



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 May 2022
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 May 2022
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 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. APOLOGIES/LEAVE OF ABSENCE

- 3.1. Apology
Apologies were received from
- 3.2. Leave of Absence
Mayor Jan-Claire Wisdom 1 June to 15 June 2022
- 3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 26 April 2022

That the minutes of the ordinary meeting held on 26 April 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Special Council Meeting – 3 May 2022

That the minutes of the special meeting held on 3 May 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Special Council Meeting – 17 May 2022

That the minutes of the special meeting held on 17 May 2022 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
 - 8.1.1. Fenced Dog Park for Woodside
- 8.2. Deputations
 - 8.2.1. John Venus re land Colonial Drive Norton Summit
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

10. QUESTIONS ON NOTICE

- 10.1.

11. MOTIONS ON NOTICE

- 11.1. Purchase of Land 8 St John Road Norton Summit – Cr Ian Bailey
- 11.2. Budget Review Committee – Cr Malcolm Herrmann

12. ADMINISTRATION REPORTS – DECISION ITEMS

- 12.1. Local Heritage Grant Fund 2021-22 Project Approvals

- 1. *That the report be received and noted*
- 2. *To approve the two shortlisted projects to receive grant funding to contribute to the works as detailed in Appendix 1 of this report and listed below:*
 - *Shop (4-6 Mount Barker Road, Stirling): – Silvano Rotellini, replacing/restoring rotten barge boards to front gable and sides of heritage building (Grant amount: \$2500).*
 - *Longwood Institute (706 Longwood Road, Bradbury): Longwood Bradbury Progress Association, replacing wooden front door (Grant amount: \$2500).*

12.2. Libraries Strategy

1. *That the report be received and noted.*
2. *To receive and note the Draft Libraries Strategy – Community Engagement Outcomes Report contained in Appendix 1.*
3. *With an effective date of 7 June 2022, to adopt the Libraries Strategy, as contained in Appendix 2.*
4. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Libraries Strategy prior to publication.*

12.3. Public Art Strategy

1. *That the report be received and noted*
2. *With an effective date of 14 June 2022, adopt the Adelaide Hills Council Public Art Strategy July 2022 to June 2027 as per Appendix 1*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Public Art Strategy July 2022 to June 2027 prior to the effective date of adoption.*

12.4. Budget Review 3

1. *That the report be received and noted.*
2. *To adopt the proposed budget adjustments presented in Budget Review 3 for the 2021-22 financial year which result in:*
 - a. *An increase in the Operating Surplus from \$1.546m to \$1.607m for the 2021-22 financial year.*
 - b. *Changes to Capital Works, reducing capital income by \$4.250m and reducing capital expenditure by \$146k for the 2021-22 financial year resulting in a revised capital expenditure budget for 2021-22 of \$21.836m.*
 - c. *An increase in Council's current Net Borrowing Result from \$2.572m to \$6.615m for the 2021-22 financial year as a result of the proposed operating and capital adjustments.*

12.5. Policy Review - Community Group Use of Photocopiers

1. *That the report be received and noted.*
2. *That with an effective date of 7 June 2022 to revoke the 17 July 2017 Community Group Use of Photocopiers Policy and adopt the May 2022 Community Group Use of Photocopiers Policy contained in Appendix 1.*
3. *That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Community Group Use of Photocopiers Policy prior to the effective date of adoption.*

12.6. Policy Review – Community Information Display

1. *That the report be received and noted*
2. *That with an effective date of 7 June 2022 to revoke the 26 May 2019 Community Information Display Policy and adopt the May 2022 Community Information Display Policy contained in Appendix 1.*
3. *That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Community Information Display Policy prior to the effective date of adoption.*

12.7. Policy Review – Buffers

1. *That the report be received and noted*
2. *That with an effective date of 7 June 2022, to revoke the 28 November 2017 Buffers Policy and adopt the Buffers Policy (draft) - May 2022 as per Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Buffers Policy (draft) – May 2022 as per Appendix 1 prior to the effective date.*

12.8. Policy Review - Roadside Trading

1. *That the report be received and noted*
2. *With an effective date of 7 June 2022, to revoke the 24 April 2018 Roadside Trading Policy and adopt the 24 May 2022 draft Roadside Trading Policy as contained in Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 24 May 2022 draft Roadside Trading Policy prior to the effective date.*

12.9. Attendance at National General Assembly, Canberra

1. *That the report be received and noted.*
2. *To approve Mayor Jan-Claire Wisdom’s attendance in a representative capacity at the National General Assembly of Local Government in Canberra in June 2022 and coverage of related costs estimated at \$3,700, in accordance with the Council Member Training and Development Policy.*

12.10. Policy Review – Internal Audit

1. *That the report be received and noted.*
2. *With an effective date of 07 June 2022, to revoke the 27 June 2017 Internal Audit Policy and to adopt the Internal Audit Policy (draft) – April 2022 as per Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Internal Audit Policy (draft) – April 2022 as per Appendix 1 prior to the effective date.*

12.11. Policy Review – Prudential Management

1. *That the report be received and noted.*
2. *With an effective date of 07 June 2022, to revoke the 27 June 2017 Prudential Management Policy and to adopt the Prudential Management Policy (draft) – April 2022 as per Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Prudential Management Policy (draft) – April 2022 as per Appendix 1 prior to the effective date.*

12.12. Policy Review – Risk Management

1. *That the report be received and noted.*
2. *With an effective date of 07 June 2022, to revoke the 28 May 2019 Risk Management Policy and to adopt the Risk Management Policy (draft) – April 2022 as per Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Risk Management Policy (draft) – April 2022 as per Appendix 1 prior to the effective date.*

12.13. Confidential Items Review

Refer to Agenda

12.14. Status Report – Council Resolutions Update

Refer to Agenda

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

- 13.1. Fire Hydrant Location and Maintenance

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 May 2022
That the minutes of the CAP meeting held on 11 May 2022 as supplied, be received and noted.

- 17.2. Audit Committee
Nil

- 17.3. CEO Performance Review Panel – 12 May 2022
That the minutes of the CEOPRP meeting held on 12 May 2022 as supplied, be received and noted.

18. CONFIDENTIAL ITEMS

Nil

19. NEXT MEETING

Tuesday 28 June 2022, 6.30pm, 63 Mt Barker Road, Stirling

20. CLOSE MEETING

Council Meeting/Workshop Venues 2022

DATE	TYPE	LOCATION	MINUTE TAKER
JUNE 2022			
Wed 8 June	CAP	TBA	Karen Savage
Tues 14 June	Workshop	Woodside	N/A
Tues 21 June	Professional Development	Stirling	N/A
Tues 28 June	Council	Stirling	Pam Williams
JULY 2022			
Tues 12 July	Workshop	Woodside	N/A
Wed 13 July	CAP	TBA	Karen Savage
Tues 19 July	Professional Development	Stirling	N/A
Tues 26 July	Council	Stirling	Pam Williams
AUGUST 2022			
Thurs 4 August	CEOPRP	Stirling	TBA
Tues 9 August	Workshop	Woodside	N/A
Wed 10 August	CAP	TBA	Karen Savage
Mon 15 August	Audit Committee	Stirling	TBA
Tues 16 August	Professional Development	Stirling	N/A
Tues 23 August	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 2022

6.00 for 6.30pm

(dates and venues to be advised)

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 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

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.