

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom

Members:

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

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Terry Crackett	Director Corporate Services
Peter Bice	Director Infrastructure & Operations
Natalie Armstrong	Director Development & Regulatory Services
David Waters	Director Community Capacity
Karen Cummings	Manager Property Services
Melissa Grimes	Consultant - Governance
Pam Williams	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 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.

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3. Apology

Cr Lucy Huxter

3.1 Leave of Absence

Mayor Jan-Claire Wisdom 14 August – 24 September 2023, approved at Council 11 April 2023.

3.2 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS**4.1 Council Meeting – 11 July 2023**

Moved Cr Kirsty Parkin

S/- Cr Chris Grant

193/23

That the minutes of the Ordinary Council meeting held on 11 July 2023 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

Nil

6. PRESIDING MEMBER'S OPENING REMARKS

Mayor Jan-Claire Wisdom welcomed Adelaide Hills Council's new CEO, Greg Georgopoulos, and wished him every success in his role over the coming years.

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 Mylor Oval Management Committee Inc – Stephen Richards

8.3 Public Forum

Christina Garden re Australia Day change of date

Rhiannon North re Australia Day change of date and solar farm at Birdwood

9. PRESENTATIONS

9.1 Adelaide Hills Tourism 2023 – 2024 Annual Business Plan – Martin Radcliffe & Tania Jarman

7.17pm Cr Kirrilee Boyd left the Chamber

7.20pm Cr Kirrilee Boyd returned to the Chamber

7.23pm Cr Leith Mudge left the Chamber

7.23pm Cr Mark Osterstock left the Chamber

7.24pm Cr Leith Mudge returned to the Chamber

7.25pm Cr Mark Osterstock returned to the Chamber

Public Forum resumed – Zeffa re Australia Day change of date

10. QUESTIONS ON NOTICE

10.1 Old Netball Courts Wright Road Stirling – Cr Kirsty Parkin

Can Council have an update on the sale of the old Stirling Comets Netball Courts on the corner of Wright Road Stirling?

Officer Response

The old Stirling Comets netball courts are located on the corner of Wright Road and Old Mount Barker Road, Stirling with a street address of 43 Old Mount Barker Road Stirling. The land is described as allotment 11 in File Plan 158057. The total area of the land is approximately 2,200 sqm in size. An aerial photo of the land is provided as **Appendix 1**.

The courts at Wright Road, Stirling were the home of the Stirling Comets Netball Club, and were also used as overflow for the Crafers Tennis Club. Following a condition audit of all courts in the Council region in 2017, the Wright Road courts were considered unsafe, and the cost for remediation significant when considered against the strategic value of the site. At that point in time, the Netball Club had also reached capacity at that site and the land parcel provided no space for expansion.

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It was acknowledged at the time of audit that the 'home and away' nature of both netball and tennis in that region of the Hills was important, and that Council would explore options for a new home base for the Stirling Comets Netball Club. While several options were explored, the courts at Heathfield High School were deemed the most suitable and the most strategic option for relocation.

Importantly the above-mentioned audit, previous workshops with Council, and Council's most recent Sport and Recreation Strategy have also highlighted that there is an oversupply of courts in the Council region, and the need to consider a more strategic approach to court provision and club locations. As an example Council's most recent Sport and Recreation Strategy suggest an industry benchmark for tennis courts of 1 court per 1,875 of total population, whereas based on the 128 tennis courts in the Council region, the ratio at Adelaide Hills Council is at present approximately 1 court per 313 residents.

Given the need to progress a more strategic approach, Council staff have been reviewing the current facilities, site function and supporting upgrades at the following court sites over the past few years:

- Crafers
- Melville Reserve, Upper Sturt
- Stonehenge Reserve, Stirling
- Atkinson Reserve, Piccadilly
- Heathfield
- Bridgewater
- Aldgate
- Mylor

Information gathered from each review is currently being considered by staff and will form the basis of a workshop presentation and subsequent report for Council that is due towards the end of 2023. At this time the potential sale of the Wright Road site will be considered in a strategic context that will take into account the availability of other relevant land parcels and facilities.

By way of update in relation to the Stirling Comets Netball Club a considerable amount of work has been undertaken over the past four years to establish their new home at Heathfield. Importantly Council has partnered with the Department for Education, Heathfield High School and the Stirling Comets Netball Club to upgrade the courts and provide associated club amenities at the High School site. Stage 1 works (courts, lighting, toilets and access to the Heathfield Oval / Courts) were completed in May 2022. Stage 2 works (canteen, storage & access) are due for completion in July 2023. The Stirling Comets Netball Club, in partnership with the High School are also in the process of planning the construction of a shelter structure at the site. This addition will make the site incredibly functional for netball and tennis and home for the Netball Club.

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In addition, the Crafers Tennis Club have utilised the courts for overflow matches in the 22/23 tennis season and will be able to do so in the future. Council and the Department for Education have entered into a unique joint use agreement (JUA) for future use and asset management of the Heathfield High School site, which, in addition to other benefits provides tenure for the Netball Club at that site. Maintenance and upgrade obligations via this JUA for the Netball Club will reflect obligations that other clubs utilising Council land have; making it a fair and equitable approach for the Netball Club.

11. MOTIONS ON NOTICE

11.1 Use of Fireworks in Adelaide Hills Council area

Moved Cr Pauline Gill
S/- Cr Louise Pascale

I move that the CEO prepares a report for Council to be presented at the 26 September 2023 Ordinary Council Meeting on the use of fireworks within the Adelaide Hills Council area including, but not limited to, the following considerations:

1. potential impacts of conventional fireworks on wildlife, domestic pets, human health and pollution of soil and water
2. the comparative cost and impacts of conventional fireworks against alternatives such as silent fireworks, drone light shows and laser shows
3. options for consideration regarding the future use of fireworks in the AHC area.

LOST

DIVISION

Cr Pauline Gill called for a division.

The Mayor set aside the ruling.

In the affirmative (4)
Councillors Boyd, Gill, Pascale, Selwood

In the negative (7)
Councillors Herrmann, Cheater, Grant, Parkin, Mudge, Daniell, Osterstock

On the basis of the results of the division, the Mayor declared the motion LOST.

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11.1.1 Short Adjournment

**Moved Cr Adrian Cheater
S/- Cr Chris Grant**

194/23

8:25pm That the Council meeting adjourn for a 10-minute comfort break.

Carried Unanimously

8.35pm The Council meeting resumed

With Leave of the Meeting, Item 12.1 was brought forward on the Agenda

12.1 Proposed Date Change Citizenship and Award Ceremonies

**Moved Cr Melanie Selwood
S/- Cr Nathan Daniell**

1. That the report be received and noted;
2. To not conduct Citizenship Ceremonies, confer awards or support events on 26 January from this date onwards in recognition of the difficulties of the 26 January for First Nations Peoples; and
3. That the CEO find alternative dates and opportunities in consultation with local groups for award and citizenship ceremonies (acknowledging that a Citizenship Ceremony must still be conducted within 3 days either side of 26 January).

AMENDMENT

**Moved Cr Malcolm Herrmann
S/- Cr Mark Osterstock**

2. To not conduct Citizenship Ceremonies, confer or support events on 26 January from this date onwards in recognition of the difficulties of the 26 January for First Nations Peoples; and
3. That the CEO find alternative dates and opportunities in consultation with local groups for citizenship ceremonies (acknowledging that a Citizenship Ceremony must still be conducted within 3 days either side of 26 January).

The Amendment was put and Lost

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9.03pm Cr Kirsty Parkin left the Chamber

9.05pm Cr Kirsty Parkin returned to the Chamber

Moved Cr Melanie Selwood

S/- Cr Nathan Daniell

195/23

1. That the report be received and noted;
2. To not conduct Citizenship Ceremonies, confer awards or support events on 26 January from this date onwards in recognition of the difficulties of the 26 January for First Nations Peoples; and
3. That the CEO find alternative dates and opportunities in consultation with local groups for award and citizenship ceremonies (acknowledging that a Citizenship Ceremony must still be conducted within 3 days either side of 26 January).

Carried

11.2 Road Safety Analysis Lobethal

Moved Cr Malcolm Herrmann

S/- Cr Pauline Gill

196/23

I move that:

1. The Chief Executive Officer arranges for staff to undertake an in-house road safety assessment into speeding and increased road use on Ridge Road and Mill Road, Lobethal, both of which are becoming used as a thoroughfare for road users attempting to avoid traffic on Main Street.
2. If the outcomes of the road safety assessment deem it necessary, that options to discourage road users from choosing these roads instead of the Main Street and combat speeding be explored using an external professional (including but not limited to the installation/construction of chicanes, speed bumps or additional signage).
3. The Chief Executive engages with the Department for Education and Child Development regarding increased road usage and speeding vehicles on Mill Road, which affects all traffic and pedestrians to and from the primary school.
4. A report be prepared detailing the outcomes of this assessment for Council's consideration at the ordinary meeting scheduled for 24 October 2023.

Carried Unanimously

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11.3 Proposed renaming of portion of suburb of Rostrevor to “Morialta”

Moved Cr Louise Pascale
S/- Cr Leith Mudge

197/23

That the CEO prepares a report on the viability and feasibility of changing the name of that portion of the suburb of Rostrevor that is located within the Adelaide Hills Council district to Morialta and for that report to be delivered to Council by 30 September 2023.

Carried Unanimously

12. OFFICER REPORTS – DECISION ITEMS

12.1 Proposed Date Change Citizenship and Award Ceremonies

This item was considered earlier in the agenda.

12.2 Revocation of Community Land – Closed Roads off Lenger Road Mt Torrens and Nicholls Road Norton Summit

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge

198/23

Council resolves:

1. That the report be received and noted.
2. That the Community Land classification over the land comprised in Certificate of Title Volume 6261 Folio 496 being for Allotment 10 in Filed Plan No. 257096 be revoked.
3. That the Community Land classification over the land comprised in Certificate of Title Volume 6261 Folio 497 being for Pieces 1 and 2 in Filed Plan No. 257220 be revoked.

Carried Unanimously

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12.3 CEO Approval to Act

Moved Cr Nathan Daniell
S/- Cr Chris Grant

199/23

Council resolves

1. That the report be received and noted.
2. To acknowledge the disclosure of interests contained in this report and to authorise the Chief Executive Officer (designate), Mr Greg Georgopoulos, to act in the course of his official duties in relation to the following matters/entities:
 - a. Preparation and endorsement of the Council's suite of Human Resource Policies including the Employee Behavioural Standards.

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

Nil

14. QUESTIONS WITHOUT NOTICE

Cr Mark Osterstock – microphone issues
Cr Louise Pascale – microphone issues and streaming services

15. MOTIONS WITHOUT NOTICE

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

9.41pm Cr Pauline Gill left the Chamber
9.44pm Cr Pauline Gill returned to the Chamber

9.43pm Cr Louise Pascale left the Chamber

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15.1 Stormwater Management Mill Road & Pioneer Avenue Lobethal

Moved Cr Malcolm Herrmann
S/- Cr Melanie Selwood

200/23

In addition to the scope of issues identified in resolution 11.2 Road Safety Analysis Ridge Road and Mill Road Lobethal 25 July 2023, the investigation be extended to include stormwater management at the intersection of Mill Road and Pioneer Avenue Lobethal.

Carried Unanimously

16. REPORTS

16.1 Council Member Function or Activity on the Business of Council

9.45pm Cr Louise Pascale returned to the Chamber

Cr Malcolm Herrmann

- 6 August, Mt Barker Police re Neighbourhood Watch, Gumeracha

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

Nil

16.3 CEO Report

Greg Georgopoulos, CEO, advised Council of his activities since commencing work on 17 July 2023, including getting to know the organisation, its functions and goals. A ninety-day plan will be discussed with Council at an upcoming Workshop.

17. REPORTS OF COMMITTEES

17.1 Council Assessment Panel – 12 July 2023

Moved Cr Leith Mudge
S/- Cr Kirsty Parkin

201/23

That the minutes of the Council Assessment Panel meeting held on 12 July 2023 as distributed, be received and noted.

Carried Unanimously

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17.2 Audit Committee

Nil

17.3 CEO Performance Review Panel – 6 July 2023

Moved Cr Chris Grant

S/- Cr Kirsty Parkin

202/23

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

Carried Unanimously

17.4 Boundary Change Committee

Nil

17.4.1 Extension of Meeting Time

Moved Cr Mark Osterstock

S/- Cr Leith Mudge

203/23

That the Council meeting be extended to 10.30pm.

Carried

9.51pm Cr Pauline Gill and Cr Louise Pascale left the Chamber and did not return.

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18. CONFIDENTIAL ITEMS

18.1 Confidential Item – Exclusion of the Public

Moved Cr Mark Osterstock
S/- Cr Adrian Cheater

204/23

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- Chief Executive Officer, Greg Georgopoulos
- Director Community Capacity, David Waters
- Director Development & Regulatory Services, Natalie Armstrong
- Director Infrastructure & Operations, Peter Bice
- Director Corporate Services, Terry Crackett
- Governance Support, Melissa Grimes
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.1: (Confidential Item) in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

Section 90(3)(j) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which:

- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
- (ii) would, on balance, be contrary to the public interest.

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Carried Unanimously

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18.1.1 Confidential Item – Country Cabinet August 2023 Key Strategic Issues

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

205/23

Council resolves that the report be received and noted.

Carried Unanimously

18.1.2 Suspension of Meeting Procedures

**Moved Cr Leith Mudge
S/- Cr Mark Osterstock**

206/23

10:03pm Council resolves, with leave of at least two thirds of the members present at the meeting, to suspend the operations of the formal meeting procedures.

Carried Unanimously

Mayor Jan-Claire Wisdom brought the period of suspension to an end at 10.25pm.

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18.1.3 Confidential Item – Duration of Confidentiality

Moved Cr Leith Mudge
S/- Cr Chris Grant

207/23

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 18.1 in confidence under sections 90(2) and 90(3)(j) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released NB:
Report	Until the announcement has been made, but not longer than 30 June 2024
Related Attachments	Until the announcement has been made, but not longer than 30 June 2024
Minutes	Until the announcement has been made, but not longer than 30 June 2024

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.

Carried Unanimously

19. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 8 August 2023 from 6.30pm at 63 Mt Barker Road, Stirling.

20. CLOSE MEETING

The meeting closed at 10.30pm.