



## ORDINARY COUNCIL MEETING

### NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

Councillor Ian Bailey
Councillor Kirilee 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 23 April 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.

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



## ORDINARY COUNCIL MEETING

**AGENDA FOR MEETING**  
**Tuesday 23 April 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 Kaurna 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  
Apologies were received from .....

3.2. Leave of Absence  
Nil

3.3. Absent

**4. MINUTES OF PREVIOUS MEETINGS**

Council Meeting – 26 March 2019

*That the minutes of the ordinary meeting held on 26 March 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  
Nil

7.2. Questions Lying on the Table  
Nil

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

8.1. Petitions  
Nil

8.2. Deputations  
Nil

8.3. Public Forum

**9. PRESENTATIONS (by exception)**

Nil

**10. QUESTIONS ON NOTICE**

10.1. Milan Terrace Stirling – Pedestrian & Road Safety

10.2. Street Sweeping

**11. MOTIONS ON NOTICE**

11.1. Ban of enclosed yabby nets in South Australia  
*That the Chief Executive Officer write to Hon David Speirs Minister for Environment and Water to highlight the issues associated with enclosed yabby nets and encourage the Minister to ban the use of enclosed yabby nets and their retail sale in South Australia.*

11.2. Membership of SPDPC  
*That Council appoints Cr Kirrilee Boyd to the Strategic Planning & Development Policy Committee for the term of the current Council.*

- 11.3. 20<sup>th</sup> Anniversary of Gumeracha & District Civic Centre  
*That the CEO provides a report to council at the May meeting on options to celebrate the 20th anniversary of the Gumeracha and District Civic Centre on 29 April 2020.*

**12. OFFICER REPORTS – DECISION ITEMS**

- 12.1. LG Reform Discussion Paper Submission
1. *That the report be received and noted*
  2. *To lodge its Local Government Reform Submission at Appendix 2 to the Local Government Association for input into that organisation's advocacy position.*
  3. *To delegate to the Chief Executive Officer the authority to make any minor changes to the Submission to reflect matters raised in the debate on the Local Government Reform Submission report.*
- 12.2. Review of CAP & S41 Committee Member Sitting Fees  
*Refer to Agenda*
- 12.3. LTFP Consultation Results & Adoption
1. *That the report be received and noted.*
  2. *To adopt the Long Term Financial Plan, as contained in Appendix 1 to this report, in accordance with Section 122 of the Local Government Act 1999.*
- 12.4. GRFMA Business Plan and Draft Budget for 2019/20
1. *That the report be received and noted.*
  2. *To advise the Board of the Gawler River Floodplain Management Authority that it has reviewed its 2019/22 Business Plan and approves the Adelaide Hills Council's contribution of \$25,642 as set out in the draft 2019/20 Draft Budget.*
- 12.5. 2019-20 Draft Annual Business Plan for Community Consultation
1. *That the report be received and noted.*
  2. *The draft 2019-20 Annual Business Plan included as Appendix 1 to this report be endorsed for community consultation.*
  3. *The period of consultation for the draft 2019-20 Annual Business Plan be from 26 April 2019 to 31 May 2019.*
  4. *That the 28 May 2019 Ordinary Council meeting will, in accordance with s123(4)(i)(B) of the Local Government Act 1999, be the meeting at which members of the public may ask questions and make submissions.*
  5. *That the Chief Executive Officer, or delegate, be authorised to make any formatting or other minor content changes to the draft 2019-20 Annual Business Plan prior to its release for community consultation.*

- 12.6. National General Assembly Attendance
3. *That the report be received and noted.*
  4. *To approve Mayor Jan-Claire Wisdom's attendance in a representative capacity at the National General Assembly of Local Government in Canberra in June 2019 and coverage of related costs estimated at \$3,700, in accordance with the Council Member Training and Development Policy.*
  5. *To approve Cr.....'s attendance as a developmental opportunity at the National General Assembly of Local Government in Canberra in June 2019 and coverage of related costs estimated at \$3,700, in accordance with the Council Member Training and Development Policy.*
- 12.7. Draft Code of Practice for Access to Council, Committee & Designated Informal Gathering
1. *That the report be received and noted*
  2. *That with an effective date of 7 May 2019, to revoke the 14 November 2017 Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents and to adopt the proposed Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents as contained in Appendix 1.*
- 12.8. Delegations Review Report  
*Refer to Agenda*
- 12.9. Council Resolutions Update including 2 year update to outstanding resolutions  
*Refer to Agenda*

**13. OFFICER REPORTS – INFORMATION ITEMS**  
Nil

**14. MISCELLANEOUS ITEMS**  
Nil

**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 – 10 April 2019  
*That the minutes of the CAP meeting held on 10 April 2019 as supplied, be received and noted.*
  
- 18.2. Strategic Planning & Development Policy Committee  
*Nil*
  
- 18.3. Audit Committee - 15 April 2019  
*That the minutes of the Audit Committee meeting held on 15 April 2019 as supplied, be received and noted*
  
- 18.4. CEO Performance Review Panel  
*Nil*

**19. CONFIDENTIAL ITEMS**

- 19.1. Kerbside Recycling Contract
- 19.2. Appointment of Independent CAP Members
- 19.3. Appointment of Advisory Group Independent Members

**20. NEXT MEETING**

Tuesday 28 May 2019, 6.30pm, 63 Mt Barker Road, Stirling

**21. CLOSE MEETING**

## Council Meeting/Workshop Venues 2019

DATE	TYPE	LOCATION	MINUTE TAKER
<b>MAY 2019</b>			
Wed 8 May	CAP	TBA	Karen Savage
Tues 14 May	Workshop	Woodside	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
<b>JULY 2019</b>			
Tues 9 July	Workshop	Woodside	N/A
Wed 10 July	CAP	TBA	Karen Savage
Tues 16 July	Professional Development	Stirling	N/A
Tues 23 July	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**

*(dates and venues to be confirmed)*

DATE	LOCATION
Tuesday 30 April 2019	Houghton
Tuesday 30 July 2019	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.*