



## ORDINARY COUNCIL MEETING

### NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

Councillor Ian Bailey
Councillor Kirrilee Boyd
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Linda Green
Councillor Malcolm Herrmann
Councillor John Kemp
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Andrew Stratford

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 26 March 2019**  
**6.30pm**  
**63 Mt Barker Road Stirling**

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

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

A handwritten signature in blue ink, appearing to read 'Andrew Aitken', is written over a light blue horizontal line.

**Andrew Aitken**  
**Chief Executive Officer**



## ORDINARY COUNCIL MEETING

**AGENDA FOR MEETING**  
**Tuesday 26 March 2019**  
**6.30pm**  
**63 Mt Barker Road Stirling**

### ORDER OF BUSINESS

*Council Vision*

*Nurturing our unique place and people*

*Council Mission*

*Delivering activities and services which build a resilient community, sustain our built and natural environment and promote a vibrant economy*

**1. COMMENCEMENT**

**2. OPENING STATEMENT**

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kurna people and we recognise their connection with the land.

We understand that we do not inherit the land from our ancestors but borrow it from our children 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 – 26 February 2019

*That the minutes of the ordinary meeting held on 26 February 2019 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. PRESIDING MEMBER'S OPENING REMARKS**

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

- 7.1. Questions Adjourned
- 7.2. Questions Lying on the Table

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

- 8.1. Petitions
- 8.2. Deputations
  - 8.2.1. Trees for Life
  - 8.2.2. Cudlee Creek Tennis Club
- 8.3. Public Forum

**9. PRESENTATIONS (by exception)**

- 9.1. East Waste
- 9.2. Operation Flinders

**10. QUESTIONS ON NOTICE**

- 10.1. Fund My Neighbourhood
  - 1. *Which projects, on council managed/owned land were funded in the Adelaide Hills Council area?*
  - 2. *Did council make any financial contribution to these projects?*
  - 3. *Where the projects are of a capital nature, who is responsible for the ongoing maintenance or operational costs, that is, will the program have any budget implications for Council?*

**11. MOTIONS ON NOTICE**

- 11.1. Climate Emergency

*That Council:*

- 1. *Notes the October 2018 report of the Intergovernmental Panel on Climate Change;*
- 2. *Notes the Federal government's latest greenhouse gas emissions data shows Australia's total greenhouse gas emissions have increased compared to 2012, not decreased;*
- 3. *Recognises we are in a state of climate emergency that requires urgent action by all levels of government, including by local councils;*

4. *Reaffirms its commitment to both mitigating against and adapting to the adverse impacts of climate change within the Adelaide Hills Council;*
5. *Commits to finalising the Carbon Management Plan by December 2019 and that it includes a target of 100% renewable energy for the Adelaide Hills Council (as an Organisation) by a defined date;*
6. *Requests the CEO write to State and Federal Members of Parliament which represent the Adelaide Hills Council region, advising them of Council's resolution and request they also act with urgency to address climate change.*

11.2. Policy Position - Telecommunications Installation [Low-Impact Facilities]

*I move:*

1. *That the Chief Executive Officer formulate a policy position in relation to the future installation of low impact telecommunications facilities, specifically, antennae on top of stobie poles, by telecommunications providers, for Councils consideration by no later than 30 June 2019.*
2. *That the policy position address [yet not be limited to] such issues as:*
  - *Siting [Preference - Non-Public Land]*
  - *Design*
  - *Height*
  - *Colours and Finishes*
  - *Character and Amenity*
  - *Local Environment*
  - *Objection Process*

**12. OFFICER REPORTS – DECISION ITEMS**

12.1. Festival and Events Policy Review

*Council resolves:*

1. *That the report be received and noted.*
2. *To endorse the Draft Festivals and Events Policy, as contained in Appendix 1 for consultation purposes.*
3. *That the CEO be authorised to:*
  - a. *Make any formatting, nomenclature or other minor changes to the Policy prior to being released for public consultation and;*
  - b. *Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of Council's Public Consultation Policy.*

12.2. Aboriginal Place Naming

*Council resolves:*

1. *That the report be received.*

2. *That advice on the potential for Aboriginal place naming be sought from the Reconciliation Working Group, including a proposed approach for progressive implementation.*

12.3. Proposed Pome Fest Event

*Council resolves:*

1. *That the report be received and noted*
2. *That in-principle support is provided to the establishment of Pome Fest 2019.*
3. *That the Council contributes up to \$7,500 and in kind support in 2018/19 to facilitate and support the proposed event.*

12.4. Operation Flinders

*Council resolves that:*

1. *The report be received and noted.*
2. *Council continues to offer financial support for the Adelaide Hills expeditions by entering into a further three year agreement with Operation Flinders, for the period 2019/20 to 2021/22, at a cost of \$8,250 per annum.*
3. *That Operation Flinders be asked to explore the inclusion of Birdwood High School in Operation Flinders expeditions.*

12.5. Harms Avenue, Birdwood

*Council resolves that:*

1. *The report be received and noted*
2. *Additional signage be provided that highlights and numbers the identified properties as Harms Avenue, Birdwood.*

12.6. Kenton Valley War Memorial Park

*Council resolves:*

1. *That the report be received and noted*
2. *To commence a Community Land Revocation process in regards to the land comprised in Certificate of Title Register Book Volume 5718 Folio 775 being Allotment 64 in Filed Plan No. 155479 ("Land") with a view to the Land being sold*
3. *As part of the consultation for the revocation of community land, seek feedback from the community about the expenditure of funds from a sale (if progressed)*
4. *Following community consultation, that a report be presented to Council detailing the outcomes of the consultation and suggestions for the expenditure of sale proceeds.*

12.7. Randall's Cottages, Beavis Court, Gumeracha

*Council resolves:*

1. *That the report be received and noted*
2. *That an expression of interest (EOI) process be undertaken in respect of the local heritage listed building located at 1 Beavis Court, Gumeracha known as Randall's Cottages to determine any interest in restoring the building for tourism or other purpose (other than long term residential) under a long term lease arrangement.*
3. *That the CEO be delegated to prepare the necessary documentation to undertake the EOI.*
4. *That a report be presented to Council following the EOI detailing the results of that process and providing further options.*

12.8. Scott Creek Cemetery Reserve Fund

*Council resolves:*

1. *That the report be received and noted*
2. *That the reserve funds held in relation to the Scott Creek Cemetery be expended to achieve the following outcomes:*
  - a. *Marking of unmarked graves with a small and simple identification piece detailing the name and date of death of the deceased;*
  - b. *Installation of a single plaque with the names of the deceased who are buried in unmarked graves where the exact location of the graves is unknown;*
  - c. *Renewal of existing gravel driveways; and*
  - d. *Creation/extension of driveways to facilitate expansion of the cemetery.*

12.9. Strategic Plan Review Approach

*Council resolves:*

1. *That the report be received and noted.*
2. *That the Strategic Plan Review indicative key activities and timelines be received and adopted.*
3. *That the Strategic Plan Review Engagement Plan, contained in Appendix 1, be adopted.*

12.10. Tree Management Policy Review

*Council resolves:*

1. *That the report be received and noted.*
2. *With an effective date of 9 April 2019, to revoke the 10 May 2016 Tree Management Policy and to adopt the draft March 2019 Tree Management Policy.*
3. *That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Tree Management Policy prior to the effective date of adoption.*

12.11. Road Widening – Lower Hermitage Road, Lower Hermitage

*Council resolves:*

1. *That the report be received and noted*
2. *Refer to report for full recommendation.....*

12.12. East Waste 2019/2020 Annual Plan

*Council resolves:*

1. *That the report be received and noted*
2. *That the East Waste draft 2019/20 Annual Plan be given consent*

12.13. Community Information Display Policy

*That the Council resolves:*

1. *That the report be received and noted.*
2. *That with an effective date of 9 April 2019, the Community Information Display Policy adopted on 9 February 2016 be revoked and the Community Information Display Policy contained in Appendix 1 be adopted.*

12.14. Election of GAROC Members

*Council resolves:*

1. *That the report be received and noted*
2. *For the Mayor to mark the ballot paper with the Adelaide Hills Council's vote for*

\_\_\_\_\_ and \_\_\_\_\_

*and to lodge the completed ballot paper in accordance with the process set out in Appendix One (1).*

12.15. Nomination for Strategic Roads Committee

*Council resolves:*

1. *That the report be received and noted*
2. *To determine that the method of selecting a Council Member to be nominated for the Metropolitan Local Government Strategic Roads Committee be by an indicative vote utilising the process set out in this Agenda report.*
3. *To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for nomination for the Metropolitan Local Government Strategic Roads Committee and for the meeting to resume once the results of the indicative vote have been declared.*

4. To nominate \_\_\_\_\_ for the Metropolitan Local Government Strategic Roads Committee and authorise the Chief Executive Officer to lodge the completed nomination to the Local Government Association by 8 March 2019.

12.16. Delegations Review – March 2019

*Council resolves:*

1. That the report be received and noted
2. Refer to report for full recommendation .....

12.17. Council Resolutions Update including 2 year update to outstanding resolutions

*Council resolves:*

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

**13. OFFICER REPORTS – INFORMATION ITEMS**

13.1. Animal Management Plan Status Report

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

**14. MISCELLANEOUS ITEMS**

**15. QUESTIONS WITHOUT NOTICE**

**16. MOTIONS WITHOUT NOTICE**

**17. REPORTS**

17.1. Council Member Reports

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

17.3. CEO Report

**18. REPORTS OF COMMITTEES**

18.1. Council Assessment Panel – 13 March 2019

*That the minutes of the CAP meeting held on 13 March 2019 as supplied, be received and noted.*

18.2. Strategic Planning & Development Policy Committee  
*Nil*

18.3. Audit Committee  
*Nil*

18.4. CEO Performance Review Panel  
*Nil*

**19. CONFIDENTIAL ITEMS**

19.1. Sale of land at the former Onkaparinga Woollen Mills site at Lobethal

**20. NEXT MEETING**

Tuesday 23 April 2019, 6.30pm, 63 Mt Barker Road, Stirling

**21. CLOSE MEETING**

## Council Meeting/Workshop Venues 2019

DATE	TYPE	LOCATION	MINUTE TAKER
<b>APRIL 2019</b>			
Tues 9 April	Workshop	Woodside	N/A
Wed 10 April	CAP	TBA	Karen Savage
Mon 15 April	Audit Committee	Stirling	TBA
Tues 16 April	Professional Development	Stirling	N/A
Tues 23 April	Council	Stirling	Pam Williams
<b>MAY 2019</b>			
Wed 8 May	CAP	TBA	Karen Savage
Tues 14 May	Workshop	Woodside	N/A
Tues 15 May	Audit Committee	Stirling	N/A
Tues 21 May	Professional Development	Stirling	N/A
Tues 28 May	Council	Stirling	Pam Williams
<b>JUNE 2019</b>			
Tues 11 June	Workshop	Woodside	N/A
Wed 12 June	CAP	TBA	Karen Savage
Tues 18 June	Professional Development	Stirling	N/A
Tues 25 June	Council	Stirling	Pam Williams

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

## Community Forums 2019

**6.00 for 6.30pm**

DATE	LOCATION
Tuesday 30 April 2019	Houghton
Tuesday 30 July 20	Gumeracha
Tuesday 29 October 2019	Norton Summit

# Conflict of Interest Disclosure Form

**CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS**

Councillor:

Date:

Meeting name:

Agenda item no:

**1. I have identified a conflict of interest as:**

MATERIAL       ACTUAL       PERCEIVED

**MATERIAL**: Conflict arises when a council member or a nominated person will gain a benefit or suffer a loss (whether directly or indirectly and whether pecuniary or personal) if the matter is decided in a particular manner. If declaring a material conflict of interest, Councillors must declare the conflict and leave the meeting at any time the item is discussed.

**ACTUAL**: Conflict arises when there is a conflict between a council member's interests (whether direct or indirect, personal or pecuniary) and the public interest, which might lead to decision that, is contrary to the public interest.

**PERCEIVED**: Conflict arises in relation to a matter to be discussed at a meeting of council, if a council member could reasonably be taken, from the perspective of an impartial, fair-minded person, to have a conflict of interest in the matter – whether or not this is in fact the case.

**2. 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)

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

I intend to **leave** the meeting (*mandatory if you intend to declare a Material conflict of interest*)

**OR**

I intend to **stay** in the meeting (**complete part 4**) (*only applicable if you intend to declare a Perceived (Actual conflict of interest)*)

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

(This section must be filled in. Ensure sufficient detail is recorded of the specific circumstances of your interest.)

and that I will receive no benefit or detriment direct or indirect, personal or pecuniary from considering and voting on this matter.

**CONFLICTS MUST ALSO BE DECLARED VERBALLY DURING MEETINGS**

Governance use only: Member voted FOR/AGAINST the motion.



### Ordinary Business Matters

A **material, actual or perceived** Conflict of Interest does not apply to a matter of ordinary business of the council of a kind prescribed by regulation.

The following ordinary business matters are prescribed under Regulation 8AAA of the Local Government (General) Regulations 2013.

- (a) the preparation, discussion, conduct, consideration or determination of a review under section 12 of the Act
  - (b) the preparation, discussion, adoption or revision of a policy relating to allowances and benefits payable to members if the policy relates to allowances and benefits payable equally to each member (rather than allowances and benefits payable to particular members or particular office holders)
  - (c) the preparation, discussion, adoption or alteration of a training and development policy under section 80A of the Act
  - (d) the preparation, discussion, adoption or amendment of a strategic management plan under section 122 of the Act
  - (e) the adoption or revision of an annual business plan
  - (f) the adoption or revision of a budget
  - (g) the declaration of rates (other than a separate rate) or a charge with the character of a rate, and any preparation or discussion in relation to such a declaration
  - (h) a discussion or decision of a matter at a meeting of a council if the matter—
    - (i) relates to a matter that was discussed before a meeting of a subsidiary or committee of the council
    - (ii) the relevant interest in the matter is the interest of the council that established the committee or which appointed, or nominated for appointment, a member of the board of management of the council subsidiary or regional subsidiary.
- (2) For the purposes of section 75(3)(b) of the Act, a member of a council who is a member, officer or employee of an agency or instrumentality of the Crown (within the meaning of section 73(4) of the Act) will not be regarded as having an interest in a matter before the council by virtue of being a member, officer or employee.

### Engagement and membership with groups and organisations exemption

A member will not be regarded as having a conflict of interest **actual or perceived** in a matter to be discussed at a meeting of council by reason only of:

- an engagement with a community group, sporting club or similar organisation undertaken by the member in his or her capacity as a member; or membership of a political party
- membership of a community group, sporting club or similar organisation (as long as the member **is not** an office holder for the group, club or organisation)
- the member having been a student of a particular school or his or her involvement with a school as parent of a student at the school
- a nomination or appointment as a member of a board of a corporation or other association, if the member was nominated for appointment by a Council.

However, the member will still be required to give careful consideration to the nature of their association with the above bodies. Refer Conflict of Interest Guidelines.

**For example:** *If your **only** involvement with a group is in your role as a Council appointed liaison as outlined in the Council appointed liaison policy, you will not be regarded as having a conflict of interest actual or perceived in a matter, and are NOT required to declare your interest.*