



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 27 September 2022
6.00pm – note change of time
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 27 September 2022
6.00pm *note change of time*
63 Mt Barker Road Stirling

ORDER OF BUSINESS

CARETAKER from 6 September 2022

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

Mayor Wisdom – 30 September to 23 October 2022 (to be resolved)

3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 23 August 2022

That the minutes of the ordinary meeting held on 23 August 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Special Council Meeting – 20 September 2022

That the minutes of the special meeting held on 20 September 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
 - 8.2.1. Bridgewater Primary School – Barb Jenkins & Carly Young
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

- 10.1. SA Water Hydrant Locations (Cr John Kemp)
Has there been any further response from SA Water as to when the inclusion of Fire Plug and Hydrant locations will be available on the State Government website LocationSAMapViewer?
- 10.2. Bushfire Resilience Grant Program (Cr Andrew Stratford)
 - 1. *What is the status of progress with the bushfire resilience program which the Council recently received government grants to establish?*
 - 2. *How will the community be engaged in the program and will there be opportunities for community generated initiatives and ideas to be supported?*
 - 3. *Are there expenditure deadlines which apply to programs or initiatives under this program?*

11. MOTIONS ON NOTICE

11.1. Options to reduce traffic congestion Bridgewater Primary School (Cr John Kemp)

1. *Council explores the options to reduce traffic congestion and improve child safety in the vicinity of Bridgewater Primary School including:*
 - i. *Contacting the owners of 23 Morella Grove Bridgewater (CT 5473/109) to discuss the possibility of purchasing a section of their property along the southern end of Lezayre Avenue as shown in Appendix 1.*
 - ii. *Writing to the Department of Education, the Department for Infrastructure and Transport and to Bridgewater Primary School to determine the possibility of transferring a section of Department of Education land to become an extension of Morella Grove as shown in Appendix 2.*
2. *A report be presented to Council on the results of the exploration of the options.*

11.2. Coach Parking (Cr Kirsty Parkin)

I move that the CEO prepares a report into the viability of a Coach Parking space in Stirling.

12. ADMINISTRATION REPORTS – DECISION ITEMS

12.1. Council Submission on Miscellaneous Technical Enhancement Code Amendment

1. *That the report be received and noted*
2. *To approve the Adelaide Hills Council submission on the Miscellaneous Technical Enhancement Code Amendment as contained in Appendix 1*
3. *That the Chief Executive Officer be authorised to make any additional non-substantive technical additions and minor amendments to the submission prior to lodgement with the State Planning Commission no later than 30 September 2022.*

12.2. Regional Public Health and Wellbeing Plan

1. *That the report be received and noted.*
2. *To adopt Council's individual 'top actions' in the S&HLGA's Regional Public Health and Wellbeing Plan 2022-27 as per Appendix 1.*
3. *To adopt the joint 'focus areas for collaboration' in the S&HLGA's Regional Public Health and Wellbeing Plan 2022-27 as per Appendix 1.*

12.3. Confidential Items Review

Refer to Agenda Report

12.4. Acting Chief Executive Officer – Appointment to the Southern & Hills Local Government Association and the declaration of Conflicts of Interest

1. *That the report be received and noted*
2. *To appoint Mr David Waters as a Board Member of the Southern & Hills Local Government Association from 30 September 2022 and to advise the Association of the appointment.*
3. *To acknowledge the disclosure of interests contained in this report and to authorise the Acting Chief Executive Officer (designate), Mr David Waters, to act in the course of his official duties in relation to the following matters/entities:*
 - a. *Walking SA Inc.*
 - b. *Adelaide Hills Tourism*
 - c. *Australia Day Council of South Australia (ADCSA)*
 - d. *South Australian Cricket Association (SACA)*
 - e. *Aldgate Netball Club*

- 12.5. Status Report – Council Resolutions Update
Refer to Agenda Report

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

Nil

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 – 14 September 2022
That the minutes of the CAP meeting held on 14 September 2022 as supplied, be received and noted.
- 17.2. Boundary Change Committee - 25 August 2022
That the minutes of the Audit Committee meeting held on 25 August 2022 as supplied, be received and noted
- 17.3. Audit Committee
Nil

- 17.3.1. Audit Committee Recommendation to Council
 - 1. *That the report be received and noted*
 - 2. *To adopt the revised Strategic Internal Audit Plan 2018/19-22/23 v1.11*

- 17.4. CEO Performance Review Panel
 - Nil*

18. CONFIDENTIAL ITEMS

- 18.1. CEOPRP Independent Member

19. NEXT MEETING (to be resolved)

Tuesday 25 October 2022, 6.00pm, 63 Mt Barker Road, Stirling

20. CLOSE MEETING

Council Meeting & Workshops 2022

DATE	TYPE	LOCATION	MINUTE TAKER
OCTOBER 2022			
11 October	Workshop	Woodside	N/A
12 October	CAP	TBA	Karen Savage
13 October	CEO Performance Review	Stirling	TBA
17 October	Audit Committee	Stirling	TBA
18 October	Professional Development	Stirling	N/A
25 October	Council	Stirling	Pam Williams
NOVEMBER 2022			
9 November	CAP	TBA	Karen Savage
22 November	Swearing In Ceremony	Stirling	N/A
29 November	Council	Stirling	Pam Williams
DECEMBER 2022			
6 December	Workshop	Woodside	N/A
13 December	Professional Development	Stirling	N/A
14 December	CAP	TBA	Karen Savage
20 December	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.

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.