



REPORT

Full investigation - *Ombudsman Act 1972*

Council member	Cr Chris Mead
Council	Southern Mallee District Council
Ombudsman reference	2026/00636
Date complaint received	2 February 2026
Issues	1. Whether Cr Mead failed to declare and manage a general conflict of interest in relation to agenda item 16.1 at the 15 October 2025 council meeting 2. Whether Cr Mead's actions amount to misconduct in public administration

Jurisdiction

On 2 February 2026, I received a complaint about the conduct of Cr Chris Mead, Deputy Mayor of the Southern Mallee District Council (**the council**).

The complaint alleges a breach of the integrity provisions in Chapter 5 of the *Local Government Act 1999*. An act of a council member that may constitute grounds for complaint under the Local Government Act is taken to be an 'administrative act' for the purposes of the Ombudsman Act.¹ I also consider that the integrity provisions constitute a relevant code of conduct for the purposes of the definition of misconduct in section 4(1) of the Ombudsman Act.

Investigation

My investigation has involved:

- assessing the information provided by the complainant
- obtaining information from the council
- seeking a response from Cr Mead
- considering the Local Government Act and the Ombudsman Act
- providing Cr Mead, the council, the complainant, the Local Government Association of SA and the Office of Local Government with my provisional report for comment, and considering their responses
- preparing this report.

¹ *Local Government Act 1999* s 263A(4); Ombudsman Act 1972 s 3.

Standard of proof

The standard of proof I have applied in my investigation and report is on the balance of probabilities. However, in determining whether that standard has been met, in accordance with the High Court's decision in *Briginshaw v Briginshaw* (1938) 60 CLR 336, I have considered the nature of the assertions made and the consequences if they were to be upheld. That decision recognises that greater care is needed in considering the evidence in some cases.² It is best summed up in the decision as follows:

The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding, are considerations which must affect the answer to the question whether the issue has been proved ...³

Procedural fairness

I provided a copy of my provisional report to Cr Mead, the complainant, the Chief Executive Officer of the council and Mayor Ron Valentine as the principal officer of the council, inviting submissions in relation to my provisional views. I received responses from the council and the complainant, accepting my provisional views. Cr Mead responded that he would not agree to any recommendations, unless I met with him in person at the Lamerook council chambers. I invited Cr Mead to have a discussion about my report over Microsoft Teams, but did not receive a response.

I also provided a copy of my provisional report to the Local Government Association of SA and the Office of Local Government, seeking feedback in relation to a matter of legislative interpretation. I have carefully considered the responses received, and addressed those responses as I consider necessary in the body of this report.

Background

1. On 2 February 2026, I received a complaint concerning the process being undertaken by the Southern Mallee District Council (**the council**) in relation to the proposed revocation of community land status at Railway Terrace North, Lamerook. The complaint alleged that the council was proposing to sell the land at Railway Terrace North to the South Australian Fire and Emergency Services Commission (**SAFECOM**), for the Country Fire Service (**CFS**) to construct a purpose-built Emergency Operations Centre on the site. It was alleged that Cr Chris Mead had a conflict of interest in the matter, due to him being the Captain of the Lamerook Volunteer CFS Brigade.
2. I note that the SAFECOM's functions include allocating resources effectively across the Emergency Services sector in South Australia, and providing central procurement and asset management services to the CFS, Metropolitan Fire Service, and State Emergency Service.⁴ As such, the SAFECOM, in purchasing the land at Railway Terrace North, would be doing so on behalf of the CFS.

² This decision was applied more recently in *Neat Holdings Pty Ltd v Karajan Holdings Pty Ltd* (1992) 110 ALR 449 at pp449-450, per Mason CJ, Brennan, Deane and Gaudron JJ.

³ *Briginshaw v Briginshaw* at pp361-362, per Dixon J.

⁴ 'About Us', *South Australian Fire and Emergency Services Commission* (Web Page) <<https://safecom.sa.gov.au/about-us/>>.

3. The council considered the potential revocation of community land status for the site in confidence at its meetings on 15 October 2025 and 17 December 2025. The motion put forward at agenda item 16.1 of the 15 October meeting was as follows:⁵

That Council:

1. Accepts the offer “in principle” from Renewal SA on behalf of the South Australia Fire and Emergency Commission (the Minister for Emergency Services) to purchase proposed Lot 104 Railway Terrace North, Lamerook for \$825,000 (excluding GST), subject to the successful revocation of the community land status of the land.
2. Resolves to undertake the revocation of the community land status on:
 - Portion Certificate of Title Volume 5561 Folio 62, Section 212 Hundred of Bews;
 - Portion Certificate of Title Volume 5163 Folio 504, Allotment 100, Deposited Plan 23763 in the Hundred of Bews; and
 - Portion Certificate of Title Volume 5303 Folio 597, Q3, Deposited Plan 41281 in the Hundred of Bews,

Pursuant to Section 194 of the Local Government Act 1999, including the required public consultation

4. Concurrently pursues subdivision of the land as required
 5. Approves the Mayor and Chief Executive Officer to affix the common seal to any documents to implement this decision.
6. Cr Mead did not declare either a general or material conflict of interest in the above item, and voted in favour of the motion. I understand that the result of the passing of the above motion was that a public consultation on the proposed revocation of community land status for the site was commenced in November 2025.⁶
7. At the 17 December 2025 council meeting, the matter came before the council again, and the council determined to extend the public consultation period, noting that the community did not previously have access to the independent Economic Impact Statement, or the revocation report.⁷ I note that on this occasion, Cr Mead declared a general conflict of interest ‘as he is the Captain of the Lamerook Volunteer CFS Brigade’,⁸ and remained in the meeting and voted on the item.
8. As part of my investigation, I reviewed Cr Mead’s declared conflicts of interest register, and identified that Cr Mead declared a general conflict of interest at the 19 July 2023 council meeting, in relation to item 16.1, concerning the CFS Building at Lamerook.⁹ I understand that this item broadly related to the CFS’s ambitions in relation to the building located at Enterprise Road, Lamerook, which it was leasing from the council. I note that Cr Mead declared a general conflict of interest due to being the Captain of the Lamerook CFS and remained in the meeting and voted on the item.¹⁰

⁵ Southern Mallee District Council, *Proposed Lot 104 Railway Terrace North, Lamerook* (Ordinary Council Meeting Agenda, Item No 16.1, 15 October 2025) 289.

⁶ ‘Sale of Council Property, Railway Terrace North, Lamerook: Proposal to Revoke Community Land Classification’, *Southern Mallee District Council* (Web Page) <<https://smdc-consultation-hub.squarespace.com/home/project-one-wxpk8>>.

⁷ Southern Mallee District Council, Ordinary Council Meeting Minutes (17 December 2025) 7.

⁸ Ibid 6.

⁹ Southern Mallee District Council, Register of Declared Conflicts of Interest from November 2022 - October 2026, 2.

¹⁰ Southern Mallee District Council, Ordinary Council Meeting Minutes (19 July 2023) 130.

Response from Cr Mead

9. On 15 February 2026, I received a response from Cr Mead, in relation to the issues raised in the complaint. Cr Mead advised that his position with the CFS is solely a volunteer position, and he considered that under the council's conflict of interest policy, he did not have a conflict for the item at the 15 October 2025 council meeting.
10. Cr Mead explained that members of the community had raised concern about him having a conflict of interest in the matter, and so he sought advice from the council's lawyers, and subsequently declared a general conflict of interest for item 11.1 at the 17 December 2025 council meeting.
11. Cr Mead expressed to my Office that he did not believe he had a conflict of interest, general or otherwise, in the matter, as the decision to sell the site to the SAFECOM on behalf of the CFS would not have resulted in any change to his volunteer position. He also argued that every council member at the council has some level of involvement with the community and the decisions being made often affect their friends and family.
12. I do query Cr Mead's response, in light of him having previously declared a conflict of interest in relation to the CFS at the meeting on 19 July 2023. I note that the item at the 19 July 2023 meeting was not directly in relation to any proposed sale or lease of property, but was more broadly to invite further information from the CFS about their ambitions for the building. It therefore appears that the item at the 15 October 2025 meeting was more direct in its potential impact on the interests of the CFS at Lameroo.
13. Given that Cr Mead sought advice and declared a general conflict of interest at the 17 December meeting, my investigation only considered whether Cr Mead failed to declare and manage a conflict of interest at the 15 October 2025 meeting.

Whether Cr Mead failed to declare and manage a general conflict of interest in relation to agenda item 16.1 at the 15 October 2025 council meeting

14. For completeness, I have considered whether Cr Mead had a material conflict of interest in agenda item 16.1 at the 15 October 2025 meeting. The test for when an elected member will have a material conflict of interest is provided in section 75 of the Local Government Act as follows:

75—Material conflicts of interest

- (1) Subject to section 75A, for the purposes of this Subdivision, a member of a council has a **material conflict of interest** in a matter to be discussed at a meeting of the council if any of the following persons 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:
 - (a) the member;
 - ...
 - (i) the employer or an employee of the member;
 - ...
15. I do not consider that Cr Mead himself would have received a benefit or suffered a loss depending on the potential revocation of community land status for the site and the sale to the SAFECOM. Additionally, as Cr Mead is a volunteer of the CFS, subsection (1)(i) above would not apply.

16. However, section 75A(3) relevantly states the following (my emphasis added):
- (3) A member of a council who is a **member, officer or employee** of an agency or instrumentality of the Crown, will be regarded as having a conflict of interest in a matter before the council if the matter directly concerns that agency or instrumentality but otherwise will not be regarded as having an interest in a matter by virtue of being a member, officer or employee of the agency or instrumentality.
17. I understand that Cr Mead is a volunteer and not an employee of the CFS, however I am of the view that, in the context of the CFS, volunteers are considered to be a 'member' or 'officer' of an agency or instrumentality of the Crown,¹¹ for the purposes of section 75A(3). As Cr Mead is a volunteer and Captain of the Lamerloo CFS, I consider he would both be a 'member' and an 'officer' of the CFS, and therefore I must consider the effect of section 75A(3) in determining whether Cr Mead will be regarded as having a conflict of interest.
18. In my investigation, I have had cause to consider the interpretation of section 75A(3) of the Local Government Act, which has not previously been considered by a Court or by my Office. A question arises as to whether it creates a standalone test for conflicts of interest, or whether it remains subject to the tests in sections 74 and 75 of the Local Government Act.
19. I have had regard to the Local Government Association South Australia's (LGA) Conflict of Interest Guidelines for elected members, published in February 2026. The LGA's Guidelines provide the following in relation to section 75A(3) (my emphasis added):¹²
- The effect of the above section is that a council member who is a member, officer or employee of an agency or instrumentality of the Crown, **will have both a material and general conflict of interest in relation to a matter** before the council if the matter directly concerns that agency or instrumentality. Conversely, where a matter before a meeting concerns another agency or instrumentality of the Crown to which the council member is not a member, officer or employee, there will be no material or general conflict of interest.
20. I sought clarification from the LGA regarding their interpretation of section 75A(3). The LGA advised my Office that its interpretation of section 75A(3) is that it creates a test independent of sections 74 and 75 of the Local Government Act, such that an officer or employee of the Crown will have both general and material conflict of interest by virtue of section 75A(3) alone, even where the tests under section 74 and/or 75 are not met.
21. The LGA explained that its interpretation has somewhat relied on the former Ombudsman Richard Bingham's investigation of the City of Charles Sturt and the St Clair Land Swap. In that investigation, the Ombudsman wrote:¹³
295. A conflict of duty is covered by the Local Government Act to only a limited extent, in relation to an elected member who is a member, officer or employee of an agency or instrumentality of the Crown. Section 73(3) and (4) provide:
- (3) A member of a council who is a member, officer or employee of an agency or instrumentality of the Crown, will be regarded as having an interest in a matter before

¹¹ *Fire and Emergency Services Act 2005* s 58(1).

¹² Local Government Association South Australia, 'Conflict of Interest: Guideline for members' (February 2026) 17.

¹³ Ombudsman SA, *Investigation into the City of Charles Sturt* (Final Report, November 2011) 71, [295]-[296].

the council if the matter directly concerns that agency or instrumentality but otherwise will not be regarded as having an interest in a matter by virtue of being a member, officer or employee of the agency or instrumentality.

(4) In this section— agency or instrumentality of the Crown includes—

- (a) an administrative unit of the Public Service;
- (b) a body corporate comprised of, or including or having a governing body comprised of or including, a Minister or Ministers of the Crown or a person or persons appointed by the Governor or a Minister or other agency or instrumentality of the Crown.

296. This sets a lower threshold than section 73(1). There is no issue of benefit or detriment; and there is one test to determine if the council member has an interest -- being whether the matter 'directly concerns' the agency or instrumentality of which the council member is a member, officer or employee.

- 22. It is relevant to note that the version of the Local Government Act in place at the time of the St Clair Land Swap investigation only had one category of conflict of interest, as opposed to the current distinction between general and material conflicts.
- 23. In my provisional report, I expressed that I did not accept the LGA's interpretation of section 75A(3). I accepted that it is an available reading of the text, but I consider there to be an alternative reading which is more consistent with the scheme of that part of the Act. I also note that it appears unusual that a lower threshold for particularly material conflicts of interest would apply to employees or officers of the Crown (such that the test in section 75 of the Local Government Act does not apply) than to employees of private entities.
- 24. It is my view that section 75A(3) operates subject to section 74 and 75. That is, for a conflict to arise the conditions in section 74 or 75 must be met, and the purpose of 75(A)(3) is to clarify that a conflict will only arise where an issue relates directly to the agency with which a Crown employee, member or officer is involved, rather than in respect of any emanation of the Crown at large. That is, section 75(A)(3) limits rather than expands sections 74 and 75.
- 25. To inform my interpretation of the section, I sought the views of the Office of Local Government (OLG), which agreed with the interpretation that section 75A(3) limits, rather than expands, when a Crown employee will have a conflict of interest. The OLG relevantly provided the following views:¹⁴

Section 75A(3) of the Act states (emphases added)—

- (3) A member of a council who is a member, officer or employee of an agency or instrumentality of the Crown, will be regarded as having a **conflict of interest** in a matter before the council if the matter directly concerns that agency or instrumentality but otherwise will not be regarded as having an interest in a matter by virtue of being a member, officer or employee of the agency or instrumentality.

OLG note that similar provisions have existing in previous conflict of interest schemes under the Act.

Currently, s 73 of the Act defines a 'conflict of interest' as—

conflict of interest means—

- (a) a general conflict of interest; or
- (b) a material conflict of interest;

...

¹⁴ Email from the Office of Local Government to Ombudsman SA, 25 February 2026.

Section 75A(3) specifically refers to a 'conflict of interest', which is defined to be a general conflict of interest or a material conflict of interest.

The Act therefore specifies two types of 'conflict of interest' – s 74 of the Act specifies what is a 'general conflict of interest' and s 75 specifies what is a material conflict of interest.

Section 75B then specifies how a council member will deal with a general conflict of interest and s 75C provides for how a council member will deal with material conflicts of interest.

Given this framework, OLG agrees with your alternative interpretation that s 75A(3) of the Act operates subject to ss 74 and 75B for general conflicts of interest, and ss 75 and 75C for material conflicts of interest—that is the provision limits rather than expands.

It is noted that s 75A of the Act is titled 'Exemptions and other matters'. It is OLG's view that s 75A is a clarifying provision to clarify what matters will or will not be regarded as a 'conflict of interest' or as a specific type of conflict of interest, e.g. what will not be regarded as a 'general conflict of interest' under section 75A(2).

...

So, for example, in relation to a material conflict of interest, ss 75(1)(c) and (i) states that (emphasis added):

- (1) **Subject to section 75A**, for the purposes of this Subdivision, a member of a council has a **material conflict of interest** in a matter to be discussed at a meeting of the council if any of the following persons 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:

....

(c) a body corporate of which the member is a director or a member of the governing body;

....

(i) the employer or an employee of the member;

It is OLG's view that s 75A(3) of the Act provides a clarification in relation to what will be regarded as a conflict of interest for a council member that is, for example, employed as a South Australian public sector employee or is, for example, a member of a statutory body where members have been appointed by the Governor or a minister.

Section 75A(3) clarifies that a council member who is also a member, officer or employee of an agency or instrumentality of the Crown does not have an interest in a matter before the council just by virtue of being a member, officer or employee of an agency or instrumentality of the Crown (e.g. if the matter relates generally to the Crown). For example, if a council member is employed as a State Government employee, that council member does not inherently have a conflict of interest in a matter before the council just because it concerns the State Government.

26. While the above from the OLG does not constitute definitive or legal advice as to the interpretation of section 75A(3), it has informed my view that the tests in sections 74 and 75 must still be applied when determining whether a member has a conflict of interest in a matter directly concerning an agency or instrumentality of the Crown, of which they are a member, officer or employee.
27. In response to my provisional views, the LGA provided some clarity in relation to the basis for their interpretation that section 75A(3) creates a conflict of interest test, independent from those in sections 74 and 75, such that a member will have *both* a material and general conflict of interest in a matter directly concerning an agency of the Crown of which they are an employee, officer or member. The LGA says that this position 'recognises the different circumstances in which Crown agencies or

instrumentalities will have interactions with councils, as opposed to those in private enterprise'.¹⁵

28. The LGA also draws attention to the 1984 Parliamentary debates regarding the reason for insertion of what was then section 73(3) of the Local Government Act:¹⁶

Subsection (3) addresses what might otherwise have been the vexed question of the status of officers of the Crown by providing that a member who is an officer or employee of the Crown, or an agency or instrumentality of the Crown, shall be regarded as having an interest in a matter before the council by virtue of his office or employment if that matter directly concerns the department, agency or instrumentality with which he is connected (but not otherwise).

29. Again, it is important to note that at this point in time, there was no distinction in the Local Government Act between general and material conflicts of interest. The LGA does not consider that this makes any difference to the way in which section 75A(3) should be interpreted.
30. The LGA has also advised that its interpretation is guided by broader principles of good policy and public administration, noting that there will be situations where there is no benefit or detriment to an agency as the result of a council decision, but it may still be clearly inappropriate for a council member who is a member, officer or employee of the agency to participate in the council deliberations.
31. In response to this argument, I note that, where a member does not have a material conflict of interest in relation to a matter according to the definition set out in section 75, but does have a general conflict of interest, it remains open to them to decide it is inappropriate to be present for deliberations, and to manage their conflict accordingly. Therefore, I do not consider that not having a material conflict of interest has the effect of preventing a member from acting with integrity or forcing them to participate when it would be inappropriate because of the nature of their employment. Further, where a matter arises in a council decision that has some impact or involvement with a council member's position as a public officer in a public sector agency, there are conflict of interest obligations set out in the Public Sector Code of Ethics which would restrict their involvement as an employee, officer or member of the agency.
32. Although I am not entirely convinced by LGA's arguments regarding its interpretation of section 75A(3), I acknowledge the concerns that it has about broader policy implications, and integrity in decision-making. It is clear that section 75A(3) as it is currently drafted is open to more than one interpretation, and so this may be a question that can be clarified by way of legislative amendment. A copy of this report will be provided to the Minister for Local Government.
33. For the purposes of my investigation, I prefer the interpretation adopted by the OLG, that section 75A(3) is subject to sections 74 and 75, and so I have proceeded with my consideration on that basis.
34. The motion in question did directly concern the CFS, of which Cr Mead is a member and officer, and therefore, the tests in sections 74 and 75 can be applied to determine whether he had either a material or general conflict of interest in the matter.

¹⁵ Letter from Ms Victoria MacKirdy to the Ombudsman, 31 July 2026, 2.

¹⁶ Ibid, 2-3.

35. I refer to my view in paragraph 15 above in relation to the test for a material conflict of interest, and reiterate that I do not consider that Cr Mead himself would have received a benefit or suffered a loss depending on the potential revocation of community land status for the site and the sale to the SAFECOM, and, as Cr Mead is not considered to be an employee of the CFS, section 75(1)(i) would not apply. As a result, I cannot be satisfied on the balance of probabilities that Cr Mead had a material conflict of interest in relation to item 16.1 at the 15 October 2025 meeting.
36. The test for whether an elected member will have a general conflict of interest in an item is set out in section 74 of the Local Government Act:

74—General conflicts of interest

- (1) Subject to section 75A, for the purposes of this Subdivision, a member of a council has a ***general conflict of interest*** in a matter to be discussed at a meeting of the council if an impartial, fair-minded person might consider that the member's private interests might result in the member acting in a manner that is contrary to their public duty.
37. I note that this is a low threshold. I consider that, due to Cr Mead's position at the CFS, an impartial, fair-minded person *might* consider that his interests in the CFS *might* result in him acting in a manner that is contrary to his public duty as a councillor, as it is possible that Cr Mead might act in the interests of the CFS, rather than the broader community.
38. As such, I am of the view that Cr Mead had a general conflict of interest in relation to item 16.1 at the 15 October 2025 meeting, which he failed to declare and manage in accordance with section 75B of the Local Government Act:

75B—Dealing with general conflicts of interest

- (1) If a member of a council has a general conflict of interest in relation to a matter to be discussed at a meeting of the council, the member must deal with the interest in a transparent and accountable way and, in particular, must inform the meeting of—
- (a) the member's interest in the matter; and
 - (b) whether or not the member proposes to participate in the meeting in relation to the matter; and
 - (c) if the member proposes to participate in the meeting in relation to the matter—
 - (i) how the member intends to deal with the general conflict of interest, including whether the member intends to vote on the matter; and
 - (ii) the member's reasons for participating (and, if relevant, voting) in relation to the matter.
39. I take this opportunity to note that section 75B above only requires that a council member transparently declare their interest in a matter, and identify how they intend to manage it (that is, they may still remain in the meeting and/or vote on a matter if they consider it appropriate to do so). I reinforce that it is inevitable in local government that elected members will have conflicts of interest in matters that come before them, due to their inherent connection and involvement in the community. There is nothing wrong with having a conflict of interest, but it must be openly declared and managed according to the requirements in the Local Government Act.

Opinion

In light of the above, I consider that by failing to declare and manage a general conflict of interest in relation to agenda item 16.1 at the 15 October 2025 council meeting, Cr Mead breached section 75B of the Local Government Act.

To remedy this error, I recommend under section 25(2) of the Ombudsman Act and section 263B(1) of the Local Government Act that:

- Cr Mead issue a public apology at a public meeting of the council for failing to declare and manage a general conflict of interest in relation to agenda item 16.1 at the 15 October 2025 council meeting, and that this and the terms of the apology be recorded in the Minutes
- Cr Mead attends training relevant to the conflict of interest provisions in the Local Government Act.

Whether Cr Mead's actions amount to misconduct in public administration

40. Misconduct in public administration is defined in section 4(1) of the Ombudsman Act as follows:

- (1) **Misconduct in public administration** means an intentional and serious contravention of a code of conduct by a public officer while acting in their capacity as a public officer that constitutes a ground for disciplinary action against the officer.

41. I consider that the integrity provisions of the Local Government Act constitute a code of conduct for the purposes of the above definition.

42. I consider 'intentional' to mean a deliberate, rather than accidental, act or course of conduct that contravenes a code of conduct, in this case the integrity provisions of the Local Government Act. I therefore do not need to be satisfied that Cr Mead knowingly acted in contravention of the integrity provisions, but that he intentionally engaged in conduct which forms the subject of that contravention.

43. In response to my Office, Cr Mead explained that he did turn his mind to whether to declare a conflict of interest in the item, and reviewed the council's policy on the matter. Therefore, I am satisfied that Cr Mead made the conscious decision not to declare a conflict of interest, and therefore that this was intentional, rather than merely accidental.

44. I must also consider whether Cr Mead's failure to declare and manage a general conflict of interest is sufficiently serious to amount to misconduct under the Ombudsman Act. It is my view that this is a high threshold, and the seriousness of a breach is impacted by a range of matters including the nature of the conduct, the nature of the obligation that has been contravened, the significance of the consequences or potential consequences, the impact on public administration and public confidence therein, and any mitigating circumstances.

45. I consider that any failure to declare and manage a conflict of interest under the Local Government Act carries with it a degree of seriousness, given the potential impact on public confidence in the integrity of council decisions. However, I am also of the view that the extent of the seriousness of a breach of section 75B may be mitigated by the circumstances surrounding the breach. I am mindful that in this case, the conflict of interest was general rather than material, and that Cr Mead did subsequently obtain advice and declared a general conflict of interest at the December 2025 meeting.

46. Although I am concerned that Cr Mead appears to remain of the view that he did not have a general conflict of interest in the matter at the October meeting, despite declaring a general conflict of interest in relation to an item concerning the CFS in 2023, I am mindful that he has not previously been subject to a finding by this office, and there may have been some genuine misunderstanding of whether a conflict of interest had arisen in the circumstances. I also do not consider that Cr Mead's failure to declare and manage a general conflict of interest had a significant impact on the outcome of the item.
47. Therefore, after having regard to all the circumstances of this matter, my view is that, although intentional, Cr Mead's conduct does not meet the requisite threshold of seriousness to amount to misconduct under the Ombudsman Act.

Opinion

In light of the above, my view is that Cr Mead did not commit misconduct in public administration under section 4(1) of the Ombudsman Act.

Summary and Recommendations

In light of the above, my final view is that

1. by failing to declare and manage a general conflict of interest in relation to agenda item 16.1 at the 15 October 2025 council meeting, Cr Mead breached section 75B of the Local Government Act; and
2. Cr Mead did not commit misconduct in public administration.

To remedy this error, I recommend under section 263B of the Local Government Act and section 25(2) of the Ombudsman Act that:

- Cr Mead issue a public apology at a public meeting of the council for failing to declare and manage a general conflict of interest in relation to agenda item 16.1 at the 15 October 2025 council meeting, and that this and the terms of the apology be recorded in the Minutes
- Cr Mead attends training relevant to the conflict of interest provisions in the Local Government Act.

Final comment

I now report Cr Mead's breach of the integrity provisions to the principal officer of the council, as required by section 18(5) of the Ombudsman Act.

In accordance with section 25(4) of the Ombudsman Act, I request that the council report to me by **30 October 2026** on what steps have been taken to give effect to my recommendations above; including:

- details of the actions that have been commenced or completed
- relevant dates of the actions taken to implement the recommendation.

In the event that no action has been taken, reason(s) for the inaction should be provided to the Ombudsman.

Pursuant to section 263B(2) of the Local Government Act, if a council member fails to comply with a council requirement made as a result of an Ombudsman recommendation such as those above, the council is to ensure that a complaint is lodged against the member with the South Australian Civil and Administrative Tribunal.

I have also sent a copy of my report to the Minister for Local Government as required by section 25(3) of the *Ombudsman Act 1972*.

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

Emily Strickland
SA OMBUDSMAN

8 September 2026