

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 28 SEPTEMBER 2021  
63 MT BARKER ROAD STIRLING**

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In Attendance

**Presiding Member:** Mayor Jan-Claire Wisdom

**Members:**

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 (from 6.36pm)
Councillor Andrew Stratford

In Attendance:

Terry Crackett	Director Corporate Services
Peter Bice	Director Infrastructure & Operations
Melissa Bright	A/Director Development & Regulatory Services
Jennifer Blake	A/Director Community Capacity
Natalie Westover	Manager Property Services
John McArthur	Manager Sustainability Waste & Emergency Management
David Collins	Manager Strategic Assets
Kira-Marie Laverty	Corporate Planning & Performance Coordinator
Sharon Leith	Sustainability Officer
Steven Watson	A/Executive Manager Governance & Performance
Pam Williams	Minute Secretary

**1. COMMENCEMENT**

The meeting commenced at 6.32pm.

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**2. OPENING STATEMENT**

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna 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. Apology**

Nil

**3.1 Leave of Absence**

Moved Cr Pauline Gill  
S/- Cr Mark Osterstock

**196/21**

1. That a Leave of Absence from all duties of office be granted to Mayor Jan-Claire Wisdom from Wednesday 29 September to Wednesday 13 October 2021.
2. That any committee, panel or advisory group membership currently held by Mayor Jan-Claire Wisdom be undertaken by the Deputy during the leave of absence.

<b>Carried Unanimously</b>
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**3.2 Absent**

Nil

**4. MINUTES OF PREVIOUS MEETINGS**

**4.1 Council Meeting – 24 August 2021**

Moved Cr Malcolm Herrmann  
S/- Cr Linda Green

**197/21**

**That the minutes of the Ordinary Council meeting held on 24 August 2021 as supplied, be confirmed as an accurate record of the proceedings of that meeting.**

<b>Carried Unanimously</b>
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**5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL**

**5.1 Actual Conflict of Interest, Cr Andrew Stratford Item 12.1 Woodside Recreation Ground Reuse Proposal Environmental & Economic Analysis**

Under Section 75A of the *Local Government Act 1999* Cr Andrew Stratford declared an Actual Conflict of Interest for Item 12.1, Woodside Recreation Ground Reuse Proposal Environmental & Economic Analysis, the nature of which is as follows:

- I am an office holder on the Woodside Recreation Grounds Management Committee

Cr Andrew Stratford intends to leave the meeting when this item is discussed.

**5.2 Actual Conflict of Interest, Cr Kirrilee Boyd Item 12.2 Roadside Trading Policy for Community Consultation**

Under Section 75A of the *Local Government Act 1999* Cr Kirrilee Boyd declared an Actual Conflict of Interest in Item 12.2, Roadside Trading Policy for Community Consultation, the nature of which is as follows:

- I run a food stall at the Stirling Markets called "More Please Hot Donuts"

Cr Kirrilee Boyd intends to leave the meeting when this item is discussed.

**6. PRESIDING MEMBER'S OPENING REMARKS**

Mayor Jan-Claire Wisdom welcomed everyone to the meeting. The Mayor advised that she attended a State Dinner for former Governor Hieu Van Le, which was a very moving occasion.

Cr Kirsty Parkin (joined the meeting at 6.36pm).

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

**7.1 Questions Adjourned**

Nil

**7.2 Questions Lying on the Table**

Nil

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

**8.1 Petitions**

**8.1.1 Traffic Speed Review Woolcock Road Longwood**

Moved Cr Mark Osterstock  
S/- Cr Ian Bailey

**198/21**

**Council resolves:**

- 1. That the petition signed by 19 signatories, requesting a speed and traffic review of Woolcock Road Longwood with a reduction of speed to 60kph, be received and noted.**
- 2. That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.**

<b>Carried Unanimously</b>
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**8.2 Deputations**

**8.2.1 Dr Geoff Symonds re Rural Doctors & medical service provision**

**8.3 Public Forum**

Nil

**9. PRESENTATIONS**

Nil

**10. QUESTIONS ON NOTICE**

Nil

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**11. MOTIONS ON NOTICE**

**11.1 Letter of Thanks to retiring Governor Hieu Van Le AC**

Moved Mayor Jan-Claire Wisdom  
S/- Cr Malcolm Herrmann

**199/21**

That the Mayor writes to the Honourable Hieu Van Le AC, the retiring Governor of South Australia, and his wife Mrs Lan Le to thank them for their exceptional support of the Adelaide Hills community during the 2019-2020 Cudlee Creek and 2021 Cherry Gardens Bushfire emergencies and the ensuing recovery period and their continuing concern for the community during the current COVID-19 pandemic.

<b>Carried Unanimously</b>
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**11.2 Rural Doctors**

Moved Cr Malcolm Herrmann  
S/- Cr Pauline Gill

**200/21**

1. That the Council writes to the Hon the Premier requesting that the South Australian Government takes all actions possible (and advises Council and its Community precisely what those actions will be) to ensure that rural and regional communities can attract and retain doctors and other health professionals.
2. Copies of the correspondence to be forwarded to the Federal Member for Mayo, Rebekha Sharkie, the Member for Morialta, the Hon John Gardner, the Member for Schubert, Stephan Knoll, and the Leader of the Opposition, Peter Malinauskas.

<b>Carried Unanimously</b>
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**11.3 Torrens Valley Road Speed Limit**

Moved Cr Malcolm Herrmann  
S/- Cr Leith Mudge

**201/21**

That the CEO writes again to the Minister for Transport, requesting the Minister to review the decision to NOT reduce the speed limit on Torrens Valley Road Birdwood from the outskirts of Birdwood to the intersection with Randell Road.

<b>Carried Unanimously</b>
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**11.4 Community Project Update**

7.25pm Cr John Kemp left the meeting  
7.34pm Cr John Kemp returned to the meeting

Moved Cr Kirsty Parkin  
S/- Cr Leith Mudge

**202/21**

That Council establishes additional, more accessible and visible reporting mechanisms to provide information on the progress of significant projects across the district for the community and associated sporting clubs and associations. This could include more detailed information on key milestones and target dates and would be made available on the Adelaide Hills Council website for easy accessibility. This information would be updated on at least a quarterly basis.

<b>Carried Unanimously</b>
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**12. OFFICER REPORTS – DECISION ITEMS**

**12.1 Woodside Recreation Ground Reuse Proposal Environmental & Economic Analysis**

Cr Andrew Stratford declared an Actual Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.1.

7.44pm Cr Andrew Stratford left the meeting

8.17pm Cr Mark Osterstock left the meeting

8.19pm Cr Mark Osterstock returned to the meeting

Moved Cr Chris Grant

S/- Cr Nathan Daniell

Council resolves:

1. That the report be received and noted.
2. To decline the \$327,000 grant funding through the Local Government Infrastructure Partnership Program funding and not enter into an agreement with SA Water to purchase recycled water for the Woodside Recreation Ground.

**12.1.1 FORMAL MOTION - Woodside Recreation Ground Reuse Proposal Environmental & Economic Analysis**

Moved Cr Malcolm Herrmann

S/- Cr Pauline Gill

**203/21**

**That the question be adjourned for Item 12.1 Woodside Recreation Ground Reuse Proposal Environmental and Economic Analysis until the 14 December 2021 Council meeting to provide the opportunity for the CEO to attempt to renegotiate the government's contribution towards the capital cost of the project and an increase in the discounted price of the recycled water.**

The formal motion was put and was...

<b>Carried</b>
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8.38pm Cr Andrew Stratford returned to the meeting

8.38pm Cr Chris Grant left the meeting

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**12.2 Roadside Trading Policy for Community Consultation**

Cr Kirrilee Boyd declared an Actual Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.2.

8.39pm Cr Kirrilee Boyd left the meeting

8.40pm Cr Chris Grant returned to the meeting

Moved Cr Leith Mudge  
S/- Cr Kirsty Parkin

Council resolves:

1. That the report be received and noted
2. That further debate on this item be deferred until an Elected Member workshop has been held to provide guidance on the redrafting of the Roadside Trading (Use of Public Road Verges for Business Purposes) Policy, to provide a policy that is more flexible and enabling of mobile food vendors within the Adelaide Hills Council district.

**12.2.2 FORMAL MOTION - Roadside Trading Policy for Community Consultation**

Moved Cr Mark Osterstock  
S/- Cr Chris Grant

**204/21**

**That the question be put.**

**The formal motion was put and was...**

<b>Carried</b>
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Council resolves:

1. That the report be received and noted
2. That further debate on this item be deferred until an Elected Member workshop has been held to provide guidance on the redrafting of the Roadside Trading (Use of Public Road Verges for Business Purposes) Policy, to provide a policy that is more flexible and enabling of mobile food vendors within the Adelaide Hills Council district.

<b>Lost</b>
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Moved Cr Pauline Gill  
S/- Cr Malcolm Herrmann

205/21

Council resolves:

1. That the report be received and noted.
1. To approve the draft *Roadside Trading (Use of Public Road Verges for Business Purposes) Policy* as contained in *Appendix 1* for community consultation.
2. That a further report be presented to Council for consideration following completion of the community consultation.

<b>Carried Unanimously</b>
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9.02pm Cr Kirrilee Boyd returned to the meeting

**12.3 2021-2022 Australian Government Black Spot Program – Funding Deeds**

Moved Cr Ian Bailey  
S/- Cr Chris Grant

206/21

Council resolves:

1. That the report be received and noted.
2. To execute the Funding Deeds as follows:
  - a. 2021-2022 South Australia Black Spot Program – Warren Road, Lucky Hit Road and Martin Hill Road, Birdwood (\$572,000 GST Inclusive)
  - b. 2021-2022 South Australia Black Spot Program – Montacute Road, Montacute (\$1,256,071 GST Inclusive)
  - c. 2021-2022 South Australia Black Spot Program – Woods Hill Road, Ashton (\$332,200 GST Inclusive)
3. The Chief Executive Officer and Mayor are authorised to sign and affix the seal of the Adelaide Hills Council to the respective Funding Deeds under the State Blackspot Program.
4. To approve an increase in the 2021-22 capital expenditure budget of \$1,523,701 (GST Exclusive) offset by \$1,523,701 (GST Exclusive) in capital income for the Road Safety Program Capital project in accordance with the Funding Deeds.
5. That Council notes that in signing the Deed, that \$440,000 (GST Exclusive) will be available to Council in the 2022-23 financial year to complete the intersection improvements at Warren Road, Lucky Hit Road and Martin Hill Road, Birdwood.

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6. That the CEO be authorised to write a letter of acknowledgement to the Hon Barnaby Joyce MP, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development thanking the Federal Government for the Blackspot Funding Program.

<b>Carried Unanimously</b>
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**12.3.3 Short Adjournment**

Moved Cr Chris Grant  
S/- Cr Ian Bailey

**207/21**

That the Council meeting adjourn for a short break.

<b>Carried Unanimously</b>
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9.20pm The Council meeting resumed without Cr Mark Osterstock who left the meeting and did not return.

**12.4 Policy Adoption - Privately Funded (Council-led) Code Amendments**

Moved Cr John Kemp  
S/- Cr Linda Green

**208/21**

Council resolves:

1. That the report be received and noted.
2. With an effective date of 28 September 2021, to adopt the *'Privately Funded (Council-led) Code Amendment Request Policy'* as contained in *Appendix 2* with the addition of the following clauses:
  - 4.13.9 the payment schedule for undertaking the Code Amendment will be devised to minimise the financial risk to Council
  - 4.13.10 that the Council may request a deposit, payment in advance or a bank guarantee where required
  - 4.13.11 scheduled payments should coincide with milestone commencement. Where a scheduled payment is not received by Council from the private funder, work on the project will immediately cease.
3. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature, or other minor changes to the Policy prior to the effective date.

<b>Carried Unanimously</b>
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**12.5 Policy Review – Mayor Seeking Legal Advice**

Moved Cr Leith Mudge

S/- Cr Linda Green

209/21

Council resolves:

1. That the report be received and noted
2. With an effective date of 11 October 2021, to revoke the 8 September 2015 *Mayor Seeking Legal Advice Policy* and to adopt the draft 28 September 2021 *Mayor Seeking Legal Advice Policy* as contained in *Appendix 1* with the exception of section 8.1a where the value of the delegation should be \$10,000 (GST exclusive) per matter.
3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 28 September 2021 *Mayor Seeking Legal Advice Policy* prior to the effective date.

<b>Carried</b>
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**12.6 Policy Review – Directional Signage**

Moved Cr Kirsty Parkin

S/- Cr Chris Grant

210/21

Council resolves:

1. That the report be received and noted.
2. With an effective date of 28 September 2021, to revoke the 12 March 2019 *Directional Signage Policy* and to adopt the draft September 2021 *Directional Signage Policy*.
3. That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the *Directional Signage Policy* prior to the effective date of adoption as contained in Appendix 1.

<b>Carried Unanimously</b>
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**12.7 Policy Review – Street Lighting**

Moved Cr Kirsty Parkin  
S/- Cr Kirrilee Boyd

**211/21**

**Council resolves:**

1. That the report be received and noted.
2. With an effective date of 27 September 2021, to revoke the 24 July 2018 Street Lighting Policy and to adopt the draft September 2021 Street Lighting Policy as contained in Appendix 1.
3. That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Street Lighting Policy prior to the effective date of adoption.

<b>Carried Unanimously</b>
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**12.8 Status Report – Council Resolutions Update**

Moved Cr Nathan Daniell  
S/- Cr Linda Green

**212/21**

**Council resolves:**

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

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
27/10/2020	Ordinary Council	235/20	Revocation of Community Land - Closed Road R855 Upper Hermitage	None declared
23/02/2021	Ordinary Council	25/21	Road Closure adjacent 9 Melrose Avenue Stirling	None declared
27/04/2021	Ordinary Council	77/21	2020-21 CEO Performance Review Process & Schedule	None declared

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Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
25/05/2021	Ordinary Council	92/21	Draft Trails & Cycling Routes Management Policy	None declared
22/06/2021	Ordinary Council	118/21	Lobethal Bushland Park Masterplan	None declared
24/08/2021	Ordinary Council	171/21	Lobethal Bushland Park Masterplan	None declared
24/08/2021	Ordinary Council	172/21	Policy Adoption - Trails and Cycling Routes Policy	None declared
24/08/2021	Ordinary Council	179/21	2020-21 Preliminary End of Year Financial Results and Carry Forwards	None declared
24/08/2021	Ordinary Council	181/21	Road Closure Young Drivers Awareness Course 2021-22	None declared
24/08/2021	Ordinary Council	182/21	Policy Review - Petitions	None declared
24/08/2021	Ordinary Council	189/21	Letter of Support Summertown Community Centre	none declared
24/08/2021	Ordinary Council	194/21	CEO Performance Review & Remuneration Review - Confidential Item	None declared
24/08/2021	Ordinary Council	195/21	CEO Performance Review & Remuneration Review - Period of Confidentiality	None declared

**Carried Unanimously**

**13. OFFICER REPORTS - INFORMATION ITEMS**

**13.1 Policy Register Review September 2021**

Moved Cr Linda Green  
S/- Cr Ian Bailey

**213/21**

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

**Carried Unanimously**

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**14. QUESTIONS WITHOUT NOTICE**

NIL

**15. MOTIONS WITHOUT NOTICE**

Cr Andrew Stratford declared an Actual Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 15.1.

9.53pm Cr Andrew Stratford left the meeting

Having taken into account the Guiding Principles, the Mayor accepted the following Motion Without Notice.

**15.1 Woodside Recreation Ground Reuse Proposal Environmental and Economic Analysis****Moved Cr Malcolm Herrmann****S/- Cr Leith Mudge****214/21**

**In reference to item 12.1, Woodside Recreation Ground Reuse Proposal Environmental and Economic Analysis, the CEO undertake consultation with the Woodside Recreation Ground Management Committee regarding water charges should recycled water be used and this information be incorporated into that report.**

<b>Carried Unanimously</b>
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9.55pm Cr Stratford returned to the meeting

9.55pm Cr Pauline Gill left the Chamber and did not return

**15.1.1 Extension of Meeting Time****Moved Cr Ian Bailey****S/- Cr Leith Mudge****215/21**

**That the meeting time be extended by 10 minutes.**

<b>Carried Unanimously</b>
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**16. REPORTS**

**16.1 Council Member Function or Activity on the Business of Council**

**Mayor Jan-Claire Wisdom**

- 30 August, Meeting with Emily Bourke, Shadow Minister for Local Government, Stirling
- 31 August, Basket Range Community Forum, Basket Range
- 02 September, Minister Wingard and Josh Teague MP launch of Heathfield Sports Ground upgrades, Heathfield
- 03 September, Meeting with Attorney-General Vickie Chapman, Stirling
- 03 September, State Dinner for retiring Governor Hieu Van Le and Mrs Lan Le, Adelaide
- 06 September, Citizenship ceremony, Stirling
- 09-10 September, Emergency Management Seminar, Adelaide
- 13 September, one-on-one Zoom meeting with Governor-General of Australia, David Hurley
- 23 September, Opening of Woodside Hall facility upgrades, Woodside

**Cr Malcolm Herrmann**

- 2 September, Meeting with State Planning Commission, Mount Barker
- 2 September, Turning the "first sod" Heathfield Oval
- 16 September, Restvale Homes for the Aged AGM, Lobethal
- 8 September, Community Association meeting, Gumeracha
- 23 September, Toilet Block opening, Woodside

**Cr Kirrilee Boyd**

- 2 September, Heathfield Oval Change room Turning of the Sod

**16.2 Reports of Members as Council/Committee Representatives on External Organisations**

**Mayor Jan-Claire Wisdom**

- 06 September, GAROC Committee Meeting

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**16.3 CEO Report**

Terry Crackett, Director of Corporate Services, provided Council with a verbal Corporate Update (full details available at [www.ahc.sa.gov.au](http://www.ahc.sa.gov.au))

- 2 x Green Organic Days held in August with 628 drop offs and 90 tonnes saved from landfill
- 97 tonnes of Household Chemical & Paint disposed of at Heathfield in the past year
- Dog bags now compostable
- SA Artists Artlands at Fabrik in September
- COVID update

**17. REPORTS OF COMMITTEES****17.1 Council Assessment Panel – 8 September 2021**

**Moved Cr Kirrilee Boyd**  
**S/- Cr Ian Bailey**

**216/21**

**That the minutes of the Council Assessment Panel meeting of 8 September 2021 as distributed, be received and noted.**

<b>Carried Unanimously</b>
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**17.2 Audit Committee**

No meeting held

**17.3 CEO Performance Review Panel**

No meeting held

**18. CONFIDENTIAL ITEMS**

Nil

**19. NEXT ORDINARY MEETING**

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 26 October 2021 from 6.30pm at 63 Mt Barker Road, Stirling.

**20. CLOSE MEETING**

The meeting closed at 10.05pm.