



## 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 June 2020**  
**6.30pm**  
**Zoom Virtual Meeting Room**

Notice of this meeting is supplied to Council Members under Section 83 of the Act.

Public notice of this meeting is supplied under Section 84 of the Act.

Following amendments to s90 of the Act, this meeting of the Council is taken to be conducted in a place open to the public given that the Council Members will be participating via electronic means and the public can access a live stream of the meeting via the link contained on Council's website.

**Andrew Aitken**  
**Chief Executive Officer**  
**19/6/20**



## ORDINARY COUNCIL MEETING

**AGENDA FOR MEETING**  
**Tuesday 23 June 2020**  
**6.30pm**  
**Zoom Virtual Meeting Room**

### 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 – 26 May 2020

*That the minutes of the ordinary meeting held on 26 May 2020 as supplied, be confirmed as an accurate record of the proceedings of that meeting.*

Special Council Meeting 12 May 2020

*That the minutes of the special meeting held on 12 May 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**

- 8.1. Petitions
  - 8.1.1. Footpath, Redden Drive Cudlee Creek
- 8.2. Deputations
  - 8.2.1. Andrew Admiraal & Michael Clements re 2020 AGI Adelaide Hills Rally

**9. PRESENTATIONS (by exception)**

Nil

**10. QUESTIONS ON NOTICE**

- 10.1. Woodside Recreation Grounds – Cr Stratford

**11. MOTIONS ON NOTICE**

- 11.1. Provision of information and assistance regarding the Rostrevor/Woodforde Boundary Change Proposal - Cr Osterstock

*I move that in relation to the Campbelltown City Council boundary realignment proposal, and on the basis of the results of the Council Boundary Change Survey and the Campbelltown City Council's lack of timeliness in formally considering Adelaide Hills Council's request to withdraw the proposal, Council resolves to provide no further information or assistance to the Campbelltown City Council in relation to their proposal other than that required by legislation.*

**12. ADMINISTRATION REPORTS – DECISION ITEMS**

- 12.1. AHRWMA Charter Review

- 1. *That the report be received and noted*
- 2. *To approve the draft Adelaide Hills Region Waste Management Authority Charter 2020, as contained in Appendix 1.*

- 12.2. Support for Road Closures 2020 Adelaide Hills Rally

- 1. *That the report be received and noted*
- 2. *That, in relation to the 2020 Adelaide Hills Rally, Council supports the event contingent on the organisers, to the satisfaction of the Chief Executive Officer:*
  - a. *Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event*
  - b. *Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event*
  - c. *Providing confirmation that the affected business owners are aware of the road closures*

- d. *Providing written confirmation that the concerns raised by affected residents have been adequately addressed and that arrangements for egress and ingress for those properties can be managed within the event where possible*
- e. *Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event.*
3. *That subject to the requirements of item 2. being undertaken, Council provides consent for road closure orders in relation to the event, to be held on Saturday 17 October 2020 as follows:*
  - a. *Saturday 17 October 2020*
    - i. *Retreat Valley Stage*  
*Closure 8:00am – 1:30pm*  
*Retreat Valley Road, Odea Road, Berry Hill Road and Langley Road closed – from Gorge Road to Cudlee Creek Road*
    - ii. *Kenton Valley Stage*  
*Closure 8:20am – 1:50pm*  
*Turner Road, Maidment Road, Lihou Road and Schocroft Road closed – from Burfords Hill Road to Schuberts Road*
    - iii. *Charligate Short Stage*  
*Closure 11:40am – 5:10pm*  
*Harrison Road, Pfeiffer Road, Teakle Road, Lewis Road, Bell Springs Road and Warmington Run closed – from Quarry Road to Black Heath Road*
    - iv. *Blumberg Creek Stage*  
*Closure 12:00pm – 5:30pm*  
*Hicks Road, Hanham Road, McVitties Road, Number Four Road and Burton Road closed – from Terlinga Road to Onkaparinga Valley Road*
4. *That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for minor changes to the road closures in the lead up to the event.*

12.3. Community & Recreation Facility Framework Project Update

1. *That the report be received and noted*
2. *That Council endorses the Community & Recreation Facilities Framework - Community Consultation Implementation Plan, contained in Appendix 1.*

12.4. Local Roads and Community Infrastructure Program Projects

1. *That the report be received and noted.*
2. *To authorise the applications for the following projects to be submitted as the Adelaide Hills Council Local Roads and Infrastructure Program Projects for delivery in 2020/21 and the estimated associated expenditure to undertake those works:*
  - a) *New Toilets – Woodside Institute (\$200,000)*
  - b) *Lobethal Centennial Hall Toilet Upgrade (\$80,000)*
  - c) *Fabrik – Building upgrades(\$230,000)*
  - d) *Mill Road Corner Community Pocket Forest (\$40,000)*
  - e) *Stirling to Crafers Bikeway (\$125,000)*
  - f) *Footpath – Crafers (\$66,415)*
  - g) *Footpath – Cudlee Creek, Redden Drive (\$40,000)*
3. *Subject to approval, and in line with the above estimated costs, that the CEO or his delegate be authorised to commit expenditure to undertake the above works with any adjustments to income and expenditure be incorporated in an upcoming budget review.*
4. *That should any projects be unsuccessful, or significant savings achieved, alternative projects will be recommended to Council for consideration.*
5. *That the CEO be authorised to write a letter of acknowledgement to the Hon Michael McCormack MP, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development thanking the Federal Government for this additional funding program.*

12.5. Stirling Market Road Closure Permit Renewal

1. *That the report be received and noted*
2. *That a permit for Business Use of a Road under Section 222 of the Local Government Act 1999 be issued to Stirling Market Incorporated for a five year period for use of a portion of Druid Avenue Stirling and the service lane between Martha Street and Mt Barker Road, for a monthly market*
3. *That pursuant to Section 33(2) of the Road Traffic Act 1961 the Council provides consent to the making of a road closure order by the Minister, or delegate, to enable the closure of Druid Avenue between Mount Barker Road and Martha Street, Stirling, as per permit conditions for the same five (5) year period covered by the Business Use Permit issued to Stirling Market Inc.*
4. *That the Chief Executive Officer be authorised to act for and on behalf of the Council to consider and provide consent to any minor changes to the permit conditions or road closure order in response to legislative changes, the results of annual permit reviews or for special road closure orders, such as if the market is rescheduled to another Sunday in a particular month, or if a special once-off market is held, over the same five (5) year period.*

12.6. Resumption of Physical Council Meetings, Workshops & Community Forums

1. *That the report be received and noted*
2. *That in relation to Ordinary Council Meetings:*
  - a. *To revoke Part 4 of Resolution 63/20 from its 21 April 2020 Council Meeting being “That, as from 21 April 2020 and until the expiry of the provisions of Notice No 1, meetings of the Council will take place by electronic means using the audio and visual functionality of the Zoom virtual meeting room as the electronic location”; and*
  - b. *To note that the Chief Executive Officer will determine the ‘place’ of Council Meetings in accordance with the provisions of Section 81(3a) of the Local Government Act 1999.*
3. *That in relation to Council Workshops and Professional Development Informal Gatherings to note that the Chief Executive Officer, via resolution 245/19, maintains the authorisation to make changes to the informal gathering schedule, timings and locations.*
4. *That in relation to Community Forums:*
  - a. *To note that the Chief Executive Officer, via resolution 245/19, maintains the authorisation to make changes to the Community Forum schedule to accommodate venue availability or other matters airing to necessitate change.*
  - b. *To resolve that the order of venues for upcoming Community Forums will be:*
    - i. *Mylor*
    - ii. *Basket Range*
    - iii. *Birdwood*

12.7. Policy of Notification – Accredited Professionals

1. *That the report be received and noted*
2. *To adopt the draft Policy of Notification – Accredited Professionals as detailed in Appendix 2 of this report with a commencement date being the designated date of Phase 3 of the Planning & Design Code (and full implementation of the PDI Act) to be announced by the Minister for Planning in due course.*
3. *That the CEO be permitted to make any formatting, nomenclature or other minor changes to the Policy before the designated date for Phase 3 of the Planning & Design Code.*

12.8. Disclosure of Interest – Adelaide Hills Tourism

1. *That the report be received and noted*
2. *To note the declaration of interest by Chief Executive Officer, Andrew Aitken, in relation to being a Board Member of Adelaide Hills Tourism.*
3. *To determine that Chief Executive Officer, Andrew Aitken, is authorised to act in relation to his official duties as Chief Executive Officer of the Adelaide Hills Council in matters relating to Adelaide Hills Tourism.*

12.9. Delegations Review  
*Refer to Agenda Report*

12.10. Status Report – Council Resolutions Update  
*Refer to Agenda Report*

**13. ADMINISTRATION REPORTS – INFORMATION ITEMS**

- 13.1. Ombudsman Correspondence
- 13.2. Quarterly Council Performance
- 13.3. Publishing Council Meeting Recordings
- 13.4. Policy Register Review

**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 – 10 June 2020  
*That the minutes of the CAP meeting held on 10 June 2020 as supplied, be received and noted.*
  
- 17.2. Strategic Planning & Development Policy Committee  
*Nil*
  
- 17.3. Audit Committee - 25 May 2020  
*That the minutes of the Audit Committee meeting held on 25 May 2020 as supplied, be received and noted*
  
- 17.4. CEO Performance Review Panel – 4 June 2020  
*That the minutes of the CEOPRP meeting held on 4 June 2020 as supplied, be received and noted.*

**18. CONFIDENTIAL ITEMS**

- 18.1. Event Opportunity

**19. NEXT MEETING**

Tuesday 28 July 2020, 6.30pm, venue to be advised

**20. CLOSE MEETING**



## Council Meeting/Workshop Venues 2020

DATE	TYPE	LOCATION	MINUTE TAKER
<b>JULY 2020</b>			
Wed 8 July	CAP	TBA	Karen Savage
Thur 9 July	CEO Performance Review	Stirling	TBA
Tues 14 July	Workshop	Woodside	N/A
Tues 21 July	Professional Development	Stirling	N/A
Tues 28 July	Council	TBA	Pam Williams
<b>AUGUST 2020</b>			
Tues 11 August	Workshop	Woodside	N/A
Wed 12 August	CAP	TBA	Karen Savage
Mon 17 August	Audit Committee	Stirling	TBA
Tues 18 August	Professional Development	Stirling	N/A
Tues 25 August	Council	TBA	Pam Williams
<b>SEPTEMBER 2020</b>			
Tues 8 September	Workshop	Woodside	N/A
Wed 9 September	CAP	TBA	Karen Savage
Tues 15 September	Professional Development	Stirling	N/A
Tues 22 September	Council	TBA	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.*

# 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.

## 8. DEPUTATIONS

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*For full details, see Code of Practice for Meeting Procedures on [www.ahc.sa.gov.au](http://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 deputee has addressed Council (either in a deputation or public forum) on the subject matter or a similar subject matter.

### 8.3 PUBLIC FORUM

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For the effective duration of the *Electronic Participation in Council Meetings Notice (No 1) 2020*, Council will not conduct a Public Forum during the Council meeting.