions in the FOI Act may produce an unfair outcome.

Determinations

A total of 95 matters (53%) were finalised by way of formal determination during the reporting period. Of these, 46 agency determinations were confirmed, five determinations were reversed, and 44 determinations were varied.

Where publication of a decision made under the FOI Act serves an educative purpose, the Ombudsman will publish a determination under section 39(4) of the FOI Act. Seven external review determinations finalised in the reporting period have been published on the Ombudsman SA website.

Case Studies

Legal Professional Privilege – exemption clause 10

Ombudsman SA finalised two external review matters concerning the application of the legal professional privilege exemption under the FOI Act (clause 10). In these matters, the agencies claimed legal professional privilege over information concerning agency complaint handling processes and procedures, where officers sought advice about where to direct certain complaints.

Ombudsman SA considered that these communications from legal counsel related to administrative, rather than legal, functions. Ombudsman SA determined to reverse the determinations on the grounds that the communications did not involve any identified legal issues, but rather were directions as to administrative functions. In both instances, the agencies argued that any request for advice directed to legal counsel and any response must be subject to legal professional privilege, irrespective of the content of the communications. Ombudsman SA noted that this approach fails to take into account the fact that in-house legal teams provide a variety of advice which is not necessarily legal in character.

Case Studies

Documents affecting law enforcement and public safety - exemption clause 4

Ombudsman SA conducted an external review of a determination by an agency to refuse access to Ministerial diary entries on the grounds that disclosure could enable the existence or identity of any confidential source of information, in relation to the enforcement or administration of the law, to be ascertained (clause 4(2)(a)(ii)). In this case, the information at issue was the name of a particular government agency.

In determining whether the information was exempt pursuant to clause 4, Ombudsman SA considered that the definition of a 'confidential source of information' could include a 'person, book or document that can be used to provide information' but does not extend to a 'place' from which information may be obtained. An agency is an entity that may obtain and acquire confidential information, but in the context of routine interagency relationships, disclosure of its name alone would not reveal that information. Without further particulars as to the context, purpose, and attendees of the meeting, disclosure would only reveal that the relevant Minister had met with an agency whose name is a matter of public knowledge.

The determination also considered whether the 'mosaic theory' may be applicable in the circumstances, such that an individual piece of non-sensitive information may become sensitive when viewed in the context of other information. Given the limited nature of the information, Ombudsman SA was not satisfied that disclosure of the material in issue could be interpreted in conjunction with other pieces of information to enable the identification of a confidential source of information.

Case Studies

Refusal to deal with applications under section 18 of the FOI Act

During this reporting period, Ombudsman SA dealt with seven external review applications where the agency refused to process FOI applications under section 18(2a) of the FOI Act. This provision allows an agency to refuse to deal with an application because the agency is satisfied that the application was part of a pattern of conduct that amounts to an abuse of the right of access or was made for a purpose other than to obtain access to information. The below cases highlight where agencies have applied the exemption appropriately, and where improvements may be made.

In two instances, the applications were made to local government agencies by applicants with a history of engagement with the agencies.

In the first matter, the applicant sought access to a large volume of documents concerning several different topics. The applicant had made the same or similar

requests for information under the *Local Government Act 1999* on 19 occasions within the previous year. Although this was the applicant's first FOI request, Ombudsman SA noted that the totality of requests for information could be considered when determining whether it was reasonably open to the agency to refuse to deal with the request. This case highlights that the history of interactions between a person and agency is a relevant consideration to demonstrate a pattern of conduct, such that it would be an abuse of process. The agency's determination under section 18(2a) was confirmed.

In the second case, the application requested sixteen different items as part of a single application. The agency noted that it had received in excess of 900 pieces of correspondence from the applicant over the past decade, which included persistent complaints, requests to justify decisions, and questions. The FOI request covered multiple topics, and when given the opportunity to reduce scope, the applicant refused. Ombudsman SA was satisfied that the applicant's request was part of a pattern of conduct that was used for the purposes of agitating complaints and expressing disagreement with the actions of the agency, rather than a request for documents. The agency's determination under section 18(2a) was confirmed.

Ombudsman SA reversed an agency's determination to refuse in part to deal with an application on the grounds of section 18(2a). In this case, the agency submitted that it should be entitled to refuse to deal with one item of the FOI application on the basis that the document had already been provided to the applicant, and that processing this aspect of the request would involve a duplicative effort. Ombudsman SA was not satisfied that 18(2a) of the FOI Act permits an agency to refuse to deal with part of an application, as the relevant section refers to 'an application.' Moreover, it was not apparent that a request for a document already held by the applicant would amount to a 'pattern of conduct' or indicate the request was made for a purpose other than to gain access to documents.

Complaints and enquiries about FOI matters

Ombudsman SA also deals with complaints about Freedom of Information matters under the *Ombudsman Act 1972.* During the reporting period, the Office received 67 complaints about 70 FOI issues and finalised 73 complaints about 75 issues. 13 FOI complaints were resolved with agency cooperation and four were resolved by conciliation.

Just over half of the complaints closed concerned the sufficiency of an agency's search for documents, where an FOI applicant complained that the agency had not returned all relevant documents held in response to their FOI application.

Ombudsman SA received the highest proportion of complaints regarding FOI processes in relation to the following agencies: SA Police (18%), the Department for Education (7.5%), the

Department for Health and Wellbeing (6%), the Department for Infrastructure and Transport (6%), and SA Housing Trust (6%).

This Office has also seen an increase in the number of requests for FOI advice/enquiries received in the current reporting period. This appears to be due to outreach from the FOI education forums, which has prompted stronger engagement between FOI practitioners and Ombudsman SA.

Complaint issues and enquiries about FOI matters by year

	2022-23		2023-24		2024-25	
Matter type	Received	Closed	Received	Closed	Received	Closed
FOI enquiries	198	200	122	121	150	150
FOI complaints	72	71	85	84	70	75
Summary of FOI complaint issues						
FOI practices and procedures	43	42	65	63	34	36
Sufficiency of search	29	29	20	21	36	39

Case Study

Inconsistency and deficiencies in FOI processing and procedures

Insight

Agencies have a wide discretion to release information under the FOI Act, and proactive disclosure is encouraged where appropriate. However, agencies should be mindful to exercise this discretion such that any disclosure is appropriate having regard to the circumstances.

Complaint

Ombudsman SA conducted own initiative enquiries with an agency following three external reviews of determinations made by that agency, which highlighted possible administrative errors in the agency's FOI processing and procedures, including:

- the improper release of information relating to complaints made by fellow employees to the applicant who was the person the subject of those complaints, particularly in circumstances where the agency held concerns about the safety risks of providing similar third-party identifying information to the same applicant in another FOI application
- the refusal to initially provide the agency's FOI team and subsequently the Ombudsman with the document to which the review related
- the failure to obtain and sight the original document prior to making a determination about its exempt status.

Ombudsman SA resolved these administrative errors by recommending that measures be put in place to prevent future occurrences of the same. The agency made the following changes to process:

- where a FOI applicant is a staff member and seeking both their client records and HR/employment record/complaint matters, one central FOI officer will process both applications
- where the application is for information relating to staff complaints or concerns, the FOI unit will seek consultation with and/or redact any complainants' personal details
- any future requests for information under FOI will be provided in full by the agency to the FOI unit, and if not provided in full this will be communicated to the FOI unit.

Case Study

Unreasonable refusal to accept late application for internal review

Insight
A discretion to extend time limits under the FOI Act must be exercised reasonably and consistently with the principles of the Act.

Complaint
Ombudsman SA received a complaint that an agency had unreasonably refused to undertake an internal review under the FOI Act that was submitted out of time. Applicants have a 30-day time limit to apply for internal review, but the Principal Officer of an agency may exercise a discretion to accept a late internal review.

The applicant provided a number of reasons why they had not applied for internal review in the time provided, including:

- they had received the initial determination on 23 December 2024, immediately before the Christmas/holiday period
- they had not received the documents with the determination, as the agency had levied fees and charges of $200, which were not paid until 16 January 2025; they had mistakenly believed the 30-day time limit started on the day the documents were received, rather than the day of the determination
- they were providing respite care for an elderly family member during the period time, and was busy with a family member's wedding
- they work full-time, study full-time and volunteer across three organisations
- ultimately, the internal review application was only two and a half weeks late.

Ombudsman SA noted that the objects and principles of the FOI Act favour transparency and openness and that the principles guide Principal Officers to exercise administrative discretions in a way that favours the disclosure of information. It was also noted that the complainant had put the agency on notice of their intention to seek a review within the time period, and within seven days of the due date had reiterated this intention and advised they were preparing their submissions. The

agency did not inform the applicant that they could initiate a review without detailed submissions.

Ombudsman SA formed the view that it was unreasonable for the agency to have refused to do the internal review in the circumstances. This Office wrote to the agency proposing that the Principal Officer agree to undertake the internal review, which was agreed.

This matter highlights the need for agencies to demonstrate flexibility when considering the exercise of discretions to assist members of the public in pursuing their statutory rights to access information.

Case Study

Unreasonable complainant conduct and the FOI Act

Insight
Agencies must not conflate FOI access requirements with processes to manage unreasonable communication, and ought to ensure that their Unreasonable Complainant Policies recognise that complainants have statutory rights to request information that cannot be displaced. FOI applications must be responded to, even the agency determines that the particular application amounts to an abuse of process under section 18(2a).

Complaint
In this reporting period, Ombudsman SA dealt with two complaints concerning the use of contact restrictions implemented by agencies to refuse to process applications under the FOI Act. In these instances, the agencies refused to acknowledge requests or engage with applicants pursuant to directions from leadership to cease communication and contact with the applicants based on previous communications between the applicant and agency which had been deemed unreasonable.

Ombudsman SA formed the view that, despite the difficult relationships between the parties, it was not open to the agencies to remove the applicants' statutory right to access documents under the FOI Act, as the Act limits the grounds upon which an agency may refuse to deal with an application under section 18. That section provides that an agency must inform the applicant in writing that they are refusing to deal with the application. The failure of the agencies to do this amounted to administrative error and a contravention of the FOI Act.

These matters were dealt with by way of early resolution, where the agencies agreed to process the applications. In one instance, the agency also amended its Unreasonable Customer Conduct Procedure to list applications for access to information under the FOI Act as an exception to restricted contact under the policy and directed staff to deal with applications in accordance with the relevant legislation.

The learnings from these matters were communicated to other agencies through the FOI forum (discussed below).

Case Study

Communication of decisions

Ombudsman SA received a complaint from an FOI applicant who was homeless and had asked for FOI communications to be made via email. Despite that, his determinations had been posted to a physical address on file. By the time he received it, he only had five days left to seek an external review. In response to enquiries, SAPOL indicated it was posting all internal review determinations as a default. Noting the benefits of email, including timeliness, efficiency and lower costs, Ombudsman SA requested that SAPOL adjust its practices to send all determinations by email as a default. SAPOL agreed to do so and made the necessary internal changes to support this practice.

Case Study

Improvements to FOI processes following formal resolution of complaint

During the reporting period, Ombudsman SA resolved a complaint regarding deficiencies in an agency's FOI processing by way of formal resolution. Ombudsman SA monitored the agency's compliance with the resolution, and was satisfied that the agency had appropriately implemented this Office's recommendations by:

- ensuring to acknowledge FOI applications within one working day of receipt, and providing the applicant with a clear received date for the purposes of calculating timeframes and review rights
- updating the agency's website to include a freedom of information statement which outlines the steps to be taken when an FOI application is made
- creating a dedicated FOI email address for the agency
- updating the agency's employee handbook to include guidance on FOI processes.

Reviews of Ombudsman Determinations

During the reporting period, 13 of Ombudsman SA's external review determinations were the subject of applications for further review by the South Australian Civil and Administrative Tribunal (SACAT). Of these, one application was withdrawn and the remaining 12 are undetermined at the time of reporting.

The SACAT also determined two matters relating to applications made in the 2023-24 financial year. The first concerned the application of clause 1(1)(e) of Schedule 1 of the FOI Act, where the Tribunal affirmed the Ombudsman's view that disclosure of the documents in issue would involve disclosure of a document concerning a deliberation or decision of Cabinet. That matter is currently before the Supreme Court on appeal. The second concerned the application of clause 17(c) of Schedule 1 of the FOI Act, where the Tribunal overturned the Ombudsman's determination that two documents in issue did not attract the privilege of parliament and could be disclosed. That matter has also been appealed to the Supreme Court.

Other activities

Association of Information Access Commissioners

During the reporting period, two meetings of the Association of Information Access Commissioners of Australia and New Zealand were held. The first of these meetings, in November 2024, was hosted by Ombudsman SA in Adelaide. Key areas of discussion at these meetings included:

- the challenges that new technologies present to government transparency and accountability
- the need to remind agencies that good data governance is more important than ever as governments increasingly rely on emerging technologies to capture and store information and to assist administrative decision-making
- acknowledging the benefits of new and emerging technologies, like artificial intelligence and messaging apps, to increase public sector productivity and improve service delivery, while also committing to 'transparency by design' to ensure information and data created are appropriately preserved and able to be accessed
- the importance of data governance in an environment where trust in government is declining, and disinformation represents a real threat to democracies around the world
- the crucial role of government chief executives as stewards of the information their agencies hold; public sector leaders should ensure the management of government information in a way that reflects that it is a public resource that represents an important source of truth
- recognising the community's increasing demand for government-held information, most often their own personal information, and the need to prioritise resourcing and technology solutions to address demand.

FOI Forums

During the reporting period, Ombudsman SA delivered three forums for FOI officers and decision makers. The purpose of the forums is to provide agencies with education, support and guidance about the Ombudsman's views as to the application of the legislation and FOI practice, including trends and areas for improvement.

The forums during the 2024-25 year covered the following topics:

- Ombudsman SA's conciliation processes for FOI external reviews
- the use of section 18(2a) of the FOI Act
- the application of clause 9 (internal working documents), clause 4 (law enforcement and public safety documents), and clause 11 (documents relating to judicial functions) exemptions to agency documents
- the application of clause 6 (personal affairs) to public servant's names appearing in documents
- consultation requirements with interested parties under the FOI Act.

These forums have been well attended by FOI practitioners and Ombudsman SA has received positive feedback from participants as to the value of the sessions. This Office has also seen an increase in FOI enquiries from agency practitioners since the commencement of the forums, which has enabled Ombudsman SA to provide best practice guidance directly to agencies as issues and questions arise.

Other Jurisdictions and **Activities**

Return to Work Act **Jurisdiction**

The Ombudsman can investigate complaints about breaches of the Service Standards under the *Return to Work Act 2014* (RTW Act). The Service Standards apply to both Return to Work SA (RTWSA) and the Crown and Private self-insured insurers, including providers of services engaged by the self-insured employers.

Only a worker or an employer may lodge a complaint with this Office if they believe that the Service Standards have been breached. Where an investigation by this Office identifies a breach of the Service Standards, the respondent may be required to provide a written or oral apology, furnish a written explanation or other remedies as outlined in clause 7 of Schedule 5 of the RTW Act. The powers of the Ombudsman under the Ombudsman Act apply to self-insured employers as if they are agencies to which the Ombudsman Act applies.

In addition, under section 180(8) of the RTW Act, the Ombudsman can receive a request to conduct an external review of the decision by RTWSA or a self-insured employer in relation to a worker's request to access material relevant to their claim. At the conclusion of the review, the Ombudsman may confirm, vary or modify the decision under review.

The information before Ombudsman SA indicates that compliance with the Service Standards by RTWSA, claims agents and self-insured employers continues to be high.

There was an increase by 5% in the number of complaints received in the reporting period, although numbers remained lower than in 2022-23. The primary complaint issues were the same as in previous years: being treated fairly, respectfully and in accordance with timeframes (for example, delays in processing claims and payments) (Standard 4(e)); and being given assistance to resolve issues (Standard 4(f)) (for example, delays in responding to communication and complaints). All complaints were resolved without requiring formal investigation.

RTWSA has demonstrated to this Office that it is committed to continuous improvement and developing the competency and capability of its case managers to deliver against the Service Standards. Over the period, RTWSA has been developing a set of 'Professional Standards' for claims management, which are aligned to the Service Standards. Sitting underneath the Professional Standards is a competency framework that defines the practices, skills, knowledge and behaviours required by claims managers delivering claims management services for the scheme. RTWSA has advised this Office that it is aiming to gradually introduce the Professional Standards and competency framework with the Claims Agents over coming year.

Return to Work matters received and completed by year

RTW ACT JURISDICTION	2022-23				2023-24				2024-25			
	Claims Agent	Self-Insurer	ReturnToWorkSA	**Total**	Claims Agent	Self-Insurer	ReturnToWorkSA	**Total**	Claims Agent	Self-Insurer	ReturnToWorkSA	**Total**
Matters received	46	14	48	**108**	32	41	14	**87**	42	12	37	**91**
Matters completed	46	14	48	**108**	31	40	16	**87**	42	12	36	**90**

Complaints received per respondent per month

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
ReturnToWorkSA	2	1	6	6	3	0	2	4	4	2	3	3	**36**
Employers Mutual Ltd	3	2	2	2	1	1	0	2	1	2	0	1	**17**
Gallagher Bassett Services	2	0	5	1	0	1	1	1	1	5	3	3	**23**
Crown Self Insured	1	2	0	2	2	1	1	0	2	1	1	1	**14**
Other Self Insured	0	0	0	0	0	0	0	0	0	0	0	0	**0**
Total	**8**	**5**	**13**	**11**	**6**	**3**	**4**	**8**	**8**	**10**	**7**	**8**	**91**

Return to Work Act complaint issues

Issue	Total	%
Access to claims file	2	2.02%
Other	45	45.45%
Service Standards Sch 5 s4(b)	3	3.03%
Service Standards Sch 5 s4(d)	1	1.01%
Service Standards Sch 5 s4(e)	26	26.26%
Service Standards Sch 5 s4(f)	18	18.18%
Service Standards Sch 5 s4(h)	2	2.02%
Service Standards Sch 5 s4(i)	1	1.01%
Service Standards Sch 5 s4(j)	1	1.01%
Total	**99**	**100.00%**

Return to Work Act complaint outcomes

Outcome	Total	%
Advice given	6	6.25%
Alternate remedy available with another body	1	1.04%
Breach of service standards not substantiated	1	1.04%
Declined - Other Good Reason	37	38.54%
Out of Jurisdiction	8	8.33%
Referred back to Compensating Authority	32	33.33%
Resolved with Compensating Authority's co-operation	2	2.08%
s180 Review No Jurisdiction	1	1.04%
Withdrawn by Complainant	8	8.33%
Total	**96**	**100.00%**

Case Study – Employer Mutual Ltd

Failure to provide medical reports within statutory timeframe

The Ombudsman received a complaint that a claims agent, Employers Mutual Limited (EML), had not provided all medical reports to an injured worker. Under the Return to Work Act, medical reports must be provided to the injured worker within seven days.

When responding to enquiries, EML identified that some of the sought-after reports were not 'medical reports' as they were prepared by rehabilitation consultants who were not qualified medical professionals. However, EML also identified that some other medical reports had not been provided within the statutory timeframe. EML provided those medical reports to the worker.

To ensure this error was not repeated, Ombudsman SA asked that EML:

- provide a reminder to all claims consultants, reminding them of the need to comply with the statutory timeframe
- provide an apology to the worker.

EML accepted the suggested actions, and also undertook to explore improved reporting mechanisms to ensure that the statutory timeframe is being consistently met. The Ombudsman was satisfied with the actions taken by EML to pursue administrative improvement.

Criminal Law Forensic Procedures Audit

Each year the Ombudsman is required to audit compliance with the *Criminal Law (Forensic Procedures) Act 2007* (CL(FP) Act). This is an important function in ensuring practices do not compromise criminal prosecutions, and in ensuring the human rights of suspects, victims and volunteers are safeguarded.

On 20 September 2024, the audit report for the period 1 July 2023 to 30 June 2024 was submitted to the Attorney-General.

The 2023-24 audit demonstrated that compliance with the requisite statutory requirements remains high. While the CL(FP) Act does not provide the Ombudsman with specific power to make recommendations, the following suggestions were made with a view to achieving improvements to practice and procedure:

1. That the Commissioner of Police bring the issue of the notice given to volunteers and victims about requests for destruction of forensic material to the attention of Child Protection Services and SA Health, and requests these agencies consider how to ensure this information is conveyed to victims and volunteers and is recorded and auditable.

2. That the Commissioner of Police consider what action can be taken to ensure adequate recording of parties' fluency in English, and compliance with and adequate recording of parties' right to be assisted by an interpreter under section 22 of the CL(FP) Act.

3. That the Commissioner of Police remind relevant police officers to record details of the appropriate representative present for a protected person under section 25 of the CL(FP) Act on form PD429.

4. That the Commissioner of Police remind relevant police officers of the requirements of the General Order 'Forensic procedures', namely, that once the audio-visual recording has commenced, they should:
    - introduce themselves,
    - invite all other persons present to introduce themselves, and
    - seek an acknowledgement from the suspect that no persons other than those identified are present in the room.

5. That the Commissioner of Police draws non-compliance with appropriate forensic procedures to the attention of SA Health, for the distribution of training to relevant health facilities as deemed appropriate by them, for the purposes of ensuring compliance.

6. That the Commissioner of Police remind officers to undertake forensic procedures in a private place where the likelihood of interruptions by unauthorised personnel is minimal.

The Commissioner of Police advised the Ombudsman that all the above recommendations were adopted and implemented.

External reviews under Adult Safeguarding legislation

The Ombudsman has jurisdiction to undertake external reviews of certain decisions under the *Ageing and Adult Safeguarding Act 1995*. A person can request a review of decisions of the Adult Safeguarding Unit (ASU) and the Office for Ageing Well regarding reported suspicions that a vulnerable adult is at risk of abuse. If dissatisfied with an internal review decision, the person can then request a review of that determination by the Ombudsman.

In the reporting period, the Ombudsman received three complaints about decisions of the ASU but the complainant had not yet requested an internal review and was accordingly directed back to the department.

National Student Ombudsman

The National Student Ombudsman (NSO) commenced operation on 1 February 2025 as an independent national escalated complaints resolution service for students to resolve complaints about the actions of their higher education provider. The NSO accepts complaints from prospective, current or past students studying at any Australian higher education provider that is registered with the Tertiary Education Quality and Standards Agency.

Ombudsman SA deals with complaints and reports of administrative acts, misconduct and/or maladministration about higher education providers in the Ombudsman's jurisdiction, being the University of Adelaide, Flinders University and TAFE SA. The Ombudsman's jurisdiction also includes complaints and reports that the NSO does not have jurisdiction to deal with, namely issues about Vocational Educational Training (VET) and issues relating to people's employment by higher education providers.

Recognising that there is overlap between the respective jurisdictions, Ombudsman SA and the NSO exchanged non-binding letters of agreement about the proposed arrangements to manage relations between the offices. It was agreed that, given this Office's specific jurisdiction in relation to misconduct and maladministration, Ombudsman SA should continue assessing, and where appropriate, investigating, complaints and reports of misconduct and/or maladministration relating to higher education public authorities or officers and complaints and reports that are outside of the NSO's jurisdiction. The letters of exchange reflect an agreed understanding on how the shared jurisdiction will be managed, and ensure an operational focus on coordination, cooperation and information sharing between the organisations for the effective oversight of the higher education sector.

When this Office has received complaints from students about the higher education agencies in the Ombudsman's jurisdiction that do not involve employment issues, misconduct, maladministration and/or public interest disclosures, they have been referred to the NSO.

During the period, this Office received seven complaints which were closed following advice to the complainants that they should lodge their complaints with the NSO.

When the NSO has received complaints from students involving employment issues, misconduct, maladministration and/or public interest disclosures about the higher education agencies in the Ombudsman's jurisdiction, they have been referred to Ombudsman SA.

During the period, the NSO referred three complaints to Ombudsman SA.

Engagement Activities

Submissions

Parliamentary Committee's Review into the Office of the Ombudsman

In November 2024, the Crime and Public Integrity Policy Committee's Report into the Performance of Functions and Exercise of Powers by the Ombudsman was tabled in Parliament. The Committee made 18 recommendations, mainly aimed at legislative reform most of which the Ombudsman had expressed support for in her submissions to the Committee during the review. Several recommendations are directed at improving transparency in relation to child protection complaints; in this regard the Office has targeted outreach to the carer community during the reporting period. The Committee also recommended that 'the resources available to the Ombudsman be the subject of review'.

Other Submissions

During the reporting period, Ombudsman SA provided two submissions to government regarding legislative reform, including:

- submissions to the Minister for Child Protection in relation to the *Children and Young People (Safety and Support) Bill 2024* regarding proposed amendments to the Ombudsman Act and Health and Community Services Complaints Act
- submissions in support of a Bill to amend the Ageing and Adult Safeguarding Act to give effect to recommendations of the statutory review conducted by the South Australian Law Reform Institute.

Stakeholder engagement and education

The Ombudsman's functions include delivering and facilitating educational programs aimed at preventing and minimising misconduct and maladministration in public administration. This work aligns with Ombudsman SA's 2024-26 Strategic Plan objective 2.1, which focuses on helping agencies understand our role and our expectations of good administration, promoting fairness, transparency and integrity.
Throughout the year, the Office has been active in this space, completing 25 education sessions across state government agencies, local councils and one university.

Stakeholder Education Sessions

- Department for Premier and Cabinet, Arts Entities Leaders Forum (Ombudsman as Opportunity)
- City of Charles Sturt Leadership (the role of the Ombudsman)
- University of Adelaide (the role of the Ombudsman)
- City West Torrens' Executives and Managers (the role of the Ombudsman)
- City of Holdfast Bay (the role of the Ombudsman)
- Onkaparinga Council (the role of the Ombudsman)
- City of Unley (the role of the Ombudsman)
- City of Burnside (the role of the Ombudsman)
- Barossa Council's Senior Managers (the role of the Ombudsman)
- Gawler Council's Senior Leadership (the role of the Ombudsman)
- District Council of Coober Pedy (the role of the Ombudsman)
- Norwood, Payneham & St Peters (the role of the Ombudsman)
- Prospect Council (the role of the Ombudsman)
- City of Salisbury (the role of the Ombudsman)
- Local Government Governance Network (Ombudsman as Opportunity)
- City of Marion (the role of the Ombudsman)
- City of Tea Tree Gully (the role of the Ombudsman)
- Port Adelaide Enfield (the role of the Ombudsman)
- City of Unley Elected Members (the role of the Ombudsman)
- Local Government Reward and Recognition Focus Group (Rewards and recognition in local government)
- Local Government CEO Forum (SA Ombudsman reflections for local government)
- FOI Forums (three sessions).

Outreach Activities

In addition, the Office provided six education sessions to various community services and representatives aimed at increasing awareness in the community about what the Ombudsman can do to help (Strategic Plan objective 1.2) and fostering a better understanding of how to engage with communities to be responsive to their needs (Strategic Plan objective 1.3).

- The Wyatt Trust Linker Service (the role of the Ombudsman)
- Women's Information Service (the role of the Ombudsman)

- Carers Council (the role of the Ombudsman)
- Connecting Foster and Kinship Carers SA (the role of the Ombudsman)
- First Nations Voice Members (the role of the Ombudsman)
- Official Visitors (the role of the Ombudsman).

Meetings

Meetings were held between the Ombudsman and key stakeholders throughout the reporting period including regular meetings between the Ombudsman and:

- the Attorney-General
- the Commissioner for Public Sector Employment
- senior leadership of Return to Work SA
- senior leadership of the Department for Child Protection
- senior leadership of the OPI and the ICAC
- senior leadership of Local Government Association SA
- the Inspector (/Acting Inspector)
- the Chief Executive of the Department for Correctional Services.

In addition, the Ombudsman:

- attended a meeting of the Parliamentary Ombudsman
- attended a member meeting of the Australasia and Pacific Ombudsman Region of the International Ombudsman Institute
- attended the SA Housing Trust Maintenance Contracts Review Industry Roundtable
- attended an Australian and New Zealand Ombudsman Association (ANZOA) meeting
- attended the ICAC and OPI Interagency meetings
- attended a Statutory Authorities Groups and Rights Protection meeting
- met with the Minister for Local Government
- met with the Chief Psychiatrist
- met with the Guardian for Children and Young People
- met with the University of South Australia Student Ombud
- met with the Chief Recovery Officer of the Department for Treasury and Finance – Fines, Enforcement and Recovery Unit
- met with the leadership team and staff of the Aboriginal Legal Rights Movement Inc
- met with the Commissioner for Aboriginal Children and Young People
- met with the leadership team of the Social Workers Registration Board of South Australia
- met with the senior leadership team of the Essential Services Commission of South Australia
- met with the Inspector General of Taxation and Taxation Ombudsman
- met with the Health & Community Services Complaints Commissioner
- met with the Chair and Chief Executive of Connecting Foster and Kinship Carers-SA
- met with the Hon. John Darley OAM
- met with the University of South Australia to discuss the Local Government Association's Grant Project about Rewards and Recognition in Local Government
- hosted the Association of Information Access Commissioners on 1 November 2024 and attended the second meeting held on 2 April 2025.

The Deputy Ombudsman also attended the Deputy Ombudsman Forum in May 2025.

Prison visits

Throughout the reporting period, Ombudsman SA staff visited the following prisons:

- Adelaide Women's Prison
- Adelaide Pre-release Centre
- Mobilong Prison
- Yatala Labour Prison

Visits generally consisted of a site tour, a meeting with prison management and a meeting with the Prisoner Needs Committee to discuss the role of the Ombudsman, the Office's complaint handling process and hear directly from prisoners. These visits provide Ombudsman SA staff with information which enables them to better understand prisoner complaints.

Continuous Improvement

Our commitment to continuous improvement is reflected in Goal 4 (*Continue to improve how we deliver our functions*) of our Strategic Plan. We have undertaken a number of business improvements to increase efficiencies and improve timeliness this year, including implementing 35 recommendations from a lean review of our processes. Streamlining our workflows has resulted in our closure rate increasing by 5% and a nearly 40% increase in complaints resolved by agreement. In addition to improving efficiencies, we have introduced amendments to service delivery and decision-making practices which have been internally initiated or have arisen from complaints made about the Office (see below for further information). We have a continuous improvement register which allows us to plan for and track policy and practice change, and this is supported by robust governance and leadership which values innovation, learning and excellence.

Valuing and developing our people remains a key priority for our Office, also reflected in Goal 4 of our Strategic Plan. This year our staff participated in training about the following subjects:

- Interagency Training Day between the OPI, ICAC and OSA
- Public Interest Disclosure Act
- Reconciliation Action Plan workshop
- Closing the Gap Masterclass
- Managing risks of psychological hazards
- Suicide Awareness for Professionals
- 'Holding onto our Future' (Commissioner for Aboriginal Children and Young People)
- Resolve Headnotes Refresher (internal)
- Safer Family Services Overview
- Planning System Overview
- Return to Work SA Scheme Overview
- Autism Awareness and Understanding
- Safe Language Spaces: Promoting Reconciliation

- Conciliation training (internal)
- Resolve Headnotes Refresher (internal).

National Investigations Symposium

Ombudsman SA staff attended the 14th National Investigations Symposium in May 2025; conference focused on enhancing skills and knowledge to develop better approaches to complaint handling and investigative practice. A Legal Officer from Ombudsman SA co-presented with a senior manager from the Victorian Ombudsman on *Conciliation as an early resolution tool for Parliamentary Ombudsman* and reflected on the collaboration between the offices as each established its conciliation practice.

Complaints about Ombudsman SA

In accordance with Premier and Cabinet Circular 013, Ombudsman SA reports that it received and responded to 43 complaints made about the Office in the 2024-25 financial year. This represents an increase in complaints about Ombudsman SA from 21 in the previous reporting period. A de-identified summary is provided below.

Number	Title	Matter Outcome
2024/02401	Complaint about OSA Decision	OSA Decisions\No Internal Review
2024/02592	Complaint about OSA Service	OSA Services\Not substantiated
2024/03671	Complaint about OSA Decision	OSA Decisions\No Internal Review
2024/03883	Complaint about OSA Decision	OSA Decisions\No Internal Review
2024/03915	Complaint about OSA Decision	OSA Decisions\Internal Review\Outcome confirmed
2024/04092	Complaint about OSA Service	OSA Services\Not substantiated
2024/04138	Complaint about OSA Service	OSA Services\Substantiated
2024/04460	Complaint about OSA Decision	OSA Decisions\No Internal Review
2024/04767	Complaint about OSA Service	Complainant Cannot be Contacted
2024/05209	Complaint about OSA Decision & Service	OSA Decisions\No Internal Review
2024/05304	Complaint about OSA Decision	OSA Decisions\Internal Review\Outcome confirmed
2024/05321	Complaint about OSA Decision	OSA Decisions\No Internal Review
2024/05391	Complaint about OSA Decision	OSA Decisions\Internal Review\Outcome confirmed
2024/05444	Complaint about OSA Service	OSA Services\Not substantiated
2024/05451	Complaint about OSA Service	OSA Services\Not substantiated
2024/05730	Complaint about OSA Service	OSA Services\Not substantiated
2024/05951	Complaint about OSA Service	OSA Services\Substantiated
2024/05969	Complaint about OSA Decision	OSA Decisions\No Internal Review
2024/06331	Complaint about OSA Service	Withdrawn by Complainant
2024/06661	Complaint about OSA Decision	OSA Decisions\No Internal Review
2024/07296	Complaint about OSA Decision	OSA Decisions\No Internal Review

2025/00325	Complaint about OSA Decision	OSA Decisions\No Internal Review
2025/00644	Complaint about OSA Service	OSA Services\Not substantiated
2025/00748	Complaint about OSA Service	OSA Services\Not substantiated
2025/00953	Complaint about OSA Decision	OSA Decisions\No Internal Review
2025/01100	Complaint about OSA Decision	OSA Decisions\No Internal Review
2025/01488	Complaint about OSA Decision	OSA Decisions\No Internal Review
2025/01505	Complaint about OSA Decision & Service	OSA Decisions\No Internal Review
2025/01586	Complaint about OSA Decision	OSA Decisions\No Internal Review
2025/01721	Complaint about OSA Service	OSA Services\Not substantiated
2025/02122	Complaint about OSA Service	OSA Services\Not substantiated
2025/02363	Complaint about OSA Decision	OSA Decisions\No Internal Review
2025/02460	Complaint about OSA Decision	OSA Decisions\No Internal Review
2025/02934	Complaint about OSA Decision	OSA Decisions\No Internal Review
2025/02953	Complaint about OSA Service	OSA Services\Partly substantiated
2025/03107	Complaint about OSA Service	OSA Services\Not substantiated
2025/03131	Complaint about OSA Decision	OSA Decisions\No Internal Review
2025/03357	Complaint about OSA Service	OSA Services\Not substantiated
2025/03410	Complaint about OSA Decision	OSA Decisions\No Internal Review
2025/03524	Complaint about OSA Service	OSA Services\Not substantiated
2025/03593	Complaint about OSA Decision & Service	OSA Services\Not substantiated
2025/03617	Complaint about OSA Service	OSA Services\Not substantiated
2025/03638	Complaint about OSA Decision & Service	OSA Services\Not substantiated

None of the 23 complaints about decisions were substantiated. Of the 18 complaints about service, two complaints were substantiated, and one was partly substantiated.

In one complaint, the complainant was originally only given three days to respond. An apology for the short timeframe was issued, and the complainant was given a further chance to respond.

In the other complaint, the Ombudsman identified that two emails from the complainant were not responded to in a timely manner, a phone call was not returned and there were delays in the progress of the file. The Ombudsman also identified that the management of the files failed to comply with this Office's target times for dealing with stages of complaints. In response, the Ombudsman issued a formal written apology to the complainant, reviewed and amended relevant Business Rules and Policies, and provided education to staff about communication and timeframe expectations.

In the partly substantiated complaint, it was identified that the Office failed to respond to an enquiry in a timely fashion due to the transfer of the file between case officers. An apology and a response to the original enquiry were provided after the matter was raised with a senior member of the Office.

Noting that the vast majority were not upheld, it is not entirely clear why there has been an increase in complaints about Ombudsman SA. There were increases in complaints about both decisions and service. Relevant factors may include:

- the increase in complex matters. In addition to the inherent complexity increasing the scope for disagreement about the outcome, complex matters take longer to finalise
- an increased use of the Ombudsman's public interest criteria to decline further action
- an increase in challenging complainant behaviours, a pattern observed in recent years across most complaint-handling and review bodies

Ombudsman SA continues to focus on complaint handling practices and providing clear reasons for decisions. The Office is proactive about providing dissatisfied complainants with information about available avenues to complain about or seek review of Ombudsman SA decisions, including that they may make a complaint to the Office of the Inspector.

Complaints made to the Inspector

In addition to the above, this Office responded to enquiries from the Inspector's Office in relation to six complaints that office received and finalised about Ombudsman SA.

Number	Title	Matter Outcome
2024/04928	Complaint about OSA decision	OSA Decisions\No Internal Review
2024/04956	Complaint about OSA decision	OSA Decisions\No Internal Review
2024/04994	Complaint about OSA decision	OSA Decisions\No Internal Review
2024/05669	Complaint about OSA service	OSA Services\Not substantiated
2025/00323	Complaint about OSA service	OSA Services\Substantiated
2025/01129	Complaint about OSA service	OSA Services\Substantiated

Of the six complaints, one complaint was substantiated and one partially substantiated.

In one matter, the complainant made a number of complaints to the Office in which the issues were misinterpreted and not clarified with the complainant. Learnings from this matter were shared with the relevant team including reinforcing the need to carefully clarify complainants' issues especially in circumstances where multiple issues are being considered.

The second complaint concerned section 12C time limits. It is the practice of the Office that where a complainant raises an issue within the statutory timeframe but is told to raise it first with the agency complained about, the section 12C time limit is not subsequently used as a bar to obtain review by Ombudsman SA. In this matter, the section 12C time limit had been applied contrary to this practice. As a result of the complaint to the Inspector, staff were reminded of the application of section 12C, and the relevant Ombudsman SA policy was amended.

Summary **data**

1 July 2024 - 30 June 2025

Ombudsman Act Jurisdiction

Government departments

Complaints received and completed

Department	Received	%	Completed	%
Attorney-General's Department	23	0.84%	20	0.73%
Department for Child Protection	276	10.03%	281	10.26%
Department for Correctional Services	762	27.70%	756	27.59%
Department for Education	181	6.58%	177	6.46%
Department for Energy and Mining	7	0.25%	7	0.26%
Department for Environment and Water	18	0.65%	18	0.66%
Department for Health and Aged Care	1	0.04%	1	0.04%
Department for Health and Wellbeing	78	2.84%	80	2.92%
Department for Housing and Urban Development	5	0.18%	3	0.11%
Department for Industry, Innovation and Science	2	0.07%	1	0.04%
Department for Infrastructure and Transport	161	5.85%	154	5.62%
Department for Trade and Investment	1	0.04%	1	0.04%
Department of Human Services	54	1.96%	65	2.37%
Department of Primary Industries and Regions SA	21	0.76%	21	0.77%
Department of State Development	2	0.07%	2	0.07%
Department of the Premier and Cabinet	8	0.29%	7	0.26%
Department of Treasury and Finance	109	3.96%	110	4.01%
Environment Protection Authority	8	0.29%	7	0.26%
Office for Early Childhood Development	1	0.04%	1	0.04%
Office for Recreation, Sport, and Racing	2	0.07%	2	0.07%
SA Housing Trust	716	26.03%	717	26.17%
SA Police	286	10.40%	280	10.22%
SA Water Corporation	29	1.05%	29	1.06%
Total	**2751**	**100.00%**	**2740**	**100.00%**

Complaint outcomes

Outcome	Total	%
Complainant Cannot be Contacted	75	2.74%
Conciliated 17(3)	5	0.18%
Declined s12H \ Other Good Reason (s12H (1)(c)	31	1.13%
Declined s12H \ Other Good Reason (s12H (1)(c) \ Discretion \ not in public interest to investigate	71	2.59%
Declined s12H \ Other Good Reason (s12H (1)(c) \ No error	558	20.36%
Declined s12H \ Other Good Reason (s12H (1)(c) \ Referred Back to Agency	1344	49.05%
Declined s12H \ Other Good Reason (s12H (1)(c) \ Suggested administrative improvement	8	0.29%
Declined s12H \ Previously Dealt With (s12H (1)(c)	12	0.44%
Declined s12H \ Referred to Other Authority (s12H(1)(b)	91	3.32%
Declined s12H \ Resolved with Agency Co-operation (s12H)	172	6.28%
Discontinued (s13(2a)	1	0.04%
FOI\Outside of Jurisdiction	1	0.04%
Out of Jurisdiction \12B \ Complainant not directly affected	17	0.62%
Out of Jurisdiction \ 13(3) \ Statutory or legal remedy	72	2.63%
Out of Jurisdiction \ Agency Not Within Jurisdiction	4	0.15%
Out of Jurisdiction \ Judicial officer conduct	1	0.04%
Out of Jurisdiction \No administrative act	40	1.46%
Out of Jurisdiction \ SAPOL officer conduct	126	4.60%
Out of Time (s12C)	10	0.36%
Own initiative - discontinued	5	0.18%
Referral Withdrawn by OPI	6	0.22%
Return to Work \Out of Jurisdiction (RTW)	1	0.04%
Return to Work \ Referred back to Compensating Authority (RTW)	1	0.04%
Withdrawn by Complainant	88	3.21%
Total	**2740**	**100.00%**

Local government

Complaints received and completed

Council	Received	%	Completed	%	Population 30 June 2024	Received / 10,000 pop	Completed / 10,000 pop
Adelaide Hills Council	28	2.39%	30	2.56%	42,368	6.61	7.08
Adelaide Plains Council	24	2.05%	18	1.54%	11,302	21.24	15.93
Alexandrina Council	33	2.82%	36	3.07%	30,887	10.68	11.66
Barunga West Council	4	0.34%	2	0.17%	2,672	14.97	7.49
Berri Barmera Council	9	0.77%	6	0.51%	10,747	8.37	5.58
Campbelltown City Council	21	1.79%	22	1.88%	57,988	3.62	3.79
City of Adelaide	174	14.87%	173	14.76%	29,118	59.76	59.41
City of Burnside	33	2.82%	30	2.56%	47,810	6.9	6.27
City of Charles Sturt	54	4.62%	56	4.78%	129,196	4.18	4.33
City of Holdfast Bay	32	2.74%	33	2.82%	39,308	8.14	8.4
City of Marion	29	2.48%	29	2.47%	99,821	2.91	2.91
City of Mitcham	31	2.65%	33	2.82%	70,484	4.4	4.68
City of Mount Gambier	8	0.68%	7	0.60%	27,888	2.87	2.51
City of Norwood, Payneham & St Peters	12	1.03%	14	1.19%	40,062	3	3.49
City of Onkaparinga	70	5.98%	68	5.80%	182,821	3.83	3.72
City of Playford	33	2.82%	34	2.90%	111,135	2.97	3.06
City of Port Adelaide Enfield	51	4.36%	50	4.27%	141,042	3.62	3.55
City of Port Lincoln	6	0.51%	8	0.68%	15,037	3.99	5.32
City of Prospect	15	1.28%	13	1.11%	23,309	6.44	5.58
City of Salisbury	26	2.22%	24	2.05%	150,272	1.73	1.6
City of Tea Tree Gully	50	4.27%	54	4.61%	104,437	4.79	5.17
City of Unley	26	2.22%	26	2.22%	40,327	6.45	6.45
City of Victor Harbor	21	1.79%	23	1.96%	17,124	12.26	13.43
City of West Torrens	51	4.36%	56	4.78%	65,738	7.76	8.52
Clare and Gilbert Valleys Council	3	0.26%	4	0.34%	9,417	3.19	4.25
Coorong District Council	2	0.17%	2	0.17%	5,614	3.56	3.56
Copper Coast Council	8	0.68%	9	0.77%	16,299	4.91	5.52
Corporation of the City of Whyalla	11	0.94%	11	0.94%	21,864	5.03	5.03
Corporation of the Town of Walkerville	6	0.51%	6	0.51%	8,562	7.01	7.01
District Council of Ceduna	4	0.34%	4	0.34%	3,744	10.68	10.68
District Council of Cleve	9	0.77%	10	0.85%	1,757	51.22	56.92
District Council of Coober Pedy	9	0.77%	8	0.68%	1,526	58.98	52.42
District Council of Karoonda East Murray	9	0.77%	4	0.34%	1,026	87.72	38.99
District Council of Kimba	0	0.00%	1	0.09%	1,064	0	9.4
District Council of Loxton Waikerie	13	1.11%	15	1.28%	11,949	10.88	12.55

District Council of Mount Remarkable	11	0.94%	11	0.94%	2,873	38.29	38.29
District Council of Orroroo/Carrieton	1	0.09%	1	0.09%	890	11.24	11.24
District Council of Peterborough	7	0.60%	6	0.51%	1,682	41.62	35.67
District Council of Renmark Paringa	10	0.85%	10	0.85%	10,173	9.83	9.83
District Council of Robe	7	0.60%	7	0.60%	1,611	43.45	43.45
District Council of Streaky Bay	10	0.85%	8	0.68%	2,278	43.9	35.12
District Council of Tumby Bay	5	0.43%	5	0.43%	2,948	16.96	16.96
District Council of Yankalilla	7	0.60%	7	0.60%	6,186	11.32	11.32
Kangaroo Island Council	13	1.11%	12	1.02%	5,167	25.16	23.22
Kingston District Council	1	0.09%	1	0.09%	2,406	4.16	4.16
Light Regional Council	11	0.94%	10	0.85%	17,028	6.46	5.87
Mid Murray Council	18	1.54%	20	1.71%	9,593	18.76	20.85
Mount Barker District Council	40	3.42%	30	2.56%	43,619	9.17	6.88
Northern Areas Council	5	0.43%	6	0.51%	4,667	10.71	12.86
Port Augusta City Council	15	1.28%	15	1.28%	14,453	10.38	10.38
Port Pirie Regional Council	9	0.77%	9	0.77%	17,637	5.1	5.1
Regional Council of Goyder	9	0.77%	10	0.85%	4,135	21.77	24.18
Roxby Council	2	0.17%	2	0.17%	4,089	4.89	4.89
Rural City of Murray Bridge	17	1.45%	18	1.54%	23,257	7.31	7.74
Southern Mallee District Council	3	0.26%	3	0.26%	2,012	14.91	14.91
Tatiara District Council	4	0.34%	4	0.34%	7,071	5.66	5.66
The Barossa Council	11	0.94%	10	0.85%	26,590	4.14	3.76
The Flinders Ranges Council	1	0.09%	1	0.09%	1,671	5.98	5.98
Town of Gawler	13	1.11%	13	1.11%	27,182	4.78	4.78
Wakefield Regional Council	0	0.00%	1	0.09%	6,985	0	1.43
Wattle Range Council	4	0.34%	6	0.51%	12,319	3.25	4.87
Yorke Peninsula Council	21	1.79%	27	2.30%	12,150	17.28	22.22
Total	**1170**	**100.00%**	**1172**	**100.00%**	**1844387**	**6.34**	**6.35**

Complaint outcomes

Outcome	Total	%
Complainant Cannot be Contacted	21	1.79%
Declined s12H \ Other Good Reason (s12H (1)(c)	9	0.77%
Declined s12H \ Other Good Reason (s12H (1)(c) \ Discretion \ not in public interest to investigate	51	4.35%
Declined s12H \ Other Good Reason (s12H (1)(c) \ No error	403	34.39%
Declined s12H \ Other Good Reason (s12H (1)(c) \ Referred Back to Agency	422	36.01%

Declined s12H \ Other Good Reason (s12H (1)(c) \ Suggested administrative improvement	6	0.51%
Declined s12H \ Previously Dealt With (s12H (1)(c)	5	0.43%
Declined s12H \ Referred to Other Authority (s12H(1)(b)	15	1.28%
Declined s12H \ Resolved with Agency Co-operation (s12H)	51	4.35%
Investigation Outcome \ Partly substantiated	1	0.09%
Investigation Outcome \ Substantiated	4	0.34%
Out of Jurisdiction \ 12B \ Complainant not directly affected	3	0.26%
Out of Jurisdiction \ 13(3) \ Statutory or legal remedy	122	10.41%
Out of Jurisdiction \ Agency Not Within Jurisdiction	1	0.09%
Out of Jurisdiction\No administrative act	10	0.85%
Out of Time (s12C)	7	0.60%
Own initiative - discontinued	1	0.09%
Referral Withdrawn by OPI	4	0.34%
Withdrawn by Complainant	36	3.07%
Total	**1172**	**100.00%**

Other authorities

Complaints received and completed

Agency	Received	%	Completed	%
Aboriginal Lands Trust	1	0.12%	1	0.12%
Adelaide Cemeteries Authority	1	0.12%	1	0.12%
Adelaide Venue Management Corporation	4	0.48%	4	0.48%
Anangu Pitjantjatjara Yankunytjatjara Executive Board	1	0.12%	0	0.00%
Anglicare Housing SA Ltd	7	0.85%	7	0.84%
Barossa Hills Fleurieu Local Health Network	7	0.85%	6	0.72%
Behavioural Standards Panel	1	0.12%	0	0.00%
Believe Housing	9	1.09%	9	1.08%
Central Adelaide Local Health Network	67	8.12%	65	7.83%
Commissioner for Consumer Affairs	68	8.24%	67	8.07%
Commissioner for Equal Opportunity	0	0.00%	1	0.12%
Commissioner for Victims' Rights	1	0.12%	1	0.12%
Community Housing Ltd	12	1.45%	12	1.45%
Cornerstone Housing	1	0.12%	1	0.12%
Coroner	3	0.36%	3	0.36%
Country Health SA Local Health Network Inc	0	0.00%	1	0.12%
Courts Administration Authority	22	2.67%	24	2.89%
Director of Public Prosecutions	1	0.12%	1	0.12%
Dog & Cat Management Board	2	0.24%	2	0.24%
Drug & Alcohol Services SA	2	0.24%	2	0.24%
Eastern Health Authority	2	0.24%	1	0.12%
Education Standards Board	6	0.73%	5	0.60%
Electoral Commission of South Australia	1	0.12%	1	0.12%
Eyre and Far North Local Health Network	3	0.36%	2	0.24%
Fleurieu Regional Assessment Panel	0	0.00%	2	0.24%
Flinders and Upper North Local Health Network	10	1.21%	11	1.33%

Flinders University	18	2.18%	20	2.41%
Health & Community Services Complaints Commissioner	48	5.82%	50	6.02%
HomeStart	3	0.36%	3	0.36%
Housing Choices SA	5	0.61%	5	0.60%
Housing Safety Authority (HSA)	6	0.73%	6	0.72%
Junction Australia Ltd	7	0.85%	7	0.84%
Land Services SA	4	0.48%	5	0.60%
Legal Profession Conduct Commissioner	7	0.85%	7	0.84%
Legal Services Commission	15	1.82%	15	1.81%
Lifetime Support Authority	2	0.24%	2	0.24%
Limestone Coast Local Health Network	3	0.36%	3	0.36%
Local Government Association Mutual Liability Scheme	2	0.24%	1	0.12%
Local Government Association of South Australia	3	0.36%	3	0.36%
Murraylands and Riverland Landscape Board	1	0.12%	1	0.12%
Native Vegetation Council	1	0.12%	1	0.12%
Northern Adelaide Local Health Network	33	4.00%	26	3.13%
Northern Adelaide Waste Management Authority	1	0.12%	1	0.12%
Office of the Technical Regulator	1	0.12%	2	0.24%
Outback Communities Authority	2	0.24%	3	0.36%
Public Advocate	36	4.36%	36	4.34%
Public Trustee	104	12.61%	106	12.77%
ReturnToWorkSA	38	4.61%	39	4.70%
RSPCA Inspectorate	8	0.97%	8	0.96%
SA Ambulance Service	12	1.45%	15	1.81%
SA Country Fire Service	4	0.48%	3	0.36%
SA Film Corporation	1	0.12%	0	0.00%
SA Government Financing Authority	3	0.36%	2	0.24%
SA Metropolitan Fire Service	3	0.36%	3	0.36%
SACE Board of SA	2	0.24%	2	0.24%
Salvation Army Housing SA	2	0.24%	2	0.24%
Sheriff	1	0.12%	1	0.12%
South Australian Civil and Administrative Tribunal	34	4.12%	34	4.10%
South Australian Dental Service	10	1.21%	10	1.20%
South Australian Employment Tribunal	2	0.24%	2	0.24%
South Australian Fire and Emergency Services Commission	2	0.24%	2	0.24%
South Australian Small Business Commissioner	1	0.12%	1	0.12%
South Australian Tourism Commission	2	0.24%	2	0.24%
Southern Adelaide Local Health Network	26	3.15%	23	2.77%
State Commission Assessment Panel	2	0.24%	1	0.12%
State Emergency Service	1	0.12%	1	0.12%
State Planning Commission	2	0.24%	2	0.24%
Super SA Board	20	2.42%	21	2.53%
TAFE SA	31	3.76%	29	3.49%
Teachers Registration Board	1	0.12%	1	0.12%
Uniting Housing - Uniting SA	2	0.24%	2	0.24%
Unity Housing Co Ltd	2	0.24%	2	0.24%

University of Adelaide	31	3.76%	35	4.22%
University of South Australia	24	2.91%	23	2.77%
Urban Renewal Authority	3	0.36%	2	0.24%
Women's and Children's Health Network	18	2.18%	26	3.13%
Yorke and Northern Local Health Network	3	0.36%	3	0.36%
Total	**825**	**100.00%**	**830**	**100.00%**

Complaint outcomes

Outcome	Total	%
Complainant Cannot be Contacted	13	1.57%
Declined s12H \ Other Good Reason (s12H (1)(c)	10	1.20%
Declined s12H \ Other Good Reason (s12H (1)(c) \ Discretion \ not in public interest to investigate	32	3.86%
Declined s12H \ Other Good Reason (s12H (1)(c) \ No error	189	22.77%
Declined s12H \ Other Good Reason (s12H (1)(c) \ Referred Back to Agency	299	36.02%
Declined s12H \ Other Good Reason (s12H (1)(c) \ Referred to NSO	7	0.84%
Declined s12H \ Other Good Reason (s12H (1)(c) \ Suggested administrative improvement	1	0.12%
Declined s12H \ Previously Dealt With (s12H (1)(c)	8	0.96%
Declined s12H \ Referred to Other Authority (s12H(1)(b)	86	10.36%
Declined s12H \ Resolved with Agency Co-operation (s12H)	31	3.73%
Discontinued (s13(2a)	1	0.12%
FOI\Outside of Jurisdiction	1	0.12%
Investigation Outcome \ Substantiated	2	0.24%
Out of Jurisdiction \ 12B \ Complainant not directly affected	4	0.48%
Out of Jurisdiction \ 13(3) \ Statutory or legal remedy	49	5.90%
Out of Jurisdiction \ Agency Not Within Jurisdiction	7	0.84%
Out of Jurisdiction \ Judicial officer conduct	4	0.48%
Out of Jurisdiction \ No administrative act	16	1.93%
Out of Time (s12C)	7	0.84%
Own initiative - discontinued	1	0.12%
Referral Withdrawn by OPI	3	0.36%
Return to Work \ Advice given (RTW)	1	0.12%
Return to Work \ Declined - Other Good Reason (s12H(1)(c) (RTW)	14	1.69%
Return to Work \ Declined - Referred to Other Agency (s12H(1)(b) (RTW)	2	0.24%
Return to Work \ Out of Jurisdiction (RTW)	2	0.24%
Return to Work \ Referred back to Compensating Authority (RTW)	9	1.08%
Return to Work \ Withdrawn by Complainant (RTW)	4	0.48%
Withdrawn by Complainant	27	3.25%
Total	830	100.00%

FOI Act jurisdiction

Outcomes of external reviews conducted by the Ombudsman in 2024-25

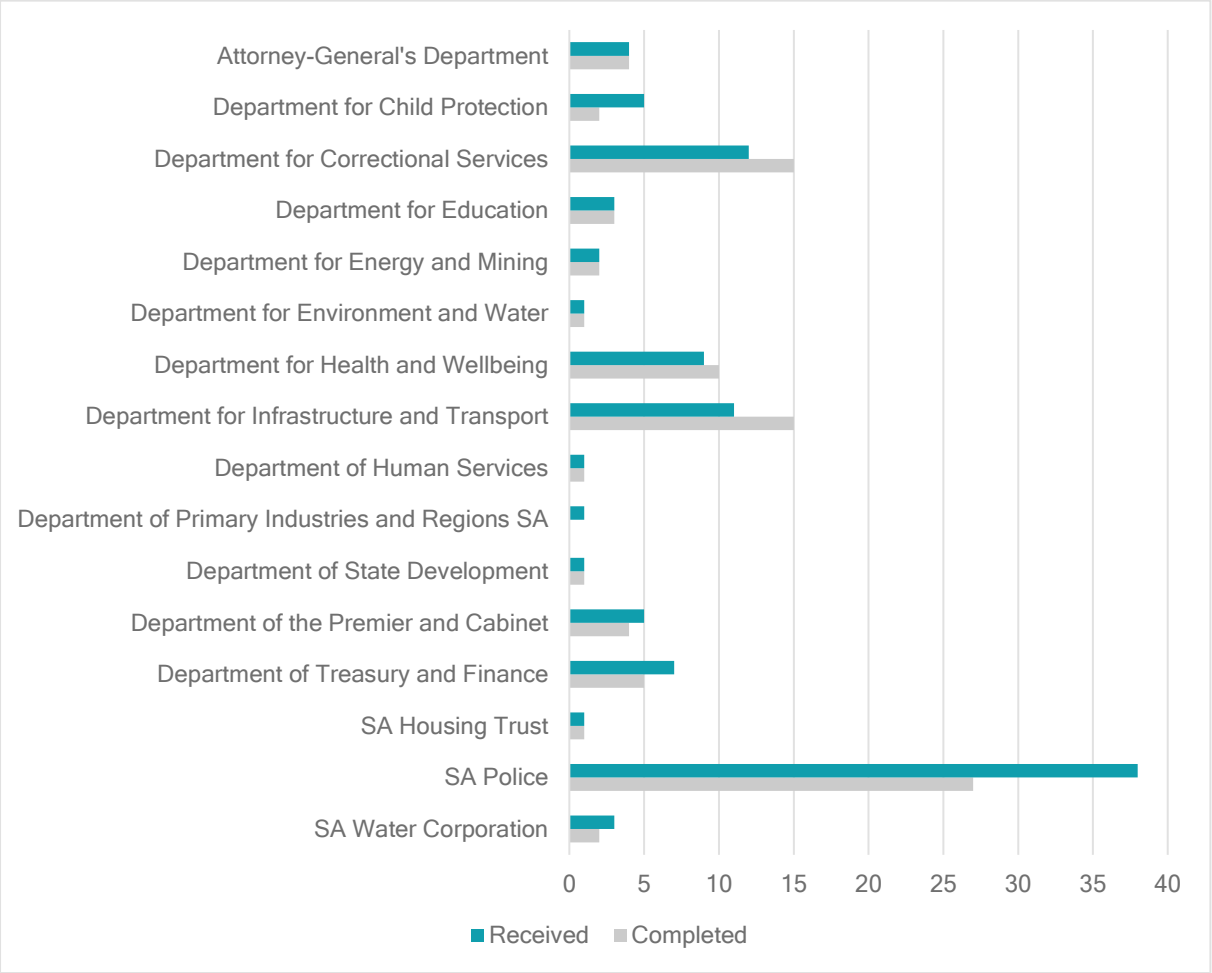
Matter Outcome	Total	%
FOI\Application for Review Withdrawn by Applicant	15	8.57%
FOI\Application for review withdrawn following OSA intervention	9	5.14%
FOI\Application Settled During Review (s39(5))	10	5.71%
FOI\Determination Confirmed (s39(11))	46	26.29%
FOI\Determination Reversed (s39(11))	5	2.86%
FOI\Determination Revised by Agency (s19(2a))	1	0.57%
FOI\Determination Varied (s39(11))	43	24.57%
FOI\Outside of Jurisdiction	41	23.43%
FOI\Proceedings Suspended (s39(5)(c)(ii))	4	2.29%
FOI\Fees and Charges\Vary	1	0.57%
Total	**175**	**100.00%**

Government departments

External reviews received and completed

Department	Received	%	Completed	%
Attorney-General's Department	4	3.85%	4	4.30%
Department for Child Protection	5	4.81%	2	2.15%
Department for Correctional Services	12	11.54%	15	16.13%
Department for Education	3	2.88%	3	3.23%
Department for Energy and Mining	2	1.92%	2	2.15%
Department for Environment and Water	1	0.96%	1	1.08%
Department for Health and Wellbeing	9	8.65%	10	10.75%
Department for Infrastructure and Transport	11	10.58%	15	16.13%
Department of Human Services	1	0.96%	1	1.08%
Department of Primary Industries and Regions SA	1	0.96%	0	0.00%
Department of State Development	1	0.96%	1	1.08%
Department of the Premier and Cabinet	5	4.81%	4	4.30%
Department of Treasury and Finance	7	6.73%	5	5.38%
SA Housing Trust	1	0.96%	1	1.08%
SA Police	38	36.54%	27	29.03%
SA Water Corporation	3	2.88%	2	2.15%
Total	**104**	**100.00%**	**93**	**100.00%**

Government departments external reviews received and completed

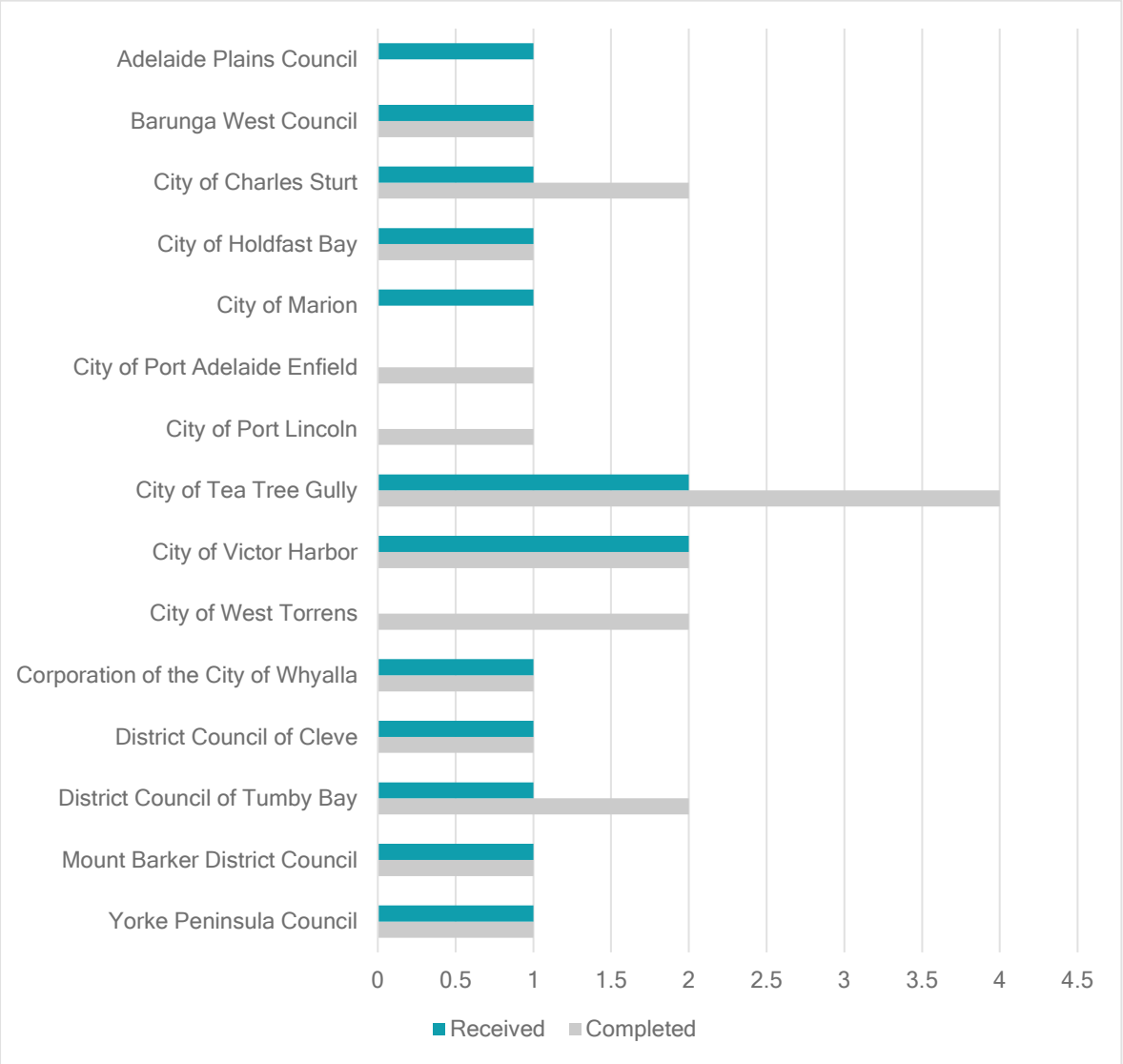


Local government

External reviews received and completed

Local Council	Received	%	Completed	%
Yorke Peninsula Council	1	7.14%	1	5.00%
Mount Barker District Council	1	7.14%	1	5.00%
District Council of Tumby Bay	1	7.14%	2	10.00%
District Council of Cleve	1	7.14%	1	5.00%
Corporation of the City of Whyalla	1	7.14%	1	5.00%
City of West Torrens	0	0.00%	2	10.00%
City of Victor Harbor	2	14.29%	2	10.00%
City of Tea Tree Gully	2	14.29%	4	20.00%
City of Port Lincoln	0	0.00%	1	5.00%
City of Port Adelaide Enfield	0	0.00%	1	5.00%
City of Marion	1	7.14%	0	0.00%
City of Holdfast Bay	1	7.14%	1	5.00%
City of Charles Sturt	1	7.14%	2	10.00%
Barunga West Council	1	7.14%	1	5.00%
Adelaide Plains Council	1	7.14%	0	0.00%
Total	**14**	**100.00%**	**20**	**100.00%**

Local government external reviews received and completed

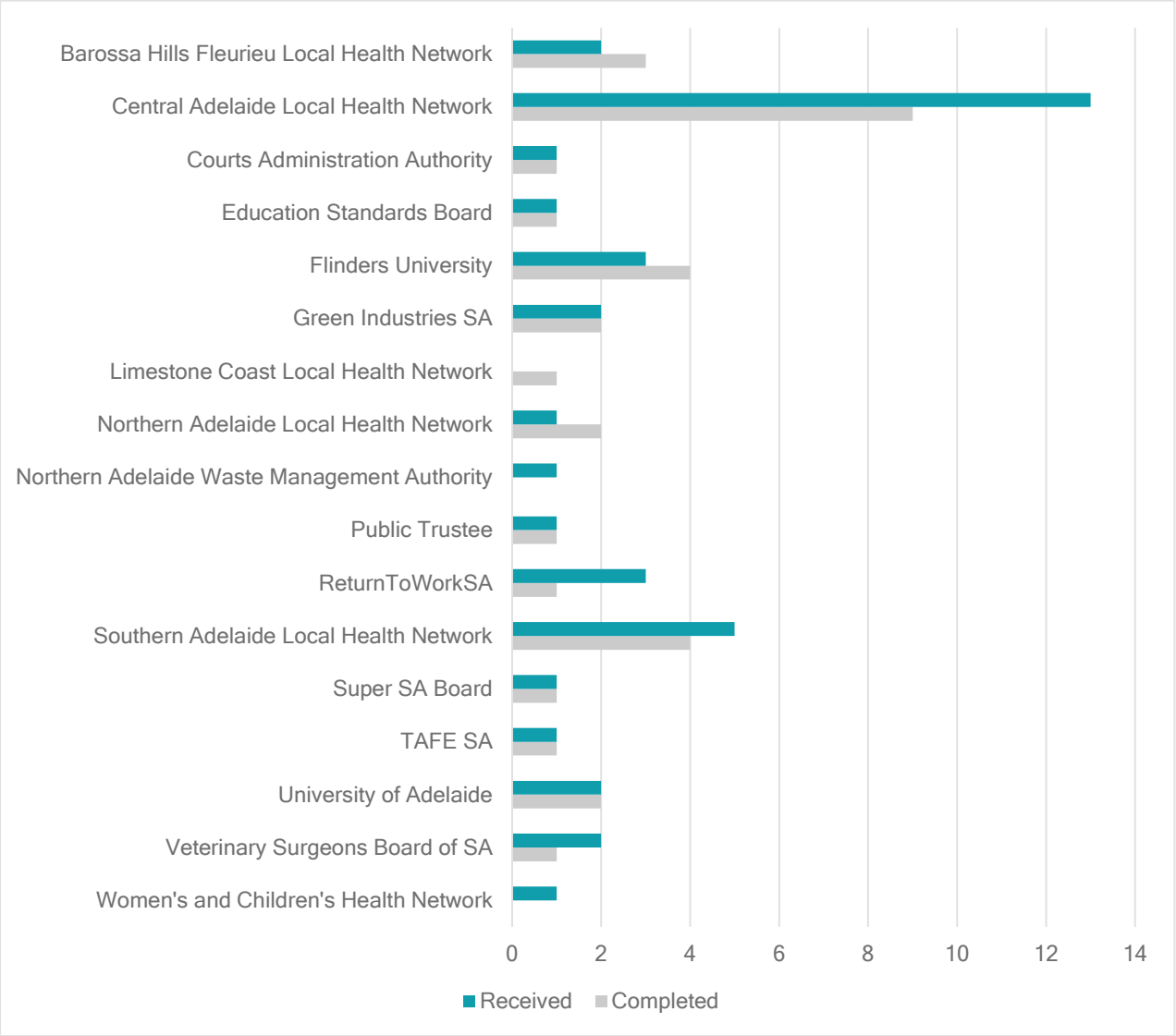


Other authorities

External reviews received and completed

Authority	Received	%	Completed	%
Women's and Children's Health Network	1	2.13%	0	0.00%
Veterinary Surgeons Board of SA	2	4.26%	1	2.17%
University of South Australia	7	14.89%	12	26.09%
University of Adelaide	2	4.26%	2	4.35%
TAFE SA	1	2.13%	1	2.17%
Super SA Board	1	2.13%	1	2.17%
Southern Adelaide Local Health Network	5	10.64%	4	8.70%
ReturnToWorkSA	3	6.38%	1	2.17%
Public Trustee	1	2.13%	1	2.17%
Northern Adelaide Waste Management Authority	1	2.13%	0	0.00%
Northern Adelaide Local Health Network	1	2.13%	2	4.35%
Limestone Coast Local Health Network	0	0.00%	1	2.17%
Green Industries SA	2	4.26%	2	4.35%
Flinders University	3	6.38%	4	8.70%
Education Standards Board	1	2.13%	1	2.17%
Courts Administration Authority	1	2.13%	1	2.17%
Central Adelaide Local Health Network	13	27.66%	9	19.57%
Barossa Hills Fleurieu Local Health Network	2	4.26%	3	6.52%
Total	**47**	**100.00%**	**46**	**100.00%**

Other authorities external reviews received and completed

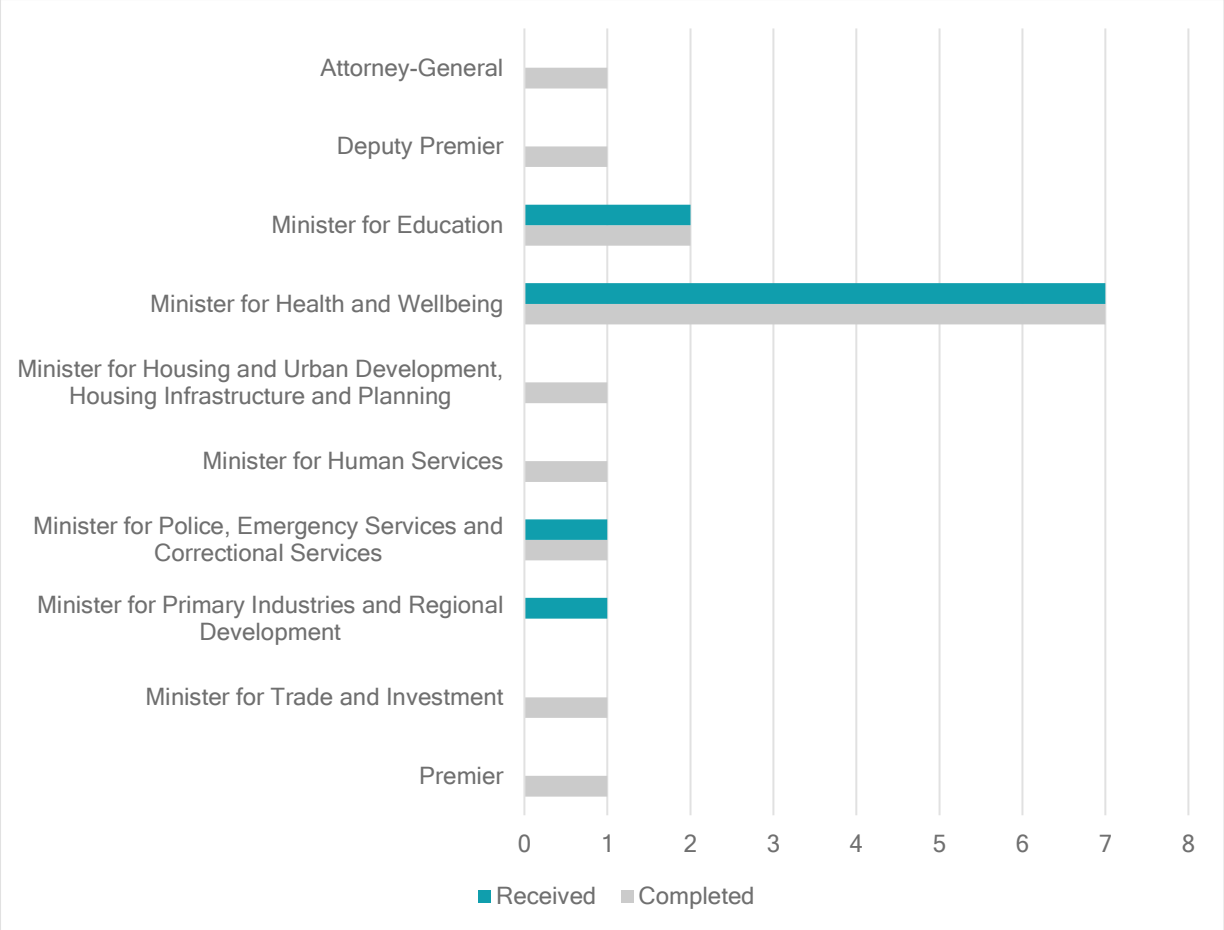


Ministers

External reviews received and completed

Minister	Received	%	Completed	%
Premier	0	0.00%	1	6.25%
Minister for Trade and Investment	0	0.00%	1	6.25%
Minister for Primary Industries and Regional Development	1	9.09%	0	0.00%
Minister for Police, Emergency Services and Correctional Services	1	9.09%	1	6.25%
Minister for Human Services	0	0.00%	1	6.25%
Minister for Housing and Urban Development, Housing Infrastructure and Planning	0	0.00%	1	6.25%
Minister for Health and Wellbeing	7	63.64%	7	43.75%
Minister for Education	2	18.18%	2	12.50%
Deputy Premier	0	0.00%	1	6.25%
Attorney-General	0	0.00%	1	6.25%
Total	**11**	**100.00%**	**16**	**100.00%**

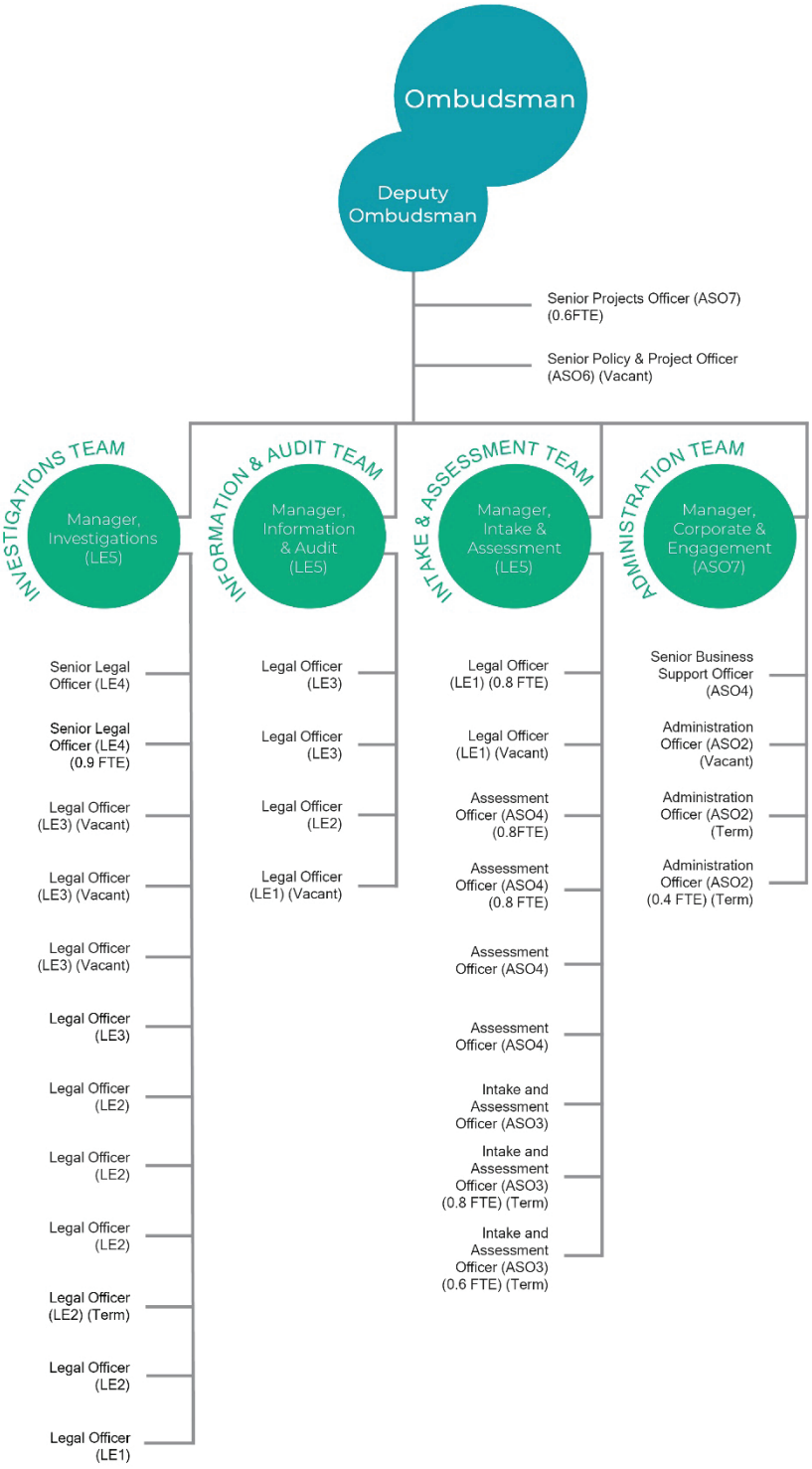
Ministerial external reviews received and completed



Appendices

Appendix A

Organisational Chart



NB: Due to a number of vacancies against ongoing roles, a number of temporary positions were created during the year.

As at 30 June 2025

Appendix B

Financial Statement

Expenditure	2022-23	2023-24	2024-25
Annual report	0	0	0
Computer expenses	67,475	73,712	86,846
Equipment maintenance	0	0	0
Equipment purchases	2,280	7,538	8,324
* Fringe Benefits Tax	7,351	9,934	2,867
* Motor vehicles	14,793	4,246	326
Postage	1,725	4,424	7,131
Printing and stationery	1,447	694	1,201
Projects	0	0	0
Publications and subscriptions	327	485	1,178
Research Project	7,000	0	0
Staff development	10,331	39,218	20,266
Sundries	135,012	135,792	22,744
Telephone charges	4,981	4,907	2,136
Travel/taxi charges	11,338	7,530	7,622
Website development	0	0	0
Sub-total	**264,060**	**288,480**	**160,641**
*Accommodation and energy	212,780	215,939	251,628
Consultant/Contract staff/Prof costs	494	43,001	131,087
Sub-total	**213,274**	**258,940**	**382,715**
* Salaries	3,067,748	3,266,114	3,412,198
Sub-total	**3,067,748**	**3,266,114**	**3,412,198**
** Income	(368,000)	(377,000)	(386,176)
Sub-total	**(368,000)**	**(377,000)**	**(386,176)**
* Figures include expenses incurred by the Ombudsman position (funded by Special Acts)			
** Includes recovery of expenditure from ReturnToWorkSA			
Net expenditure	**3,177,082**	**3,436,534**	**3,569,378**

Appendix C

Description of outcomes

Ombudsman Act

The following table describes outcomes arising from the Ombudsman's jurisdiction, with the exception of the Ombudsman's Return to Work and Freedom of Information jurisdictions.

OUTCOME	DESCRIPTION
ADVICE GIVEN	This outcome is used to record a response to a general enquiry, such as giving: - advice that does not relate to a specific approach or complaint - information or advice to the public about Ombudsman SA (e.g. address details, a request for a copy of an annual report, pamphlets or reporting guidelines) - FOI advice on a general query. This outcome cannot be used unless the type of matter is a general enquiry. For approaches or complaints, more specific outcomes must be used.
COMPLAINANT CANNOT BE CONTACTED	This outcome is used after all reasonable attempts have been made to contact the complainant by telephone, email, or letter. It can be used at any stage of an assessment or investigation.
CONCILIATED 17(3)	This outcome is used where a matter has been dealt with by conciliation.
OTHER GOOD REASON s12H(1)(c) \ DISCRETION \ NOT IN PUBLIC INTEREST TO INVESTIGATE	This outcome is used where there may be an error, but the Ombudsman has determined it is not in the public interest to investigate the matter, or there is some other reason (not otherwise provided for in the outcomes) in the discretion of the Ombudsman, not to investigate.
OTHER GOOD REASON s12H(1)(c) \ NO ERROR	This outcome is used where a matter has been assessed as there being no error by the agency complained about.
OTHER GOOD REASON s12H(1)(c) \ REFERRED BACK TO AGENCY	This outcome is used where a person who has approached the Ombudsman is advised to first raise their complaint with the subject agency, seeking resolution with that agency, before submitting a complaint to the Ombudsman for assessment.
OTHER GOOD REASON s12H(1)(c) / REFERRED TO NSO	This outcome is used where a complaint has been referred to the National Student Ombudsman. This may occur formally by this Office in some matters, or the complainant will be advised to lodge their complaint with the NSO.

OTHER GOOD REASON s12H(1)(c) \ SUGGESTED ADMINISTRATIVE IMPROVEMENT	This outcome is used when it has been determined that there is good reason not to deal with the complaint but, as a result of the matter, the Ombudsman has identified and suggested to an agency an opportunity for administrative improvement.
OTHER GOOD REASON s12H(1)(c)	This outcome is used where the Ombudsman has determined there is some other reason (not otherwise provided for in the outcomes) in the discretion of the Ombudsman not to investigate. A number of additional outcomes were introduced during the reporting year to provide more detail regarding outcomes under 12H(1)(c). Prior to their introduction, this general matter outcome was used.
PREVIOUSLY DEALT WITH s12H(1)(c)	This outcome is used where a matter is assessed as having been already dealt with by an 'inquiry agency' – the Ombudsman, ICAC or Judicial Conduct Commissioner.
REFERRED TO OTHER AUTHORITY s12H(1)(b)	This outcome is used where a matter is formally assessed as not raising an issue that should be investigated under the Ombudsman Act but rather is considered to raise some other issue that should be formally referred to a law enforcement agency, another inquiry agency, a public authority or a public officer. It can be distinguished from the outcome 'Other good reason' in that this outcome follows a formal assessment of a complaint received.
RESOLVED WITH AGENCY COOPERATION s12H	This outcome is used where the matter was resolved following the agency engaging in voluntary actions following communication with the Ombudsman and these actions appropriately address issues in the view of the Ombudsman.
TRIVIAL / VEXATIOUS / FRIVOLOUS s12H(1)(c)	This outcome is used where the matter is assessed as raising a matter that is considered trivial or frivolous, or the making of the complaint is determined to be vexatious. Note: This outcome is rarely used.
DISCONTINUED (s13(2A))	This outcome is used when matter is discontinued because the Ombudsman has become aware that: a) an investigation under the Independent Commission Against Corruption Act 2012 or other criminal investigation is being conducted in relation to a matter, or b) a person has been or is to be charged with a criminal offence in relation to a matter.
INVESTIGATION OUTCOME NOT SUBSTANTIATED PARTIALLY SUBSTANTIATED SUBSTANTIATED	This outcome is used where the Ombudsman has completed an investigation and has formed a view as to the substantiation of the matter subject to investigation.
OMBUDSMAN COMMENT WARRANTED	This outcome is used where no error has been found, but an issue worthy of the Ombudsman's comment has been identified.

OSA DECISIONS INTERNAL REVIEW OUTCOME CONFIRMED OUTCOME VARIED	This outcome is used where an internal review has been completed in relation to an Ombudsman SA decision and the original decision has been confirmed, varied, or substituted as relevant.
NO INTERNAL REVIEW	This outcome is used where there was a request for an internal review, but the Ombudsman or Deputy Ombudsman (as relevant) did not consent to commencing a review.
OSA SERVICES NOT SUBSTANTIATED PARTLY SUBSTANTIATED SUBSTANTIATED	This outcome is used where a complaint about the service provided by Ombudsman SA has been considered and records whether the complaint has been substantiated.
OUT OF JURISDICTION	
12B – COMPLAINANT NOT DIRECTLY AFFECTED	This outcome is used where the complainant is not directly affected by the subject administrative act and thus the act is outside the jurisdiction of the Ombudsman. Note: - This outcome does not apply to a complaint relating to alleged misconduct or maladministration, which may be made by any person The Commissioner for Children and Young People, the Commissioner for Aboriginal Children and Young People and the Guardian for Children and Young People may make a complaint under the Ombudsman Act despite the fact they are not directly affected by the act to which the complaint relates.
13(3) – STATUTORY OR LEGAL REMEDY	This outcome is only used when: - the agency being complained about is within jurisdiction but - the complainant has a right of appeal, reference, or review with another body unless the Ombudsman is of the opinion that it is not reasonable, in the circumstances of the case, to expect that the complainant should resort or should have resorted to that appeal, reference, review or remedy (section 13(3)). Reasons for the outcome and details of the other agency must be recorded.
AGENCY NOT WITHIN JURISDICTION	This outcome is used where the agency complained about is outside the jurisdiction of the Ombudsman, for example, as it relates to a Commonwealth agency.
JUDICIAL OFFICER CONDUCT	This outcome is used where the act complained about relates to the conduct of judicial officers outside of the exercise of judicial authority.

NO ADMINISTRATIVE ACT	This outcome is used where the complaint does not relate to an administrative act as defined in section 3 of the Ombudsman Act and is not otherwise misconduct or maladministration.
SAPOL OFFICER CONDUCT	This outcome is used where the act complained about relates to the conduct of South Australia Police Officers.
12C – OUT OF TIME	This outcome is used where a complaint has been made after 12 months from the day the complainant first had notice of the matters alleged in the complaint and the Ombudsman is not of the opinion that, in all the circumstances of the case, it is proper to entertain the complaint.
OWN INITIATIVE – DISCONTINUED	This outcome is used where the Ombudsman commenced and then discontinued an own initiative investigation. Comments providing reasons for the discontinuation should be provided on the file.
REFERRAL WITHDRAWN BY OPI	This outcome is used where the OPI withdraws a referral it has made to the Ombudsman pursuant to section 18F of the *Independent Commission Against Corruption Act 2012.*
REPORT TO OPI	This outcome is used when a matter creates a reasonable suspicion of corruption requiring a mandatory report to OPI.
WITHDRAWN BY COMPLAINANT	This outcome means that the complaint has been withdrawn by the complainant. Note that although a complaint has been withdrawn by a complainant, the Ombudsman may decide to commence a separate, own initiative investigation.

Appendix D

Description of outcomes

RTW Act jurisdiction

OUTCOME	DESCRIPTION
RTW - ADVICE GIVEN	This outcome must only be used when: • giving advice that does not relate to a specific approach or complaint. • information has been received and only needs to be noted. *Note - more specific outcomes are preferable. Only use when matter is Cat 1 and no other outcome is suitable.
RTW - OUT OF JURISDICTION	This outcome is used where the complaint relates to a worker's compensation matter that relates to: • an agency that is not in jurisdiction; • an interstate jurisdiction; • where the worker is located in South Australia, however the claim has been made under the Commonwealth worker's compensation Act i.e. Comcare; or • a judicial body i.e. SAET
OUT OF TIME	This outcome is used where the applicant or complainant has made their application or complaint outside of the relevant statutory timeframe for doing so.
RTW - COMPLAINANT CANNOT BE CONTACTED	This outcome is used after all reasonable attempts have been made to contact the complainant by telephone, email or letter. It can be used at any stage of an assessment or investigation. Where a white telephone contact slip is responded to, this outcome is used when: • if there is no answer, a recorded message has been left stating the officer's name and that s/he is from Ombudsman SA. If the complainant does not respond, the file can be closed • if there is no facility for a recorded message to be left, three contact attempts have been made over 2-3 days. If no contact has been made, the file can be closed • where email or postal contact details have been provided, contact is attempted by this means, but no response is received within 7 days. All attempts to contact the complainant must be clearly recorded.

RTW - REFERRED BACK TO COMPENSATING AUTHORITY	This outcome is used usually during the assessment phase, but may be used in the investigation phase. It is used when it is proper for the complainant to complain to, or seek a review of their complaint from the claims agent/RTW SA/self-insured employer - unless the Ombudsman is of the opinion that it is not reasonable, in the circumstances of the case, to expect that the complainant should resort or should have raised the complaint with the Corporation or delegate. See s5(1)(a) of schedule 5, Return to Work Act. Reasons for the outcome must be recorded.
RTW - ALTERNATE REMEDY AVAILABLE WITH ANOTHER BODY	This outcome is only used where the complainant has right of appeal, reference or review with another body such as the SAET.
RTW - RESOLVED WITH COMPENSATING AUTHORITY'S COOPERATION	This outcome is used usually during the assessment phase of a complaint where Ombudsman SA has made contact with the agency, and the agency has taken action to remedy the complaint to the satisfaction of the complainant. Reasons for the outcome must be recorded.
RTW - WITHDRAWN BY COMPLAINANT	This outcome is used when the complainant expressly wishes to withdraw their complaint, even if Ombudsman SA has not contacted the respondent. It can be used at any stage of an assessment or investigation. It must be established and recorded that the complainant wishes to formally withdraw the complaint. It must not be used when Ombudsman SA cannot contact the complainant. See 'Cannot Contact Person' Outcome. Reasons for the outcome must be recorded.
RTW – DECLINED OTHER GOOD REASONS (s12H(1)(c))	This outcome is used for a complaint where the Ombudsman decides not to take action in respect of the complaint, because the Ombudsman has determined it would not be in the public interest to do so.
RTW – DECLINED - PREVIUSLY DEALT WITH (s12H(1)(c))	This outcome is used where the Ombudsman assesses that the matter has already been dealt with by the Ombudsman or another appropriate authority and declines to investigate on that basis.
RTW – REFERRED TO OTHER AGENCY (s12H(1)(b)	This outcome is used where the Ombudsman has assessed that the issue constituting the complaint is more appropriately dealt with by another agency and declines to investigate on that basis.
RTW - DECLINED/TRIVIAL, FRIVOLOUS, VEXATIOUS, NOT MADE IN GOOD FAITH	This outcome is used for a complaint, where the Ombudsman decides • not to commence an assessment or investigation or • not to continue with an assessment or investigation

	because: • the complaint is trivial (section 17(2)(a) Ombudsman Act) • the complaint is frivolous or vexatious or is not made in good faith (section 17(2)(b)) Ombudsman Act)
RTW - BREACH OF SERVICE STANDARDS	This outcome is only used when making a finding of a breach of the service standards after an investigation.
RTW - BREACH OF SERVICE STANDARDS NOT SUBSTANTIATED	This outcome is used • after a preliminary (or more rarely a full) investigation and a report has been completed; and • when making a finding there has been no breach of the service standards.
RTW - OMBUDSMAN COMMENT WARRANTED	This is to be used only after a preliminary investigation. No breach of the service standards has been found, but an issue worthy of the Ombudsman's comment has been identified.
RTW - S180 REVIEW APPLICATION WITHDRAWN BY APPLICANT	This outcome means that during or at the conclusion of the external review, the applicant decided to withdraw the application. For example, the applicant may have decided to pursue other avenues of redress; or with the passage of time, the applicant no longer wished to pursue document access. This outcome does not include instances where the agency has revised its determination to give access to documents.
RTW - S180 REVIEW DECISION CONFIRMED	This outcome means that at the conclusion of the external review, the Ombudsman agreed (in whole) with the Corporation's decision (section 180(10)(b)).
RTW - 180 REVIEW DECISION VARIED	This outcome means that at the end of the external review, the Ombudsman agreed in part and disagreed in part with the Corporation's decision (section 180(10)(b)).
RTW - S180 REVIEW DECISION REVERSED	This outcome means that at the conclusion of the external review, the Ombudsman disagreed (in whole) with the Corporation's decision (section 180(10)(b)).
RTW - S180 REVIEW NO JURISDICTION	The outcome is relevant when the applicant seeks the s180 review before they have sought or finalised internal review processes, and hence the Ombudsman is unable to undertake a review.
RTW - S180 REVIEW REVISED DURING REVIEW	This outcome is used when the agency releases the documents after the commencement of the review.

Appendix E

Description of outcomes

FOI Act jurisdiction

OUTCOME	DESCRIPTION
APPLICATION DISMISSED BECAUSE OF LACK OF COOPERATION OF APPLICANT (s39(8))	This outcome means the Ombudsman considers the Applicant has failed to comply with section 39(7) by failing to cooperate in a process proposed by the Ombudsman for the conduct of the review.
FOI APPLICATION FOR REVIEW WITHDRAWN BY APPLICANT	This outcome means that during or at the conclusion of the external review, the applicant decided to withdraw the application. For example, the applicant may have decided to pursue other avenues of redress; or with the passage of time, the applicant no longer wished to pursue document access.
APPLICATION FOR REVIEW WITHDRAWN FOLLOWING OSA INTERVENTION	This outcome means that during the course of an external review, the applicant was satisfied with informal actions taken by the Ombudsman and the applicant indicated that they did not need to continue with the review. For example, the agency may have decided to disclose documents or information sought by an applicant after being notified of an external review, or the Ombudsman may have clarified an issue for the applicant and the applicant no longer considered an external review to be necessary. This outcome does not include instances where the applicant withdrew an application for external review for reasons other than the Ombudsman's involvement, or where a formal settlement occurred under section 39(5)(c).
FOI APPLICATION SETTLED DURING REVIEW (SECTION 39(5))	This outcome means that the Ombudsman exercised settlement powers under section 39(5)(c). A 'Notice of Finalisation' is sent to parties. There is no formal determination by the Ombudsman under section 39(11).
FOI DETERMINATION CONFIRMED (SECTION 39(11))	This outcome means that at the conclusion of the external review, the Ombudsman agreed (in whole) with the agency's determination (section 39(11)). *Note – the Ombudsman's reasons may differ from the agency (for example, a different exemption clause may apply).

FOI DETERMINATION REVERSED (SECTION 39(11))	This outcome means that at the conclusion of the external review, the Ombudsman disagreed (in whole) with the agency's determination (section 39(11)).
FOI DETERMINATION REVISED BY AGENCY (SECTION 19(2)(A))	This outcome means that all documents were released by the agency under section 19(2A) after the commencement of the external review. The outcome may occur, for example, in an external review dealing with an agency's 'double deemed refusal', where the agency has had a chance to consider the documents and decides that the documents should be released.
FOI DETERMINATION VARIED (SECTION 39(11))	This outcome means that at the end of the external review, the Ombudsman agreed in part and disagreed in part with the agency's determination (section 39(11)).
FOI EXTENSION OF TIME FOR APPLICATION FOR REVIEW (SECTION 39(4)) DISCRETION NOT EXERCISED	This outcome means that the Ombudsman did not exercise her discretion to accept an external review application out of time under section 39(4).
FOI FEES AND CHARGES: WAIVE / VARY / CONFIRM	These outcomes relate to an application to review FOI fees and charges under section 54(3). The Ombudsman may waive, confirm or vary the fee or charge.
NO DOCUMENT IN SCOPE	This outcome means that during the course of an external review, it came to light that the agency did not hold documents within the scope of an initial application for access. No practical outcome would have been achieved by continuing the external review and the Ombudsman declined to confirm, vary or reverse the agency's determination.
OUTSIDE OF JURISDICTION	This outcome means the agency subject of the FOI application is not an agency, or is an exempt agency. The outcome is also relevant when the applicant seeks the external review before they have sought or finalised internal review processes, and hence the Ombudsman is unable to undertake an external review.
PROCEEDINGS SUSPENDED (s39(5)(c)(ii))	This is a provisional outcome where a matter has been suspended to allow an opportunity for a settlement to be negotiated. Once settlement negotiations have concluded, a matter will be conclusively finalised by way of a settlement outcome, a determination or withdrawal of the application.

Appendix F

Strategic Plan 2024-26

Values

Honesty

Truthful, faithful, keeping promises, taking responsibility for our behaviour, admitting mistakes, sincere

Helpfulness

Empathetic, accessible, approachable, open to reason, encouraging, constructive, solution focussed, pleasant, embracing diversity, considerate, thinking the best of others

Professionalism

Striving for excellence, continuously improving, curious, courteous, respectful, ethical, undeterred by criticism, resilient, diligent, respectful of authority, efficient, self-reflective

Fairness

Impartial, objective, factual, evidence based, open-minded, consistent

OmbudsmanSA

Contacting Ombudsman SA

Our business hours are
9.00am - 4.30pm, Monday to Friday

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Adelaide SA 5000

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Minutes of Committees

ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 15 OCTOBER 2025
63 MOUNT BARKER ROAD, STIRLING
AND
LIVESTREAMED

[Please Note: These minutes are unconfirmed until 12 November 2025]

In Attendance

Presiding Member
Geoff Parsons

Members

Ross Bateup
Paul Mickan
Myles Somers
Malcolm Herrmann

In Attendance

Jess Charlton	Director Community & Development
Deryn Atkinson	Assessment Manager
Sebastien Paraskevopoulos	Acting Team Leader Statutory Planning
Mike O'Donnell	ICT Support Officer
Sarah Kimber	Minute Secretary
Kim Sharp	Minute Secretary

1. Commencement

The meeting commenced at 6:32pm

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
Leith Mudge

ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 15 OCTOBER 2025
63 MOUNT BARKER ROAD, STIRLING
AND
LIVESTREAMED

[Please Note: These minutes are unconfirmed until 12 November 2025]

4. Previous Minutes

4.1 Meeting held 24 September 2025

The minutes were adopted by consensus of all members (26)

That the minutes of the meeting held on 24 September 2025 be confirmed as an accurate record of the proceedings of that meeting.

5. Presiding Member's Report

Nil

6. Declaration of Interest by Members of Panel

Malcolm Herrmann advised that in relation to Item 8.1 – 61 Sprigg Road Crafers, he worked as a Councillor with former Cr Bailey (the Land Owner). As this was only a professional acquaintance and he never discussed this development proposal with him, 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 SPECIAL COUNCIL ASSESSMENT PANEL MEETING
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[Please Note: These minutes are unconfirmed until 12 November 2025]

8. Development Assessment Applications – Planning, Development and Infrastructure Act

8.1 **Development Application Number 25015385 by Spring Water Beverages Pty Ltd for Variation to previous Development Authorisations; 473/958/02 and 23003710 to:**
i) increase the maximum number of articulated tanker or semi-trailer deliveries to and from the land,
ii) increase the maximum number of vehicles associated with the commercial distribution of spring water exiting the land between 5 am and 7am; and
iii) amend a condition referencing a redundant environmental noise policy at 61 Sprigg Rd, Crafers

8.1.1 **Representations**
Nil

The applicant's representative, Syd McDonald (McDonald Game Lawyers), Jason Turner (Echo Acoustics), Ian Bailey (Land Owner) & Council's Sound Engineer answered questions from the Panel.

8.1.2 **Decision of Panel**

The following was adopted by consensus of all members (27)

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 25015385 by Spring Water Beverages Pty Ltd for Variation to previous Development Authorisations; 473/958/02 and 23003710 to:**
i) increase the maximum number of articulated tanker or semi-trailer deliveries to and from the land,
ii) increase the maximum number of vehicles associated with the commercial distribution of spring water exiting the land between 5 am and 7am; and
iii) amend a condition referencing a redundant environmental noise policy at 61 Sprigg Rd, Crafers is GRANTED Planning Consent subject to the following conditions and reserved matters:

ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 15 OCTOBER 2025
63 MOUNT BARKER ROAD, STIRLING
AND
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[Please Note: These minutes are unconfirmed until 12 November 2025]

RESERVED MATTERS

1) 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:

A vehicle movement strategy to manage the movement of 19.0m semi-trailers on Sprigg Road as recommended in Cirqa Report dated 16 May 2025 shall be prepared by a suitably qualified traffic engineer in consultation with Spring Water Beverages Pty Ltd which details management of staggered vehicle movements, and operational instructions that fleet and contractor drivers will be required to adhere to for safe use access to and from the site, including delivery vehicles not arriving at the site prior to 7am.

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 above reserved matter is delegated to the Assessment Manager.

2) 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.

The applicant must obtain the relevant authorisations from the Council under the Local Government Act for works required to upgrade the road reserve and access aprons along the frontage of 61 Sprigg Rd, Crafers 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.

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[Please Note: These minutes are unconfirmed until 12 November 2025]

2) Articulated or semi-trailer vehicles to and from the land (both delivery vehicles and commercial water distribution vehicles) must not exceed 25 per day (Monday to Friday, excluding public holidays) or 125 per week excluding Saturday, Sunday and public holidays.

3) **A maximum of two (2) vehicles associated with the commercial distribution of spring water shall exit the land between 5:00am and 6:00am per weekday excluding Saturday, Sunday and public holidays and up to two (2) vehicles associated with the commercial distribution of spring water shall exit the land between 6:00am and 7:00am per weekday (excluding Saturday, Sunday and public holidays).**

4) A logbook of articulated and semi-trailer vehicle movements to and from the land (both delivery vehicles and commercial water distribution vehicles) referenced in above condition 2 and 3 must be maintained with vehicle registration, company name, date, departure and arrival times and provided to Council on request, from the date of Development Approval.

5) (i) The noise associated with activities on site must not exceed a level which is 5 dB(A) below the General Noise Control Provisions of the Environment Protection (Commercial and Industrial Noise) Policy 2023 when measured and adjusted in accordance with that Policy at non-associated dwellings identified on Figure 1 of the Echo Acoustics Environmental Noise Assessment for 49 and 61 Sprigg Road, Crafers, with Reference ID: 242-6, dated 12 August 2025.

(ii) The noise associated with activities on site must not exceed the levels provided by the General Noise Control Provisions of the Environment Protection (Commercial and Industrial Noise) Policy 2023 when measured and adjusted in accordance with that Policy at the associated dwellings identified on Figure 1 of the Echo Acoustics Environmental Noise Assessment for 49 and 61 Sprigg Road Crafers, with Reference ID:242-6, dated 12 August 2025.

6) All forklifts on site associated with the commercial distribution of spring water shall be fitted with broadband reversing alarms within 3 months of Development Approval being granted.

7) Except where varied by this authorisation, all other conditions, plans and details relating to Development Authorisations 473/958/02 and 23003710 continue to apply to this amended authorisation.

ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 15 OCTOBER 2025
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[Please Note: These minutes are unconfirmed until 12 November 2025]

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 commence the development herein approved until you have received notification that Development Approval has been granted.**

2) **This Planning Consent is valid for a period of twenty-four (24) months from the date of the decision, 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.**

3) **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).**

4) **Any person undertaking development within the Adelaide Hills Council area is reminded of their obligation to take all reasonable measures to protect Council infrastructure. Any incidental damage to the Council's infrastructure – including but not limited to roads, footpath, pipes, road verge, street trees must be reinstated to a standard acceptable to Council at the Applicant's expense.**

5) **Appeal rights – The Applicant has a right of appeal in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.**

9. Development Assessment Applications – Development Act
Nil

10. Development Assessment Applications – Review of Decisions of Assessment Manager
Nil

ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
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[Please Note: These minutes are unconfirmed until 12 November 2025]

11. ERD Court Appeals

Nil

12. Policy Issues for Advice to Council

Malcolm Herrmann raised a question about the lack of opportunity for previous representors to be heard for variation applications. Deryn advised that this is the case for all variations related to operational matters which are not development in their own right. This was also the case under the form Development Act.

13. Other Business

Geoff advised that he will not be available for the November 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 ordinary Council Assessment Panel meeting will be held on Wednesday 12 November 2025.

17. Close meeting

The meeting closed at 7:57pm on 15 October 2025.

ADELAIDE HILLS COUNCIL AUDIT AND RISK COMMITTEE
MINUTES OF MEETING
MONDAY 20 OCTOBER 2025
63 MT BARKER ROAD STIRLING

In Attendance

Members:

Cr Malcolm Herrmann	Presiding Member
Cr Leith Mudge	Council Member
David Moffatt	Independent Member
Pamela Lee	Independent Member
Natalie Simmons	Independent Member

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Gary Lewis	Director Corporate Services
Skye Ludzay	Governance Officer
Bruce Smith	Manager Financial Services
Lauren Jak	Minute Secretary

Guests in Attendance:

Linh Dao	BDO Australia

1. COMMENCEMENT

The meeting commenced at 6:00pm.

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. APOLOGIES/LEAVE OF ABSENCE

2.1 Apology

Nil

2.2 Leave of Absence

Nil

2.3 Absent

Nil

ADELAIDE HILLS COUNCIL AUDIT AND RISK COMMITTEE
MINUTES OF MEETING
MONDAY 20 OCTOBER 2025
63 MT BARKER ROAD STIRLING

3. MINUTES OF PREVIOUS MEETINGS

3.1 Audit and Risk Committee Meeting – 18 August 2025

Moved Pamela Lee
S/- Natalie Simmons **ARC48/25**

That the minutes of the Audit and Risk Committee meeting held on Monday 18 August 2025, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4. PRESIDING MEMBER'S OPENING REMARKS

The Presiding Member gave the following update to the Committee:

- Council approved the Audit and Risk Committee's recommendations to adopt the Public Interest Disclosure Policy, Fees and Charges Policy and Community Loans Policy.
- Supplementary elections have been completed with Richard Gladigau and Alex Trescowthick (Valleys Ward) and Lisa Clare Woolcock (Ranges Ward) being elected.
- Jan Clare Wisdom resigned in September, resulting in a Supplementary election for the position of Mayor being held with voting closing on 9 February 2026.

5. DELEGATION OF AUTHORITY

The Audit and Risk Committee operates in accordance with the relevant sections of the Local Government Act 1999, and its Terms of Reference.

6. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF AUDIT AND RISK COMMITTEE

Nil

7. PRESENTATIONS, ACTION REPORT & WORKPLAN

External Auditors Independence – Exclusion of the Public and Staff

Moved Cr Leith Mudge
S/- Natalie Simmons **AC49/25**

Pursuant to section 90(2) of the *Local Government Act 1999* the Audit and Risk Committee (the Committee) orders that all members of the public, except:

- **Linh Dao, Auditor, BDO**

be excluded from attendance at the meeting for Agenda Item 7.2: (External Auditors Independence) in confidence.

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

> **Section 90(3)(g) of the Local Government Act, the information to be received, discussed or considered in relation to this Agenda Item is matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty; the disclosure of which could reasonably be expected to breach Local Government regulations.**

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

Carried Unanimously

The Audit and Risk Committee met with the Auditor, Linh Dao, BDO, without Council staff present, to discuss the External Auditor's report and any issues arising from the audit.

6:45pm all Council staff returned to the meeting.

7.1 Auditors Completion Report 2025

Moved Natalie Simmons
S/- David Moffatt

The Audit and Risk Committee resolves: **ARC50/25**

1. **That the report on the Auditors completion for 2025 be received and noted (7.1, 20 October 2025, Audit and Risk committee meeting).**

Carried Unanimously

With leave of the meeting the Presiding Member brought forward item 8.3 of the Agenda.

8.3 2024-25 GPFS Financial Report

Moved Pamela Lee
S/- Natalie Simmons **ARC51/25**

The Audit and Risk Committee resolves:

1. **That the report on 2024-25 Annual Financial Statements and End of Year report be received and noted (8.3, 20 October 2025, Audit and Risk committee meeting).**
2. **That the Committee recommends to Council (8.3, 20 October 2025, Audit and Risk committee meeting):**
    a. **That the Financial Statements present fairly in all material respects the financial position and the results of the operations of the Adelaide Hills Council, having reviewed the Financial Statements for 2024-25 as per Appendix 1.**
    b. **That it is appropriate that the Management Representation Letter requested by the external auditor, as per Appendix 2, is signed by management.**
    c. **That it notes the Certification of Auditor Independence as per Appendix 3 is signed by the Chief Executive Officer and the Presiding Member of the Audit Committee.**
    d. **That it authorises the Chief Executive Officer and the Acting Mayor to certify the Financial Statements for 2024-25 in their final form.**
3. **To authorise the CEO to make minor editorial changes (8.3, 20 October 2025, Audit and Risk committee meeting).**

Carried Unanimously

7.2 Action Report and Work Plan Update

Moved Pamela Lee
S/- Natalie Simmons

The Audit and Risk Committee resolves: **ARC52/25**

1. **To receive and note the Action Report and Work Plan Update (item 7.2, 20 October 2025, Audit and Risk Committee meeting).**
2. **To note the 2025 Action Report, October 2025, in Appendix 1 (item 7.2, 20 October 2025, Audit and Risk Committee meeting).**
3. **To adopt the 2025 Work Plan and Reporting Schedule in Appendix 2 (item 7.2, 20 October 2025, Audit and Risk Committee meeting).**

Carried Unanimously

ADELAIDE HILLS COUNCIL AUDIT AND RISK COMMITTEE
MINUTES OF MEETING
MONDAY 20 OCTOBER 2025
63 MT BARKER ROAD STIRLING

8. REPORTS – DECISION ITEMS

8.1 Internal Audit Quarterly Update

Moved Pamela Lee
S/- Leith Mudge **ARC53/25**

The Audit and Risk Committee resolves:

1. **To receive, discuss and note the Internal Audit Quarterly Report (item 8.1, 20 October 2025, Audit and Risk Committee meeting).**
2. **To note the 3-Year Internal Audit Workplan in Appendix 1 (item 8.1, 20 October 2025 Audit and Risk Committee meeting).**
3. **To note the Audit Actions Progress Report in Appendix 2 (item 8.1, 20 October 2025 Audit and Risk Committee meeting).**

Carried Unanimously

8.2 Director Corporate Services Update

Moved Natalie Simmons
S/- David Moffatt **ARC54/25**

The Audit and Risk Committee resolves:

1. **That the Director Corporate Services Update report be received and noted (8.2, 20 October 2025, Audit and Risk committee meeting).**

Carried Unanimously

8.3 2024-25 GPFS Financial Report

Item 8.3 was considered earlier in the meeting.

8.4 Report on Financial Results Adelaide Hills Council

Moved David Moffatt
S/- Natalie Simmons **ARC55/25**

The Audit and Risk Committee resolves:

1. That the report on the end of year audited financial results for 2024-25 be received and noted (item 8.4, 20 October 2025, Audit and Risk committee meeting).

Carried Unanimously

8.5 Legal Fees

Moved Pamela Lee
S/- Leith Mudge **ARC56/25**

The Audit and Risk Committee resolves:

1. **That the Legal Fees Analysis 2024/25 report be received and noted (8.5, 20 October 2025, Audit and Risk committee meeting).**
2. **To recommend to Council that it notes the detailed breakdown of legal expenditure by department and matter, as set out in this report (8.5, 20 October 2025, Audit and Risk committee meeting).**
3. **To recommend to Council that (8.5, 20 October 2025, Audit and Risk committee meeting):**
   a. **Council notes that legal expenses have risen by 66% or $332k from FY 2024 to FY 2025**
   b. **the CEO provides a report to the Audit and Risk Committee on legal fee expenditure on a quarterly basis in a form similar to that provided to the Audit and Risk committee at its meeting on 20 October 2025, up to and including the current financial year**

Carried Unanimously

9. QUESTIONS WITHOUT NOTICE

Nil

10. CONFIDENTIAL ITEMS

Nil

11. NEXT MEETING

The next ordinary meeting of the Audit and Risk Committee will be held on Monday 17 November 2025 from 6.00pm at 63 Mt Barker Road, Stirling.

12. CLOSE MEETING

The meeting closed at 8:23pm.

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
WEDNESDAY 15 OCTOBER 2025
63 MT BARKER RD STIRLING

In Attendance

Presiding Member: The position of Presiding Member was vacant

Members:

Cr Lucy Huxter	
Cr Nathan Daniell	
Cr Adrian Cheater	
Ms Hannah Wandel	

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Zoë Gill	Executive Governance Officer

1. COMMENCEMENT

The meeting commenced at 6.02pm.

The CEO welcomed Hannah Wandel to the meeting.

Under clause 7.5 of the Terms of Reference, the Panel decided that Cr Nathan Daniell would Preside over the meeting.

OPENING STATEMENT

1.1 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.

1.2 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.

2. APOLOGIES/LEAVE OF ABSENCE

2.1 Apology

Nil

2.2 Leave of Absence

Cr Kirsty Parkin - 6 October 2025 to 17 October 2025 - approved 26 August 2025

ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
WEDNESDAY 15 OCTOBER 2025
63 MT BARKER RD STIRLING

2.3 Absent

Nil

3. MINUTES OF PREVIOUS MEETINGS

3.1 CEO Performance Review Panel Meeting – 27 August 2025

Moved Cr Adrian Cheater
S/- Cr Lucy Huxter **PRP29/25**

That the minutes of the CEO Performance Review Panel meeting held on Wednesday 27 August 2025 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4. PRESIDING MEMBER'S OPENING COMMENTS

The Presiding Member welcomed Ms Hannah Wandel to the Panel and invited Ms Wandel to introduce herself to the Panel.

5. DELEGATION OF AUTHORITY

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

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

Nil

7. OFFICER REPORTS – DECISION ITEMS

6.08pm – With leave of two thirds of the meeting, the Acting Mayor suspended formal meeting procedures to allow the Panel to discuss the item.

6.50pm – The Acting Mayor determined to end the period of suspension and resume formal proceedings.

7.1. CEO Key Performance Indicators Progress Update – Quarter 1

Moved Cr Adrian Cheater
S/- Ms Hannah Wandel **PRP30/25**

1. That the report be received and noted.

2. To recommend to Council to note:

a. That the CEO provided a verbal and written update against his Key Performance Indicators to the CEO Performance Review Panel.

b. The CEO's Key Performance Indicators Update – Quarter 1 report (in Appendix 1).

Carried Unanimously

8. MOTIONS WITHOUT NOTICE

Nil

9. QUESTIONS WITHOUT NOTICE

The CEO raised a concern about the timing and management of his remuneration increase, which Council determined at its meeting on 9 September 2025.

10. CONFIDENTIAL ITEMS

Nil

11. NEXT MEETING

The next ordinary meeting of the CEO Performance Review Panel will be held on Wednesday 28 January 2026 from 6.00pm at 63 Mt Barker Road Stirling.

12. CLOSE MEETING

The meeting closed at 6.57pm.