



## 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 28 June 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 28 June 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
- 3.3. Absent

**4. MINUTES OF PREVIOUS MEETINGS**

- 4.1. Council Meeting – 24 May 2022  
*That the minutes of the ordinary meeting held on 24 May 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.*
- 4.2. Special Council Meeting 14 June 2022  
*That the minutes of the special meeting held on 14 June 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  
Nil
- 8.2. Deputations  
Nil
- 8.3. Public Forum

**9. PRESENTATIONS (by exception)**

Rob Gregory, East Waste – CONFIDENTIAL (in conjunction with Item 18.4)

**10. QUESTIONS ON NOTICE**

10.1.

**11. MOTIONS ON NOTICE**

- 11.1. Naming of Parks & Reserves (Cr Malcolm Herrmann)

*That the CEO:*

- 1. Identifies which parcels of council owned/managed Parks and Reserves (or other suitable land) included on the Community Land Register which do not have a formally assigned name;*
- 2. Subject to the findings of 1, prepares an estimate of costs for the installation of signs together with program for installations over, say, a ten or more year period.*
- 3. Advises how the assignment of European names and Aboriginal names can be installed concurrently to achieve economies of scale.*
- 4. Prepares a report for consideration by the Council by 31 October 2022*

**12. ADMINISTRATION REPORTS – DECISION ITEMS**

12.1. Draft Hut Community Centre Inc Funding Agreement 2022

1. *That the report be received and noted.*
2. *That the draft funding agreement with The Hut Community Centre Inc. as contained in Appendix 1, be approved.*
3. *That the Chief Executive Officer is authorised to make minor amendments to the draft funding agreement not affecting the substance or intent, should it be necessary to finalise terms satisfactory to both parties.*
4. *That the Chief Executive Officer is authorised to execute the final agreement for and on behalf of the Council.*

12.2. Annual Business Plan 2022-23 for Adoption

*Refer to Agenda*

12.3. Adoption of Fees & Charges 2022-23

1. *That the report be received and noted.*
2. *To adopt the 2022-23 Fees and Charges Schedule included at Appendix 1 to apply on and from 1 July 2022.*
3. *Council notes that any statutory fees will be included on the Fees and Charges Schedule available for public inspection subsequent to being gazetted.*

12.4. Revocation of Community Land Classification – Closed Roads Mt Torrens & Norton Summit

1. *That the report be received and noted*
2. *A report be prepared and submitted to the Minister for Planning seeking approval for the revocation of the community land classification of the land identified as:*
  - a. *Closed Road AA in Road Plan No. 2142 contained in Certificate of Title Volume 6261 Folio 496 located at Mount Torrens (Appendix 1)*
  - b. *Closed Road AB in Road Plan No. 1573 contained in Certificate of Title Volume 6261 Folio 497 located at Norton Summit (Appendix 1)*

12.5. MON response – Natural Burials

1. *That the report be received and noted*
2. *To endorse the proposal to establish a natural burial ground within the Kersbrook Cemetery site*
3. *That, prior to the opening of the Kersbrook natural burial ground for burials, the Cemetery Operating Policy be updated to include provisions for natural burials and presented to Council for adoption*

12.6. Policy Review – Genetically Modified Crops

1. *That the report be received and noted.*
2. *With an effective date of 12 July 2022, to revoke the 7 January 2019 Genetically Modified Crops Policy and to adopt the revised 28 June 2022 Genetically Modified Crops Policy (draft) as per Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Genetically Modified Crops Policy (draft) prior to the effective date.*

12.7. Policy Review – Flags

1. *That the report be received and noted*
2. *That with an effective date of 12 July 2022 to revoke the 24 July 2018 Flags Policy and adopt the June 2022 Flags Policy contained in Appendix 1.*
3. *That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Flags Policy prior to the effective date of adoption.*

12.8. Status Report – Council Resolutions Update

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

**13. ADMINISTRATION REPORTS – INFORMATION ITEMS**

13.1. 2022-23 Discretionary Rates Rebate 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 – 8 June 2022  
*That the minutes of the CAP meeting held on 8 June 2022 as supplied, be received and noted.*
  
- 17.2. Audit Committee - 23 May 2022  
*That the minutes of the Audit Committee meeting held on 23 May 2022 as supplied, be received and noted*
  
- 17.3. CEO Performance Review Panel  
*Nil*

**18. CONFIDENTIAL ITEMS**

- 18.1. Warren Road Birdwood Blackspot
- 18.2. Santos Tour Down Under Event Opportunity
- 18.3. Ashton Landfill
- 18.4. East Waste Charter Amendment
- 18.5. Fabrik Redevelopment Project - Construction Contract

**19. NEXT MEETING**

Tuesday 26 July 2022, 6.30pm, 63 Mt Barker Road, Stirling

**20. CLOSE MEETING**

## Council Meeting/Workshop Venues 2022

DATE	TYPE	LOCATION	MINUTE TAKER
<b>JULY 2022</b>			
Tues 12 July	Workshop	Woodside	Nil
Wed 13 July	CAP	TBA	Karen Savage
Tues 19 July	Professional Development	Stirling	Nil
Tues 26 July	Council	Stirling	Pam Williams
<b>AUGUST 2022</b>			
Thurs 4 August	CEOPRP	Stirling	TBA
Tues 9 August	Workshop	Woodside	Nil
Wed 10 August	CAP	TBA	Karen Savage
Mon 15 August	Audit Committee	Stirling	TBA
Tues 16 August	Professional Development	Stirling	Nil
Tues 23 August	Council	Stirling	Pam Williams
<b>SEPTEMBER 2022</b>			
Tues 6 September	Caretaker Provisions Commence from 12.00noon		
Tues 13 September	Workshop	Woodside	Nil
Wed 14 September	CAP	Stirling	Karen Savage
Tues 20 September	Professional Development	Stirling	Nil
Tues 27 September	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 confirmed)*

DATE	LOCATION
Tues 30 August 2022	Bridgewater

# 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](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

---

*For full details, see Code of Practice for Meeting Procedures on [www.ahc.sa.gov.au](http://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.