



## 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 24 March 2020**  
**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 24 March 2020**  
**6.30pm**  
**63 Mt Barker Road Stirling**

### **ORDER OF BUSINESS**

**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  
Apologies were received from .....
- 3.2. Leave of Absence
- 3.3. Absent

**4. MINUTES OF PREVIOUS MEETINGS**

Council Meeting – 25 February 2020

*That the minutes of the ordinary meeting held on 25 February 2020 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
- 7.2. Questions Lying on the Table

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

- 8.1. Petitions
  - 8.1.1. Assessment of Trees in Mabel Street, Stirling
- 8.2. Deputations
  - 8.2.1. Marg Schroder, Lobethal Recreation Ground Sports Club
  - 8.2.2. Mandy Hughes & Adam Weinert, Lobethal & Districts Community Banking Project
- 8.3. Public Forum

**9. PRESENTATIONS (by exception)**

- 9.1. David Hitchcock, GRFMA

**10. QUESTIONS ON NOTICE**

Nil

**11. MOTIONS ON NOTICE**

- 11.1. Credit Card Usage (Cr Herrmann)

*Council resolves that the Chief Executive prepare a report, for the Audit Committee's consideration and advice to Council, providing an assessment of the status and coverage of the Adelaide Hills Council's Procurement Framework against the recommendations arising from the South Australian Auditor-General's March 2020 reports regarding credit card use and management in three South Australian councils.*

- 11.2. Mylor Primary School Fireworks (Cr Gill)

*I move that the CEO write to the Mylor Primary School asking them to consider to use a laser show as an alternative to the fireworks as a trial to gauge attendees reaction and if there is wide support for an alternative form of entertainment.*

- 11.3. Road Safety Warren Road & Martin Hill/Lucky Hit Road Forreston (Cr Herrmann)

*That the CEO requests the Minister for Transport, the Hon Stephan Knoll MP, take immediate action to improve safety for vehicular movements at the DPTI controlled intersection of Warren Road and Martin Hill/Lucky Hit Roads (Council roads).*

**12. ADMINISTRATION REPORTS – DECISION ITEMS**

12.1. Arts & Heritage Collection

1. *That the report be received and noted.*
2. *That Council approve the development of the draft Arts and Heritage Collection Policy for consideration.*

12.2. Cudlee Creek Bushfire Service & Project Continuity Impacts

*Refer to Agenda*

12.3. GRFMA Annual Budget & Business Plan 2020 – 2021

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 2020/21 Annual Business Plan and approves the Adelaide Hills Council's contribution of \$25,193 as set out in the draft 2020/21 Budget.*

12.4. Election for GAROC 2020

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

12.5. Nomination to Adelaide Cemeteries Authority Board

1. *That the report be received and noted*
2. *To determine that the method of selecting the Council Member(s) and or Council Officer(s) to be nominated for the Adelaide Cemeteries Authority Board 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 person(s) for nomination for the Adelaide Cemeteries Authority Board and for the meeting to resume once the results of the indicative vote have been declared.*
4. *To endorse the nomination of \_\_\_\_\_ & \_\_\_\_\_ for the Adelaide Cemeteries Authority Board and authorise the Chief Executive Officer to lodge the completed nomination form(s) to the Local Government Association by COB 6 April 2020.*

- 12.6. Status Report – Council Resolutions Update  
*Refer to Agenda*

**13. ADMINISTRATION REPORTS – INFORMATION ITEMS**

- 13.1. Mylor Community Survey Report

**14. QUESTIONS WITHOUT NOTICE**

**15. MOTIONS WITHOUT NOTICE**

**16. REPORTS**

- 16.1. Council Member Function or Activity on the Business of Council
- 16.2. Reports of Members/Officers as Council Representatives on External Organisations
- 16.3. CEO Report

**17. REPORTS OF COMMITTEES**

- 17.1. Council Assessment Panel – 11 March 2020  
*That the minutes of the CAP meeting held on 11 March 2020 as supplied, be received and noted.*
- 17.2. Strategic Planning & Development Policy Committee  
*Nil*
- 17.3. Audit Committee  
*Nil*
- 17.4. CEO Performance Review Panel  
*Nil*

**18. CONFIDENTIAL ITEMS**

*Nil*

**19. NEXT MEETING**

Tuesday 28 April 2020, 6.30pm, 63 Mt Barker Road, Stirling

**20. CLOSE MEETING**

## Council Meeting/Workshop Venues 2020

DATE	TYPE	LOCATION	MINUTE TAKER
<b>APRIL 2020</b>			
Thur 9 April (TBC)	CEOPRP	Stirling	TBA
Wed 8 April	CAP	TBA	Karen Savage
Tues 14 April	Workshop	Woodside	N/A
Mon 20 April	Audit	Stirling	TBA
Tues 21 April	Professional Development	Stirling	N/A
Tues 28 April	Council	Stirling	Pam Williams
<b>MAY 2020</b>			
Tues 12 May	Workshop	Woodside	N/A
Wed 13 May	CAP	TBA	Karen Savage
Mon 18 May	Audit	Stirling	TBA
Tues 19 May	Professional Development	Stirling	N/A
Tues 26 May	Council	Stirling	Pam Williams
<b>JUNE 2020</b>			
Tues 9 June	Workshop	Woodside	N/A
Wed 20 June	CAP	TBA	Karen Savage
Tues 16 June	Professional Development	Stirling	N/A
Tues 23 June	Council	Stirling	Pam Williams

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

## Community Forums 2020

**6.00 for 6.30pm**

DATE	LOCATION
Tues 31 March ***	Mylor
Tues 30 June	Basket Range
Tues 29 September	Birdwood

\*\*\* please note community gatherings may be postponed as per government recommendations

# 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.*