



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

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

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 25 October 2022
6.00pm
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.

David Waters
Chief Executive Officer
20 October 2022



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 25 October 2022
6.00pm
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 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

3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 27 September 2022

That the minutes of the ordinary meeting held on 27 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
 - 7.1.1. Options to reduce traffic congestion Bridgewater Primary School Traffic Study
To be considered in January 2023
- 7.2. Questions Lying on the Table
Nil

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

- 8.1. Petitions
 - 8.1.1. Speed limit and drainage, Charleston
 - 1. *That the petition signed by 41 signatories requesting the lowering of the speed limit on Onkaparinga Valley Road, Charleston, plus installation of guttering and drainage, be received and noted.*
 - 2. *That the matter be referred to the Department for Infrastructure and Transport for consideration, with advocacy and support provided by Council as required.*
 - 3. *That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.*
 - 8.1.2. Deputations
 - 8.1.3. Greg Russell re Bushfire Preparedness, Recovery and Potential Role of Council
- 8.2. Public Forum

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

- 10.1. Reducing rabbit population in Council area (Cr Kemp)
What measures will be taken to reduce rabbit populations in Council reserves and conservation parks this Spring and Summer?

11. MOTIONS ON NOTICE

- 11.1. Parking and Road Safety, Wattle Tree Drive Bridgewater (Cr Parkin)
I move that a report be presented back to Council by January 2023 covering the following:
 - 1. *The current safety of Wattle Tree Drive for motorists, and what could be done to improve safety in the long term.*
 - 2. *Possible solutions for on-street parking in Wattle Tree Drive.*

12. ADMINISTRATION REPORTS – DECISION ITEMS

- 12.1. 2021 – 22 General Purpose Financial Statements
 - 1. *That the report be received and noted.*
 - 2. *That, in accordance with Section 127 of the Local Government Act 1999 and the Local Government (Financial Management) Regulations 1999, Council adopts the General Purpose Financial Statements for the financial year ended 30 June 2022.*
 - 3. *To authorise the Mayor and CEO to sign the General Purpose Financial Statements for the financial year ended 30 June 2022.*

- 12.2. 2021 - 22 End of Year Financial Report
 1. *That the report be received and noted.*
 2. *The 2021-22 End of Year Financial Results in comparison to budget have been considered by Council.*

- 12.3. Electricity Tender Post 2022
 1. *That the report be received and noted.*
 2. *That the Acting Chief Executive Officer is, until 31 January 2023, delegated (without financial limitation) the power to enter into contracts on behalf of the Council with tenderers selected by Local Government Association Procurement for the supply of electricity for:*
 - I. *sites above 160 MWh per annum; and*
 - II. *sites below 160 MWh per annum; and*
 - III. *12 hour and 24 hour unmetered lighting.*
 3. *That the above delegation be conditional on the Acting Chief Executive Officer consulting with the Mayor in considering power plan options and that, in-principle, the Council desires 100% accredited renewable electricity, but with a maximum limit of 50% premium in additional cost compared with standard electricity.*

- 12.4. Naming of Parks and Reserves
 1. *That the report be received and noted.*
 2. *That Council does not proceed with a program to name all reserves without a formal name but continues to consider opportunities which may arise from time to time, either through community driven requests, park upgrades or through the Aboriginal Place Naming Action Plan.*
 3. *Council continues to renew pre-existing signs that are in poor condition within existing budgets.*

- 12.5. Service Review Brief – Development Services
 1. *That the report be received and noted.*
 2. *To adopt the draft Service Review Brief –Development Services as contained in Appendix 1.*
 3. *That the Chief Executive Officer be authorised to make minor changes to the draft Service Review Brief – Development Services arising from the Council’s consideration of the matter.*
 4. *That the Chief Executive Officer be authorised to make amendments to the scope of the Service Review Brief – Development Services in response to the proposals received in the “request to quote” (RFQ) if required to meet budget.*

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

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

- 13.1. Quarterly Council Performance Report Q1 2022-23
- 13.2. Withdrawal of *Code of Conduct for Council Members* Complaint
- 13.3. Disability Access and Inclusion Plan – Annual Progress Report 2021 – 22
- 13.4. Finalisation of Woodforde/Rostrevor Boundary Change Inquiry Plan

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
Nil
- 17.2. Audit Committee - 17 October 2022
That the minutes of the Audit Committee meeting held on 17 October 2022 as supplied, be received and noted
- 17.2.1. Audit Committee Presiding Member's Report 2022
Council resolves that the report be received and noted.
- 17.3. CEO Performance Review Panel – 13 October 2022
That the minutes of the CEOPRP meeting held on 13 October 2022 as supplied, be received and noted.
- 17.3.1. CEO Performance Review Panel Presiding Member's Report 2022
Council resolves that the report be received and noted.

18. CONFIDENTIAL ITEMS

Nil

19. PRESENTATION OF SERVICE CERTIFICATES TO COUNCIL MEMBERS

19.1. NEXT MEETING

Tuesday 29 November 2022 (New Council) 6.30pm, 63 Mt Barker Road, Stirling

20. CLOSE MEETING

Council Meeting & Workshops 2022

DATE	TYPE	LOCATION	MINUTE TAKER
NOVEMBER 2022			
9 November	CAP	TBA	Karen Savage
22 November	Swearing in Ceremony	Library foyer, 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 [HYPERLINK "http://www.ahc.sa.gov.au"](http://www.ahc.sa.gov.au) 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.