

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Acting Mayor Nathan Daniell

Members:

Councillor Kirrilee Boyd
Councillor Adrian Cheater
Councillor Chris Grant
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Malcolm Herrmann
Councillor Lisa Clare Woolcock
Councillor Richard Gladigau
Councillor Alex Trescowthick (arrived 7:34pm)

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Gary Lewis	Director Corporate Services
Jess Charlton	Director Community and Development
Jade Ballantine	Director Environment and Infrastructure
Michael Kelledy	Governance Support
Skye Ludzay	Minute Secretary

1. COMMENCEMENT

The meeting commenced at 6.30pm.

2. OPENING STATEMENT

Council acknowledges that we meet on the traditional Country of the Peramangk and Kaurna people. We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land.

Together we will care for this place for the generations to come and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children's ability to live on this land.

3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

Cr Kirsty Parkin

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

3.2 Leave of Absence

Nil

3.3 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 14 October 2025

Moved Cr Malcolm Herrmann

S/- Cr Chris Grant

357/25

- 1. Council resolves to make a minor amendment to the minutes of the Ordinary Council meeting held on 14 October 2025:**

Replace 'Council' with 'Counsel' before the wording MinterEllison Lawyers, Susie Inat at decision 350/25.

- 2. Council resolves that the minutes of the Ordinary Council meeting held on 14 October 2025, as supplied and amended, be confirmed as an accurate record of the proceedings of that meeting.**

Carried Unanimously

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 Material Conflict of Interest, Acting Mayor Nathan Daniell, Item 12.7

Under section 75C of the Local Government Act 1999 Acting Mayor Nathan Daniell disclosed a Material (section 75) Conflict of Interest in Item 12.7

5.2 Material Conflict of Interest, Cr Lucy Huxter, Item 12.7

Under section 75C of the Local Government Act 1999 Cr Lucy Huxter disclosed a Material (section 75) Conflict of Interest in Item 12.7

6. PRESIDING MEMBER'S OPENING REMARKS

The Acting Mayor welcomed the Gallery and reminded elected members of the upcoming Adelaide Hills War Memorial Swimming Centre Splash Park opening.

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1 Questions Adjourned

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

7.2 Questions Lying on the Table

Nil

8. PETITIONS/DEPUTATIONS/PUBLIC FORUM

8.1 Petitions

8.1.1 Naming of Bridge in Mount Torrens

Moved Cr Malcolm Herrmann

S/- Cr Lucy Huxter

358/25

Council resolves:

- 1. That the petition signed by 263 signatories requesting the Council to recommend to the State Government that the DIT bridge over Angas Creek at Townsend Street, Mount Torrens be named the Andy Bennett Bridge be received and noted.**
- 2. That the CEO advise the principal signatory of the Council's noting of the petition and will consider the petition in conjunction with item 12.1.**

Carried Unanimously

8.2 Deputations

Nil

8.3 Public Forum

Sarah Pollard, Mt Torrens on Mt Torrens bridge naming.

John Tate, Birdwood, on Correspondence from Ratepayers and Residents Action Group, & in relation to Council's decision not to hold Citizenship and Awards Ceremonies on Australia Day.

9. PRESENTATIONS

Nil

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

11.1 Todd Trust and Caripook Park Development (Cr Leith Mudge)

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

Moved Cr Leith Mudge
S/- Cr Mark Osterstock

That Council:

1. Notes the long history of failure to deliver on the requirements of the Francis Henry Todd Trust (the Trust) associated with the donation of land by Mr Todd on which the Bridgewater Retirement Village (formerly owned by Council) stands.
2. Resolves to consider the allocation of funding in the 2026-27 Annual Business Plan and Budget development process, for the necessary works at Caripook Park, Bridgewater, to fulfil the requirements of the Trust as outlined in the answer to Item 10.1 Question on Notice - Todd Trust and Caripook Park Development of Ordinary Council Meeting on 26 August 2025.

The Mover with the consent of the Secunder sought and was granted leave of the meeting to vary the motion.

VARIATION

1. Notes the long history of failure to deliver on the requirements of the Francis Henry Todd Trust (the Trust) associated with the donation of land by Mr Todd on which the Bridgewater Retirement Village (formerly owned by Council) stands.
2. Resolves to consider the allocation of funding in the 2026-27 Annual Business Plan and Budget development process, for the necessary works at Caripook Park, Bridgewater, to fulfil the requirements of the Trust as outlined in the answer to Item 10.1 Question on Notice - Todd Trust and Caripook Park Development of Ordinary Council Meeting on 26 August 2025.
3. That prior to the 2026-27 budget process the administration also investigate the feasibility of moving the requirement of the trust to a more appropriate location.

MOTION AS VARIED

Moved Cr Leith Mudge
S/- Cr Mark Osterstock

359/25

That Council:

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

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2. Resolves to consider the allocation of funding in the 2026-27 Annual Business Plan and Budget development process, for the necessary works at Caripook Park, Bridgewater, to fulfil the requirements of the Trust as outlined in the answer to Item 10.1 Question on Notice - Todd Trust and Caripook Park Development of Ordinary Council Meeting on 26 August 2025.
3. That prior to the 2026-27 budget process the administration also investigate the feasibility of moving the requirement of the trust to a more appropriate location.

Carried Unanimously

11.2 Community Grants (Acting Mayor Nathan Daniell)

Moved Acting Mayor Nathan Daniell
S/- Cr Adrian Cheater

360/25

That Council:

1. Notes that under the new 2025-2030 permit with the Stirling Market, the costs associated with road closures are paid annually by the Stirling Market direct to Adelaide Hills Council, replacing the previous arrangement under which equivalent funds were donated to the community.
2. Note the current cost associated with road closures is \$18,500 per annum.
3. Allocates an additional \$18,500 per annum to the Community Development Grants program, including for the 2025-26 grant program.
4. Request the CEO (or delegate) review whether an additional grant stream should be added to enable the distribution of these additional funds, before the 2026-27 Community Grants round.

Carried Unanimously

12. OFFICER REPORTS – DECISION ITEMS

12.1 Naming of Bridge in Mount Torrens

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

Moved Cr Malcolm Herrmann

S/- Cr Richard Gladigau

361/25

Council resolves:

1. That the Naming of Bridge in Mount Torrens report be received and noted.
2. Endorse the naming of the bridge in Townsend Street, Mount Torrens, over the Angas Creek to "Andy Bennett Bridge", and seek approval of the naming through the Commissioner of Highways.

Carried Unanimously

12.2 Proposed Native Vegetation Protection and Conservation Policy and Community Engagement Outcome Report

Moved Cr Chris Grant

7:34pm Cr Alex Trescowthick arrived at the meeting.

S/- Cr Leith Mudge

362/25

Council resolves:

1. That the Proposed Native Vegetation and Conservation Encroachment Policy (the Policy) and Community Engagement Outcomes Report be received and noted.
2. To note the outcomes of and Administration's response to the Community Engagement on the Policy.
3. That funding for the implementation of the Native Vegetation and Conservation Encroachment Policy be considered with the preparation of the draft 2026/27 Annual Business Plan.
4. To adopt the amended Draft Native Vegetation and Conservation Encroachment Policy, in Appendix 2, with an effective date of 29 October 2025.
5. To authorise the Chief Executive Officer to make any formatting, nomenclature or other minor changes to the proposed policy.

Carried

12.3 Frequency and duration of Elected Member Leave of Absences

Moved Cr Adrian Cheater

S/- Cr Kirrilee Boyd

/25

Council resolves:

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

1. That the Frequency and duration of Elected Member leave of absences report be received and noted.
2. That the CEO prepares a draft "Leave of Absence Policy" by the end of March 2026 which incorporates the feedback provided in the Elected Member Leave of Absence Survey and includes consideration of:
 - Notice periods required for Leave of Absence requests;
 - Options for Elected Members to provide and record reasons for Leave of Absence requests including an option for the reasons to remain confidential;
 - Establishing reasonable maximums for Leave of Absence within a 12 month period, while providing greater consideration for medical, carers, maternity and paternity leave provisions
3. That the Draft Leave of Absence Policy be presented to a Council Workshop in early 2026 prior to formal consideration by Council.
4. That the CEO writes to key stakeholders including the Local Government Association, Southern & Hills Local Government Association and the Minister for Local Government seeking advocacy support and opportunities for pursuing legislative amendments to leave of absence and allowance provisions.

FORMAL MOTION

Moved Cr Chris Grant

S/- Cr Mark Osterstock

363/25

Council resolves that the question be adjourned until 28 April 2026.

Carried

12.4 Drought Support Rates Reduction Funding & Rating of Energy Infrastructure

Moved Cr Chris Grant

S/- Cr Lucy Huxter

364/25

Council resolves:

1. That the correspondence from Northern Areas Council – Drought support and Energy generating infrastructure report be received and noted.
2. That the budget and financial impacts are noted.
3. That the Chief Executive respond to the correspondence, indicating Council's support of both matters.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

12.5 2024/25 Annual Financial Statements

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge

365/25

Council resolves:

1. That the report on the 2024-25 Annual Financial Statements 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 2025.
3. To authorise the Acting Mayor and CEO to sign the General Purpose Financial Statements for the financial year ended 30 June 2025.

Carried Unanimously

12.6 Legal Fees Analysis 2024/25

Moved Cr Leith Mudge
S/- Cr Chris Grant

366/25

Council resolves:

1. That the Legal Fees Analysis 2024/25 report be received and noted.
2. That Council notes the detailed breakdown of legal expenditure by department and matter, as set out in this report.
3. That Council notes that legal expenses have risen by 66% or \$332k from FY 2024 to FY 2025.
4. That the CEO provides a report to the Audit and Risk Committee on legal fee expenditure on a quarterly basis in a form similar to that provided to the Audit and Risk Committee at its meeting on 20 October 2025, up to and including the current financial year.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

12.7 Deputy Mayor Acting in office of Mayor and Acting Deputy Mayor Appointment

Under section 75C of the Local Government Act 1999 Acting Mayor Nathan Daniell disclosed a Material (section 75) Conflict of Interest in Item 12.7

- Direct pecuniary benefit or loss depending on outcome of item, as I'm the current Deputy Mayor

Acting Mayor Nathan Daniell advised he would leave the meeting.

8:14pm Acting Mayor Daniell vacated the chair and left the meeting room.

8:14pm The CEO sought leave of the meeting to appoint a presiding member for the item.

Cr Chris Grant assumed the chair at 8:15pm.

Cr Chris Grant sought leave of the meeting to deal with parts 1-5 of the motion separately.

Decision 2 (Part A)

Moved Cr Mark Osterstock

S/- Cr Malcolm Herrmann

367/25

Council resolves:

- 1. That the report on the Deputy Mayor acting in the office of Mayor, and the Acting Deputy Mayor Appointment be received and noted.**
- 2. To note that, following the resignation of the former Mayor, Jan-Claire Wisdom, on 23 September 2025, Deputy Mayor Nathan Daniell, under s51(6) of the Local Government Act 1999, is to act in the Office of Mayor.**
- 3. To note that Deputy Mayor Nathan Daniell's appointment as Deputy Mayor and subsequently his acting appointment in the Office of the Mayor, under s51(6) of the Local Government Act 1999 currently concludes on 28 January 2026.**
- 4. To note that the Electoral Commission of South Australia has released the election timeline for the supplementary Mayoral election with the conclusion of the supplementary election and declared vote to notionally take place on Tuesday 10 February 2026.**

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

5. To extend Deputy Mayor Nathan Daniell's appointment as Deputy Mayor until the conclusion of the supplementary Mayoral election (notionally 10 February 2026), certification of the result by the returning officer, and the swearing in of the new Mayor.

Carried Unanimously

8:16pm Cr Chris Grant stood down as chair.

8:17pm Acting Mayor Nathan Daniell returned to the meeting room and resumed the chair.

Decision 2 (Part B)

Moved Cr Leith Mudge

S/- Cr Chris Grant

368/25

Council resolves:

1. To note that although the *Local Government Act 1999* does not prescribe or recognise the position of 'Acting Deputy Mayor', in reliance on section 36(1)(c) of the Act to do anything necessary or incidental to performing its functions and achieving its objectives, to establish the position of Acting Deputy Mayor for representational purposes only, with the function of the Acting Deputy Mayor to assist the Deputy Mayor whilst acting in the Office of the Mayor as required. The position is to exist only until the conclusion of the supplementary election for the Mayor, per part 5 of this Decision.
2. That the method of selecting the Acting Deputy Mayor be by an indicative vote to determine the preferred person, utilising the process as set out within this report.
3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Acting Deputy Mayor role and for the meeting to resume once the results of the indicative voting has been declared.

Carried Unanimously

8:18pm The Acting Mayor adjourned the meeting for the purposes of seeking nominations and conducting an indicative vote.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

8:39pm The Acting Mayor resumed formal meeting proceedings.

Decision 3

Under section 75C of the Local Government Act 1999 Cr Lucy Huxter disclosed a Material (section 75) Conflict of Interest in Item 12.7

- If elected I will receive a direct personal benefit

Cr Lucy Huxter declared she would leave the meeting.

8:40pm Cr Lucy Huxter left the meeting room.

Moved Cr Osterstock

S/- Cr Grant

369/25

Council resolves:

1. **To appoint Cr Lucy Huxter to the position of Acting Deputy Mayor to commence 28 October 2025 and conclude at the declared vote of the supplementary election (notionally 10 February 2026) , certification of the result by the returning officer, and the swearing in of the new Mayor.**
2. **For the avoidance of doubt, until the conclusion of the supplementary election for Mayor and/or until Council revokes its decisions or resolves otherwise, notwithstanding the Deputy Mayor's endorsement to act in the office of Mayor, the Deputy Mayor (ie not the Acting Deputy Mayor):**
 - a. **Subject to the Deputy Mayor being unable to perform a function, duty or responsibility, retains all functions, duties, responsibilities and roles of the Deputy Mayor under any Council resolution, policy, direction or convention.**
 - b. **Retains all functions, duties, responsibilities and roles (inclusive of any representative role) that would normally be given to the Mayor, including but not limited to those under any Council policy, resolution, direction or convention per Council resolution 430/24 of 26 November 2024.**
3. **Cr Lucy Huxter, as Acting Deputy Mayor, only takes on the functions, duties, responsibilities and roles of the Deputy Mayor (including under any Council**

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

policy, resolution, direction or convention affected by resolution 430/24) if the Deputy Mayor (Acting Mayor) Nathan Daniell is unavailable or unable to perform the functions, duties, responsibilities and roles.

4. That Council requests the Administration prepare, for consideration at a future meeting, recommendations to consider and if appropriate:

a. amend those Council policies that were altered as a result of resolution 430/24 of 26 November 2024

b. revoke any related resolutions

so that—effective 11 February 2026 (or such other date) following the conclusion of the supplementary Mayor election—all such functions, duties, and responsibilities are vested back in the office of Mayor.

5. To note that a report will be presented to Council after the conclusion of the supplementary Mayoral election to advise Council of the new Mayor and to seek Council's appointment of a new Deputy Mayor for the remainder of the Council term.

Carried Unanimously

8:42pm Cr Lucy Huxter returned to the meeting room.

13. OFFICER REPORTS - INFORMATION ITEMS

13.1 Principal Office Opening Hours

Moved Cr Leith Mudge

S/- Cr Chris Grant

370/25

Council resolves:

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

1. That the Principal Office Opening Hours report be received and noted.
2. To note the closure of the Principal Office for the period Monday 29 December to Wednesday 31 December 2025.
3. To note that the Chief Executive Officer intends to exercise his delegated authority to enact this closure, and that this temporary arrangement does not constitute a significant change requiring public consultation under section 45(3) of the Local Government Act 1999.
4. To note that essential services will continue to be met during this period.

Carried Unanimously

13.2 CEO Key Performance Indicators Update – Quarter 1

Moved Cr Lucy Huxter
S/- Cr Adrian Cheater

371/25

Council resolves:

1. That the CEO Key Performance Indicators Update – Quarter 1 report be received and noted.
2. To note that the CEO provided a verbal and written update against his Key Performance Indicators to the CEO Performance Review Panel.

Carried Unanimously

14. CORRESPONDENCE FOR INFORMATION

Moved Cr Chris Grant
S/- Cr Malcolm Herrmann

372/25

Council resolves that the listed correspondence is received and noted:

1. 14.1 Letter to Hon Tom Koutsantonis MP from SHLGA
2. 14.2 Letter to SHLGA from Hon Tom Koutsantonis MP
3. 14.3 Ombudsman SA 2024-25 Annual Report

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

15. QUESTIONS WITHOUT NOTICE

Cr Grant asked a question relating to the Lenswood Main St project.
Cr Cheater asked a question relating to Tree removal on Pomona Rd

Moved Cr Adrian Cheater
S/- Cr Leith Mudge

373/25

That the answer to the question without notice regarding tree removal at Pomona Rd is recorded in the meeting minutes

Carried Unanimously

Following an enquiry from a resident, Council Arboricultural officers assessed two (Messmate Stringybarks) trees in the road reserve on Pomona Road. The assessment revealed root damage to both trees and an unacceptable risk of the trees failing over the roadway. Consequently, both trees were urgently removed to reduce risk to the public. The trees were damaged in association with development works at the adjacent property. While the works had development approval, there were a number of conditions requiring the works be undertaken using certain methods. This included using non-invasive directional boring methods to connect utility services, to prevent any damage to the trees. Development compliance investigations indicate that these conditions were not complied with, with the works being carried out by a sub-contractor of a utility service. The trees in question were “native vegetation” which means they are exempt from being “regulated trees” under the Planning, Development and Infrastructure Act and Regulations (when they would have been considered so otherwise). Due to the complexities, the Administration is currently obtaining legal advice on appropriate legal and enforcement avenues, including under the PDI Act, Local Government Act, or other civil remedies.

Cr Herrmann asked questions relating to the boundaries commission, the OTR matter and slashing on DIT land of Amy Gillett Bikeway and Council owned sections of the Amy Gillett Bikeway.

Cr Cheater asked a question regarding if AHC had been affected by any of the recent data breaches.

16. MOTIONS WITHOUT NOTICE

Nil

17. REPORTS

17.1 Council Member Function or Activity on the Business of Council

Cr Malcolm Herrmann

- 12 October 2025 RSL Mental Health week lunch, Gumeracha
- 28 October 2025, Aldgate Men’s Shed Official Opening Party, Piccadilly

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

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

Cr Malcolm Herrmann

- 16 October 2025, GRFMA Board meeting, Mallala

17.3 CEO Report

Greg Georgopoulos, CEO, provided Council with a verbal update, including:

- Uraidla Show
- CRM Advanced Build
- Amy Gillett Extension - Mount Torrens to Birdwood
- Longwood Institute
- Planned Maintenance
- Community Engagement Framework - *Consultation*

18. REPORTS OF COMMITTEES

18.1 Council Assessment Panel - 15 October 2025

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

374/25

Council resolves that the minutes of the Council Assessment Panel meeting held on 15 October 2025, as distributed, be received and noted.

Carried Unanimously

18.2 Audit and Risk Committee - 20 October 2025

Moved Cr Leith Mudge

S/- Cr Malcolm Herrmann

375/25

Council resolves that the minutes of the Audit and Risk Committee meeting held on 20 October 2025, as distributed, be received and noted.

Carried Unanimously

18.3 CEO Performance Review Panel - 15 October 2025

Moved Cr Adrian Cheater

S/- Cr Lucy Huxter

376/25

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 OCTOBER 2025
63 MT BARKER ROAD STIRLING**

Council resolves that the minutes of the CEO Performance Review Panel meeting held on 15 October 2025, as distributed, be received and noted.

Carried Unanimously

18.4 Boundary Change Committee

Nil

19. CONFIDENTIAL ITEMS

Nil

20. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 11 November 2025 from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 9.04pm.