

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL MEETING
TUESDAY 9 AUGUST 2022
36 NAIRNE ROAD WOODSIDE**

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
Councillor Andrew Stratford

In Attendance:

Andrew Aitken	Chief Executive Officer
Terry Crackett	Director Corporate Services
Peter Bice	Director Infrastructure & Operations
Natalie Armstrong	Director Development & Regulatory Services
David Waters	Director Community Capacity
Lachlan Miller	Executive Manager Governance & Performance

1. COMMENCEMENT

The special meeting commenced at 7:38 pm

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.

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3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

- Cr Chris Grant Leave of Absence 29 July to 26 September 2022 inclusive, approved at Council 26 July 2022

3.2 Absent

Nil

4. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

4.1 Material Conflict of Interest, Mayor Jan-Claire Wisdom, Item 6.1 Establishment of a Boundary Change Committee

Under Section 74 of the *Local Government Act 1999* Mayor Jan-Claire Wisdom disclosed a Material Conflict of Interest in Item 6.1 Establishment of a Boundary Change Committee the nature of which is as follows:

- According to Division 3, Sub-division1, Section 73 of the SA LGA Act 1999, I declare a Material conflict whereby I might directly or indirectly gain a benefit or suffer a loss in relation to Item 6.1 on tonight's agenda concerning the establishment of a Boundary Change Committee.

I am the co-owner of a property at Buchanan Drive, Woodforde, being part of the Hamilton Hill development and which will form part of a Boundary Change Inquiry should Campbelltown City Council resolve to progress their claim in the future.

I will deal with this conflict by excusing myself from the debate at Agenda Item 6.1, ask the deputy Mayor to preside over the meeting, and I will leave the meeting until the chamber moves into Informal Gathering mode when I will return, and then leave again when the Council meeting reconvenes. I will therefore not be seeking election to this proposed Committee at least during this Council's current term.

Mayor Jan-Claire Wisdom intends to leave the Chamber when this item is discussed.

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5. PRESIDING MEMBER'S OPENING REMARKS – Mayor Jan-Claire Wisdom

I advise Council that a Code of Conduct for Council Members complaint has been received. I am currently seeking further information in relation to the complaint and, when received, I will make a determination under clause 4.9 of the Code of Conduct Complaint Handling Procedure as to whether the alleged conduct is behaviour which falls under Part 2 of the Code. Once that determination I made, I will consider the most appropriate manner in which to deal with the complaint in accordance with the provisions of the Procedure and, where applicable, Council's Caretaker Policy.

Consistent with clause 4.16 of the Procedures I am bringing the existence of the complaint to Council's attention but I will not be providing details of the allegations or parties involved at this point in time.

6. BUSINESS OF THE MEETING

7.42pm Mayor Jan-Claire Wisdom declared a Material Conflict of Interest at Item 4.1, and left the Chamber.

6.1 Establishment of a Boundary Change Committee

Moved Cr Mark Osterstock
S/- Cr John Kemp

200/22

Council resolves:

1. That the report be received and noted.
2. To adopt the draft *Boundary Change Committee Terms of Reference*, as contained in Appendix 4 with a change to clause 5.1.1. to remove the reference to the Mayor and replace with the Deputy Mayor and to authorise the CEO to make any minor amendments recommended by Council's legal advisers.

Carried Unanimously

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6.1.1 Establishment of a Boundary Change Committee – Method of Voting

Moved Cr Malcolm Herrmann
S/- Cr Kirsty Parkin

201/22

1. To determine that the method of selecting the Boundary Change Committee Members to be by an indicative vote to determine the preferred persons for the four (4) Committee Member positions, and the Presiding Member position utilising the process set out in this Agenda report.
2. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Boundary Change Committee Member roles and for the meeting to resume once the results of the indicative vote have been declared.

Carried Unanimously

6.1.2 Establishment of a Boundary Change Committee – Membership

Moved Cr Mark Osterstock
S/- Cr John Kemp

202/22

1. To appoint Deputy Mayor Nathan Daniell, Cr Kirsty Parkin, Cr John Kemp, Cr Mark Osterstock and Cr Ian Bailey as Members of the Boundary Change Committee for a term to commence from 9 August 2022 and conclude at the conclusion of the Council Term.
2. To appoint Deputy Mayor Nathan Daniell as the Presiding Member of the Boundary Change Committee for a term to commence from 9 August 2022 and conclude at the conclusion of the Council Term.
3. To authorise the Chief Executive Officer to determine the date of the first Boundary Change Committee meeting.

Carried Unanimously

8.30pm Mayor Jan-Claire Wisdom returned to the Chamber.

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7. CONFIDENTIAL ITEM

Nil

8. CLOSE MEETING

The meeting closed at 8:31pm