

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 23 APRIL 2024  
63 MT BARKER ROAD STIRLING**

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In Attendance

**Presiding Member:** Acting Mayor Nathan Daniell

**Members:**

Councillor Kirrilee Boyd
Councillor Adrian Cheater
Councillor Chris Grant
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Melanie Selwood

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Ashley Curtis	Acting Director Corporate Services
Jess Charlton	Acting Director Community and Development
David Waters	Director Environment and Infrastructure
Zoë Gill	Governance and Risk Coordinator
Michael Kelledy (Kelledy Jones)	Governance Support
Rebekah Lyons	Minute Secretary
Tom Portas	Technical Support
Deryn Atkinson	Manager, Development Services
Kira-marie Laverty	Corporate Planning & Performance Coordinator

**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.

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Mayor \_\_\_\_\_

14 May 2024

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**3. APOLOGIES/LEAVE OF ABSENCE**

**3.1 Apology**

Cr Pauline Gill

**3.2 Leave of Absence**

Mayor Jan-Claire Wisdom, 13 February 2024 to 14 May 2024, approved by Council at its meeting of 13 February 2024.

Cr Louise Pascale 5 April 2024 to 29 April 2024, approved by Council at its meeting of 26 March 2024.

**Moved Cr Mark Osterstock**

**S/- Cr Chris Grant**

**125/24**

- 1 That a Leave of Absence from all duties of office be granted to Cr Adrian Cheater from 9 September 2024 to 22 September 2024.**
- 2 That any committee or panel membership currently held by Cr Adrian Cheater be undertaken by the Deputy during the leave of absence.**

<b>Carried Unanimously</b>
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**3.3 Absent**

Nil

**4. MINUTES OF PREVIOUS MEETINGS**

**4.1 Council Meeting – 9 April 2024**

**Moved Cr Malcolm Herrmann**

**S/- Cr Kirsty Parkin**

**126/24**

**Council resolves that the minutes of the Ordinary Council meeting held on 9 April 2024, 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**

**5.1 Material Conflict of Interest, Cr Leith Mudge – Item 12.2 Review of Council Assessment Panel (CAP) Sitting Fees)**

Under section 75C of the *Local Government Act 1999* Cr Leith Mudge disclosed a Material (section 75) Conflict of Interest in Item 12.2.

**5.2 Material Conflict of Interest, Acting Mayor Nathan Daniell – Item 12.2 Review of Council Assessment Panel (CAP) Sitting Fees)**

Under section 75C of the *Local Government Act 1999* Acting Mayor Nathan Daniell disclosed a Material (section 75) Conflict of Interest in Item 12.2.

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

Acting Mayor Daniell discussed the positive feedback he has received from many members of the community regarding the Recycling Hubs and Food Organics Green Organics (FOGO) waste initiatives.

The Acting Mayor commented on the Anzac Day services being held across the district and looks forward to seeing elected members and community members in attendance.

**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 Teringie Residents Association – Traffic hazard of speeding along residential streets in Teringie**

**Moved Cr Chris Grant  
S/- Cr Kirsty Parkin**

**127/24**

**Council resolves:**

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1. That the petition signed by 50 signatories requesting Council to undertake an investigation and provide a solution to the traffic hazard of speeding along Teringie Drive and Woodland Way Teringie be received and noted.
2. A traffic count be carried out to ascertain the current traffic volumes and speed of vehicles travelling along Teringie Drive and Woodland Way Teringie.
3. That should prevailing speeds be found to be excessive, that further action be taken including, but not limited to:
  - a. Consideration of measures to calm traffic and/or increase driver awareness
  - b. Referral of the matter to SA Police for speed enforcement
4. Any additional budget allocations associated with the above should be referred to the Council's normal budget processes for consideration.
5. That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.

<b>Carried Unanimously</b>
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**8.2 Deputations**

Nil

**8.3 Public Forum**

Nil

**9. PRESENTATIONS**

Nil

**10. QUESTIONS ON NOTICE**

Nil

**11. MOTIONS ON NOTICE**

Nil

**12. ADMINISTRATION REPORTS – DECISION ITEMS**

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**12.1 Investigation of temporary support for Stirling Mainstreet Businesses**

Moved Cr Leith Mudge  
S/- Cr Kirilee Boyd

Council resolves:

1. That the report be received and noted.
2. To fund the Stirling Business Association Levy shortfall resulting from the decreased valuation of the Stirling Mall property at a cost of approximately \$3,000 for three years from 2024-25.
3. To develop and implement a targeted marketing campaign to increase customer visitation to Stirling, through engagement of a consultant and with a budget allocation of \$20,000 in 2024-25.
4. That Council staff promote to small business in Stirling the one-on-one assistance available to business owners to improve their business skills and capability and where appropriate facilitate referrals.

**AMENDMENT**

Moved Cr Kirsty Parkin  
S/- Cr Adrian Cheater

Council resolves:

1. That the report be received and noted.
2. To fund the Stirling Business Association Levy shortfall resulting from the decreased valuation of the Stirling Mall property at a cost of approximately \$3,000 for three years from 2024-25.
3. To develop and implement a targeted marketing campaign to increase customer visitation to Stirling, through engagement of a consultant and with a budget allocation of \$20,000 in 2024-25 **to be included in the draft Annual Budget and Business Plan 2024/25 for consultation.**
4. That Council staff promote to small business in Stirling the one-on-one assistance available to business owners to improve their business skills and capability and where appropriate facilitate referrals.

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**VARIATION**

Through the Presiding Member, with the consent of the Mover and Seconder, leave of the meeting was sought and granted to vary point 3 of the amendment:

Council resolves:

1. That the report be received and noted.
2. To fund the Stirling Business Association Levy shortfall resulting from the decreased valuation of the Stirling Mall property at a cost of approximately \$3,000 for three years from 2024-25.
3. To develop and implement a targeted marketing campaign to increase customer visitation to Stirling, through engagement of a consultant and with a budget allocation of \$20,000 in 2024-25 to be included in the draft Annual Budget and Business Plan 2024/25 for consultation **and consideration by Council.**
4. That Council staff promote to small business in Stirling the one-on-one assistance available to business owners to improve their business skills and capability and where appropriate facilitate referrals.

The Amendment was put and Carried
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**AMENDMENT**

Moved Cr Mark Osterstock  
S/- Cr Chris Grant

Council resolves:

1. That the report be received and noted.
2. To fund the Stirling Business Association Levy shortfall resulting from the decreased valuation of the Stirling Mall property at a cost of approximately \$3,000 for three years from 2024-25.
3. To develop and implement a targeted marketing campaign to increase customer visitation to Stirling, through engagement of a consultant and with a budget allocation of \$20,000 in 2024-25 to be included in the draft Annual Budget and Business Plan 2024/25 for consultation and consideration by Council, **contingent upon the Stirling Business Association making a financial contribution to any targeted marketing campaign.**

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4. That Council staff promote to small business in Stirling the one-on-one assistance available to business owners to improve their business skills and capability and where appropriate facilitate referrals.

The Amendment was put and Carried
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**MOTION AS AMENDED**

Moved Cr Leith Mudge  
S/- Cr Kirilee Boyd

**128/24**

**Council resolves:**

1. That the report be received and noted.
2. To fund the Stirling Business Association Levy shortfall resulting from the decreased valuation of the Stirling Mall property at a cost of approximately \$3,000 for three years from 2024-25.
3. To develop and implement a targeted marketing campaign to increase customer visitation to Stirling, through engagement of a consultant and with a budget allocation of \$20,000 in 2024-25 to be included in the draft Annual Budget and Business Plan 2024/25 for consultation and consideration by Council, contingent upon the Stirling Business Association making a financial contribution to any targeted marketing campaign.
4. That Council staff promote to small business in Stirling the one-on-one assistance available to business owners to improve their business skills and capability and where appropriate facilitate referrals.

Carried
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**12.2 Review of Council Assessment Panel (CAP) Sitting Fees**

Under section 75C of the *Local Government Act 1999* Acting Mayor Nathan Daniell disclosed a Material (section 75) Conflict of Interest in Item 12.2 Review of Council Assessment Panel (CAP) Sitting Fees, the nature of which is as follows:

- I gain a pecuniary benefit/detriment as the Deputy Council member on the Council Assessment Panel.

7:19pm Acting Mayor Nathan Daniell left the meeting room.

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Under section 75C of the *Local Government Act 1999* Cr Leith Mudge disclosed a Material (section 75) Conflict of Interest in Item 12.2 Review of Council Assessment Panel (CAP) Sitting Fees, the nature of which is as follows:

- I am a member of the Council Assessment Panel and may receive a pecuniary gain or loss as a consequence of this decision.

7:19pm Cr Leith Mudge left the meeting room.

With leave of the meeting Cr Melanie Selwood presided over Item 12.2 in the absence of Acting Mayor Nathan Daniell.

**Moved Cr Adrian Cheater  
S/- Cr Malcolm Herrmann**

**129/24**

**Council resolves:**

- 1. That the report be received and noted.**
- 2. To determine the sitting fees for Members, effective from the commencement of the next term of Members, as follows:**
  - i. Independent Presiding Member - \$578 (excl GST) per attended meeting**
  - ii. Independent Ordinary Member or Deputy Independent Ordinary Member - \$450 (excl GST) per attended meeting**
  - iii. Council Member or Deputy Council Member - \$318 (excl GST) per attended meeting**
  - iv. Authorised Training - \$78 (excl GST) per hour of training attended, excluding travel time.**
- 3. That in the event an Independent Ordinary Member is appointed as Acting Presiding Member at a meeting in the absence of the Presiding Member, that member will receive the Presiding Member sitting fee of \$578 (excl GST) for that meeting.**
- 4. The above mentioned sitting fees be reviewed prior to the next appointment of CAP Members in 2026.**

<b>Carried Unanimously</b>
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7:26pm Acting Mayor Nathan Daniell returned to the meeting room and resumed the Chair.

7:26pm Cr Leith Mudge returned to the meeting room.



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**12.3 Local Government Income Protection Fund**

7:36pm Cr Lucy Huxter left the meeting room.

7:37pm Cr Lucy Huxter returned to the meeting room.

**Moved Cr Mark Osterstock**

**S/- Cr Malcolm Herrmann**

**130/24**

**Council resolves:**

- 1. That the Local Government Association Income Protection Fund report be received and noted.**
- 2. That the CEO consider the information presented in the report during Employee Development Agreement negotiations commencing 1 July 2025.**

<b>Carried Unanimously</b>
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**12.4 GRFMA Annual Business Plan**

Cr Malcolm Herrmann made a personal explanation stating a general interest regarding the item due to being Council's representative on the GRFMA Board.

**Moved Cr Leith Mudge**

**S/- Cr Chris Grant**

**131/24**

**Council resolves:**

- 1. That the report be received and noted.**
- 2. To advise the Board of the Gawler River Floodplain Management Authority (GRFMA) that it has reviewed the GRFMA Draft 2024-25 Annual Business Plan and Budget and that Council does not approve the budget on the following basis:**
  - a. That the Council sees little if any benefit to the Adelaide Hills community in contributing to the cost of the further development of the flood mitigation works business case.**
  - b. That the Council is opposed to the apportioning of costs for further developing the business case equally among the member Councils.**
  - c. That the cost apportionment should be reflective of the relative contribution to the flood risk and the relative benefits of the flood mitigation works, to each community.**
- 3. That the Chief Executive Officer be authorised to participate in any dispute resolution process arising from this decision, noting that any decisions about funding allocations will need to be considered and approved by the Council.**

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4. That the Chief Executive Officer provide a report to Council by 31 July 2024 which examines the risks and opportunities associated with the Council's ongoing membership of the Gawler River Floodplain Management Authority, including details of the process for withdrawing from the Authority.

**Carried Unanimously**

**13. OFFICER REPORTS - INFORMATION ITEMS**

**13.1 Disability Access and Inclusion Plan (DAIP) – Annual Progress Report 2023**

Moved Cr Malcolm Herrmann  
S/- Cr Melanie Selwood

**132/24**

Council resolves that the report be received and noted.

**Carried Unanimously**

**13.2 Quarterly Council Performance Report – Q3 2023-24**

Moved Cr Melanie Selwood  
S/- Cr Adrian Cheater

**133/24**

Council resolves that the Quarterly Council Performance Report – Q3 2023-24 be received and noted.

**Carried Unanimously**

**14. CORRESPONDENCE FOR INFORMATION**

Nil

**15. QUESTIONS WITHOUT NOTICE**

Cr Lucy Huxter asked a question regarding the expected completion date for the bridge works in Balhannah alongside the OTR.

**16. MOTIONS WITHOUT NOTICE**

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

Moved Cr Malcolm Herrmann  
S/- Cr Adrian Cheater

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**That Council**

- 1. Congratulates the Member for Kavel, The Hon Dan Cregan on his elevation to Cabinet, with appointments as Special Minister of State and Minister for Police, Emergency Services and Correctional Services.**
- 2. Congratulates the Member for Cheltenham, The Hon Joe Szakacs as Minister for Local Government, Minister for Trade and Investment, and Minister for Veterans Affairs.**

<b>Carried Unanimously</b>
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**17. REPORTS**

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

**Acting Mayor Nathan Daniell**

- 27 March, meeting with Pano AI - Stirling
- 27 March, meeting with Member for Heysen, Hon Josh Teague - Stirling
- 28 March, Special CEOPRP meeting - Stirling
- 2 April, meeting with Member for Mayo, Hon Rebekha Sharkie - Mount Barker
- 3 April, meeting with President of the RSL, Bob Willis - Stirling
- 3 April, Activating Bridgewater meeting - Bridgewater
- 4 April, interview with 5MU regarding Stirling businesses - phone
- 5 April, interview with The Courier regarding Community Renewables program - Crafers
- 17 April, interview with The Courier regarding Recycling Hubs - Stirling
- 17 April, meeting with GRMFA regarding business case - Stirling
- 22 April, meeting with Deputy Premier, Hon Susan Close - Adelaide CBD
- 22 April, Boundary Change Committee meeting - Stirling

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

**Acting Mayor Nathan Daniell**

- 19 April, S&HLGA Board Meeting with AHC as host Council - Stirling

**17.3 CEO Report**

Greg Georgopoulos, CEO discussed a potential tour for elected members of the Fabrik site at Lobethal on 6 May 2024 prior to the regular workshop at Woodside.

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**18. REPORTS OF COMMITTEES****18.1 Council Assessment Panel – 10 April 2024**

Moved Cr Leith Mudge  
S/- Cr Kirsty Parkin

135/24

Council resolves that the minutes of the Council Assessment Panel meeting held on 10 April 2024, as supplied, be received and noted.

<b>Carried Unanimously</b>
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**18.2 Audit Committee – 15 April 2024**

Moved Cr Malcolm Herrmann  
S/- Cr Melanie Selwood

136/24

Council resolves that the minutes of the Audit Committee meeting held on 15 April 2024, as supplied, be received and noted.

<b>Carried Unanimously</b>
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**18.3 CEO Performance Review Panel**

Nil

**18.4 Boundary Change Committee – 22 April 2024**

Moved Cr Mark Osterstock  
S/- Cr Chris Grant

137/24

Council resolves that the minutes of the Boundary Change Committee meeting held on 22 April 2024 as distributed, be received and noted.

<b>Carried Unanimously</b>
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**19. CONFIDENTIAL ITEMS****19.1 Appointment of Council Assessment Panel (CAP) Independent Members – Exclusion of the Public**

Moved Cr Chris Grant  
S/- Cr Kirsty Parkin

138/24

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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 Environment & Infrastructure, David Waters
- Acting Director Corporate Services, Ashley Curtis
- Acting Director Community & Development, Jess Charlton
- Governance and Risk Coordinator, Zoë Gill
- Governance Support, Kelledy Jones Lawyers
- Assessment Manager, Deryn Atkinson
- Minute Secretary, Rebekah Lyons
- IT Support, Tom Portas

be excluded from attendance at the meeting for Agenda Item 12.2: (Appointment of Council Assessment Panel Independent Members) 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)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item would involve information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person.

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.

<b>Carried Unanimously</b>
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**19.1.1 Appointment of Council Assessment Panel (CAP) Independent Members – Confidential Item**

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**19.1.2 Appointment of Council Assessment Panel (CAP) Independent Members – Duration of Confidentiality**

Moved Cr Mark Osterstock  
S/- Cr Leith Mudge

140/24

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 12.2 in confidence under sections 90(2) and 90(3)(a) 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
Report	Until the appointment of all members has been confirmed, but not longer than 31 May 2024
Related Attachments	Nil
Minutes	Until the appointment of all members has been confirmed, but not longer than 31 May 2024
Other	Nil

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.

<b>Carried Unanimously</b>
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**20. NEXT ORDINARY MEETING**

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 14 May 2024 from 6.30pm at 63 Mt Barker Road, Stirling.

**21. CLOSE MEETING**

The meeting closed at 8:20pm