



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Acting Mayor Nathan Daniell

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

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

Tuesday 9 December 2025

7.30pm

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 9 December 2025
7.30pm
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 – 25 November 2025

That the minutes of the ordinary meeting held on 25 November 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

Frequency and duration of Elected Member Leave of Absences until 28 April 2026

- 7.2. Questions Lying on the Table
Nil

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

- 8.1. Petitions
8.2. Deputations
8.3. Public Forum

9. PRESENTATIONS
Nil

10. QUESTIONS ON NOTICE

- 10.1. AHC Reserves and Roadsides and Crown/State Properties - Cr Gladigau

- 1. Has AHC staff investigated the possibility of litigation regarding the Native Vegetation Policy from AHC not maintaining reserves and roadsides under its duty of responsibility?**

No. The scope of the Native Vegetation and Conservation Encroachment Policy is to provide a framework for the administration to prevent and respond to illegal damage to native vegetation and land of Conservation Value on Council land and roads. General maintenance of Council reserves and roadsides is not impacted by the introduction of this Policy.

The Policy reduces our risk of being prosecuted under the Native Vegetation Act National Parks & Wildlife Act, EPBC Act and associated regulations, by ensuring administrative procedures are carried out diligently by staff with the correct skillset to identify relevant matters and ensure Council as a land manager maintains compliance under each of these pieces of legislation.

The risk of litigation relating to other roadside vegetation considerations is reduced through various other existing plans and documents, including:

Bushfire Mitigation Landscape Strategy 2024–2028

This strategy outlines Council's approach to managing vegetation on reserves and roadsides to reduce bushfire risk while balancing environmental and biodiversity values. It includes proactive fuel reduction, ecological management, and prioritisation of high-risk areas to meet Council's duty of care and mitigate potential liability.

Roadside Vegetation Management Guidelines

These guidelines set out how Council manages roadside vegetation in accordance with legislative requirements, safety standards, and environmental considerations. They provide clear processes for maintenance, hazard reduction, and compliance with the Native Vegetation Act 1991, reducing the likelihood of claims related to negligence or failure to maintain assets.

Road Reserves Annual Slashing Program (RRAMP)

The RRAMP is Council's scheduled program for fuel reduction and sightline maintenance works on road reserves and road-related areas, undertaken twice a year during the summer period. Council resources are targeted to areas with higher fuel loads as this is the most effective way to keep communities safe. Roads included in the RRAMP are prioritised based on traffic volumes, access and egress routes, strategic fuel breaks, and connectivity within the district.

In addition to these existing programs and documents, Council's Open Space team is currently in the process of reviewing the service levels and the delivery methods associated with the current reserve and roadside vegetation maintenance services provided. Council is establishing an operational team that is dedicated to the delivery of programs to clear vegetation encroaching within road traffic envelopes. Procurement of specialised plant and fleet is underway to provide an increased level of internal capacity to mechanically treat encroaching roadside vegetation on a mass scale. The introduction of reoccurring programmed works to address vegetation regrowth within our fire scar regions will commence within the first half of 2026.

While it is not possible to completely remove the risk of litigation, these plans and frameworks demonstrate Council's commitment to meeting its responsibilities under relevant legislation, reducing bushfire risk, and maintaining public safety, which significantly lowers the likelihood of legal action.

- 2. Can AHC issue 105 (f) notices to the Crown/State to maintain properties under their control e.g. Charleston Conservation Park, leading into the bushfire season? If so, what ability do AHC have to enforce that they comply?**

No, Council cannot issue s105F notices to the Crown/State Government. Section 105H of the Fire and Emergency Services Act 2005 (the Act) places a statutory obligation on Ministers, agencies, and instrumentalities of the Crown to take reasonable steps to prevent the outbreak and spread of fire on land under their care, control, or management. If the Chief Officer of the CFS/MFS believes these obligations are not being met, they can escalate the matter to the responsible Minister, who may require the agency to prepare and implement a management plan to ensure compliance.

Under section 105F of the Act, Council has powers to issue notices to owners of private land requiring them to undertake specified works to reduce bushfire hazards. These notices cannot be issued to land under the care, control, or management of a council or a Minister, agency, or instrumentality of the Crown.

11. MOTIONS ON NOTICE

- 11.1. Road Safety Woodside to Nairne Road, Inverbrackie (Cr Malcolm Herrmann)
1. *The CEO liaise with the CEO, Department of Infrastructure and Transport with the objective of improving the safety, particularly during heavy rainfalls, for motorists who use the Woodside to Nairne Road, Inverbrackie and provide a report to council by 31 March 2026*

12. ADMINISTRATION REPORTS – DECISION ITEMS

12.1. Adelaide Hills Council (miscellaneous) Amendment By-law 2026 Adoption

1. *To note and receive the report and the Community Engagement Outcomes Report – Amendment to correct Local Government Land By-Law No.3 provided in Appendix 2.*
2. *To make and pass Adelaide Hills Council (Miscellaneous) Amendment By-law 2026 as attached and marked as Appendix 1 of this report, exercising powers contained in Section 246 of the Local Government Act 1999, having satisfied the consultation requirements of the Act and having regard to the submissions received from the public, the Certificates of Validity provided by the Council's legal practitioner and in the presence of at least two thirds of its members.*
3. *That the Chief Executive Officer be authorised to undertake all steps necessary to finalise the By-law review process and to give effect to Adelaide Hills Council (Miscellaneous) Amendment By-law 2026.*

12.2. Confidential Items Renewal – December 2025

DECISION 1

1. *To receive and note the report titled "Confidential Items Renewal – December" (Agenda item 12.2, 9 December 2025 Council Meeting).*
2. *To note the following items on the confidential items register being resolutions 37/25, 38/25, 34/25, 31/25 and 25/25 have been reviewed and will remain in confidence.*

DECISION 2 – 28/25 – Motion on Notice – Behavioural Matter

1. *Pursuant to Section 91(7) of the Local Government Act 1999, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:*
 - *The report, related attachments, minutes and other (presentation, documents, or similar) of 28 January 2025, Item No. 19.2, Motion on Notice – Behavioural Matter, 28/25 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months.*

On the grounds that the document(s) (or part) relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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

12.3. CEO Conduct Complaint Handling Procedure

Option 1

1. *That the report be received and noted.*
2. *To adopt, with an effective date of 16 December 2025, the CEO Conduct Complaint Handling Procedure at Appendix 1.*
3. *To note the proposed amendments to the Grievance Resolution Procedure at Appendix 2.*
4. *That the Director, Corporate Services be authorised to make any formatting, nomenclature or other minor changes to the CEO Conduct Complaint Handling Procedure.*

Option 2

1. *That the report be received and noted.*
2. *That the Director, Corporate Services consult with staff and elected members on the proposed CEO Conduct Complaint Handling Procedure at Appendix 1.*
3. *That the Director, Corporate Services report to Council on the results of the consultation at the 28 January 2026 Council meeting and make recommendations regarding the adoption of the final procedure.*
4. *To note the proposed amendments to the Grievance Resolution Procedure at Appendix 2.*

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

Nil

14. CORRESPONDENCE FOR NOTING

- 14.1. Local Government Funding and Fiscal Sustainability Letter
- 14.2. Letter from Hon. Blair Boyer MP re Basket Range Area
- 14.3. Letter from ECSA Close of Mayoral Election Nominations

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
Nil

18.2. Audit and Risk Committee
Nil

18.3. CEO Performance Review Panel
Nil

18.4. Boundary Change Committee
Nil

19. CONFIDENTIAL ITEMS

19.1 Citizen of the Year 2026 Recommendations

20. NEXT MEETING

Tuesday 27 January 2026, 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	Skye Ludzay
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		AP	F		AP	F	AP	
17 June 25 (WS)	LOA	AP	F	F	F		F	F		AP	F	F	
7 July 25 (WS)	LOA	LOA	F	F	AP		AP	A		F	F	P	
15 July 25 (PD)	LOA	LOA	F	F	F		AP	F		F	F	AP	

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	
3 Nov 25 (WS)	F	A	F	F	AP	F	F	F	A	F	AP	F	
18 Nov 25 (WS)	F	LOA	A	F	F	P	F	LOA	AP	F	F	AP	
1 December 2025	F	F	F	F	A	P	P	P	P	F	F	AP	

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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		F	F		F	F	AP	F
10 Jun 25	LOA	F	F	F	F		F	F		F	F	F	
17 Jun 25	LOA	AP	F	F	F		F	F		AP	F	F	
30 Jun 25	LOA	LOA	F	F	F		F	F		AP	F	F	
8 Jul 25	LOA	LOA	F	F	F		AP	AP		F	F	F	
22 Jul 25	LOA	LOA	F	F	F		AP	F		F	F	F	
4 Aug 25	LOA	F	F	F	F		F	F		F	F	LOA	
12 Aug 25	LOA	LOA	F	F	F		F	F		F	F	F	
26 Aug 25	LOA	LOA	F	F	F		F	F		F	F	F	
9 Sept 25	LOA	AP	F	F	F		F	F		F	F	AP	
23 Sept 25		AP	F	F	F		F	F		F	F	F	

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	
28 Oct 2025	F	F	F	F	F	F	F	F	F	AP	P	F	

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11 November 2025	F	F	F	F	F	F	F	F	F	F	F	F	
25 November 2025	F	LOA	F	F	F	F	F	F	F	F	F	LOA	

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 deputy 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.

Questions on Notice

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 December 2025
AGENDA BUSINESS ITEM**

Item: 10.1 Question on Notice

Originating from: Cr Richard Gladigau

Subject: AHC Reserves and Roadsides and Crown/State Properties

1. QUESTION

1. Has AHC staff investigated the possibility of litigation regarding the Native Vegetation Policy from AHC not maintaining reserves and roadsides under its duty of responsibility?
2. Can AHC issue 105 (f) notices to the Crown/State to maintain properties under their control e.g. Charleston Conservation Park, leading into the bushfire season? If so, what ability do AHC have to enforce that they comply?

2. BACKGROUND

1. At the Ordinary meeting on 28 Oct 2025 I raised during the debate and AM Daniells highlighted this to staff and asked to investigate, the possibility of litigation with the Native Vegetation Policy
2. At the Ordinary meeting on the 11 Nov 2025 under the CEO report on 105 (f) notices that had been sent I raised a question in regard to State/Crown owned land and AHC being able to issue to them as well.

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

1. **Has AHC staff investigated the possibility of litigation regarding the Native Vegetation Policy from AHC not maintaining reserves and roadsides under its duty of responsibility?**

No. The scope of the Native Vegetation and Conservation Encroachment Policy is to provide a framework for the administration to prevent and respond to illegal damage to native vegetation and land of Conservation Value on Council land and roads. General maintenance of Council reserves and roadsides is not impacted by the introduction of this Policy.

The Policy reduces our risk of being prosecuted under the Native Vegetation Act National Parks & Wildlife Act, EPBC Act and associated regulations, by ensuring administrative procedures are carried out diligently by staff with the correct skillset to identify relevant matters and ensure Council as a land manager maintains compliance under each of these pieces of legislation.

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In addition to these existing programs and documents, Council's Open Space team is currently in the process of reviewing the service levels and the delivery methods associated with the current reserve and roadside vegetation maintenance services provided. Council is establishing an operational team that is dedicated to the delivery of programs to clear vegetation encroaching within road traffic envelopes. Procurement of specialised plant and fleet is underway to provide an increased level of internal capacity to mechanically treat encroaching roadside vegetation on a mass scale. The introduction of reoccurring programmed works to address vegetation regrowth within our fire scar regions will commence within the first half of 2026.

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Under section 105F of the Act, Council has powers to issue notices to owners of private land requiring them to undertake specified works to reduce bushfire hazards. These notices cannot be issued to land under the care, control, or management of a council or a Minister, agency, or instrumentality of the Crown.

4. APPENDIX

Nil

Motions on Notice

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 December 2025
AGENDA BUSINESS ITEM**

Item: 11. Motion on Notice

Originating from: Cr Malcolm Herrmann

Subject: Road Safety Woodside to Nairne Road, Inverbrackie

1. MOTION

I move that:

- 1. The CEO liaise with the CEO, Department of Infrastructure and Transport with the objective of improving the safety, particularly during heavy rainfalls, for motorists who use the Woodside to Nairne Road, Inverbrackie and provide a report to council by 31 March 2026**

2. BACKGROUND

This is the main road linking Woodside to Nairne, running past the Woodside Army Barracks and the new land division the "Crest". I have received submissions from residents that there is literally no storm water management resulting in water frequently crossing the road. The rain event last Friday made the road near the Army Barracks literally impossible to use safely.

Woodside has an average rainfall of 726 mm p.a.

I am advised that the flooding of the road was reported to council after hours, but there was no noticeable action. I have noticed on other DIT roads that "Water over the Road" signs are usually erected to warn drivers of impending danger.

I'm unsure who does this.

There are no pedestrian facilities for people near the "Crest " and Army barracks.

Some members may recall that former Cr. Selwood raised the issue of a path (both pedestrian and cycle) from the "Crest" into Woodside. This proposal could form part of the discussion.

Council has addressed concerns re flooding (blocked culvert pipes) previously on Nairne Road

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

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

Strategic Plan 2024 – Your Place, Your Space

Goal 3 Built Form and Economy

Objective BFE 3 Develop and maintain infrastructure to support liveability

Priority N/A

This is an advocacy request regarding a State Government responsibility and does not talk to a specific priority objective in Council's strategic plan.

➤ **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**

Not applicable.

Consultation on the development of this report was as follows:

Council Committees: Not applicable.

Council Workshops: Not applicable.

Advisory Groups: Not applicable.

External Agencies: DIT South liaison officers have been informed of this request by Council's Manager of Civil Services.

Community: Not applicable.

4. ANALYSIS

Adelaide Hills Council maintains consistent communication with Department of Infrastructure and Transport administration officers regarding community concerns with matters relating to DIT roads and infrastructure.

In this instance, Council have communicated the community concern to the DIT regional office responsible for the road of concern. The cause of the water accumulation is likely the failure to remove vegetation that has grown against the guard rail. This requires contractors to have fit for purpose equipment to rectify. Council administration has shared with the relevant DIT regional office the known contractors able to perform this method of vegetation control around guard rails.

It is important that the highest priority strategic road maintenance / infrastructure requests remain unencumbered in correspondence between Adelaide Hills Council CEO and the CEO of DIT and that more operational matters are communicated to regional district administration officers.

Crucially important is for residents to communicate directly by letter, [email](#) or telephone (1800 018 313) call to log concerns and complaints directly to [DIT](#). This is a far more weighted approach to achieve more expedient actions and/or response into the prioritisation that DIT has placed on the matter raised. In effect, utilising Council as the conduit to outline matters of concern diminishes the weighting afforded by a direct and potentially repeated report of a concern direct to the agency with budget and responsibility. It is acknowledged that the public may not be aware of ownership of roads and Administration and Elected Member's role is to assist the public to understand when a road is State owned and not Council owned and assist in taking action when appropriate.

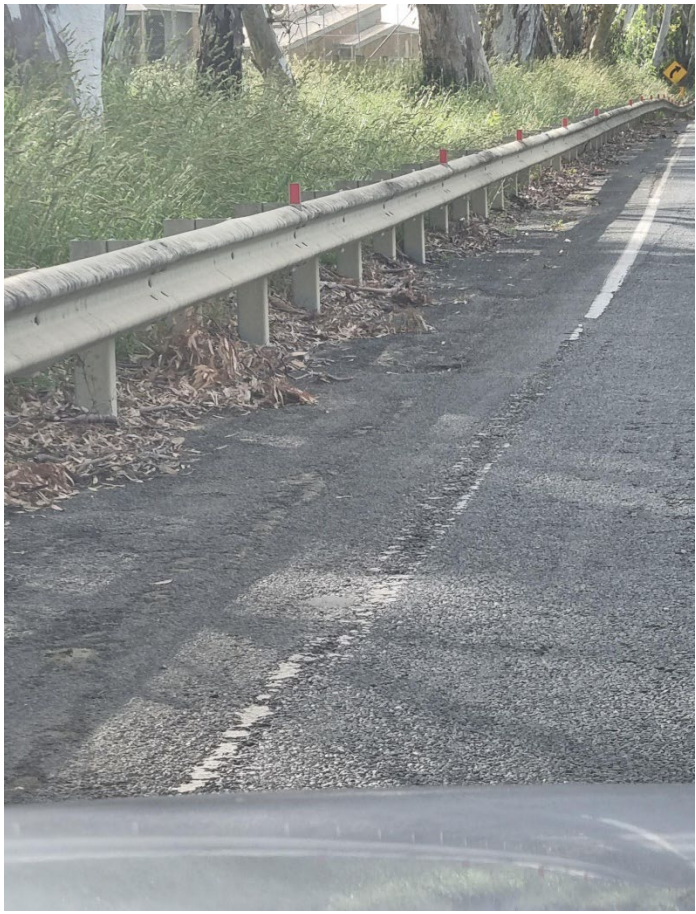
Council's advocacy is more effectively utilised for strategic initiatives such as road reconfigurations, pedestrian crossings and major developments and upgrades.

5. APPENDICES

- (1) Flooded area photos
- (2) Map showing Nairne Road from Pfeiffer Road to at least Drummond Road Woodside

Appendix 1

Flooded Area Photos





Appendix 2

*Map Showing Nairne Road from Pfeiffer Road to at least
Drummond Road, Woodside*

Appendix 2

Map Showing Nairne Road from Pfeiffer Road to at least Drummond Road, Woodside



Administration Reports Decision Items

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 December 2025
AGENDA BUSINESS ITEM**

Item:	12.1
Responsible Officer:	Jess Charlton Director Community and Development Community and Development
Subject:	Adelaide Hills Council (Miscellaneous) Amendment By-law 2026 Adoption
For:	Decision

SUMMARY

The purpose of this report is to present the *Adelaide Hills Council (Miscellaneous) Amendment By-law 2026* (the Amendment By-Law) for adoption following community consultation.

The draft *Adelaide Hills Council (miscellaneous) Amendment By-law 2026* has been developed to rectify drafting errors in the *Local Government Land By-law 2025* (By-law No.3 – Local Government Land). Community consultation has been undertaken in accordance with the *Local Government Act 1999* and the results are presented for Council’s consideration.

Given the outcome of community consultation, it is recommended that the Amendment By-law (**Appendix 1**) be adopted without change.

RECOMMENDATION

Council resolves:

- 1. To note and receive the report and the *Community Engagement Outcomes Report – Amendment to correct Local Government Land By-Law No.3* provided in *Appendix 2*.**
 - 2. To make and pass *Adelaide Hills Council (Miscellaneous) Amendment By-law 2026* as attached and marked as *Appendix 1* of this report, exercising powers contained in Section 246 of the *Local Government Act 1999*, having satisfied the consultation requirements of the Act and having regard to the submissions received from the public, the Certificates of Validity provided by the Council’s legal practitioner and in the presence of at least two thirds of its members.**
 - 3. That the Chief Executive Officer be authorised to undertake all steps necessary to finalise the By-law review process and to give effect to *Adelaide Hills Council (Miscellaneous) Amendment By-law 2026*.**
-

1. BACKGROUND

The overarching intent of Council's suite of By-laws is to provide for the good rule and government of the Council area.

By-law No. 3 – Local Government Land was made by the Council at its meeting 12 August 2025 and will come into operation on 21 December 2025, being four months after the day on which it was published in the Government Gazette.

12.1 By -Law Adoption and Consultation

**Moved Cr Leith Mudge
S/- Cr Kirsty Parkin**

266/25

DECISION 1

Council resolves:

- 1. That the report be received and noted.**
- 2. To make and pass the following By-laws as attached and marked as Appendices 1 to 3 and 5 to 6 of this report, exercising powers contained in Section 246 of the Local Government Act 1999, having satisfied the consultation requirements of the Act and having regard to the submissions received from the public, the Certificates of Validity provided by the Council's legal practitioner and in the presence of at least two thirds of its members.**
- 3. That the Chief Executive Officer be authorised to undertake all steps necessary to finalise the By-law review process and to give effect to the newly adopted By-laws.**

Carried Unanimously

Resolution 266/25 was made with at least two-thirds of the members of the Council present and was supported by at least an absolute majority of the members of the Council.

The adopted By-law No.3 – Local Government Land was subsequently found to have drafting errors upon review by the Legislative Review Committee (LRC).

The LRC identified the following issues requiring correction:

- Definition of "animal" did not exclude dogs, inadvertently restricting dogs from local government land without Council permission.
- Clause 4.24 did not exempt lawful fishing activities, creating inconsistency with Clause 4.23.
- Incorrect cross-references in Clauses 10.2, 10.3, and 11, which affect the intended application of exemptions and resolutions under the *Local Government Act 1999*.

The Amendment By-law in **Appendix 1** was subsequently drafted to address the issues identified in order to avoid the risk of disallowance by the Parliament of the adopted By-Law No.3 – Local Government Land. The purpose of the Amendment By-Law is to make amendments to several paragraphs in the adopted By-law No.3 – Local Government Land and it will then expire 24 hours after coming into operation in accordance with section 251(1) of the Act.

The results of the community consultation on the amended proposed Adelaide Hills Council (miscellaneous) Amendment By-law are provided in **Appendix 2** and discussed below in the analysis.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 4 Organisation

Objective O2 Operate with integrity using best practice governance processes

Priority O2.1 Demonstrate accountable and transparent decision making.

This report provides the results of community consultation on the draft By-laws, ensuring that any decision around their adoption takes into account the community's views.

➤ Legal Implications

Chapter 12, Part 1 of the *Local Government Act 1999* (the Act) provides Councils with the ability to make By-laws for the benefit of the community as a whole. While Councils are not legally obliged to have By-laws in place, the adoption of By-laws is considered essential for good governance of community and Council owned land within the Adelaide Hills Council.

The Act outlines the scope of Council's By-law making powers and prescribes the procedure that Council must observe when making By-laws. Any By-laws made by Council must comply with the rules and principles contained in Sections 247, 248 and 249 of the Act.

By-laws must be made at a meeting of Council where at least two-thirds of the members of the Council are present and the relevant resolution must be supported by an absolute majority of members of the Council. On this occasion, eight (8) members must be present at the meeting and seven (7) members must vote in support of the resolution.

Certificates of validity, in the prescribed form, must be obtained from a legal practitioner and are provided in **Appendix 3**.

The draft amendment has been structured to make the necessary corrections and will expire 24 hours after commencement, as permitted under Section 251(1) of the Act and Section 32(2)(c) of the *Legislation Interpretation Act 2021*.

Usually, By-laws come into effect four months after the date of gazettal. However, section 249(6)(b) allows for a by-law to take effect from an earlier specified day if it corrects an error or inaccuracy in a by-law.

➤ Risk Management Implications

Council resolving to endorse the draft By-law as recommended will assist in mitigating the risk of:

Not having by-laws in place to provide for the good rule and government of Council areas, and for the convenience, comfort and safety of the community

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

Should the Council not adopt the Amendment By-law as recommended, there is a risk that the Parliament will disallow the adopted By-Law No.3, with the consequence that Council does not have a by-law in place to regulate activities on Council land.

➤ **Budget, Financial and Resource Implications**

Not applicable.

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

Adopting the Amendment By-law as recommended, will ensure local laws are in place to regulate activities on local government land for the convenience, comfort and safety of the community.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	Not Applicable
<i>Community:</i>	Consultation was undertaken from 11 November to 2 December 2025

As the CEO has delegation to undertake public consultation on a proposed by-law, the Administration determined to commence public consultation without bringing the matter to Council. This was due to the administrative nature of the Amendment By-law and to enable the twenty-one days consultation to occur, in order for the Amendment By-law to be considered on 9 December 2025.

➤ **Additional Analysis**

Consultation Approach

Pursuant to Section 249 of the *Local Government Act 1999*, public consultation on By-laws must be undertaken in line with Council's *Public Consultation Policy*. A community engagement strategy was developed, and consultation was undertaken with the community over 21 days from Tuesday 11 November to Wednesday 2 December 2025.

The engagement approach aimed to provide detail on the amendments and why these amendments were required. Respondents were able to select the By-law and provide feedback, including their level of support for the proposed changes for the By-law, along with any additional feedback or comments. 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 online submission via the online Engagement Hub, email, mail, phone and hardcopy feedback form.

Consultation Outcome and Summary

A total of 2 survey responses were received, with all respondents participating via the online Engagement Hub. Feedback came from residents in Bridgewater and Crafers.

The feedback received was 50/50, with one respondent supporting the Amendment By-Law and the other respondent not supporting. The respondent not supporting the Amendment By-Law referenced draft *By-law No.7 – Township Bird Management* in their response.

The detailed results from the consultation are provided in the *Community Engagement Outcomes Report – Adelaide Hills Council (miscellaneous) Amendment By-law 2026* in **Appendix 2**. Given the low number of responses, a thematic summary of the comments has not been included.

Following the outcome of the community consultation, it is recommended that the Amendment By-law be adopted by Council unchanged per the draft in **Appendix 1**.

3. OPTIONS

Council has the following options:

- I. To adopt draft *Adelaide Hills Council (Miscellaneous) Amendment By-law 2026* contained within **Appendix 1**. The adopted By-law will then be advertised and published in the Government Gazette in accordance with the *Local Government Act 1999* and sent to the Legislative Review Committee as required. This option is recommended as it will ensure drafting errors are amended prior to the By-law No.3 – Local Government Land coming into operation.
- II. To not adopt the draft By-law contained in **Appendix 1**. This option is not recommended as it will mean that the drafting errors in the adopted By-law 3 – Local Government Land are not rectified which is likely to lead to a disallowance motion in the Parliament.

4. APPENDICES

- (1) Adelaide Hills Council (Miscellaneous) Amendment By-law 2026
- (2) Community Engagement Outcomes Report – Amendment to correct Local Government Land
- (3) Certificate of Validity

Appendix 1

Adelaide Hills Council (miscellaneous) Amendment By-law 2026



ADELAIDE HILLS COUNCIL

By-law made under the Local Government Act 1999

ADELAIDE HILLS COUNCIL (MISCELLANEOUS) AMENDMENT BY-LAW 2026

By-law No. 1 of 2026

To amend the Council's *Local Government Land By-law No 3 of 2025*.

Part 1 - Preliminary

1. Short title

This by-law may be cited as the *Adelaide Hills Council (Miscellaneous) Amendment By-law 2026*.

2. Commencement

This by-law will come into operation on the day in which it is published in the *Gazette* in accordance with Section 249(6)(b) of the *Local Government Act 1999*.

3. Amendment Provisions

In this by-law, a provision under a heading referring to the amendment of a specified by-law amends the by-law so specified.

Part 2 - Amendment of *Local Government Land By-law No 3 of 2025*

4. Amendment of Paragraph 3 – Definitions

4.1 Paragraph 3.1 – delete ‘;’ and insert after ‘fish’ ‘, but does not include a dog;’.

5. Amendment of Paragraph 4.24 – Flora, Fauna and Other Living Things

5.1 Paragraph 4.24.2 – before ‘remove,’ insert ‘except for lawful fishing activities,’.

5.2 Paragraph 4.24.3 – before ‘use,’ insert ‘except for lawful fishing activities,’.

6. Amendment of Paragraph 10 – Exemptions

6.1 Paragraph 10.2 – after ‘paragraph’ delete ‘4.16.3’ and insert ‘4.15.3’.

- 6.2 Paragraph 10.3 – after ‘4.7,’ delete ‘4.19, 4.21.1, 4.21.2 and 4.21.4’ and insert ‘4.18, 4.20.1, 4.20.2 and 4.20.4’.

7. Amendment of Paragraph 11 – Application

- 7.1 Paragraph 11 – after ‘4.25,’ delete ‘26.2’ and insert ‘4.26.2’.

Part 6 – Expiry

8. Expiry

This by-law will expire 24 hours after it comes into operation in accordance with Section 251(1) of the *Local Government Act 1999*.

Note: In accordance with Section 32(2)(c) of the *Legislation Interpretation Act 2021*, the expiry of this by-law does not affect any direct amendments made by this by-law.

The foregoing by-law was duly made and passed at a meeting of the Council of the Adelaide Hills Council held on the _____ day of _____ 2025/6 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

.....
Mr Greg Georgopoulos
Chief Executive Officer

Appendix 2

*Community Engagement Outcomes Report –
Amendment to correct Local Government Land*

Hills Local Laws – Phase 3

Community Engagement Outcomes Report

December 2025



Adelaide Hills
COUNCIL

Contents	1
1. Introduction.....	0
2. Summary of Engagement.....	0
Engagement approach.....	0
Distribution and promotion	1
3. Participants.....	1
Participation source	1
Participation characteristics.....	1
4. Online Feedback.....	2
Level of support the Amendment By-law 2026.....	2
Respondents feedback and comments.....	2
5. Conclusion	2
6. Appendices.....	3
Appendix A – Information Provided and Feedback Form.....	3
Appendix B – Advertisements and social media posts.....	9

1. Introduction

By-laws are local laws created by Council to manage issues specific to areas under our care and control – from pets to waste, trees and signage.

Some By-laws are in place to protect the comfort and safety of our community while others seek to prevent damage to local government land.

We review our By-laws every 7 years to ensure they meet the current needs of our community and to meet our obligations under the Local Government Act 1999. There are some things we cannot create By-laws for, for example, things that are the responsibility of State or Federal Government.

During July 2025, we asked for our communities' feedback on proposed changes/revisions to our existing six By-laws as well as a proposed additional By-law. At the Council Meeting held on 12 August 2025, Council endorsed the revisions/changes to existing By-laws:

- No. 1 Permits and Penalties
- No. 2 Moveable Signs
- No. 3 Local Government Land
- No. 5 Dogs
- No. 6 Cats

In November 2025, we received correspondent from the Legislative Review Committee (LRC), advising of errors and corrections required following Council endorsement of the revised By-law No. 3 Local Government Land, in August 2025. We are required to re-engage with our community around an Amendment By-law 2026 required to rectify these drafting errors.

We invited feedback from the public on the Adelaide Hills Council (Miscellaneous) Amendment By-law 2026 between Tuesday 11 November and Tuesday 2 December 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 two participants provided feedback on the Amendment By-law 2026.

2. Summary of Engagement

Engagement approach

The purpose of the engagement was to assist us to understand our community's level of support for the proposed Amendment By-law 2026 created to addresses concerns raised by the Legislative Review Committee (LRC).

Pursuant to Section 249 of the Local Government Act 1999, public consultation must be undertaken in line with Council's Public Consultation Policy when passing new By-laws. Consultation was undertaken with the community over 22 days from Tuesday 11 November to Tuesday 2 December 2025.

Questions were asked to determine participants level of support for the proposed Amendment By-law 2026, along with any additional feedback or comments. 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 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 Centres

Distribution and promotion

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

- Adelaide Hills Council Website and Engagement Hub Page
- Email to previous engagement participants
- Email to Elected Members to share
- Posters, hardcopy information and feedback forms available at Customer Service Centres and Libraries at Gumeracha, Stirling, Woodside and The Summit.

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

All promotional advertisements 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 1 Participation Source

Activity	Number Participating
Online submissions	2
Hardcopy submissions	0
Written response – email, letter	0
Total Consultation Participation	2

Participation characteristics

Respondents suburb

Table 2 Participant Suburbs

Suburb / Township	No. of Respondents	% of Participants
Bridgewater	1	50%
Crafers	1	50%
Total	No. 2	100%

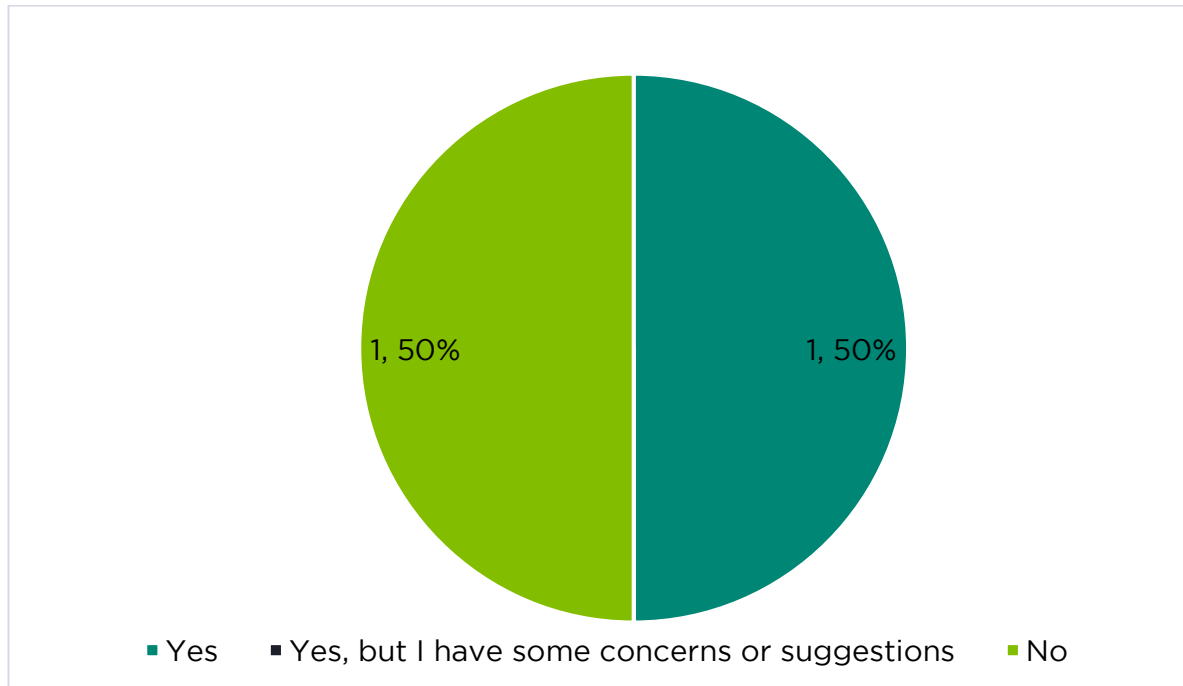
4. Online Feedback

2

Level of support the Amendment By-law 2026

Two respondents provided feedback on the Amendment By-law 2026. When asked if they supported the draft Amendment By-law 2026, one respondent answered “Yes” and one respondent answered “No”.

Chart/graph 1: Respondents’ level of support



Respondents feedback and comments

Respondents were asked to if they had “Any further feedback about Amendment By-law 2026”. One respondent chose to provide a comment in relation to township boundaries and the draft By-law No. 7 Township Bird Management, and it is shown verbatim below:

Comment: “Yes, as outlined in my previous submission, I disagree with the current Crafers township outline and am requesting a review as in areas such as our property it does not seem logical as we live on a 4 acre property surrounded by similar sized properties. I also disagree with the need to register Roger the rooster.”

5. Conclusion

As can be seen from the two feedback responses received, there was limited interest and/or disagreement with the need for the Amendment By-law 2026 required to rectify drafting errors in the previously endorsed By-law No. 3 Local Government Land (endorsed in August 2025).

The one respondent who was not supportive of the Amendment By-law 2026, referenced feedback not in relation to the By-law being discussed but rather township boundaries and the draft By-law No. 7 Township Bird Management.

6. Appendices

Appendix A – Information Provided and Feedback Form

Adelaide Hills Engagement Hub page

Hills Local Laws

Share your feedback on the Adelaide Hills Council (Miscellaneous) Amendment By-Law 2026 to rectify drafting errors in the Local Government Land By-Law No. 3 of 2025.

+ Follow



Home / Hills Local Laws



Adelaide Hills Council (Miscellaneous) Amendment By-law 2026, has been prepared to rectify drafting errors in the Local Government Land By-Law No. 3 of 2025 adopted earlier this year.

Why is the amended By-law required?

This amendment addresses concerns raised by the Legislative Review Committee (LRC). They have advised council of the errors and corrections required following Council endorsement of the revised By-law No. 3 Local Government Land, in August 2025.

The following issues have been identified:

- Definition of “animal” does not exclude dogs.
- Clause 4.24 does not exempt lawful fishing activities, creating inconsistency with Clause 4.23.
- Incorrect cross-references in Clauses 10.2, 10.3, and 11, which affect the intended application of exemptions and resolutions under the *Local Government Act 1999*.

You can view draft Amendment By-law 2026 under the Document Library.

The previously adopted 2025 version of By-law No. 3 Local Government Land will come into effect on 1st January 2026. The revisions within the Amendment By-law 2026 will not take effect until they are adopted by the Council. Once adopted by the Council, the revisions listed above will replace the relevant sections within By-law No. 3 Local Government Land.

Hills Local Laws - View the information we shared with our community during July and September 2025.

Phase 1

Phase 2



Lifecycle

- ✓

Draft By-laws
Draft By-laws presented to Council and endorsed for community engagement.
- ✓

Community Engagement Open
This consultation is open for contributions.
- ✓

Under Review
Contributions to this consultation are closed for

the Council. Once adopted by the Council, the revisions listed above will replace the relevant sections within By-law No. 3 Local Government Land.

Sharing your feedback

You can share your feedback on the Adelaide Hills Council (Miscellaneous) Amendment By-Law 2026, in any of the following ways:

- Complete the online feedback form below
- Email your feedback to engage@ahc.sa.gov.au
- Mail a letter to 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 Centres or Libraries at:
 - Coventry Library, 63 Mt Barker Rd, Stirling
 - Woodside Service Centre, 26 Onkaparinga Valley Road, Woodside
 - Gumeracha Civic Centre, 45 Albert Street, Gumeracha
 - The Summit Community Centre, 4 Crescent Dr, Norton Summit

This engagement closes at 5pm on Tuesday 2 December 2025.

Feedback form	Background	Aug 2025 Council decision	Nov 2025 Council decision
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Register / sign-in to participate

To complete the online feedback form below, you will need to be registered for Adelaide Hills Engagement Hub. Registration allows us to ensure we can close the loop with you about engagement outcomes and project next steps and helps us to understand who we are receiving feedback from.

Signing up for Adelaide Hills Engagement Hub is as simple as choosing a username and password and entering your email and residential suburb/township. There are other demographic questions you can choose whether you'd like to complete as part of the sign-up process.

If you are an existing member visiting the new platform for the first time, you will need to reset your password before you can sign-in. To reset your password, click the 'Log in / Join' button in the banner at the top the page. Then click the 'Forgot password?' link.

You will be asked to enter your email address. Click the 'reset and email password' button and we will send you instructions to reset your password.

Register for Adelaide Hills Engagement Hub

Open

</> Embed

Feedback Form - Amendment to By-law for Local Government Land



Under Review

Contributions to this consultation are closed for evaluation and review. The project team will report back on key outcomes.



Council Report

The below By-laws presented to Council for endorsement:

- No. 1 Permits and Penalties
- No. 2 Moveable Signs
- No. 3 Local Government Land
- No. 5 Dogs
- No. 6 Cats



Community Engagement - Roads and Bird Management

We are seeking feedback on proposed revisions to By-law No. 4 Roads and By-law No. 7 Birds within Townships



Community engagement- amendments to By-law No. 3 Local Government Land

Tuesday 11 November to Tuesday 2 December 2025



Council Report - 25 November 2025

The below By-laws presented to Council for endorsement:

- No. 4 Roads
- No. 7 Birds within Townships



By-laws reviewed by Legislative Review Committee

Draft by-laws sent to Legislative Review Committee for approval post to Council endorsement.

[See less](#)

FAQs

? What are By-laws?

Adelaide Hills Council (Miscellaneous) Amendment By-law 2026

Do you support the Adelaide Hills Council (Miscellaneous) Amendment By Law 2026? Required

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

Any further feedback about Amendment By-law 2026

About you

What is your connection to the Adelaide Hills Council? Required

Select all that apply

- ☐ Resident
- ☐ Business owner
- ☐ Visitor
- ☐ Employee/work
- ☐ Student
- ☐ Other (please specify)

Name Required

Email address Required

mclarke@ahc.sa.gov.au

Your suburb, township or locality Required

What are By-laws?

? How does council enforce By-laws?

? What amendments are being proposed?

Document Library

Adelaide Hills Council (Miscellaneous) Amendment By-law 2026

PDF (360.85 KB)

Feedback Form - Amendment By-law 2026

PDF (241.98 KB)

Poster - Hills Local Laws Phase 3

PDF (2.06 MB)

Factsheet - Hills Local laws Phase 3

PDF (246.84 KB)

[See more](#)

Who's Listening

Matt Ahern

Team Leader Regulatory Services, Adelaide Hills Council

Phone: 08 8408 0461

Email: mahern@ahc.sa.gov.au

Melissa Clarke

Community Engagement Coordinator, Adelaide Hills Council

Email: mclarke@ahc.sa.gov.au

Hills Local Laws

Share your feedback on the Amendment By-Law 2026



Adelaide Hills Council (Miscellaneous) Amendment By-law 2026, has been prepared to rectify drafting errors in the Local Government Land By-Law No. 3 of 2025.

This amendment addresses concerns raised by the Legislative Review Committee (LRC). They have advised council of the errors and corrections required following Council endorsement of the revised By-law No. 3 Local Government Land, in August 2025.

The following issues have been identified:

- Definition of "animal" does not exclude dogs.
- Clause 4.24 does not exempt lawful fishing activities, creating inconsistency with Clause 4.23.
- Incorrect cross-references in Clauses 10.2, 10.3, and 11, which affect the intended application of exemptions and resolutions under the Local Government Act 1999.

The previously adopted 2025 version of By-law No. 3 Local Government Land will come into effect on 1st January 2026. The revisions within the Amendment By-law 2026 will not take effect until they are adopted by the Council. Once adopted by the Council, the revisions listed above will replace the relevant sections within By-law No. 3 Local Government Land.

Share your feedback in 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 a letter to 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 Centres or Libraries at:
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 - Gumeracha Civic Centre, 45 Albert Street, Gumeracha
 - The Summit Community Centre, 4 Crescent Dr, Norton Summit

This engagement closes at 5pm on Tuesday 2 December 2025.

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



Hills Local Laws- Share your feedback on Amendment By-law 2026



What's happening?

The Adelaide Hills Council (Miscellaneous) Amendment By-law 2026, has been prepared to rectify drafting errors in the Local Government Land By-Law No. 3 of 2025.

This amendment addresses concerns raised by the Legislative Review Committee (LRC). They have advised council of the errors and corrections required following Council endorsement of the revised By-law No. 3 Local Government Land, in August 2025.

The following issues have been identified:

- Definition of "animal" does not exclude dogs.
- Clause 4.24 does not exempt lawful fishing activities, creating inconsistency with Clause 4.23.
- Incorrect cross-references in Clauses 10.2, 10.3, and 11, which affect the intended application of exemptions and resolutions under the Local Government Act 1999.

The previously adopted 2025 version of By-law No. 3 Local Government Land will come into effect on 1st January 2026. The revisions within the Amendment By-law 2026 will not take effect until they are adopted by the Council. Once adopted by the Council, the revisions listed above will replace the relevant sections within By-law No. 3 Local Government Land.

Please return this form by 5pm Tuesday 2 December 2025, via one of the following ways:

- Handing in a copy into any Adelaide Hills Council Customer Service Desk (Woodside, Gumeracha, Stirling or The Summit)
- Sending it back in the mail: Melissa Clarke 63 Mount Barker Road, Stirling SA 5152
- Scanning it and emailing it to engage@ahc.sa.gov.au

Feedback Form - Amendment to By-law for Local Government Land

1. Do you support the Adelaide Hills Council (Miscellaneous) Amendment By-Law 2026?

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

2. Any further feedback about Amendment By-law 2026

3. What is your connection to the Adelaide Hills Council? (choose all that apply)

- | | |
|-----------------------------------|--|
| <input type="checkbox"/> Resident | <input type="checkbox"/> Business owner |
| <input type="checkbox"/> Visitor | <input type="checkbox"/> Employee/work |
| <input type="checkbox"/> Student | <input type="checkbox"/> Other: please specify |

4. Your Name _____

5. Your email _____

6. Your suburb, township or locality _____

Thank you very much for sharing your feedback.

Email to previous engagement contributors sent on 12 November 2025

Hills Local Laws November 2025 Update

Hi {{Username}}

Thank you for sharing your feedback on our draft By-laws during July and September 2025.

Hills Local Laws November 2025 Update

A Report will be presented to Council at the Council Meeting on 25 November 2025 sharing the Community Engagement Outcomes Report and making recommendations around next steps for our By-laws for Roads and Township Bird Management.

In November we received correspondence from the Legislative Review Committee (LRC), advising of errors and corrections required following Council endorsement of the revised By-law No. 3 Local Government Land, in August 2025.

We are required to re-engage with our community around an Amendment By-law 2026 needed to rectify these drafting errors. This engagement is now open with feedback closing at 5pm on Tuesday 2 December 2025.

The previously adopted 2025 version of By-law No. 3 Local Government Land will come into effect on 1st January 2026. The revisions within the Amendment By-law 2026 will not take effect until they are adopted by the Council. Once adopted by the Council, the revisions listed above will replace the relevant sections within By-law No. 3 Local Government Land.

You can find out more about this process and share your feedback, by visiting Adelaide Hills Engagement Hub.

[Hills Local Laws - Help us review our By-laws](#)



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

ahc.sa.gov.au



Adelaide Hills
COUNCIL

Appendix 3

Certificate of Validity

CERTIFICATE OF VALIDITY
LOCAL GOVERNMENT ACT 1999
SECTION 249

I, Michael Stephen Woon of 431 King William Street, Adelaide SA 5000, being a legal practitioner within the meaning of the *Legal Practitioners Act 1981*, declare that I have examined the following by-law which Adelaide Hills Council intends to make, being the *Adelaide Hills Council (Miscellaneous) Amendment By-law 2026* and do certify that in my opinion:

- (a) the said Council has power to make the by-law by virtue of the following statutory provisions:

Local Government Act 1999 246(1), 246(2) and 246(3);

Legislation Interpretation Act 2021, Section 40;

- (b) the by-law is not in conflict with the *Local Government Act 1999*.

DATED the 3rd day of December 2025.



.....
Michael Stephen Woon, Legal Practitioner

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 December 2025
AGENDA BUSINESS ITEM**

Item: 12.2

Responsible Officer: Zoë Gill
Executive Governance Officer
Office of the CEO

Subject: Confidential Items Renewal – December 2025

For: Decision

SUMMARY

A review of the Register of Confidential Items was scheduled in December 2025. Due to the change to the meeting time (Resolution 414/25) the periodic review will now be undertaken in the January 2026 meeting.

The purpose of this report is to review the confidentiality duration of five items (480, 479, 478, 477 and 476) of the register which are due to be reviewed before the January 2026 Council meeting.

NB: If the meeting wishes to discuss the status of any item in a manner that will result in the disclosure of information currently under an s91(7) confidentiality order, it should first consider making a s90 order to move into confidence.

RECOMMENDATION

Council resolves:

DECISION 1

1. To receive and note the report titled “Confidential Items Renewal – December” (Agenda item 12.2, 9 December 2025 Council Meeting).
2. To note the following items on the confidential items register being resolutions 37/25, 38/25, 34/25, 31/25 and 25/25 have been reviewed and will remain in confidence.

DECISION 2 – 28/25 – Motion on Notice – Behavioural Matter

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

- The report, related attachments, minutes and other (presentation, documents, or similar) of 28 January 2025, Item No. 19.2, Motion on Notice – Behavioural Matter, 28/25 unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months.

On the grounds that the document(s) (or part) relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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

1. BACKGROUND

An Extract of the Confidential Items Register is contained on Council's website and is reviewed and updated on a quarterly basis. Items that have progressed to the specified point and are no longer of a confidential nature are released in accordance with the respective council resolution. Items that remain in confidence are displayed on the Register. The CEO also considers his discretion to release confidential items where appropriate.

For administrative and Council efficiencies, items may be included in reviews even though they may not be due for such. Processing items in this way eliminates the need for additional reports to Council whilst maintaining the confidential status of items.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2024 – Your place, your space

Goal Organisation

Objective 02 Operate with integrity using best practice governance processes.

Priority 02.2. Support decision making through the use of timely data-driven analysis and reporting.

The review of Council's *Confidential Items Register* is an important element of Council's commitment to open and transparent decision making which facilitates public accountability.

➤ Legal Implications

Section 91(7) of the *Local Government Act 1999* sets out the provisions regarding the making of orders to retain documents and discussions considered at Council and Council Committees in confidence.

Section 91(9) requires that these orders must specify the duration of the order or the circumstances in which the order will cease to apply or must be reviewed. Any order that operates for a period exceeding 12 months must be reviewed at least once in every year.

To enable management of any order made under Section (90) a Confidential Orders Register is maintained.

➤ **Risk Management Implications**

Reviewing confidentiality orders assists with mitigating the risks of:

Confidential information is released which prejudices Council's and/or third parties' interests.

Inherent Risk	Residual Risk	Desired Risk
Extreme (3A)	Low (3E)	Low (3E)

Information scheduled for release under a confidentiality order is not duly released resulting in a breach of legislation and depriving the community of public information.

Inherent Risk	Residual Risk	Desired Risk
Extreme (3A)	Low (3E)	Low (3E)

Note: there are a number of other controls that assist with managing these risks.

➤ **Budget, Financial and Resource Implications**

Not applicable.

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

There is a high expectation that Council has appropriate corporate governance processes in place including effective management and regular review of the Confidential Items Register.

➤ **Sustainability Implications**

Not applicable.

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

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not applicable
<i>Council Workshops:</i>	Not applicable
<i>Advisory Groups:</i>	Not applicable
<i>External Agencies:</i>	Not applicable
<i>Community:</i>	Not applicable

➤ **Additional Analysis**

Confidential documents are available for review on the Council Members Portal. Refer to the below table for relevant items that have been reviewed at this Confidential Items Review:

Register Number:	Item Name:	Resolution Number:	Documents	Recommended Action:
480	CEO PRP Recommendations – 2024 CEO Remuneration Review Process	37/25 and 38/25	All documents	Reviewed, remain in confidence.
479	Review into late reports	34/25	Minutes in Public	Reviewed, remain in confidence.
478	Review into the accuracy of reports	31/25	Minutes in Public	Reviewed, remain in confidence.
477	Motion on Notice – Behavioural Matter – Cr Nathan Daniell	28/25	All documents	Reviewed, extend duration.
476	S184 – Recovery of Unpaid Rates	25/25	All documents	Reviewed, remain in confidence.

Confidential Register Tracking

Analysis of the register will be provided in the January report.

3. OPTIONS

Council has the following options:

- I. To extend the period of confidentiality as per the recommendations.
- II. Determine an alternative period of confidentiality.
- III. Release the confidential items.

NB: If the meeting wishes to discuss the status of any item in a manner that will result in the disclosure of information currently under an s91(7) confidentiality order, it should first consider making a s90 order to move into confidence.

4. APPENDICES

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 December 2025
AGENDA BUSINESS ITEM**

Item: 12.3

Responsible Officer: Gary Lewis
Director Corporate Services
Corporate Services

Subject: Draft CEO Conduct Complaint Handling Procedure

For: Decision

SUMMARY

The purpose of this report is to provide Council with a proposed *CEO Conduct Complaint Handling Procedure* and seek direction for next steps

Council resolution 353/25 (Part 2), adopted on 14 October 2025, requested a policy to guide the management of staff complaints about the Chief Executive Officer. The proposed *CEO Conduct Complaint Handling Procedure* at **Appendix 1** provides a dedicated process for such complaints.

To ensure clarity and avoid overlap, it is proposed that, should Council choose to adopt the *CEO Conduct Complaint Handling Procedure*, Section 5 of the *Grievance Resolution Procedure* at **Appendix 2** be amended to refer staff to the new procedure for grievances involving the CEO. If adopted, the *CEO Conduct Complaint Handling Procedure* and the amendments to the *Grievance Resolution Procedure* will be communicated to all staff to ensure awareness and understanding.

Alternatively, as is usual practice for policies and procedures affecting staff, Council could resolve to undertake consultation on the draft procedure before adopting it.

RECOMMENDATION

Option 1

Council resolves:

1. That the report be received and noted.
2. To adopt, with an effective date of 16 December 2025, the *CEO Conduct Complaint Handling Procedure* at **Appendix 1**.
3. To note the proposed amendments to the *Grievance Resolution Procedure* at **Appendix 2**.
4. That the Director, Corporate Services be authorised to make any formatting, nomenclature or other minor changes to the *CEO Conduct Complaint Handling Procedure*.

Option 2

Council resolves:

1. That the report be received and noted.
 2. That the Director, Corporate Services consult with staff and elected members on the proposed *CEO Conduct Complaint Handling Procedure at Appendix 1*.
 3. That the Director, Corporate Services report to Council on the results of the consultation at the 28 January 2026 Council meeting and make recommendations regarding the adoption of the final procedure.
 4. To note the proposed amendments to the *Grievance Resolution Procedure at Appendix 2*.
-

1. BACKGROUND

Council resolution 353/25 (Part 2), adopted at the Council meeting on 14 October 2025, requested the development of a policy to guide the management of complaints made by staff regarding the conduct of the Chief Executive Officer (CEO), with the policy to be presented to Council by the end of December 2025. The proposed draft procedure has been developed to address all complaints made about the CEO's conduct, including by staff.

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.

Priority 02.03 Enhance governance structures and systems to be agile and support our legislative obligations.

➤ **Legal Implications**

Chapter 7 of the *Local Government Act 1999* sets out the obligations and roles and functions of Council staff, including the CEO. Staff also have obligations under various other legislation, including Work Health Safety Act 2012 (SA), Fair Work Act 1994 (SA), Criminal Law Consolidation Act, the Independent Commissioner Against Corruption Act 2012 (SA), and Directions and Guidelines issued by ICAC and other authorities.

➤ **Risk Management Implications**

The Council's adoption of the draft procedure will mitigate 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**

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: MinterEllison Lawyers
Community: Not Applicable

➤ **Additional Analysis**

The current *Grievance Resolution Procedure* includes the following information regarding complaints against the CEO from an employee.

5. GRIEVANCE AGAINST THE CEO FROM AN EMPLOYEE

Level 1: Self-Help Procedure (informal, early and direct dialogue)

In the first instance, and if confident to do so, an employee (the complainant) should raise their grievance directly with the CEO as outlined in the Level 1: Self-Help Procedure. They may take a Support Person with them if they wish to.

Level 2: Informal Procedure

The Level 2: Informal Procedure involves the complainant requesting a meeting with the CEO through Organisational Development to discuss and resolve the grievance. A representative from Organisational Development will be present at any such meetings. The complainant may take a Support Person with them if they wish to.

Level 3: Formal Procedure

A Level 3: Formal Procedure may be requested if informal procedures have not been successful and involves the grievance being referred to the Mayor. Please refer to the Level 3: Formal Procedure process.

The draft *CEO Conduct Complaint Handling Procedure* at **Appendix 1** has been developed to provide a more contemporary and focused framework for these matters. It establishes a clear, staged process for managing complaints about the conduct of the CEO. Key features include:

- Receipt of Complaint: Complaints must be submitted in writing to the Mayor, who manages the complaint with the administrative assistance of the Director of Corporate Services.
- Preliminary Assessment: An independent Conduct Reviewer is engaged to assess the complaint for validity, seriousness, and relevance.
- Investigation: If required, a fact-finding investigation is conducted by an Independent Assessor, with opportunities for submissions from the CEO and affected parties. The Conduct Reviewer provides a final report with recommendations based on the fact-finding investigation.
- Proposed Action: Council considers the findings and recommendations and proposes any actions. If proposed actions are detrimental to the CEO, the CEO is offered an opportunity to make submissions on the proposed actions.
- Resolution: Council makes its final determination of action (if any).

To ensure consistency and clarity, and to avoid any conflict between the two procedures, it is proposed that, if the *CEO Conduct Complaint Handling Procedure* is endorsed by Council, Section 5 of the *Grievance Resolution Procedure* will be amended to refer staff to the *CEO Conduct Complaint Handling Procedure* for grievances involving the CEO. Proposed changes to the *Grievance Resolution Procedure* are provided in track changes at **Appendix 2**.

Policies or procedures affecting staff would ordinarily undergo a period of staff consultation. Consultation with staff has not occurred to date. Council may consider that seeking feedback from staff and the Chief Executive Officer is appropriate prior to adoption.

3. OPTIONS

Council has the following options:

- I. Receive and note the report and resolve to adopt the draft procedure at **Appendix 1** and note the proposed amended procedure at **Appendix 2**.
- II. Receive and note the report and resolve to propose further amendments to the draft procedure at **Appendix 1**.
- III. Receive and note the report and resolve to consult on the draft procedure at **Appendix 1**.

Should the Council identify the need for substantial amendments to the revised procedure, it is recommended that they be referred to the administration 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 CEO Conduct Complaint Handling Procedure
- (2) Amended Grievance Resolution Procedure

Appendix 1

Draft CEO Conduct Complaint Handling Procedure

CEO Conduct Complaint Handling Procedure

Procedure Number: OPR - XX

Responsible Department(s): Corporate

Other legislation:

Local Government Act 1999 (SA)
Work Health Safety Act 2012 (SA)
Fair Work Act 1994 (SA)
Independent Commissioner Against Corruption Act 2012 (SA)
Directions and Guidelines issued by ICAC

Other Relevant Procedure(s):

Code of Conduct for employees, as amended from time to time
Fraud Corruption Misconduct and Maladministration Policy

Procedures superseded by this procedure

NA

Adopted/Approved by:

Date of Adoption/Approval

Effective From:

Next Review:

Version Control

Version:	Effect Date:	Description of Changes:	Approver:
1.1	00/00/2025	New	Council - Res 00/00/25

CEO Conduct Complaint Handling Procedure

DRAFT

CEO Conduct Complaint Handling Procedure

INTRODUCTION

The purpose of this CEO Conduct Complaint Handling Procedure (**Procedure**) is to outline the process and procedures to be observed by the Council for the purpose of addressing and managing any Complaints about the conduct of the Chief Executive Officer (CEO).

Complaints about the Chief Executive Officer's conduct are to be brought to the attention of Council's Principal Member (the Mayor). The procedure reflects Council's commitment to ensuring the appropriate investigation of such Complaints.

It is acknowledged that any legislative requirement which affects Council's management of a Complaint, will take precedence over Council's policies and procedures, including this Procedure.

1. OBJECTIVES

The Procedure aims to ensure that:

- a) Allegations of serious or systemic misconduct, maladministration or corruption are referred to the Appropriate Authorities.
- b) Employees have the right to raise a grievance without suffering discrimination, victimisation, harassment, recrimination or detriment as a result.
- c) Complainants and the CEO are entitled to fair, impartial and confidential treatment in relation to the reporting and resolution of grievances.
- d) When reporting or while resolving a grievance, complainants, the CEO and any Employee involved in a further investigation of the complaint, have the right to a Support Person at any time. The CEO may also access confidential counselling services through Council's Employee Assistance Program (EAP).
- e) Work will continue as normal, other than with respect to genuine health and safety issues, while parties to the complaint seek to resolve the matter.
- f) Matters raised through this Procedure may be withdrawn by the complainant or their nominated representative by notice in writing to the Council's Principal Member (the Mayor or delegate). Parties acknowledge however, that where the grievance or complaint identifies issues of concern, the Mayor may still decide to refer the complaint for preliminary assessment and/ or investigate those issues notwithstanding that the complaint was withdrawn.
- g) Council will not tolerate false accusations of any kind including but not limited to discrimination, harassment or bullying.

2. DEFINITIONS

Act means the Local Government Act 1999 (SA).

CEO Conduct Complaint Handling Procedure

Appropriate Authorities

refers to an authority that receives disclosure of public interest information, in particular:

- a Minister of the Crown
- a member of the police force - where the information relates to an illegal activity
- the Auditor-General – where the information relates to the irregular or unauthorised use of public money
- the Ombudsman – where the information relates to a public officer
- the Office for Public Integrity
- the Independent Commissioner Against Corruption; or
- any other person to whom, in the circumstances of the case, it is reasonable and appropriate to make the disclosure.

CEO

refers to the Chief Executive Officer of the Council.

CEO Misconduct

refer to section 3 of this procedure

Code

refers to Council's approved Code of Conduct for employees, as amended from time to time.

Complaint

about the Chief Executive Officer's conduct can take the form of either a:

- letter;
- email; however in every instance the complaint must be in writing and comply with the requirements of paragraph 6.1 "Form of the Complaint".

Complainant

refers to the person who makes a Complaint.

Conduct Reviewer

refers to the independent legal practitioner, HR investigator, or other qualified person chosen for the preliminary assessment of the Complaint and, where relevant, for making recommendations based on the outcome of any investigation.

Corruption in public administration

is as defined by the ICAC Act.

Employee

refers to all the Council's employees and includes trainees, work experience students, volunteers, and contractors whether they are working in a full-time, part-time or casual capacity.

ICAC Act

means the Independent Commission Against Corruption Act 2012 (SA).

CEO Conduct Complaint Handling Procedure

Independent Assessor	refers to a suitably qualified independent person (usually different to the Conduct Reviewer) who is appointed to assist the Council in undertaking the investigation stage of a Complaint.
Integrity Provision	means a provision of Chapter 7 Part 4 Division 1 of the Act relating to employee integrity, including sections 109, 110A, 119A and 120.
Maladministration	is as defined by the Ombudsman Act.
Misconduct in public administration	Is as defined by the Ombudsman Act.
Office for Public Integrity (OPI)	is the office as established under the ICAC Act.
Ombudsman	refers to the Office of the Ombudsman established pursuant to the Ombudsman Act 1972 (SA).
Ombudsman Act	refers to the Ombudsman Act 1972 (SA).
Public administration	Is as defined at section 4 of the ICAC Act and section 3 of the Ombudsman Act.
Support Person	is a person nominated by a complainant, respondent or Employee to support them in meetings (taking notes, suggesting breaks) and who does not have a perceived or possible conflict of interest in the matter. A support person is not permitted to advocate, represent or speak on behalf of the complainant, respondent or Employee in the meeting, or offer personal opinions on the matter.
Public Officer	includes: <ul style="list-style-type: none">• an elected member of the Council, including the Mayor;• an Independent member of the Council's Development Assessment Panel;• an Independent member of a Council Committee or a subsidiary of the Council, and an Employee or Officer of the Council.

3. PROCEDURE

For the purpose of this Procedure, a Complaint is a complaint that alleges conduct on the part of the CEO that, if proven, would:

- represent a contravention of, or failure to comply with, any of the CEO's obligations under the Local Government Act 1999 SA (including the Integrity Provisions);
- represent a breach of any of Council's policies and/or procedures, including the Code;

CEO Conduct Complaint Handling Procedure

- c) constitute a breach of any applicable law by the CEO in connection with the performance or conduct of their role, including but not limited to legislation relating to work health and safety, anti-discrimination, ICAC, or fraud; and
- d) represent conduct of a serious and/or inappropriate nature including, but not limited to:
 - i. conduct that falls below the standards expected from a person occupying the position of CEO; or
 - ii. conduct that would risk the reputation or viability of Council; or
 - iii. conduct inconsistent with the CEO's terms of employment.

(CEO Misconduct)

There are four steps in the management of a Complaint under this Procedure:

Stage 1 - Receipt of Complaint

Stage 2 - Preliminary Assessment

Stage 3 - Further Investigation or Mediation (if required)

Stage 4 – Proposed Action (if Required)

Stage 5 – Resolution (if required)

4. STAGE 1 – RECEIPT OF COMPLAINT

4.1 Form of Complaint

A Complaint making an allegation against the CEO must:

- be in writing;
- be addressed to the Mayor (or if the complaint is being made by the Mayor, the Deputy Mayor);
- be specific and provide as much detail as possible;
- provide as much supporting evidence (including any relevant documentary evidence) as possible to assist the preliminary assessment and/ or investigation; and
- be clearly identified on its face as a “complaint”.

Should the Complaint not satisfy the requirements above, the Mayor or Conduct Reviewer may request the Complainant clarify and/ or re-submit the Complaint so that it complies with these requirements (subject to the Complaint being made anonymously).

On receipt of a Complaint:

- the Mayor must manage the complaint, with the administrative assistance of relevant staff as identified in this procedure.
- the Mayor should notify Council of when a complaint progress to an investigation or at any other point of the process they deem appropriate
- the Mayor must refer the Complaint to the Director Corporate Services (or if the Director of Corporate Services has a conflict (eg because they are the complainant) then another Director of Council identified by the Mayor) for administrative support in managing the complaint;
- the Director must commence the process of engaging a Conduct Reviewer, with a view to referring the Complaint to as soon as practicable; and

CEO Conduct Complaint Handling Procedure

- the Mayor must advise the CEO that a Complaint has been received; however, the Mayor will not disclose any details about the complaint nor the identity of the Complainant. The Mayor will not notify the CEO of the existence of the complaint if the complaint alleges conduct which relates to criminal or corrupt behaviour.

Additionally, the Mayor and/or the Director must:

- ensure the record of Complaint is captured in Council's record management system including the following details:
 - the name of the CEO who has allegedly engaged in CEO Misconduct;
 - the name of the Complainant (if identified and subject to a request for anonymity);
 - the nature of the CEO Misconduct and provisions of the Code, legislation or policy/procedure alleged to have been breached (if relevant); and
 - the category and, where applicable, the status of the Complaint.

Complainants can, at any time, take the alternative option of lodging the Complaint with the OPI or the Ombudsman, including in accordance with the Fraud Corruption Misconduct and Maladministration Policy.

4.2 Time Constraint

A Complaint should be made within three months of:

- the alleged conduct occurring; or
- the Complainant becoming aware of the alleged conduct.

A Complaint made after three months may be accepted if the Conduct Reviewer is satisfied that there are compelling grounds for the matter to be dealt with, having regard to the allegations and the need to afford the CEO natural justice.

5 STAGE 2 – PRELIMINARY ASSESSMENT

5.1 Conduct Reviewer

The Conduct Reviewer will be responsible for:

- confirming, in writing, the receipt of the Complaint from the Council;
- undertaking the preliminary assessment of the Complaint;
- communicating with the subject parties on the status of the Complaint (subject to the Complaint not being related to criminal or corrupt conduct);
- liaising with and providing administrative support to the Council when required; and
- liaising with the Ombudsman, OPI or other Appropriate Authorities where applicable.

It is not the role of the Conduct Reviewer, during the preliminary assessment stage to form a view about the merits of the Complaint.

5.2 Assessment

The Conduct Reviewer will undertake a preliminary assessment to determine whether the Complaint:

CEO Conduct Complaint Handling Procedure

- is trivial, frivolous, vexatious or not made in good faith;
- relates to behaviour which is captured by the definition of CEO Misconduct; or
- relates to other conduct, eg criminal or corrupt behaviour.

The preliminary assessment by the Conduct Reviewer will involve an assessment of:

- the written details of the Complaint and any evidence submitted regarding the alleged breach;
- whether the alleged conduct, if proven, would constitute grounds for disciplinary action; and
- any other factors deemed relevant to making a fair and reasonable judgement about the matter.

5.3 Complaint assessment criteria

In undertaking the preliminary assessment of a Complaint, the Conduct Reviewer must take the following into consideration:

- whether the Complaint discloses prima facie evidence of conduct captured by the definition of CEO Misconduct; or
- whether the Complaint raises issues that would be more appropriately dealt with by another agency or body;
- whether the issue(s) giving rise to the Complaint have previously been addressed or resolved;
- whether the conduct complained of forms part of a pattern of conduct;
- the seriousness of the alleged conduct;
- the significance of the conduct or the impact of the conduct for the Council;
- how much time has passed since the alleged conduct occurred; and
- such other considerations that the Conduct Reviewer considers may be relevant to the preliminary assessment of the Complaint.

5.4 Outcome of preliminary assessment

Where the Conduct Reviewer determines a Complaint does not give rise to evidence of CEO Misconduct, or the Complaint is trivial, frivolous, vexatious or not made in good faith the Conduct Reviewer must provide this advice to the Mayor and the Director providing the reasons for the determination.

The Mayor will consider the Conduct Reviewer's recommendation and make a formal decision to:

- accept the reviewer's recommendation and not progress the complaint
- not accept the reviewer's recommendation and progress the matter to Council

The Mayor must confirm in writing to the Complainant and the CEO the outcome of the preliminary assessment and the reasons for the decision.

If the decision was not to progress the complaint, the Complaint will be considered finalised and will not be referred for further consideration by Council.

5.5 CEO Misconduct

If the Conduct Reviewer determines the Complaint does (prima facie) evidence CEO Misconduct, the Conduct Reviewer must:

- identify the evidence (prima facie) alleging CEO Misconduct occurred and identify any associated alleged breach of the Code, legislation or policy/procedure (if relevant), and make one or more of the following recommendations:
 - (i) take no action;
 - (ii) resolve the Complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology; or
 - (iii) refer the Complaint for further investigation.
- if applicable, refer, or recommend the Mayor (Council) refer the Complaint to the relevant Appropriate Authorities, including where the conduct may constitute corruption in public administration, misconduct in public administration, or maladministration as defined in the ICAC Act.

5.6 Determinations and recommendations

5.6.1 Take no action

If the Conduct Reviewer recommends that Council should take no action in response to the Complaint the Mayor must consider the Conduct Reviewer's recommendations, and determine whether to:

- Accept the recommendation to take no further action
- Not accept the recommendation and refer the matter to Council

The Mayor must confirm in writing to the Complainant and the CEO the outcome of the preliminary assessment and the reasons for the decision. The Complaint will be considered finalised and will not be referred for further consideration by Council.

5.6.2 Resolve the complaint by alternative and appropriate strategies

If following the preliminary assessment, the Conduct Reviewer determines the Complaint does (prima facie) evidence CEO Misconduct, and that the Complaint warrants further action, the Conduct Reviewer may recommend to resolve the Complaint by alternative strategies.

The Mayor must consider the Conduct Reviewer's recommendations, and determine whether to:

- Accept the recommendation to resolve the complaint by alternative strategies, or
- Not accept the recommendation and refer the matter to Council

CEO Conduct Complaint Handling Procedure

A complainant or the CEO unreasonably failing to consent to enter into an alternative and appropriate strategy will be a relevant factor to take into consideration as to whether the complaint matter ought be progressed.

Where the Mayor accepts the recommendations and one or both of the parties is unwilling to resolve the Complaint by alternative and appropriate strategies, the Conduct Reviewer may be asked to make further recommendations as to complaint resolution including any such other action that the Conduct Reviewer considers may be an appropriate means to resolve and finalise the Complaint.

The Conduct Reviewer will provide an updated summary of the preliminary assessment and reasons for their further or new recommendations to the Mayor for further consideration and actioning.

The Mayor must consider the Conduct Reviewer's recommendations, and determine whether to:

- Accept the recommendation to resolve the complaint by alternative strategies, or
- Not accept the recommendation and refer the matter to Council

5.6.3 Refer the complaint for further investigation

If following the preliminary assessment the Conduct Reviewer recommends the Complaint warrants further investigation, the Mayor must consider the Conduct Reviewer's recommendations, and determine whether to:

- Accept the recommendation to proceed to investigation, or
- Not accept the recommendation and refer the matter to Council

6 STAGE 3 – INVESTIGATION

6.1 Conduct of investigation

An Independent Assessor should be appointed to conduct the investigation, which is a fact-finding process. The Independent Assessor must make any such enquiries that they consider may be reasonably necessary to establish the facts of the matter.

The investigation should be undertaken without undue delay. Investigations are to be undertaken in confidence.

The Independent Assessor may seek such advice or expert guidance that they consider may be reasonably necessary to assist them with their investigation or the conduct of their investigation. The Independent Assessor must ensure that any confidential information obtained during the investigation is protected in accordance with section 110A of the Act and any orders made by Council under section 91(7) of the Act.

The Independent Assessor will be provided with all relevant information in support of the Complaint.

CEO Conduct Complaint Handling Procedure

Where an Independent Assessor identifies further separate possible instances of CEO Misconduct that are not related to or arise from the Complaint that has been referred to them, they are to report the matters separately in writing to the Mayor and/or Director, or such appropriate authorities as may be applicable.

Where the Independent Assessor proposes to make adverse comment or findings about any other person (Affected Person), they must also provide the Affected Person with a summary of such comment(s) or finding(s), and invite the Affected Person to make a written submission in response within such reasonable period specified by the Independent Assessor.

The investigation process should allow the Chief Executive Officer an opportunity to respond to any allegations put against them.

In cases where the Complaint involves issues relating to alleged actions or omissions of delegates, the Chief Executive Officer is free to discuss the Complaint with relevant delegates and seek assistance from such delegates in preparing a response.

In all cases, the Chief Executive Officer is able to refer to Council record keeping systems in preparing a response to any Complaint but may not access records related to the Complaint or the management of the Complaint.

Where the CEO or an Affected Person fails to make a written submission in relation to the investigation within the period specified by the Independent Assessor, the Independent Assessor may proceed to prepare and issue their Initial Investigation Report without receiving such submissions.

6.2 Initial Investigation Report

The Independent Assessor will produce an Initial Investigation Report, including a summary of findings of fact and the reasons for their findings, as soon as practicable following the completion of their investigation.

The Initial Investigation Report should be provided to the Conduct Reviewer to produce a separate final report, which includes recommendations.

6.3 Final Report

The Final Report must:

- outline the findings of fact from the investigation;
- based on the findings, recommend whether the conduct investigated either;
 - constitutes CEO Misconduct, or
 - does not constitute CEO Misconduct.
- provide reasons for the decision;
- be in a redacted form if possible and appropriate; and
- provide recommendations.

CEO Conduct Complaint Handling Procedure

The Conduct Reviewer may make one or more of the following recommendations as part of the Final Report:

- take no action;
- direct the CEO to make a public apology, whether written or verbal;
- direct the CEO to attend training;
- issue a warning to, terminate the appointment of, or suspend the CEO (**Adverse Action**);
- refer the matter to the relevant Appropriate Authorities for further investigation and/or action; and
- any other such recommendation considered appropriate.

In making a recommendation, the Conduct Reviewer may have regard to the following:

- the seriousness of the breach;
- whether the CEO has remedied or rectified their conduct;
- whether the CEO has expressed contrition;
- whether there were any mitigating circumstances;
- the physical or mental health or special infirmity of the CEO;
- whether the breach is technical or trivial only;
- any previous breaches;
- whether the breach forms part of a pattern of conduct;
- the degree of reckless intention or negligence of the CEO;
- the extent to which the breach has affected other parties or the Council as a whole;
- the harm or potential harm to the reputation of the Council or local government arising from the conduct;
- any other matter considered relevant and appropriate in the circumstances of the case.

7. STAGE 4 – PROPOSED ACTION

7.1 Council consideration

The Mayor and the Director will be responsible for reporting the Final Report to the Council for its consideration as soon as practicable following completion. They can seek advice from the Conduct Reviewer or other relevant party to support Council in its decision making.

The Council is not obliged to adopt the recommendation(s) as set out in the Final Report. Where the Council does not adopt the recommendation(s), it is good practice to state in its resolution the reasons for its decision.

The Council must not invite oral submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigation.

7.2 Proposed action of Council

CEO Conduct Complaint Handling Procedure

Where Council intends to take Adverse Action against the CEO, the Mayor must provide the CEO with a summary of the Final Report, including a summary of the allegations found substantiated and allegations upon which the proposed disciplinary action is based.

The CEO will be invited to make any written submissions about the Adverse Action within such reasonable period specified by the Council or Mayor, as the case may be.

Council must comply with any applicable laws in respect of taking any proposed action, including Adverse Action, against the CEO, based on the Final Report.

8. STAGE 5 – RESOLUTION

Where the CEO fails to make a written submission in relation to the proposed actions within the period specified by the Council or Mayor, the Council may proceed to take their proposed action without receiving such submission.

Where the CEO does make a written submission, the Mayor and the Director will be responsible for reporting the Final Report, the Council's proposed actions and the CEO's submissions to the Council for its final consideration and decision as soon as practicable. They may seek advice from the Conduct Reviewer or other relevant party to support Council in its decision making.

The Mayor should inform the CEO of the outcome of the final decision as soon as possible.

The Complainant should be notified that the matter has been resolved.

9. CONFLICT OF INTEREST

For the avoidance of doubt, when the matter is considered by the Council, the CEO has a conflict of interest in the matter pursuant to section 120 of the Local Government Act 1999. The CEO must disclose the interest, leave the Chamber and not participate in the Council's consideration of the matter. The CEO may make an oral submission prior to leaving the Chamber.

If a Council Member is the Complainant or otherwise has an interest in the complaint, they may have a general or material conflict of interest under s74 and s75 of the Local Government Act and should consider what action they should take, including leaving the Chamber.

10. REIMBURSEMENT OF COSTS

Any request for reimbursement of legal expenses by the CEO in relation to responding to a Complaint under this Procedure may only be considered by Council at the conclusion of the process. Such requests are to be made to the Mayor and reported to Council in confidence by the Mayor and the Director.

Council must consider any such request on its merits, in accordance with the circumstances applicable.

CEO Conduct Complaint Handling Procedure

Any decision to reimburse, or not to reimburse, is at Council's absolute discretion.


If a decision to reimburse is made, receipts reflecting the sum (or partial sum) to be reimbursed must be presented.

DRAFT

Appendix 2

Amended Grievance Resolution Procedure

Grievance Resolution Procedure

Procedure Number:	OPR-05
Version	4.0
Responsible Department(s):	<u>People and Culture Organisational Development</u>
Responsible Officer	Executive Manager Organisational Development
Other Relevant Policies:	Complaint Handling Procedure
Relevant Procedure(s):	<u>CEO Conduct Complaint Handling Procedure</u> Code of Conduct for Council Employees (as amended) Fair Treatment Policy Workplace Bullying Policy Complaint Handling Policy
Relevant Legislation:	Not applicable
Approved by:	 <u>Greg Georgopoulos</u> Andrew Aitken , Chief Executive Officer
Approved on:	23 July 2021 <u>19 December 2025</u>
Effective From:	23 July 2021 <u>16 December 2025</u>
Next Review:	30 June 202 <u>6</u> 4

Version Control

Version:	Date of Effect:	Description of Changes:	Approver:
<u>1</u>	<u>23/07/2016</u>	<u>New Procedure</u>	<u>CEO</u>
<u>2</u>	<u>16/12/2025</u>	<u>Amendment to Section 5 and minor amendments to change 'Organisational Development' to 'People and Culture' and 'Equity and Diversity Contact Officers' to 'People and Culture'.</u>	<u>Council, Res xx2/25</u>

Grievance Resolution Procedure

1. INTRODUCTION

Adelaide Hills Council (Council) aims to ensure that grievances are handled promptly, confidentially and with procedural fairness.

2. OBJECTIVES

The procedure aims to ensure that:

- a) Employees have the right to raise a grievance without suffering discrimination, victimisation, harassment, recrimination or detriment as a result.
 - b) ~~People and Culture Equity and Diversity Contact Officers (Contact Officers)~~ will act as a point of contact for employees with concerns or grievances about unlawful unfair treatment in the workplace including discrimination, bullying, harassment, sexual harassment, vilification or victimisation as described in the Fair Treatment Policy and the relevant legislation. Training, information and guidelines will be provided to ~~People and Culture Contact Officers~~.
 - c) Complainants and respondents are entitled to fair, impartial and confidential treatment in relation to the reporting and resolution of grievances.
 - d) When reporting or in the course of resolving a grievance, complainants and respondents have the right to a Support Person and / or Representative at any time. Staff may also access confidential counselling services through Council's Employee Assistance Program (EAP).
 - e) Whilst it may not be possible in all circumstances, it is expected that employees will use Level 1 and Level 2 processes to try to resolve a grievance before escalating the grievance to a formal grievance.
 - f) Work will continue as normal, other than with respect to genuine health and safety issues, while parties to the complaint seek to resolve the matter..
 - g) Matters raised through this Procedure may be withdrawn by the complainant or their nominated representative by notice in writing to the Chief Executive Officer (CEO) (or delegate). Where the grievance identifies other issues of concern, the CEO may still decide to investigate those issues.
 - h) Council will not tolerate false accusations of discrimination, harassment or bullying.
- ~~i) If a complaint raised under this Procedure is found to be false, vexatious, malicious or frivolous, it may lead to disciplinary action.~~
- ~~j) This procedure will not be used to address grievances and disputes arising out of the~~

Grievance Resolution Procedure

interpretation and application of the Enterprise Development Agreement ~~_(as amended)_~~.

~~k) This procedure will not be used to address grievances and disputes against the CEO. In such circumstances, the CEO Conduct Complaint Handling Procedure will be used.~~

~~l)~~

~~m) Any compromises or agreements made during a grievance resolution process will not form precedents in similar grievances and are without prejudice to the future positions which the complainant, their nominated representative, or Council might take in regard to similar circumstances.~~

3. DEFINITIONS

Grievance

A grievance falls into two distinct categories:

- Unfair or inappropriate behaviour or actions that are not directly governed by specific legislation but which breach Council's codes, policy or procedures.
- Behaviour or actions where a breach of law, employment contract, or duty of care has been alleged. In lodging a formal grievance, an employee is requesting that Council take responsibility for resolving a matter for which it has a legal obligation to do.

Procedural Fairness (Natural Justice)

Procedural fairness will apply in the handling of a complaints or grievances. This involves all of the following elements:

- The right to a fair hearing
- The right to attend hearings with a support person if desired
- The opportunity for all parties involved to openly present their case
- The subject of the complaint or grievance (respondent) having full knowledge of the nature and substance of the allegations
- The person making the complaint or grievance (complainant) not determining it
- The right to an independent, unbiased decision-maker, and
- A final decision based solely on the relevant evidence.

4. PROCEDURE STATEMENT

Level 1: Self-Help Procedure (informal, early and direct dialogue)

Self- help means speaking directly to the person(s) concerned (respondent) to resolve an issue quickly and informally. Have a constructive conversation with them. Explain how their behaviour

Grievance Resolution Procedure

affects you and identify what needs to change or improve so that you can work together positively and productively. You may be accompanied by a Support Person if necessary. Before approaching the other person(s), talk to your People Leader about your concerns (or the next level of management if the matter involves your People Leader).

Council expects a respondent to a complaint to take responsibility for their behaviour; apologise; and make a genuine effort to return the working relationship to one that is positive and productive. Where a mutually acceptable outcome is achieved between the complainant and the respondent, the Level 1: Self-Help Procedure concludes.

Level 2: Informal Procedure

The Level 2: Informal Procedure will not normally be implemented unless the complainant has tried unsuccessfully to settle the grievance as per the Level 1: Self-Help Procedure.

The Level 2: Informal Procedure involves a third party intervening on the complainant's behalf without a formal grievance being made. It is expected that People Leaders will work with the complainant and respondent to resolve the matter(s), with support from the relevant Director as needed. This third party will normally be the relevant People Leader (or the next level of management if the matter involves the complainant's People Leader), and with advice from [People and Culture Organisational Development](#) as necessary.

The complainant may seek advice from a Contact Officer and/or Representative and support from a Support Person at all stages during the Level 2: Informal Procedure.

To commence the Level 2: Informal Procedure, the **complainant** should seek a meeting with their People Leader (or the next level of management if the matter involves the complainant's People Leader) to discuss:

- Details of the grievance, including the parties to it, and the dates and times of any meetings or incidents
- A proposed solution which the complainant believes will resolve the grievance. An appropriate solution will focus on achieving a productive working environment and building positive working relationships rather than apportioning blame and might include counselling for either or both/all parties, mediation, coaching or other professional development activities.

Normally within seven (7) working days (where the subject matter falls within the definition of a grievance), the relevant **People Leader** (or the next level of management if the matter involves the complainant's People Leader), will:

- Gather such other information as required to assist resolution. Communicate the resolution to the complainant.
- Keep brief notes of any meetings to ensure that an accurate account of what has happened and the agreed resolution is recorded. Refer to the **Level 2: Informal Meeting Guide and Record Template**.

Grievance Resolution Procedure

To conclude the Level 2: Informal Procedure, the relevant People Leader will:

- Forward any documentation to People and Culture Organisational Development to ensure its secure and confidential storage.

Level 3: Formal Procedure

A Level 3: Formal Procedure may be requested if informal procedures have not been successful. Note that this requirement does not apply to grievances relating to more serious allegations such as unlawful, unfair treatment in the workplace including discrimination, bullying, harassment, sexual harassment, vilification or victimisation as described in the Fair Treatment Policy and the

The Level 3: Formal Procedure will normally commence within one (1) to seven (7) working days of a formal grievance being lodged.

The complainant may seek advice from a Contact Officer and/or Representative and support from a Support Person at all stages during the Level 3: Formal Procedure.

To commence a Level 3: Formal Procedure, the **complainant** will:

- Submit a clear, written statement to the ~~Executive Manager- People and Culture Organisational Development~~. This statement must:
 - State the nature of the grievance
 - Detail the names of the parties involved (including any witnesses)
 - Provide the dates and times of any events, meetings or incidents and any supporting documentation
 - Propose a process for trying to resolve the grievance, and
 - Be signed and dated by the complainant.

Normally within seven (7) working days of receipt of a formal grievance, the ~~Executive Manager People and Culture Organisational Development~~ will aim to:

- Commence the investigation process, or
- Appoint an external investigator to investigate the grievance.

The complainant will be kept informed of progress.

Normally within twenty (20) working days of appointment, the **investigator** will:

- Commence interviews with the complainant
- Provide the respondent with the particulars of the complaint made against them and allow them the opportunity to respond
- Interview the complainant, the respondent(s) and such other persons as required and seek further information as required. The investigation will be conducted in accordance with the principles of procedural fairness (natural justice) at all times
- Determine whether the grievance is substantiated based on the evidence obtained, and

Grievance Resolution Procedure

- Draft an investigation report including findings and recommendations, which may include counselling for either or both/all parties, conciliation, disciplinary action, coaching or other professional development activities, or that no further action be taken.

On completion of the investigation, the:

- ~~Executive~~ Manager People and Culture~~Organisational Development~~ will consult with the relevant Manager and/or Director (or their People Leader) on the findings of the investigation. If the grievance is proven or founded, disciplinary action may be taken against the respondent(s). Disciplinary action is the responsibility of the relevant Director
- Director will provide written notification to the complainant and respondent(s) of the outcome of the Level 3: Formal Procedure, the reasons for the decision and any actions that
- ~~Executive~~ Manager People and Culture~~Organisational Development~~ will ensure all documentation is stored securely and confidentially on both the complainant and respondent(s) personnel files.

5. GRIEVANCE AGAINST THE CEO FROM AN EMPLOYEE

For grievances against the CEO from an employee, refer to the *CEO Conduct Complaint Handling Procedure*.

~~Level 1: Self Help Procedure (informal, early and direct dialogue)~~

~~In the first instance, and if confident to do so, an employee (the complainant) should raise their grievance directly with the CEO as outlined in the Level 1: Self Help Procedure. They may take a Support Person with them if they wish to.~~

~~Level 2: Informal Procedure~~

~~The Level 2: Informal Procedure involves the complainant requesting a meeting with the CEO through Organisational Development to discuss and resolve the grievance. A representative from Organisational Development will be present at any such meetings. The complainant may take a Support Person with them if they wish to.~~

~~Level 3: Formal Procedure~~

~~A Level 3: Formal Procedure may be requested if informal procedures have not been successful and involves the grievance being referred to the Mayor. Please refer to the Level 3: Formal Procedure process.~~

6. GRIEVANCE AGAINST AN EMPLOYEE FROM A COUNCIL MEMBER OR MEMBER OF THE PUBLIC

Council's Complaint Handling Policy and Procedure set out the principles and guidelines to be used when addressing complaints made about the actions of employees of Council. Under Clause 4.5 of the Complaint Handling Policy, complaints of this nature must be made to ~~to~~ the CEO. They

Grievance Resolution Procedure

will be investigated and resolved in accordance with this Procedure as follows:

The Council Member or Member of the Public will:

- Submit a clear statement of the grievance, including the parties to it and the dates and times of any meetings or incidents
- A proposed process for trying to resolve the complaint or grievance, which will be considered by the CEO, and
- A proposed solution that they believe will resolve the grievance (an appropriate solution will focus on achieving a productive working environment and building positive working relationships rather than apportioning blame).

The investigation of a grievance from a Council Member or Member of the Public will be conducted by the CEO or delegated to the relevant Director or the ~~Executive Manager~~ People and Culture Organisational Development. Alternatively, an external investigator may be appointed.

At the conclusion of the investigation, the investigator will provide a report to the CEO.

The CEO will:

- Provide written notification to the complainant and respondent(s) of the outcome of the investigation, the reasons for the decision and any actions that are to be taken.
- Ensure all documentation is returned to the ~~Executive Manager~~ People and Culture Organisational Development to ensure its secure and confidential storage on the personnel files as relevant.

7. GRIEVANCE AGAINST A COUNCIL MEMBER FROM AN EMPLOYEE

Where an employee has a grievance against a Council Member, they should raise their grievance with the CEO by requesting a meeting through ~~People and Culture Organisational Development~~. The complainant may take a Support Person with them. A representative from ~~People and Culture Organisational Development~~ will be present at any such meetings.

8. RECORD KEEPING

All records must be returned to ~~People and Culture Organisational Development~~ to ensure their secure and confidential storage in either the relevant personnel file(s) (in the case of a substantiated or fabricated formal grievance) or in a secure file in the central records management system (if unsustained or informal).

Records will be kept in accordance with the General Disposal Schedule for Local Government and the relevant Council policies and procedures.

9. THE ROLE OF EQUITY AND DIVERSITY CONTACT OFFICERS

Grievance Resolution Procedure

People and Culture Equity and Diversity Contact Officers (Contact Officers) will act as a point of contact for employees experiencing difficulties in the workplace. The role of a Contact Officer is to provide information to employees with concerns or complaints of unlawful unfair treatment in the workplace. A Contact Officer does not have a role in investigating, arbitrating or resolving the complaint between the parties, but rather, to inform the person with the complaint what options are available.

10. THE ROLE OF SUPPORT PERSON

A Support Person may be used by an employee through the grievance resolution process, for example at interviews or when having meetings with the relevant parties.

The Support Person's role is to assist the employee. This may be emotionally or by taking notes, asking clarifying questions or requesting breaks during a meeting. A Support Person does not advocate or speak on behalf of the employee and must not present a conflict of interest e.g. be a direct report. A Support Person must treat all matters in a sensitive, respectful and confidential way.

11. THE ROLE OF A REPRESENTATIVE

A Representative may represent parties in a grievance resolution process.

A Representative is an official of the relevant Union or a Workplace Representative that is not a practicing barrister or solicitor and must not present a conflict of interest. A Representative must treat all matters in a sensitive, respectful and confidential way.

12. OUTSIDE AGENCIES

All grievances regarding unlawful unfair treatment will be dealt with under this Grievance Procedure.

Whilst it is encouraged to try and resolve grievances internally, an employee may pursue a complaint through an external agency. Once an external agency has been engaged, the agency's process will take precedence. These agencies include:

- South Australian Employment Tribunal
- SafeWork SA
- Equal Opportunity Commission (SA)
- Australian Human Rights Commission

It should be noted that all Public Officers have legislative obligations which may include referring or reporting matters to external agencies e.g. the ICAC. Such referrals or reports will occur in line with legislative requirements.

Grievance Resolution Procedure

Anyone raising a grievance about unlawful unfair treatment, or assisting someone else to resolve a grievance, is protected through the Fair Treatment Policy from being victimised for their actions.

13. DELEGATION

The CEO has the delegation to make any formatting, nomenclature or other minor changes to the procedure during the period of its currency.

14. AVAILABILITY OF THE PROCEDURE

6.1 This procedure is available on Council's intranet:

~~Team Site: Governance and Performance~~
~~Library: Policies/Procedures Organisational~~

Correspondence for Noting



The Hon Kristy McBain MP

Minister for Emergency Management
Minister for Regional Development, Local Government and Territories
Member for Eden-Monaro

Dear Mayor

I am pleased to advise that on 4 November 2025, I referred the matter of local government funding and fiscal sustainability to the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport (the Committee). My referral allows the Committee to build on the previous inquiry into local government sustainability which lapsed with the Federal election in May 2025.

I am delighted that the Committee has announced that it will continue this important work through the new inquiry into Local Government Funding and Fiscal Sustainability (the Inquiry). The Terms of Reference (TOR) for this Inquiry have a sharper focus on the financial sustainability of local governments, including the interactions between levels of governments, funding sources and the impact and effectiveness of those sources.

The Committee will consider evidence already presented from the previous inquiry, but is also calling for additional or updated submissions to explore these new areas of focus. While there is no need to resubmit any previous submissions, I encourage anyone who may have more to add to the Inquiry given its revised terms of reference to consider making a submission. Written submissions may be provided to the Inquiry until **3 February 2026**.

For the TOR and more information regarding the Inquiry, including how to make a submission, please visit the Parliament of Australia website at: www.aph.gov.au/Parliamentary_Business/Committees/House/Regional_Development_Infrastructure_and_Transport/LocalGovernmentFunding. Any questions relating to written submissions process should be directed to the Committee Secretariat at: rdit.reps@aph.gov.au.

I look forward to receiving the Committee's final report and recommendations and continuing to deliver on the Government's commitment to supporting a strong and sustainable local government sector.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. McBain', followed by a horizontal line.

Kristy McBain MP

21 /11/2025



Government
of South Australia

Hon Blair Boyer MP
Member for Wright

25MPOL00110

Mr Josh Teague MP
Member for Heysen

Email: heysen@parliament.sa.gov.au

26 November 2025

Dear Mr Teague

Thank you for writing to the former Minister for Police, on behalf of the Basket Range community, regarding anti-social behaviour in the area. I note that the Adelaide Hills Council and Basket Range Action Group have also written sharing your concerns.

Keeping people safe on our roads and in our communities is vital, and I understand the community's desire for measures that support safer driving behaviour. I was also disappointed to learn of the vandalism to the War Memorial and the destruction of the Community Sharing Shed.

As you have noted, to improve road safety, the Department for Infrastructure and Transport previously reduced the speed limit on Lobethal Road to 60 km/h. Additional safety measures have also been installed along this section of road, including curve warning signs with advisory speeds, curve alignment markers and sections of guard rail.

When considering requests for traffic-calming measures, such as speed humps, the Department must assess the function of the road, traffic volumes and the types of vehicles that rely on the route. While the concerns about hoon driving and speeding are understood, Lobethal Road serves commercial, commuter and recreational traffic, including heavy vehicles and motorcyclists. For safety reasons, speed humps and yellow raised pavement bars are not suitable for roads frequently used by these vehicle types.

Accordingly, the Department does not have plans to install traffic-calming devices at this time.

However, as you are aware, the Department is progressing the Adelaide Hills Productivity and Road Safety Package, an initiative jointly funded by the Australian and South Australian governments (80:20). This \$150 million program aims to upgrade key arterial roads across the region to improve safety, support economic activity and enhance fire resilience, ensuring safer evacuation routes during emergencies.

Lobethal Road is one of the priority corridors identified for improvement under this package. Proposed works for the section between Ashton and Lobethal, which includes Basket Range, are currently in the planning and prioritisation phase.

Minister for Education, Training and Skills
Minister for Police

Level 9, 31 Flinders Street, Adelaide SA 5000 | GPO Box 1563, Adelaide SA 5001 | DX 128 Adelaide
Tel 08 8226 1205 | Fax 08 8226 1556 | ABN 60 168 401 578



The Department will provide further updates to the community once the scope of works has been confirmed.

For further information about the program or to register to receive updates, I encourage residents to visit www.dit.sa.gov.au/adelaidehillsprs. If residents have any concerns in relation to this program, I encourage them to contact the project team directly on telephone 1300 794 880 or via email at DIT.Engagement@sa.gov.au.

As you are aware, a number of public roads converge at Basket Range, including Lobethal Road, Crammond Road, Burdetts Road and Range Road.

I have been provided advice from South Australia Police (SAPOL) in relation to intelligence holdings for these roads over the past 12 months. The following information is provided:

- Four expiation notices (distraction offences) were issued on Lobethal Road;
- One Traffic Watch complaint was lodged regarding speeding on Lobethal Road;
- Three collisions were recorded on Lobethal Road; none resulted in serious or fatal injuries; and
- No South Australia Computer Aided Dispatch reports were received relating to traffic incidents.

Police from the Hills Fleurieu Region Highway Patrol, together with the State Traffic Enforcement Unit and Traffic Camera Section, have been tasked to conduct speed detection and high-visibility patrols throughout the Adelaide Hills, including Basket Range. These combined resources will provide both a detection and deterrence capability aimed at improving road safety in the area.

With respect to crime, SAPOL holdings for Basket Range between 1 January 2023 and 15 September 2025 show a downward trend, with 20 offences recorded in 2023; six offences recorded in 2024; and three offences recorded so far this year.

It is noted that the damage to the War Memorial has not been reported to police. However, the arson attack on the Community Sharing Shed was reported in late August, with damage estimated at \$3,500. At this time, no suspects have been identified and the investigation remains ongoing.

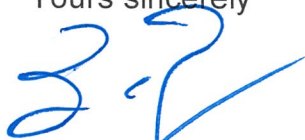
Basket Range has now been nominated as a target location for increased patrols by Hills Fleurieu Region police, who will ensure additional police visibility in the area. I am advised that a senior member of police contacted your office on 12 September 2025 to provide this advice.

I also encourage members of the public to report any unsafe driving behaviours SAPOL. Reports can be made by calling 131 444, submitting through the SAPOL online platform at www.police.sa.gov.au/online-services/traffic-watch2 or visiting a police station in person.

These reports play a vital role in identifying dangerous and irresponsible drivers and support more effective long-term safety planning.

Thank you again for raising these concerns and I trust the above information is of assistance.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'B. Boyer', written over a faint circular stamp.

Hon Blair Boyer MP
Minister for Education, Training and Skills
Minister for Police

Cc. Mr Greg Georgopoulos, Adelaide Hills Council
Mr Simon Warwick, Basket Range Action Group

4 December 2025

Greg Georgopoulos
Chief Executive Officer
Adelaide Hills Council

Level 6, 60 Light Square
Adelaide SA 5000

GPO Box 646
Adelaide SA 5001

T +61 8 7424 7400
W ecsa.sa.gov.au

ABN 99 891 752 468

Via email: mail@ahc.sa.gov.au

Dear Mr Georgopoulos

Re: Adelaide Hills Council Supplementary Election of Mayor

At the close of nominations at 12 noon on 4 December 2025, 3 nominations were received and accepted for the above-mentioned position. In accordance with section 29(3) of the *Local Government (Elections) Act 1999*, a draw was held after the close of nominations to determine the order in which the names of candidates will appear on the ballot paper and the result of the draw was as follows:

DANIELL, Nathan
STRATFORD, Andrew Mark
McDONNELL, Georgia

Voting material will be forwarded to electors by post between Tuesday 13 January and Monday 19 January 2026. To be accepted, ballot papers must be completed and returned to reach the Returning Officer by no later than 12 noon, Monday 9 February 2026.

The scrutiny and count of ballot papers is scheduled to occur from 9:30am on Tuesday 10 February 2026 at the Electoral Commission SA, 60 Light Square, Adelaide. The procedure for the scrutiny and count will be as follows:

- removing declaration flaps from ballot paper envelopes
- opening ballot paper envelopes and removing the ballot papers; and
- checking the formality of ballot papers and commencing the count.

A provisional declaration will be made at the conclusion of the count. In accordance with section 49(1) of the Act, an unsuccessful candidate may, by notice in writing to the Returning Officer, request a recount of votes at any time within 72 hours after the provisional declaration has been made.

Yours sincerely

Alex Parsons
DEPUTY RETURNING OFFICER

Confidential Items

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 9 December 2025
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.1

Responsible Officer: Jess Charlton
Director
Community and Development

Subject: Citizen of the Year 2026 Recommendations

For: Decision

1. Citizen of the Year 2026 Recommendations – Exclusion of the Public

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- Chief Executive Officer, Greg Georgopoulos
- Director Environment & Infrastructure, Jade Ballantine
- Director Corporate Services, Gary Lewis
- Director Community & Development, Jess Charlton
- Executive Governance Officer, Zoë Gill
- Minute Secretary, Lauren Jak

be excluded from attendance at the meeting for Agenda Item 19.1: (Citizen of the Year 2026 Recommendations) in confidence.

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

Section 90(3)(o) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information relating to a proposed award recipient before the presentation of an award, the disclosure of which could reasonably be expected to reveal award recipient information before a special event.

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

2. Citizen of the Year 2026 Recommendations – Confidential Item

3. Citizen of the Year 2026 Recommendations – Duration of Confidentiality

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter (which may include disclosure to media outlets to aid in achieving reporting timelines for publication; and disclosure to award recipients and their nominators, families and friends) in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 19.1 in confidence under sections 90(2) and 90(3)(o) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	16 January 2026
Related Attachments	16 January 2026
Minutes	16 January 2026
Other	Nil

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