



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 23 March 2021
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 March 2021
6.30pm
63 Mt Barker Road Stirling

ORDER OF BUSINESS

1. COMMENCEMENT

2. OPENING STATEMENT

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kaurna people. They are Custodians of this ancient and beautiful land and so we pay our respects to Elders past, present and emerging. We will care for this country together by ensuring the decisions we make will be guided by the principle that we should never 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 – 23 February 2021
That the minutes of the ordinary meeting held on 23 February 2021 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
Nil
- 7.2. Questions Lying on the Table
Nil

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

- 8.1. Petitions
Nil
- 8.2. Deputations
 - 8.2.1. Lynton Vonow re Lobethal Bushland Park Masterplan
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

- 11.1. Bushfire Safer Places (Cr Parkin)
Council engages with the South Australian Country Fire Service (CFS) to produce a report for the information of the Elected body on designated Bushfire Safer Places, both in the Adelaide Hills and across South Australia. This report should be presented to Council at the May 2021 meeting.
- 11.2. Single-use Plastics (Cr Grant)
 - 1. *A report be provided to the Council before the 31 October 2021 on the feasibility and cost implications for reducing and or eliminating the use of single-use plastics in Council operations, being replaced with compostable or reusable alternatives as necessary. The report need not address those plastics already banned by State Legislation in March 2021, those proposed to be banned under the same legislation in March 2022, nor single use-plastics required for medical or disability uses. The report should consider but not be limited to:*
 - i. Council ceasing to purchase single use plastics;*
 - ii. Council stipulating to contractors, event organisers, sponsorship seekers, caterers, food vans and so on, that single-use plastics are not supported by Council and alternatives such as compostable or reusable alternatives be utilised as necessary;*
 - iii. As leases expire, update leases to include a clause that single use plastics are not supported by Council and alternatives such as compostable or reusable alternatives be utilised as necessary;*

- iv. *The CEO, Directors, Senior Officers and Staff be trained and educated to support and implement appropriate processes to ensure operation and compliance of associated procedures.*
- v. *Green bins be made available at Council run events for the collection of compostable waste to ensure compostable materials are diverted from landfill.*
- vi. *A program of community education and promotion, including approaching business owners and operators throughout the AHC area, in order to encourage a change from single-use plastics to alternatives such as compostable or reusable alternatives as necessary.*

12. ADMINISTRATION REPORTS – DECISION ITEMS

12.1. Lobethal Bushland Park Draft Masterplan

1. *That the report be received and noted.*
2. *To receive and accept the Lobethal Bushland Park Draft Masterplan and Playspace Design Brief Consultation Outcomes Report.*
3. *To adopt the Draft Masterplan and implement Stage 2 of Engagement.*
4. *That the results of Stage 2 Engagement and the final draft Masterplan be presented to Council for its consideration in June 2021.*
5. *That the CEO be authorised to:*
 - a. *Make any formatting, nomenclature or other minor changes to the Draft Masterplan 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 applicable legislation and Council's Public Consultation Policy.*

12.2. Local Heritage Grant Fund Project 2020 – 2021

1. *That the report be received and noted*
2. *To approve the eight shortlisted projects to receive grant funding as detailed in the body of this report to contribute to the works as detailed in Appendix 1 of this report and listed below:*
 - *Our Lady of the Rosary Church – Aldgate*
 - *Old Post Office – Crafers*
 - *Crataegus Cottage – Crafers*
 - *Circa 1850's Cottage – Mount George*
 - *Shop – Stirling*
 - *Stone Cottage – Stirling*
 - *Former Aldgate Valley Church of Christ – Aldgate*
 - *Cudlee Creek Uniting Church – Cudlee Creek*

12.3. Public Place & Road Naming Policy Review

1. *That the report be received and noted.*
2. *With an effective date of 6 April 2021, to revoke the 23 May 2017 Public Place and Road Naming Policy and to adopt the revised Public Place and Road Naming Policy in Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 23 March 2021 Public Place and Road Naming Policy prior to the effective date of adoption.*

12.4. Supplementary Deed 20a Radbone Road Mt George

1. *That the report be received and noted*
2. *To enter into the Supplementary Deed between Adelaide Hills Council and Professor Khurana attached in Appendix 1 of this report for Certificate of Title Volume 6231 Folio 681, known as 20A Radbone Road Mount George.*
3. *That the CEO is authorised to execute the Supplementary Deed for 20A Radbone Road Mount George and the Application to Note the Supplementary Deed.*
4. *That the costs associated with the preparation of the Supplementary Deed by Council's lawyers and registration of Deed shall be borne by the owners.*

12.5. Crown Land Revocation

1. *That the report be received and noted*
2. *That the consultation report (Appendix 1) be received and noted*
3. *To apply to the Minister for Planning to revoke the the Community Land classification of the following parcels of land:-*
 - i. *CR 5752/186, Lot 32 Fullgrabe Road, Crafers*
 - ii. *CR 5753/725, Section 1609 Illert Road, Mylor*
 - iii. *CR 5753/729, Section 1657 Scott Creek Road, Scott Creek*
 - iv. *CR 5753/741, Sections 53 and 54 Sandy Waterhole Road, Woodside*
 - v. *CR 5753/742, Section 547 Schuberts Road, Lobethal*
 - vi. *CR 5753/744, Section 553 Pedare Park Road, Woodside*
 - vii. *CR 5753/745, Section 556 Tiers Road, Woodside*
 - viii. *CR 5753/746, Section 565 Old Carey Gully Road, Stirling*
 - ix. *CR 5753/754, Section 511 North East Road, Inglewood*
 - x. *CR 5753/758, Section 262 Reserve Road, Forreston*
 - xi. *CR 5763/631, Section 1591 Silver Road, Bridgewater*
 - xii. *CR 5763/634, Section 71 Magarey Road, Mount Torrens*
 - xiii. *CR 5763/635, Section 72 Magarey Road, Mount Torrens*
 - xiv. *CR 5763/636, Section 84 Forreston Road, Forreston*
 - xv. *CR 6142/329, Lot 501 Greenhill Road, Balhannah*
 - xvi. *CR 5926/487, Lot 20 Bell Springs Road Charleston (for rededication to the Department of Environment & Water)*
 - xvii. *CR 5753/718, Section 1544 Reserve Terrace Aldgate (for rededication to Meals on Wheels)*

- xviii. *CR 5753/753, Section 495 off Kersbrook Road Kersbrook (for rededication to Forestry SA)*
4. *That a further report be presented to Council once a response from the Minister for Planning is received.*
- 12.6. Local Roads and Community Infrastructure Program Projects Phase 2
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 Phase 2 Projects for delivery in 2021-22 and the estimated associated expenditure to undertake those works:*
 - a) *Mill Road, Lobethal – School Crossing*
 - b) *Heathfield Waste and Resource Recovery Centre Upgrades*
 - c) *Public Toilet Upgrades - Stirling, Aldgate and Bridgewater*
 - d) *Crafers Village Mainstreet – Traffic Calming & Amenity upgrade*
 - e) *Birdwood Footpath – Kindergarten to Playground*
 - f) *Lobethal Avenue of Trees – Woodside Road*
 - g) *Lobethal Bushland Park Lookout Tower*
 - h) *Merchants Rd, Slip Repair*
 - i) *Mylor Pump Track*
 - j) *Bus Shelter Replacement (Stirling Main Street)*
 - k) *Mount Lofty Gardens - Lampert Road safety upgrade*
 - l) *Mount Barker Road, Aldgate ‘Park and Ride’*
 - m) *Aldgate Main Street amenity upgrade*
 - n) *Upper Sturt Road walking path*
 - o) *Bridgewater Court Resurfacing*
 - p) *Strathalbyn Road - Service Road Sealing*
 - q) *Hunters Road – Amenity Upgrade Concrete Blocks*
 3. *Subject to approval, and in line with the above estimated costs, that the CEO or his delegate be authorised to enter into a necessary grant agreement with the Department for Infrastructure, Transport and Regional Development, 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 phase of the funding program.*
- 12.7. Delegations Review
Refer to Agenda Item
- 12.8. Status Report – Council Resolutions Update
Refer to Agenda Item

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

- 13.1. Regional Public Health Plan Progress Report
- 13.2. Recovery Update
- 13.3. 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 March 2021
That the minutes of the CAP meeting held on 10 March 2021 as supplied, be received and noted.
- 17.2. Audit Committee
Nil
- 17.3. CEO Performance Review Panel
Nil

18. CONFIDENTIAL ITEMS

- 18.1. Sale of Land for Recovery of Debt – Lenswood

19. NEXT MEETING

Tuesday 28 April 2021, 6.30pm, 63 Mt Barker Road, Stirling

20. CLOSE MEETING

Council Meeting/Workshop Venues 2021

DATE	TYPE	LOCATION	MINUTE TAKER
APRIL 2021			
Tues 13 April	Workshop	Woodside	N/A
Wed 14 April	CAP	TBA	Karen Savage
Mon 19 April	Audit Committee	Stirling	TBA
Tues 20 April	Professional Development	Stirling	N/A
Tues 27 April	Council	Stirling	Pam Williams
MAY 2021			
Tues 11 May	Workshop	Woodside	N/A
Wed 12 May	CAP	TBA	Karen Savage
Tues 18 May	Professional Development	Stirling	N/A
Mon 24 May	Audit Committee	Stirling	TBA
Tues 25 May	Council	Stirling	Pam Williams
JUNE 2021			
Thurs 3 June	CEOPRP	Stirling	TBA
Tues 8 June	Workshop	Woodside	N/A
Wed 9 June	CAP	TBA	Karen Savage
Tues 15 June	Professional Development	Stirling	N/A
Tues 22 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 2021

6.00 for 6.30pm

(dates and venues to be confirmed)

Mylor Community Hall	Tues 30 March	6.00 – 8.30pm
Basket Range	Tues 31 August	6.00 – 8.30pm
Birdwood	Tues 30 November	6.00 – 8.30pm

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

For full details, see Code of Practice for Meeting Procedures on 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 purposethe 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 deputees has addressed Council (either in a deputation or public forum) on the subject matter or a similar subject matter.

8.3 PUBLIC FORUM

For full details, see Code of Practice for Meeting Procedures on www.ahc.sa.gov.au

1. The public may be permitted to address or ask questions of the Council on a relevant and/or timely topic.
2. The Presiding Member will determine if an answer is to be provided.
3. People wishing to speak in the public forum must advise the Presiding Member of their intention at the beginning of this section of the meeting.
4. Each presentation in the Public Forum is to be no longer than five (5) minutes (including questions), except with leave from the Council.
5. The total time allocation for the Public Forum will be ten (10) minutes, except with leave from the Council.
6. If a large number of presentations have been requested, with leave from the Council, the time allocation of five (5) minutes may be reduced.
7. Any comments that may amount to a criticism of individual Council Members or staff must not be made. As identified in the Deputation Conduct section above, the normal laws of defamation will apply to statements made during the Public Forum.
8. Members may ask questions of all persons appearing relating to the subject of their presentation.