

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 11 JULY 2023  
63 MT BARKER ROAD STIRLING**

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In Attendance

**Presiding Member:** Mayor Jan-Claire Wisdom

**Members:**

Councillor Adrian Cheater
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

In Attendance:

Terry Crackett	A/Chief Executive Officer
Peter Bice	Director Infrastructure & Operations
Natalie Armstrong	Director Development & Regulatory Services
Rebecca Shepherd	A/Director Community Capacity
Lachlan Miller	Executive Manager Governance & Performance
Melissa Grimes	Governance Consultant/Minute Secretary

**1. COMMENCEMENT**

The meeting commenced at 6:30pm

**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. Apology**

Cr Kirrilee Boyd

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**3.1 Leave of Absence**

- Mayor Jan-Claire Wisdom 14 August to 24 September 2023, approved by Council 11 April 2023
- Cr Lucy Huxter from 2 July to 14 July 2023, approved by Council 27 June 2023
- Cr Malcolm Herrmann from 10 July to 21 July 2023, approved by Council 27 June 2023

**3.2 Absent**

Nil

**4. MINUTES OF PREVIOUS MEETINGS****4.1 Council Meeting – 27 June 2023**

**Moved Cr Nathan Daniell  
S/- Cr Chris Grant**

**184/23**

**That the minutes of the Ordinary Council meeting held on 27 June 2023 as supplied, be confirmed as an accurate record of the proceedings of that meeting.**

<b>Carried Unanimously</b>
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**5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL**

Nil

**6. PRESIDING MEMBER'S OPENING REMARKS**

Mayor Wisdom opened the meeting introducing Mr Terry Crackett as the Acting Chief Executive Officer and passing on her appreciation for Mr David Waters for his tenure as Acting Chief Executive Officer.

**7. QUESTIONS ADJOURNED/LYING ON THE TABLE****7.1 Questions Adjourned**

Nil

**7.2 Questions Lying on the Table**

Nil

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**8. PETITIONS/DEPUTATIONS/PUBLIC FORUM**

**8.1 Petitions**

Nil

**8.2 Deputations**

**8.2.1 Save Our Wildlife Foundation Inc – Marian MacLucas**

**8.3 Public Forum**

Nil

**9. PRESENTATIONS**

Nil

**10. QUESTIONS ON NOTICE**

Nil

**11. MOTIONS ON NOTICE**

**11.1 White Rock Quarry**

Moved Cr Mark Osterstock

S/- Cr Chris Grant

185/23

1. The Chief Executive Officer, on behalf of Council, writes to Benjamin Zammit, Acting Executive Director, Mineral Resources Division, Department for Energy and Mining:
  - a. Acknowledging receipt of his letter to Council dated 02 May 2023.
  - b. Seeking clarification as to whether the Minister for Energy and Mining, the Honourable Tom Koutsantonis MP, has the legislative power to over-rule the Director's decision should the Director of Mines approve the revised Mine Operations Plan (MOP) (and if so, provide details of the said legislative instrument).
  - c. Advising that Council notes that the revised MOP may require Hanson to acquire from Council, a portion of Horsnell Gully Road (a Council public road), together with an allotment of Council (community) land.
  - d. This being the case, Council seeks clarification as to how it is possible for DEM to consider the revised MOP, when Council has made no decision to dispose of a portion of Horsnell Gully Road, together with an allotment of Council (community) land, to Hanson, in order for Hanson to facilitate their proposed expansion.
2. Once a response is received from the Department for Energy and Mining, that response will be tabled at the next scheduled Ordinary meeting of Council.

<b>Carried Unanimously</b>
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12. OFFICER REPORTS – DECISION ITEMS

12.1 Statement of Commitment and Our Watch Prevention Toolkit Implementation Plan

Moved Cr Louise Pascale

S/- Cr Pauline Gill

186/23

Council resolves:

1. That the report be received and noted.
2. To adopt the following *Statement of Commitment*:

*Adelaide Hills Council recognises that violence against women and their children affects the entire Australian community. We recognise our responsibility to help reduce violence against women and their children.*

*We recognise that gender-based violence is predominantly perpetrated by men against women, and thus believe action and support needs to be focused on preventing violence against women and their children. We also acknowledge gender-based violence can affect people of all genders, sexualities, cultures, religions, ages, educational backgrounds, and income levels.*

*Council values the services, organisations and individuals that are already working in our community to prevent violence against women and their children, and to support families in crisis. We recognise the knowledge and commitment of these groups and wish to support and encourage their ongoing contribution.*

*We believe that preventing violence against women and their children is everyone's business and we are committed to working with the whole community to end violence against women and their children.*

*As part of renewing our commitment, we will:*

- *Implement Our Watch's Prevention Toolkit for Local Government*
- *Demonstrate leadership in primary prevention of violence against women and their children*
- *Raise employee and community awareness of the drivers and consequences of violence against women and their children*
- *Provide a safe, inclusive and respectful working environment*
- *Provide information to Council staff about ways they can prevent violence against women in their work and the services they deliver to community*
- *Advocate for gender equality in planning, decision-making and service delivery across local government.*
- *Council is committed to making changes to create a future that is free from violence against all women and their children.*

3. To endorse the proposed Toolkit Implementation Plan as contained in Appendix 2.

<b>Carried Unanimously</b>
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**12.2 Policy Reviews – *Code of Practice for Council Meeting Procedures and Code of Practice for Access to Council and Council Committee and Information or Briefing Session Meetings & Documents***

Moved Cr Chris Grant  
S/- Cr Leith Mudge

**187/23**

Council resolves:

1. That the report be received and noted.
2. That Council in relation to the *Code of Practice for Council Meeting Procedures*:
  - a. With an effective date of 17 July 2023, to revoke the 22 March 2022 *Code of Practice for Council Meeting Procedures* and adopt the 11 July 2023 *Code of Practice for Council Meeting Procedures*, as contained in Appendix 1.
  - b. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 11 July 2023 *Code of Practice for Council Meeting Procedures* prior to the effective date.
3. That Council in relation to the *Code of Practice for Access to Council and Council Committee and Information or Briefing Session Meetings & Documents*:
  - a. Approve the proposed *Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents*, as contained in Appendix 2, for public consultation in accordance with the provisions of Council's *Public Consultation Policy* and for the further report to be provided to Council following the consultation process.
  - b. That the CEO be authorised to:
    - i. Make any formatting, nomenclature or other minor changes to the Code prior to being released for public consultation and
    - ii. Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's *Public Consultation Policy*.

<b>Carried Unanimously</b>
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**12.3 Status Report – Council Resolutions Update**

Moved Cr Pauline Gill  
S/- Cr Leith Mudge

**188/23**

**Council resolves:**

- 1. That the report be received and noted**
- 2. The following completed items be removed from the Action List**

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
27/07/2021	Ordinary Council	158/21	Revocation of Community Land Classification - Closed Roads R2142AA & R1573AB	Perceived - Cr Linda Green
24/01/2023	Ordinary Council	5/23	MON First Nations use of Surplus Land	Material - Cr Adrian Cheater
9/05/2023	Ordinary Council	119/23	Bridgewater Retirement Village	Nil
9/05/2023	Ordinary Council	120/23	Bridgewater Retirement Village duration of confidentiality	Nil
13/06/2023	Ordinary Council	150/23	Adelaide Hills Tourism One Year Funding Agreement	Nil

**Carried Unanimously**

**13. OFFICER REPORTS - INFORMATION ITEMS**

Nil

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**14. QUESTIONS WITHOUT NOTICE**

Cr Mark Osterstock re action taken by Council for calls re injured wildlife and any funding provided to wildlife rescue organisations

**15. MOTIONS WITHOUT NOTICE**

Having taken into account the Guiding Principles, the Mayor accepted the following Motion Without Notice.

**15.1 Appreciation for Acting CEO, David Waters**

**Moved Cr Chris Grant  
S/- Cr Leith Mudge**

**189/23**

**That Council thanks Mr David Waters for taking on the role of Acting Chief Executive Officer and for the past 9 months working in that role with Elected Members and staff, in particular during the election period and induction of the new Council, and performing these functions in an exemplary fashion.**

<b>Carried Unanimously</b>
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**15.2 Appreciation for Acting Director Community Capacity, Rebecca Shepherd**

**Moved Cr Melanie Selwood  
S/- Cr Kirsty Parkin**

**190/23**

**That Council thanks Ms Rebecca Shepherd for taking on the role of Acting Director Community Capacity for the past 9 months working in that role with Elected Members and staff, in particular during the election period and induction of the new Council, and performing these functions in an exemplary fashion.**

<b>Carried Unanimously</b>
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7:19pm Cr Nathan Daniell left the meeting.  
7:20pm Cr Nathan Daniell re-joined the meeting

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**16. REPORTS**

**16.1 Council Member Function or Activity on the Business of Council**

**Mayor Jan-Claire Wisdom**

- 26 May, Mayor & CEO Round Table with neighbouring regional councils, Murray Bridge
- 29 May, Citizenship ceremony, Stirling
- 02 June, Informal meeting with incoming CEO, Adelaide
- 05 June, Regular meeting with Josh Teague MP Heysen, Stirling
- 08 June, Meeting with Mayors of Onkaparinga, Mitcham, Victor Harbor at Willunga
- 13 June, National General Assembly Regional Forum day, Canberra
- 13 June, Private dinner with the Governor General and Mrs Hurley, Yarralumla
- 14 June, National General Assembly & NGA Dinner, Canberra
- 15 June, NGA and visits to Parliament House inc Question time, Canberra
  - Private meeting with Senator Tony Sheldon about community resilience programs
  - Private meeting with Rebekha Sharkie MP about Mayo issues
  - Private meeting with Louise Miller-Frost MP for Boothby about shared issues
  - Federal Govt/LG dinner at Parliament House, Canberra
- 16 June, Australian Council of Local Government Conference with Federal Government, Canberra
- 21 June, Lord Mayor's Civic reception SA Voice to Parliament, Adelaide
- 22 June, Rotary Dinner, Mt Osmond
- 27 June, Signing legal documents for sale of Bridgewater Aged Care to CCH, Stirling
- 30 June, Meeting with incoming CEO re 90 Day Plan, Strategic Plan and induction
- 05 July, Media call re Gumeracha Library upgrade, Gumeracha
- 06 July, LGA Mayor and CEO Forum dinner, Barossa
- 07 July, LGA Mayor and CEO Forum workshop day, Barossa

**Cr Melanie Selwood**

- 28 June - Lobethal Community Association Chat Group with a screening of Regenerating and presentation from AHC Sustainability Officer
- 8 July - Gumeracha Library Open Day

**Cr Adrian Cheater**

- 14 June, National General Assembly & NGA Dinner, Canberra – see report attached to Minutes

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**16.2 Reports of Members as Council/Committee Representatives on External Organisations**

**Mayor Jan-Claire Wisdom**

- 22 June, SHLGA meeting, Goolwa

**16.3 CEO Report**

Terry Crackett, A/CEO, provided Council with a verbal update, including an update on the proposed induction plan for the new CEO and reminding Council Members of the special workshop on Saturday 19 August at the Adelaide Hills War Memorial Swimming Centre.

**17. REPORTS OF COMMITTEES**

**17.1 Council Assessment Panel**

Nil

**17.2 Audit Committee**

Nil

**17.3 CEO Performance Review Panel – 6 July 2023**

Moved Cr Chris Grant

S/- Cr Kirsty Parkin

**191/23**

**That the minutes of the CEO Performance Review Panel meeting held on 6 July 2023 as distributed, be received and noted.**

<b>Carried Unanimously</b>
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**17.3.1 CEO Performance Review Panel Recommendations to Council**

Moved Cr Chris Grant

S/- Cr Pauline Gill

**192/23**

**Council resolves:**

1. That the report be received and noted.
2. To determine that the Acting CEO has achieved the following status in relation to the 2022-23 CEO Performance Targets as at 11 July 2023:

**Target 1: Fabrik Redevelopment – Project on track, performance target achieved.**

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**Target 2: User Pays Bin Collection Study – Completed, with additional steps taken to progress alternative waste collection options.**

**Target 3: Savings Strategies – On track and subject to verification in the end of year financial reporting.**

**Target 4: Gumeracha Library Upgrade – Achieved.**

**Target 5: New Dog & Cat Facility – Achieved, with further steps taken to explore the broader challenges of longer term animal impounding.**

**Target 6: Central Irrigation System – Achieved.**

**Target 7: Unformed Public Roads Review – On track for completion in July 2023, with presentation to Council Members to occur when workshop schedule allows.**

3. To note the Remuneration Tribunal’s Determination 4-2023 - Minimum and Maximum Chief Executive Officer Remuneration and determine not to undertake a Substantive CEO Total Employment Cost Package Review at this time.
4. To approve the proposed CEO Probationary Period Performance Review Process with the follow key activities/milestones:

<b>Week 1 (w/b 17/7/23)</b>	<b>Substantive CEO commences</b>
<b>Week 2 (w/b 24/7/23)</b>	<b>CEOPRP meets with Substantive CEO and sets out the CPPPRP and agrees the broader Performance Review Process (see next section)</b>
<b>Week 11 (w/b 25/9/23)</b>	<b>CEOPRP:</b> <ul style="list-style-type: none"> <li>• <b>Receives the Interim Performance Review &amp; Development Report from the Substantive CEO</b></li> <li>• <b>Discusses Key Performance Indicators with Substantive CEO and makes recommendation to Council for adoption of Indicators.</b></li> <li>• <b>Finalises Probation Review Survey contents</b></li> </ul>
<b>Week 17 (w/b 6/11/23)</b>	<b>Consultant administers the Probation Review Survey</b>
<b>Week 22 (w/b 11/12/23)</b>	<b>CEOPRP:</b> <ul style="list-style-type: none"> <li>• <b>Receives the Interim Performance Review &amp; Development Report from Substantive CEO</b></li> <li>• <b>Considers Probation Review Survey Report from the Consultant and makes recommendation to Council.</b></li> </ul>
<b>Week 23 (w/b 18/12/23)</b>	<b>Council considers CEOPRP recommendation regarding performance and determines continuance/cessation.</b>
<b>Week 27 (w/b 15/1/24)</b>	<b>Probation period ends 16/1/24</b>

5. To note that the CEO Performance Review Panel intends to develop annual Key Performance Indicators in accordance with clause 17.4 of the CEO Employment Agreement.

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6. To approve an increase in the Governance & Performance Department budget of \$2,000 for the purposes of engaging a consultant to assist the CEO Performance Review Panel with the development of Key Performance Indicators and the development and conduct of the Probation Review Survey as part of the CEO Probationary Period Performance Review Process.

<b>Carried Unanimously</b>
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**17.4 Boundary Change Committee**

Nil

**18. CONFIDENTIAL ITEMS**

Nil

**19. NEXT ORDINARY MEETING**

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 25 July 2023 from 6.30pm at 63 Mt Barker Road, Stirling.

**20. CLOSE MEETING**

The meeting closed at 7:39pm.

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**ALGA National General Assembly Attendance Report - Cr Adrian Cheater**

Between the 12 and 16 June 2023 I attended the ALGA National General Assembly. Justification for my attendance was to immerse myself in the broad nature, content and engagement opportunities of the event. Being a first term elected member, I would also connect with fellow colleagues from other regional and metro councils around the nation.

Several aspects of the experience can be aligned with the Council's 22/23 strategic goals. These included but are not limited to:

- A functional Built Environment
  - Consider external influences in our long term asset management and adaption planning
- Community Wellbeing
  - C2- A connected, engaged and supported community
  - An active, healthy, thriving and resilient community
- A Prosperous Economy
  - Support and grow our region's existing and emerging industries
  - Encourage, attract and retain a creative, talented and skilled workforce in our region
- A valued National Environment
  - Nurture valuable partnerships and collaborations and engage the local community in the management of our natural environment
- A progressive Organisation
  - Technology and innovation is utilised to better meet our community's expectations and deliver value for money

**Key themes:**

Key themes that emerged from the conference which specifically relate to the Adelaide Hills Council included community resilience, grant funding (Regional Development Fund) and electrification.

I attended the regional forum which was focused on regional specific issues and initiatives. Case studies and success stories from other regional councils highlighted the ways in which they engaged community to work in partnership with council in improving resilience, especially in the area of bushfire prevention and asset protection. A profound example was that of organisations developing frameworks of improving property survivability in the event of a bushfire including; material recommendations for the building industry, shape and design considerations for reducing heat retention and collaborative community actions plans rather than individual action plans in isolation. There was significant presentation of data to inform stakeholders on the realities and learning taken from past bushfires in higher populated rural/regional areas, demonstrating desire for the tragedies of the past to not be in vain.

Significant confusion and anxiety was stressed from attendees to the Federal Members of Parliament on the status of funding/grants for regional areas. There is significant uncertainty in this space and what it will look like in the future. Minimal commitment or clarity was provided, but a general message of "keep up the good work" was delivered to the attendees and a commitment to work on the issue was the extent of the next steps. Exhibitors at the congress were dominated by the opportunity to electrify many of the fossil fuel based equipment commonly found in Local Government. Products such as commercial ride on mowers, light and medium rigid trucks, passenger vehicles and public/private charging infrastructure were

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showcased. Conversations I had with the exhibitors were centered around the business case and long term financial benefits of engaging in this space, rather than the historical conversation on social responsibility. 5-10 year return on investment comparisons to convention equipment demonstrated the increasing viability of moving to electric. Products such as electric passenger vehicles outperforming fossil fuel based options in some cases, with 2-3 year return on investment.

Mayor Jan-Claire and I also met with Senator Tony Sheldon, Member for Boothby, Louise Miller-Frost and Member for Mayo Rebekha Sharkie. Senator Sheldon was interested in the community resilience in the AHC, especially around natural events such as flood and fire. Our time with the senator was limited due to the abundance of divisions he was required to attend, but lines of communication and collaboration were established with his staff and office.

Louise Miller-Frost MP was interested in hearing from Mayor Wisdom on any relevant issues she could engage with the AHC on. With limited electorate crossover with the AHC, the meeting was focused on establishing a professional relationship to call upon if required in the future.

Our meeting with Rebekha Sharkie MP was focused on the Amy Gillett Bikeway, the ongoing concerns of funding commitments and the uncertainty of the capability/commitment of the South Australian State Government. We were assured that the federal funding was still committed, but the ongoing delay of State Government commitment was a hurdle to still be navigated.

I also engaged with other elected members and mayors from South Australia. A standout conversation included the desire for surrounding metropolitan councils to AHC to have a mechanism for collaborative communication. This was exemplified by the actions of Burnside City Council in the recent LGAP procurement process where an alternative option, in collaboration with Murray Bridge council saw strength in leveraging strong partnership.

I was able to minimise the financial cost to AHC by utilising shared accommodation and public transport.

**Takeaways:**

The key takeaways from the congress, relevant to the AHC include;

- The stress and anxiety Local Governments are facing is the high level of uncertainty of federal funding, when and how it will be available and the funding size. Additionally the eligibility criteria.
- A call to action for Local Government to be leaders in social issues such as environment, resilience, disaster recovery and housing.
- To explore the financial benefits and opportunities of electrification in their organisations.
- The sector is in the early stages of COVID-19 recovery, but funding is the major limiting factor.
- Prepare for the return of tourism

**Actions:**

Considerations to the key takeaways and themes have been included in my responses to the strategic planning engagement during the period 8/7/23 - 10/7/23.

Details and contact points for public/private vehicle charging infrastructure have been forwarded onto Peter Bice for further follow up.