



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

Councillor Kirrilee Boyd
Councillor Adrian Cheater
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

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 March 2023
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.

A handwritten signature in blue ink, appearing to read 'David Waters', with a long horizontal flourish extending to the right.

David Waters
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 28 March 2023
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 Cr Kirsty Parkin
- 3.2. Leave of Absence
- 3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 14 March 2023

That the minutes of the ordinary meeting held on 14 March 2023 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. PRESIDING MEMBER'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. Australia Day Civic Awards

- 1. That the petition signed by 66 signatories requesting “the Adelaide Hills Council to celebrate Australia Day on 26 January and continue the long standing practice of presenting AHC Civic Awards on that day” be noted.*
- 2. 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. Flooding at Junction Road, Balhannah

- 1. The petition signed by 15 signatories requesting Council to upgrade drainage infrastructure on Junction Road Balhannah be received and noted.*
- 2. The CEO write to the CEO of the Department for Infrastructure and Transport asking him to prioritise committed works at this location.*
- 3. The CEO advise the principal signatory of the Council’s noting of the petition and of any resolutions relating to the matter.*
- 4. The CEO liaise with the principal signatory to discuss concerns raised in the correspondence, including avenues for addressing the complaint utilising the Council’s complaint handling policies and procedures and/or the internal review of decisions mechanism as applicable.*

8.1.3. Fire Water Tank Upper Hermitage

- 1. That the petition signed by 319 signatories requesting Council grant permission to provide land at the junction of Warner Road and Range Road North Upper Hermitage for the location of a water storage tank be received and noted.*
- 2. That the CEO advise the principal signatory of the Council’s noting of the petition and of any resolutions relating to the matter.*

8.2. Deputations

8.2.1. Jan Verrall & Denise Elland re Fire Water Tank Upper Hermitage

8.2.2. SA Country Fire Service re Fire Water Tank Upper Hermitage

8.3. Public Forum

9. PRESENTATIONS (by exception)

- 9.1 Damien Cooke and Steve Shotton, Regional Development Australia Adelaide Hills, Fleurieu & Kangaroo Island

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

- 11.1. Community Event Electrical Certificates of Compliance Subsidies – Cr Adrian Cheater
1. *That in relation to Anzac Day 2023, NAIDOC Week and National Reconciliation Week 2023, Council subsidises the cost of obtaining licenced electricians to review and certify electrical installations in respect to community groups holding dawn services and other commemorative events on Council land (including roads) to a limit of \$150 per event.*
 2. *That as part of the current review of the Council's Festivals and Events Policy, consideration be given to the feasibility [including costings] of:*
 - 2.1 *Financial subsidies for the attainment of a Certificate of Compliance (CoC) for community groups conducting activities on council lands and utilising council electrical outlets.*
 - 2.2 *That subsidies only apply for community events held on prominent national or local commemoration days including ANZAC Day, NAIDOC Week and Remembrance Day, noting that the Council's position on events normally held on Australia Day (26 January) is currently under review.*
 3. *The report be made available for Council's consideration by 22 August 2023.*

12. ADMINISTRATION REPORTS – DECISION ITEMS

- 12.1. Fire Water Tank Upper Hermitage
1. *That the report be received and noted.*
 2. *That Council respectfully decline the offer for the donation and placement of a fire water tank at the corner of Range Road North and Warner Road Upper Hermitage.*
 3. *That Council staff continue to work with the CFS to support firefighting, fire prevention, and fire educational efforts across the Region.*
 4. *That Council write to Ms Verrall and Ms Elland commending them on their fund raising efforts resulting from their book sales in relation to the Sampson Flat fires, and continues to support them to finalise their financial donation to the CFS.*
- 12.2. Adelaide Hills Subzone Code Amendment
1. *That the report be received and noted.*
 2. *That the CEO progress preliminary investigations including pre-engagement with affected residents and landowners, to inform Council's position on whether a formal Code Amendment process for the Adelaide Hills Subzone will be initiated, with the CEO to table a report for Council's consideration on the matter by 23 May 2023.*
 3. *To instruct the CEO to inform the State Planning Commission and the Minister of Planning of Council's intention to progress preliminary investigations in preparation for a Code Amendment process for the Adelaide Hills Subzone, including the rationale.*

12.3. Attendance at LGA OGM

1. *That the report be received and noted.*
2. *To reaffirm the policy position contained in clause 10 of the Council Member Training & Develop Policy that the Mayor, or the Deputy in the Mayor's absence, is the principal spokesperson, and is the default representative of Council in an official capacity (e.g. National General Assembly, LGA meetings and the like, including intrastate, interstate or overseas).*
3. *In the instance where the Mayor and the Deputy Mayor cannot attend, the matter should be referred to the Council where possible, but where time does not permit, the Mayor, or Deputy Mayor if acting in the Mayor's place, may delegate the role to another Council Member or the Chief Executive Officer for a particular occasion or instance.*
4. *To determine that the method of selecting the delegate to the 14 April 2023 LGA Ordinary General Meeting be by an indicative vote to determine the preferred person utilising the process set out in this Agenda report.*
5. *To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for the nomination and for the meeting to resume once the results of the indicative vote have been declared.*
6. *To appoint _____ as the Council's delegate for the 14 April 2023 LGA Ordinary General Meeting and authorise the Chief Executive Officer to advise the LGA of the appointment.*

12.4. Status Report – Council Resolutions Update
Refer to Agenda

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 – 8 March 2023
That the minutes of the CAP meeting held on 8 March 2023 as supplied, be received and noted.

- 17.2. Audit Committee
Nil

- 17.3. CEO Performance Review Panel
Nil

- 17.4. Boundary Change Committee
Nil

18. CONFIDENTIAL ITEMS

Nil

19. NEXT MEETING

Tuesday 11 April 2023, 6.30pm, 63 Mt Barker Road, Stirling

20. CLOSE MEETING

Council Meeting & Workshops 2023

DATE	TYPE	LOCATION	MINUTE TAKER
APRIL 2023			
Sat 1 April	Annual Business Plan Workshop	Stirling	N/A
Mon 3 April	Workshop	Woodside	N/A
Tues 11 April	Council	Stirling	Pam Williams
Wed 12 April	CAP	Stirling	Karen Savage
Mon 17 April	Audit	Stirling	TBA
Tues 18 April	Professional Development	Stirling	N/A
Wed 26 April *moved from ANZAC Day	Council	Stirling	Pam Williams
MAY 2023			
Mon 1 May	Workshop	Woodside	N/A
Tues 9 May	Council	Stirling	Pam Williams
Wed 10 May	CAP	Stirling	Karen Savage
Mon 15 May	Audit	Stirling	TBA
Tues 16 May	Professional Development	Stirling	N/A
Tues 23 May	Council	Stirling	Pam Williams
JUNE 2023			
Mon 5 June	Workshop	Woodside	N/A
Tues 13 June	Council	Stirling	Pam Williams
Wed 14 June	CAP	Stirling	Karen Savage
Mon 19 June	Special Audit	Stirling	TBA
Tues 20 June	Professional Development	Stirling	N/A
Tues 27 June	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

Date: _____

Meeting Name (please tick one)

- | | | | |
|------------------------------|--------------------------|---------------------------|--------------------------|
| Ordinary Council | <input type="checkbox"/> | Audit Committee | <input type="checkbox"/> |
| Special Council | <input type="checkbox"/> | Boundary Change Committee | <input type="checkbox"/> |
| CEO Performance Review Panel | <input type="checkbox"/> | Other: _____ | <input type="checkbox"/> |

Item No **Item Name:**

(Only one conflict of interest entry per form)

I, Mayor / Cr _____ have identified a conflict of interest as:

GENERAL

MATERIAL

GENERAL

In considering a General Conflict of Interest (COI), an impartial, fair-minded person might consider that the Council Member’s private interests might result in the Member acting in a manner that is contrary to their public duty.

MATERIAL

In considering a Material Conflict of Interest (COI), a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council if a class of persons as defined in s75(1)(a-l) in the Act would gain a benefit, or suffer a loss, (whether directly or indirectly and whether of a personal or pecuniary nature) depending on the outcome of the consideration of the matter at the meeting.

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)

I intend to deal with my conflict of interest in the following transparent and accountable way:

- I intend to **stay** in the meeting (please complete details below)
- I intend to **stay** in the meeting as exempt under s75A (please complete details below)
- I intend to **leave** the meeting (*mandatory if you intend to declare a Material conflict of interest*)

The reason I intend to stay in the meeting and consider this matter is as follows:

(This section must be completed and ensure sufficient detail is recorded of the specific circumstances of your interest.)

Office use only: Council Member voted FOR / AGAINST the motion.

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.