

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 9 MAY 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 Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

In Attendance:

David Waters	Chief Executive Officer
Peter Bice	Director Infrastructure & Operations
Lachlan Miller	Executive Manager Governance & Performance
Melissa Bright	Manager Economic Development
Mike Carey	Manager Financial Services
Chris Janssan	Manager Open Space
Jess Charlton	Manager Libraries & Customer Service
Deryn Atkinson	Manager Development Services
Karen Cummings	Manager Property Services
Steven Watson	Governance & Risk Coordinator
Sharon Leith	Sustainability Officer
Tonia Brown	Biodiversity Officer
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

Nil

3.1 Leave of Absence

- Mayor Jan-Claire Wisdom 14 August – 24 September 2023, approved by Council 11 April 2023
- Cr Leith Mudge 17 June – 25 June 2023, approved by Council 26 April 2023
- Cr Pauline Gill 6 May – 28 May 2023, approved by Council 26 April 2023

Moved Cr Nathan Daniell

S/- Cr Louise Pascale

105/23

1. That a Leave of Absence from all duties of office be granted to Cr Chris Grant from 9 May to 13 May 2023.
2. That any committee or panel membership currently held by Cr Chris Grant be undertaken by the Deputy during the leave of absence.

Carried Unanimously

3.2 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS**4.1 Council Meeting – 26 April 2023**

Moved Cr Malcolm Herrmann

S/- Cr Adrian Cheater

106/23

That the minutes of the Ordinary Council meeting held on 26 April 2023 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

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5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 Material Conflict of Interest, Mayor Jan-Claire Wisdom, Item 12.8, attendance at National General Assembly Canberra

Under section 75C of the *Local Government Act 1999* Mayor Jan-Claire Wisdom disclosed a Material (section 74) Conflict of Interest in Item 12.8, attendance at National General Assembly Canberra, the nature of which is as follows:

- I may gain a benefit or suffer a loss

Mayor Jan-Claire Wisdom intends to leave the Chamber when this item is discussed.

5.2 Material Conflict of Interest, Cr Adrian Cheater, Item 12.8, attendance at National General Assembly Canberra

Under section 75C of the *Local Government Act 1999* Cr Adrian Cheater disclosed a Material (section 74) Conflict of Interest in Item 12.8, attendance at National General Assembly Canberra, the nature of which is as follows:

- I may gain a benefit or suffer a loss

Cr Adrian Cheater intends to leave the Chamber when this item is discussed.

6. PRESIDING MEMBER'S OPENING REMARKS

Nil

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****8.1.1 Sealing of Croft Road Lenswood**

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge

107/23

Council resolves:

1. That the petition signed by 285 signatories requesting the sealing of Croft Road Lenswood from Coldstore Road to at least the Fox Creek Bike car park be received and noted.
2. That the CEO advise the principal signatory of the Council's noting of the petition and that the Council has applied for Special Local Roads Program funding for 50% of the cost of sealing the road and that the remaining 50% is included in the Council's Draft Capital Works Budget for 2023-24.

Carried Unanimously

8.2 Deputations

Nil

8.3 Public Forum

Nil

9. PRESENTATIONS**9.1 Department of Environment & Water, Tim Groves, re Burning on Private (Council) Lands Program**

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10. QUESTIONS ON NOTICE

10.1 Adelaide & Rural Settlement Landscapes World Heritage Report

Cr Kirsty Parkin

Could the current Elected Body please have an update on the Adelaide Hills Council World Heritage Listing project? Please include:

- What is World Heritage listing?
- Reasons for the initial bid for World Heritage listing
- Parts of the AHC Council the bid potentially covers
- Current status of the bid

Response:

In early 2010 a number of councils within the Mount Lofty Ranges were approached by Professor Randy Stringer, of the University of Adelaide, to consider exploring the feasibility of mounting a World Heritage (WH) bid to the United Nations Educational, Scientific and Cultural Organisation (UNESCO). Professor Stringer considered that a series of agricultural landscapes extending from the Fleurieu Peninsula in the south to the Clare Valley in the north could be listed as a WH site. The region was believed to be worthy of listing for its working agricultural landscapes and historic townships on the basis of the unique history of settlement and continuing culture and practice.

Only the Australian government can nominate a site for WH listing, and only sites that are on Australia's Tentative List can be put forward to UNESCO for consideration for nomination. The Tentative List is the official list, required by the World Heritage Committee and developed by each signatory to the UNESCO World Heritage Convention, of properties that are believed by a country to meet the criteria for World Heritage listing and from which a country may make nominations to the World Heritage List.

It is important to note that following nomination to the Tentative List, the nomination will still need to be written, lodged with the Federal Government via the State Government, reviewed by the Federal Government and then lodged with the World Heritage Centre. It is then the subject of an independent assessment with a resultant report before it is scheduled for a meeting of the World Heritage Committee for a vote on inscription.

At this time it was understood by the Mount Lofty Ranges World Heritage Partner Councils that the Tentative List was taken from sites that are on the National Heritage (NH) List and therefore Stage 1 of the project was to nominate for NH listing. In 2012 the four original councils (Adelaide Hills Council (AHC), Mount Barker District Council (MBDC), the Barossa Council (BC) and the City of Onkaparinga (COO)) agreed to financially commit to progressing Stage 1 of the Project.

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In July 2014 Alexandrina Council (AC) also became financially committed to the project (until 2017-18). Without contributing financially, the District Council of Yankalilla also became formally involved in the project in 2014 and in mid-2017 four additional councils (Clare & Gilbert Valleys Council (CGVC), Light Regional Council (LRC), Mid Murray Council (MMC) and the City of Mitcham) also resolved to be involved in the project with LRC, CGVC and MMC providing some small financial support.

The ultimate objective of Stage 1 (to nominate for NH Listing) was achieved in February 2017 and, not including the large amount of in-kind support provided by project partners, funding to this point had totalled \$479,056 (see table below). This funding had contributed to numerous activities including promotional events, presentations, information sheets, conference papers and expert workshops. A list of activities undertaken throughout Stage 1 has been included in Appendix 1.

	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	TOTAL
AHC	\$15,000	\$10,000	\$13,500	\$10,000	\$13,636	\$15,000	\$15,000	\$92,136
MBDC	\$15,000	\$10,000	\$13,500	\$10,000	\$13,636	\$15,000	\$15,000	\$92,136
BC	\$15,000	\$10,000	\$13,500	\$10,000	\$15,000	\$15,000	\$15,000	\$93,500
COO	\$15,000	\$10,000	\$13,500	\$10,000	\$13,636	\$15,000	\$15,000	\$92,136
AC			\$10,000	\$10,000	\$13,848	\$15,000		\$48,848
MMC							\$6,500	\$6,500
LRC							\$5,000	\$5,000
CGVC							\$3,500	\$3,500
Other			\$10,200	\$3,000	\$600	\$15,000	\$16,500	\$45,300
TOTAL	\$60,000	\$40,000	\$74,200	\$53,000	\$70,356	\$90,000	\$88,000	\$479,056

Although in-kind contributions through staff time were expected to continue beyond Stage 1, the originating Feasibility Study (2012) did not envisage requiring local government funding beyond Stage 1 and the Memorandum of Understanding (MOU) between councils expired on 13 June 2018. The contractual arrangement with the then Project Consultant also expired on 30 June 2018.

It was at this time that a series of discussions were also being undertaken with the federal agency (Department of Environment and Energy) responsible for NH nominations, relevant State Government Ministerial and agency staff, heritage experts and community members to discuss their views regarding the project. One very clear and consistent message was delivered:

- There is a lack of clarity and agreement on the Mount Lofty Ranges Heritage proposition and narrative, making it difficult to support, communicate and promote the project for National and World Heritage nomination.

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Based on this and feedback received from the Australian Heritage Council on the unsuccessful NH submission, it was considered an ideal time to undertake a review of the merits of progressing the WH project. It was recognised that the development of both NH and WH listing nominations is a long iterative process of debate, research and refinement, and with input and guidance from heritage experts. However, the project had been funded on the basis that there is a WH case, and after seven years of research and discussion, it was time to assess the strength of that case. This was undertaken in 2019 by Duncan Marshall and Dr Jane Lennon AM.

The review was very effective in highlighting the core justification for pursuing WH listing, the core parts being:

- the presence of heritage values associated with a ground-breaking 19th century model of colonisation or systematic colonisation; and
- the links to a philosophical movement of universal significance, and the continuing reflection of those original utopian ideals in the contemporary landscape and land management practices.

Other parts of the rationale that were originally referred to, such as the ‘world-renowned food, wine and tourism regions’ were considered background or descriptive information, but lacking in substantial evidence to be considered as the core argument for WH listing. This was a significant shift from the original justification and many people’s understanding of the bid.

The review also identified that while the original advice was that NH should be achieved before WH is attempted, the assessment criteria for each listings is quite different. While the NH step is worth noting in terms of the ideal process, ultimately it may not prove helpful in framing the WH justification and nomination.

Through this review time it also became very clear that a collaborative working relationship with the State Government was a crucial element for the future success of our nominations for both NH and WH listing. The relevant State Minister for the Environment must present the nomination to the Meeting of Environment Ministers (MEM) for support and endorsement to the Tentative List, the first step in the process to WH listing.

It was during this time that the Adelaide City Council expressed interest in pursuing WH listing and engaged Mr Marshall to provide an expert review of the possibility of a World Heritage nomination related to the Adelaide Park Lands and City Layout. The project was to assess whether a nomination is justified, consider its scope, to review, revise or develop key aspects of a possible nomination, to identify gaps, and suggest a workplan to achieve a successful nomination.

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A key finding of the review was recognition that a bid that combines the Adelaide plan and the systematic colonisation settlement landscape of South Australia would represent a substantially more complete portrayal of the colonial settlement model and the whole of the settlement system. As a result, Adelaide City Council and the Mt Lofty Ranges partner councils started to explore the merits of a combined bid.

As part of the collaborative work World Heritage expert Duncan Marshall was again engaged to provide further rationale for the joint bid (see Appendix 2). This work produced a single narrative for the combined bid, as follows:

The nineteenth century property comprising Adelaide and its Rural Settlement Landscapes, including the early Adelaide plan, is of Outstanding Universal Value as exceptional evidence of the Wakefield systematic colonisation model, an important and influential model in the history of European free migration and colonial settlement. It is the most complete realisation of British colonial settlement planning in the world, and/or a major achievement of such colonial planning.

Mr Marshall's expert advice suggested that this nomination could satisfy three of the World Heritage criteria, noting that only one would need to be eventually satisfied to be eligible for World Heritage listing status.

In order to share the results of these reviews more widely, a small expert workshop was convened on 25-26 August 2022 in Adelaide and Hahndorf, and online. The workshop comprised a series of presentations as well as group and plenary discussions.

Key observations and messages arising from the workshop and discussions, included:

- the nomination project should proceed. This is an important and worthwhile journey for the South Australia community, and while there is some caution arising from gaps in the currently available research, there is something special about the history of this European settlement in an Aboriginal landscape, and good potential for a successful World Heritage listing;
- there is a need to better recognise and integrate the prior and continuing Aboriginal history, landscape and people into the proposed nomination. This includes substantial engagement with the Aboriginal community and seeking its further support (Free, Prior and Informed Consent);
- the nomination project is potentially an important part of truth-telling about the history of South Australia, aligning to the State Government's commitment to such a process; and
- there is a substantial amount of work still to be done to prepare a nomination, building upon a considerable foundation of previous research.

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It is critical that the joint nomination recognises the impact of settlement on Aboriginal people. Truth-telling and Reconciliation are an important and necessary part of the nomination. This complements the stated ambition of the State and Federal Governments regarding recognition, truth-telling and future treaties, and constitutional change. In fact, it could play a strong role. Certainly the history in the nomination needs to address both Aboriginal and settler histories and perspectives, and the overall nomination needs to be pitched with an honest and balanced presentation of the story, and of course with Aboriginal agreement if not actual support.

Since this workshop a couple of key progressions have been made. Firstly the Tentative List submission for Adelaide and its Rural Settlement Landscapes has been drafted. Such a submission is a formal pre-condition under the World Heritage Convention before a nomination can be submitted. This draft submission requires further development and consultations before it is ready for lodgement.

Secondly, and most noteworthy, the joint initiative has recently received support from the Deputy Premier to prepare the Tentative listing document (see Appendix 3) for approval. Being accepted on the Tentative List is step one of the World Heritage process and this recent approval to consider the bid is a significant step.

The funding Mt Lofty Councils have not provided financial resources for a couple of years, however there are funds remaining in the joint account that can be used to further progress the joint bid in the foreseeable future. The World Heritage rationale will continue to be explored and refined where the keys to success will be the governance process and embedding First Nations input. Next steps include:

- Exploring and establishing a joint World Heritage Governance structure to progress the nomination and provide a pathway on how the World Heritage Bid will be managed.
- Developing a project brief on how to best engage with relevant Aboriginal communities and seek their support through a Memorandum of Understanding.
- Developing a First Nations narrative in partnership with the communities to be incorporated into the colonisation story and add value to the truth-telling and inform the Tentative Listing submission.
- Continuing to refine the draft Tentative Listing document.
- Presenting a paper at the International Council on Monuments and Sites (ICOMOS) General Assembly 2023 Conference.

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10.2 Beautification of Mount Torrens

Cr Malcolm Herrmann

In terms of the presentation by Ms Sarah Pollard, Hello Mount Torrens, to the Council at its meeting on 26 April 2023:

1. What action has been taken on the 17 items listed in the Bruce Harry & Associates Report September 2002 - "Priorities for Action"
2. Where there are outstanding items, what steps can the CEO take to ensure that all the actions are undertaken?
3. Can the A/CEO arrange a meeting with representatives of the Mount Torrens and District Community Association to discuss the Associations priorities?

Response:

The document which was referenced by the Hello Mount Torrens group was the "Streetscape Guidelines for the public domain of Mount Torrens 2002 Bruce Harry and Associates". Whilst there are a number of actions which have not yet been undertaken, this was never a formally adopted plan of Council per se, so it should be noted that there has never been any formal implementation plan or funding associated.

Aspects have been progressing on a number of matters listed as detailed below. Other potential steps to assess or address the different actions have also been listed, and whilst no budget allocations have been made, Council may wish to consider budget allocations in future annual business planning processes.

A Council representative will meet with the Hello Mount Torrens group to discuss these listed items and explore other aspirations for improving the streetscape that the group holds. Some of these may be suitable to be potential inclusions in the Council's Local Roads and Community Infrastructure Program – Phase 4 submission.

The below list details what Action has occurred to date, and potential options in future.

1. Install township entrance signs to emphasise the heritage significance of Mount Torrens.
ACTION: COMPLETED
2. Installation of plaques on key historic buildings and sites.
ACTION: PROGRESSED
A number of signs are now in place denoting history of some buildings in the main street. Staff have been liaising with the association to include signage along the Amy Gillett Bikeway to denote the historic Lime Kiln and Barton Springs Tavern. Any additional signage requests can be considered.

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3. Establishment of the Coachhouse as a Tourist Information Centre.
ACTION: NIL
The way visitors seek and use information has changed dramatically since 2002 with “bricks and mortar” VICs capturing increasingly smaller shares of the information seeking market. Efforts to provide visitor information services would be better directed towards quality digital information and an active online presence.
4. Clean out creek overgrowth.
ACTION: NIL – Responsibility of individual Property Owners
5. Undergrounding of power lines and installation of heritage style street lighting.
ACTION: Preliminary Assessment Undertaken.
AHC Resolved to submit assessment for future consideration after Lobethal Project
6. Relocate CFS and remodel or remove existing building
ACTION: COMPLETED
7. Construct additional public toilets (including disabled toilets) at the Coachhouse site.
ACTION: WORKS TENDERED – to be completed in 2023-24.
8. Reforming and paving of footpaths and verges, kerbs and drainage in Townsend Street (Stage 1 – western side, Stage 2 – eastern side).
ACTION: PROGRESSED
Stage 1 on the Western Side has seen footpath and kerb renewal in 2019 between Terlinga Road/Onkaparinga Valley Road Intersection and Prescott Road. Further works will be considered in line with Asset Management Plans and Capital Works Program.
9. Construction of a stone wall or hedge screen in front of the Telephone exchange.
ACTION: NIL
This would require liaison with Telstra to determine viability of construction of a wall in this location. Funding would then need to be considered amongst competing priorities.
10. Thin out and replace prunus trees in heritage centre only.
ACTION: NIL
Open Space to assess, could be included as part of the long term strategic tree planting program.
11. Reconstruction of stone parapet over creek crossing in Townsend Street.
ACTION: NIL
Funding would need to be considered amongst competing priorities a capital project.

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12. Installation of street seating and rubbish bins.
ACTION: COMPLETED
13. Replacement of street name signs.
ACTION: NIL
Council staff will determine costs and heritage implications for this to be undertaken.
14. Establishment of bus parking/picnic area at the Oval with upgraded barbecue and playground facilities
ACTION: Playspace has been completed.
BBQ Placement to be given consideration in future budget
15. Paint existing roadside guard rails.
ACTION: NIL – Department for Infrastructure and Transport Responsibility
16. Replace roadside guard rails with bollards and chains.
ACTION: NIL – Department for Infrastructure and Transport Responsibility
Council staff will explore options with DIT, including painting, replacement with bollards and chains or removal.
17. Construct stone retaining wall to raised footpath adjacent the Uniting Church.
ACTION: NIL

The Bruce Harry & Associates report was authored some 20 years ago and it is worth noting that guidelines for heritage areas have evolved in that time. Recently Heritage South Australia in the Department for Environment and Water updated the Heritage Standards for the Colonel Light Gardens State Heritage Area, delivering a comprehensive tool to guide development.

Senior Staff at the Department have indicated that a similar Standard will be developed for Mount Torrens within 12 months. This is likely to include contemporary guidance relating to landscape context and streetscape amenity that will assist in progressing works in the public realm that respond appropriately to and strengthen the heritage context of Mount Torrens. It may be prudent to consider the timing of this project as part of any future works.

11. MOTIONS ON NOTICE

11.1 East Waste Kerbside Audit

Withdrawn

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12. OFFICER REPORTS – DECISION ITEMS

12.1 Burning on Private (Council) Lands Program

**Moved Cr Adrian Cheater
S/- Cr Louise Pascale**

108/23

Council resolves:

1. That the report be received and noted.
2. To endorse the investigation of additional Council sites under the DEW Burning on Private Lands Program.

VARIATION

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

1. **That the report be received and noted.**
2. **To endorse the investigation of additional Council sites under the DEW Burning on Private Lands Program:**
 - **Bradwood Park (Heritage Agreement #1266)**
 - **Red Hill Road, Bradbury (Heritage Agreement #1594)**
 - **Sedum Place Reserve, Crafers West**
 - **Mylor Parklands (Heritage Agreement #1264)**
 - **Camp Gooden (Heritage Agreement #1232)**
 - **Stock Road, Mylor (Blue Marker Site NVMS52)**

Carried Unanimously

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12.2 Library Opening Hours

Moved Cr Melanie Selwood
S/- Cr Leith Mudge

109/23

Council resolves:

1. That the report be received and noted.
2. With an effective date of 1 July 2023, to adopt the *Final Proposal – Libraries Opening Hours*, as contained in *Appendix 1*, with the alteration that the Woodside Library be open from 11am to 7pm on Thursdays, to provide the following opening hours:

Stirling	
Monday	10 am – 6 pm
Tuesday	10 am – 6 pm
Wednesday	10 am – 6 pm
Thursday	10 am – 7 pm
Friday	10 am – 6 pm
Saturday	10 am – 4 pm
Sunday	1 pm – 4 pm
Total hours	50

Woodside	
Monday	9 am – 5 pm
Tuesday	9 am – 5 pm
Wednesday	9 am – 5 pm
Thursday	11 am – 7 pm
Friday	9 am – 5 pm
Saturday	10 am – 1 pm
Sunday	Closed
Total hours	43

Gumeracha	
Monday	9 am – 2pm
Tuesday	12 pm – 5pm
Wednesday	9am – 2pm Self-service
Thursday	12 pm – 5pm
Friday	Closed
Saturday	11 am – 2 pm
Sunday	Closed
Total hours	18 – staffed / 5 – self-service

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3. That the Chief Executive Officer be authorised to make any (minor) changes to library opening hours provided they do not increase or decrease the total weekly staffed opening hours at each library branch.
4. That nothing in this resolution derogates from the Chief Executive Officer's ability to change library opening hours from time to time for operational reasons.

Carried Unanimously

12.3 Building Upgrade Finance

Moved Cr Nathan Daniell
S/- Cr Melanie Selwood

110/23

Council resolves:

1. That the report be received and noted.
2. To undertake a two year pilot program of Environmental Upgrade Agreements, nominally commencing 1 July 2023.
3. To appoint Sustainable Australia Fund, trading as Better Building Finance, to work collaboratively with Council to establish, administer and support the delivery of Environmental Upgrade Agreements.
4. To delegate the power to the Chief Executive Officer to:
 - a. finalise the commencement date for the pilot program
 - b. enter into an Environmental Upgrade Agreement on behalf of Council and
 - c. declare and levy an environmental upgrade charge.
5. To report back to Council on the outcomes of the two year pilot by 30 June 2025.

Carried Unanimously

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12.4 Revocation of Community Land – Bridgewater Retirement Village

Moved Cr Nathan Daniell

S/- Cr Leith Mudge

111/23

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 5488 Folio 788 being Allotment 220 in filed plan 8131, known as the Bridgewater Retirement Village, be revoked.
3. That a report be provided to Council which:
 - a. Includes the outcomes of the 2021 consultation process regarding the Proposed upgrades for Caripook Park
 - b. Provides options for the upgrade of Caripook Park or another Park in Bridgewater.

Carried Unanimously

12.5 Policy – Review of Cemetery Operating Policy & Memorials within Council Cemeteries

Moved Cr Malcolm Herrmann

S/- Cr Kirsty Parkin

112/23

Council resolves:

1. That the report be received and noted.
2. With an effective date of 16 May 2023, to revoke the 20 December 2022 *Cemetery Operating Policy* and to adopt the 9 May 2023 *Cemetery Operating Policy* as per Appendix 1.
3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 9 May 2023 *Cemetery Operating Policy* as per Appendix 1 prior to the date of effect.
4. With an effective date of 16 May 2023, to revoke the 23 November 2021 *Memorials within Cemeteries Cemeteries Policy* and to adopt the 9 May 2023 *Memorials within Council Cemeteries Cemeteries Policy* as per Appendix 2.
5. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 9 May 2023 *Memorials within Council Cemeteries Cemeteries Policy* as per Appendix 2 prior to the date of effect.

Carried Unanimously

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12.6 Draft Annual Business Plan for Consultation

Moved Cr Leith Mudge
S/- Cr Lucy Huxter

113/23

Council resolves:

1. That the report be received and noted.
2. To endorse the draft *Annual Business Plan 2023-24 (ABP)*, as contained in *Appendix 1* for community consultation in accordance with Section 123 of the *Local Government Act 1999*.
3. That the CEO be authorised to:
 - a. Make any formatting, nomenclature or other minor changes to the ABP prior to being released for public consultation and
 - b. Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's *Public Consultation Policy*.

Carried Unanimously

12.7 Strategic Plan Engagement Strategy

Moved Cr Louise Pascale
S/- Cr Kirsty Parkin

114/23

Council resolves:

1. That the report be received and noted.
2. To endorse the draft *Strategic Plan – engagement strategy*, as contained in *Appendix 1* to guide the development of the Strategic Plan.

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8.05pm Cr Louise Pascale left the Chamber

12.8 National General Assembly, Canberra – nominations for attendance

Moved Cr Kirrilee Boyd

S/- Cr Leith Mudge

115/23

Council resolves:

- 1. That the report be received and noted.**
- 2. To determine that the method of selecting a Council Member to attend the National General Assembly of Local Government in Canberra in June 2023 in a development capacity to be by an indicative vote utilising the process set out in Council's *Code of Practice for Meeting Procedures*.**
- 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 to attend National General Assembly of Local Government in Canberra in June 2023 and for the meeting to resume once the results of the indicative voting has been declared.**

Carried Unanimously

8.07pm Cr Pascale returned to the Chamber

8.07pm The Council meeting adjourned

8.14pm The Council meeting resumed

Mayor Jan Claire Wisdom and Cr Adrian Cheater declared a Material Conflict of Interest at Agenda Item 5 'Declaration of Interest by members of the council' in relation to Item 12.8.

8.15pm Mayor Jan-Claire Wisdom & Cr Adrian Cheater left the Chamber.

8.15pm Deputy Mayor Nathan Daniell assumed the Chair.

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12.8.1 Attendance at National General Assembly, Canberra

**Moved Cr Mark Osterstock
S/- Cr Kirrilee Boyd**

116/23

- 1. To approve Mayor Jan-Claire Wisdom's physical attendance in a representative capacity at the National General Assembly of Local Government in Canberra in June 2023 and coverage of related costs estimated at \$4,200 in accordance with the *Council Member Training and Development Policy*.**
- 2. To approve Cr Adrian Cheater's physical attendance in a development capacity at the National General Assembly of Local Government in Canberra in June 2023 and coverage of related costs estimated at \$4,200 in accordance with the *Council Member Training and Development Policy*.**

Carried Unanimously

8.16pm Mayor Jan-Claire Wisdom returned to the Chamber.

8.16pm Cr Nathan Daniell vacated the Chair

8.16pm Cr Melanie Selwood left the Chamber

8.17pm Cr Adrian Cheater returned to the Chamber

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 9 MAY 2023
63 MT BARKER ROAD STIRLING**

12.9 Status Report – Council Resolutions Update

Moved Cr Mark Osterstock
S/- Cr Nathan Daniell

117/23

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
23/08/2022	Ordinary Council	206/22	MON Undergrounding of Power Lines Lobethal, Mt Torrens & Woodside	Nil
24/01/2023	Ordinary Council	4/23	MON Aldgate Main Street Amenity Upgrade - Stage 2	General - Cr Mark Osterstock General - Cr Kirrilee Boyd
28/03/2023	Ordinary Council	62/23	Petition - Flooding Junction Road Balhannah	Nil
11/04/2023	Ordinary Council	79/23	Records & Information management Policy & Procedure	Nil
26/04/2023	Ordinary Council	92/23	Long Term Financial Plan for Adoption	Nil
26/04/2023	Ordinary Council	97/23	MWN Condolence Motion for Loiacono Family	Nil
26/04/2023	Ordinary Council	101/23	Audit Committee Recommendations to Council from 17/4/23	Nil

Carried Unanimously

**ADELAIDE HILLS COUNCIL
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TUESDAY 9 MAY 2023
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13. OFFICER REPORTS - INFORMATION ITEMS

Nil

14. QUESTIONS WITHOUT NOTICE

Cr Mark Osterstock

- Update on removal of Sculpture on Stirling Lawns
- Status of White Rock Quarry application
- Aldgate Main Street stage 2

8.20pm Cr Melanie Selwood returned to the Chamber

15. MOTIONS WITHOUT NOTICE

Nil

16. REPORTS

16.1 Council Member Function or Activity on the Business of Council

Nil

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

Nil

16.3 CEO Report

David Waters, CEO, provided Council with a verbal update, including:

- Gumeracha community contributing to cost of tree to commemorate Coronation of King Charles III, Stirling Library and Woollen Mill chimneys illuminated (purple)
- White Rock Quarry – advice received from Department ... Mines re expansion and compliance action (attached to Minutes)
- Department of Infrastructure and Transport re review of speed limit on North East Road, concluded that existing speed zones will remain (attached to Minutes)
- Premier's Climate Change Council nominee
- Dog & Cat Management Board nominees to go to Minister
- LG Management Challenge staff participation

**ADELAIDE HILLS COUNCIL
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17. REPORTS OF COMMITTEES**17.1 Council Assessment Panel**

Nil

17.2 Audit Committee

Nil

17.3 CEO Performance Review Panel

Nil

17.4 Boundary Change Committee

Nil

18. CONFIDENTIAL ITEMS**18.1 Bridgewater Retirement Village – Exclusion of the Public**

Moved Cr Malcolm Herrmann

S/- Cr Lucy Huxter

118/23

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

- Acting Chief Executive Officer, David Waters
- Acting Director Community Capacity, Rebecca Shepherd
- Director Corporate Services, Terry Crackett
- Director Development & Regulatory Services, Natalie Armstrong
- Director Infrastructure & Operations, Peter Bice
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Property Services, Karen Cummings
- Governance & Risk Coordinator, Steven Watson
- ICT Support Officer, Mike O'Donnell
- Systems Analyst Information Systems, Tom Portas
- Minute Secretary, Pam Williams

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

**ADELAIDE HILLS COUNCIL
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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)(b) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is

- (b) Information the disclosure of which –
- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of 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

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 9 MAY 2023
63 MT BARKER ROAD STIRLING**

18.1.1 Bridgewater Retirement Village – Confidential Item RELEASED 1 DECEMBER 2023

**Moved Cr Kirsty Parkin
S/- Cr Kirrilee Boyd**

119/23

Council resolves:

- 1. That the report be received and noted.**
- 2. Council waives application of the Disposal of Assets Policy as it relates to the sale of the Bridgewater Retirement Village at 1 Second Avenue, Bridgewater given an open tender process will not achieve the best strategic outcomes for Council.**
- 3. To enter into a Contract for the Sale and Purchase of the Bridgewater Retirement Village located at 1 Second Avenue, Bridgewater with Clayton Church Homes Incorporated, contained in Certificates of Title CT 5488/788 (Lot 220 in FP 8131) and CT 6276/629 (Lot 1 in DP 41530) for consideration in the amount of \$750,000.**
 - 1. To authorise the Mayor and CEO to sign all necessary documents, including by affixing the common seal, to give effect to this resolution.**

Carried Unanimously

**ADELAIDE HILLS COUNCIL
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18.1.2 Bridgewater Retirement Village – Duration of Confidentiality

Moved Cr Leith Mudge
S/- Cr Mark Osterstock

120/23

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)(b) 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 sale has been finalised, but not longer than 12 months from the date of this report being 9 May 2024.
Related Attachments	Until the sale has been finalised, but not longer than 12 months from the date of this report being 9 May 2024.
Minutes	Until the sale has been finalised, but not longer than 12 months from the date of this report being 9 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.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
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19. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 23 May 2023 from 6.30pm at 63 Mt Barker Road, Stirling.

20. CLOSE MEETING

The meeting closed at 8.50pm.



Government
of South Australia

Department for
Energy and Mining

Our Ref: DEMC23/00561

Mr David Waters
Acting Chief Executive Officer
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244
Via email: mail@ahc.sa.gov.au

Dear Mr Waters

Thank you for your letter to the Chief Executive, Dr Paul Heithersay, regarding proposed expansion of Hanson Construction Materials Ltd (Hanson) White Rock Quarry. As this matter falls under the responsibility of the Mineral Resources Division, I have been asked to provide a response on his behalf.

I appreciate the Adelaide Hills Council's ongoing interest in the assessment of a revised Mine Operations Plan (MOP) for the White Rock Quarry and the questions you have posed seeking clarification for your Council.

As you identified, on 23 December 2020 the Department for Energy and Mining (DEM) received Hanson's revised MOP for assessment. The MOP sets the regulatory framework for Hanson's operations by considering potential environmental impacts and the proposed strategies to manage those impacts. Following its submission, DEM in collaboration with technical experts from the Environment Protection Authority (EPA), the Department for Environment and Water (DEW), and other relevant agencies, undertook an extensive review of the MOP. On 28 July 2021, DEM notified Hanson that it had determined that alterations were required for the MOP review to meet the requirements of the *Mining Act 1971* and expectations of contemporary quarrying. Hanson were required to revise the MOP and re-submit addressing these matters by 28 January 2022.

Mineral Resources Division

Address L7/11 Waymouth St Adelaide 5000 | GPO Box 320 Adelaide SA 5001

Tel (+61) 08 8463 3000 | Email DEM.CustomerServices@sa.gov.au | www.energymining.sa.gov.au | ABN 83 768 683 934





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of South Australia

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Energy and Mining

On 31 March 2023, after two extension requests that were approved by DEM, Hanson submitted a revised MOP in response to DEM's request for alterations. The document currently under review can be found on Hanson's website. DEM, in collaboration with technical experts from the EPA, DEW and SA Health, are currently assessing the MOP against the required alterations and requirements of the *Mining Act 1971*. Pending the outcome of the assessment, the MOP will either be approved, or government will request further alterations.

At this stage the assessment is expected to be complete within 3 months.

On 20 May 2022, DEM issued a compliance order to Hanson for non-compliance with the current MOP in relation to offsite release of sediment-laden stormwater into Third Creek following heavy rainfall events.

As of April 2023, Hanson has progressed the construction of new sediment basin infrastructure to provide additional capacity for the passive treatment of sediment laden stormwater captured during rainfall events. In addition, a new diversion channel to divert clean surface water flows from an area undisturbed by quarry operations around the sediment basin has been completed. This channel reduces the volume of water entering the disturbed area of the quarry and passive stormwater treatment process, directing clean water flows into Third Creek.

The compliance direction also requires Hanson to commence active treatment, using flocculants, to accelerate the removal of sediment from water. This action cannot occur until DEM and the EPA are satisfied any proposed flocculant product is suitable, will not cause harm to the environment or freshwater ecosystems, and that adequate systems and controls are in place to manage flocculant use.

Once the related infrastructure works are completed and the proposed flocculants to be used are endorsed by regulators, the addition of active flocculant to stormwater within a purpose-built sediment basin will occur.

Completion of the basin and flocculant treatment system is anticipated prior to winter 2023.

DEM and the EPA will continue to closely monitor the construction, commissioning, and operation to ensure Hanson complies with operational approvals and relevant environmental standards.



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of South Australia

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Energy and Mining

As you highlight, the EPA are also taking action to ensure Hanson is managing sediment discharge from the site. Whilst the EPA and DEM work as co-regulators, DEM cannot provide detailed updates on EPA regulatory activities. The EPA is currently maintaining a White Rock Quarry webpage, <https://engage.epa.sa.gov.au/white-rock-quarry-hanson>, which provides updates on all the actions the EPA are undertaking at the site.

Finally, I can clarify the *Mining Act 1971* sets out the decision-maker for MOP's is the Director of Mines, currently that statutory position is held by the Chief Executive, Dr Paul Heithersay.

Thank you for your letter and I hope this response addresses the questions you have raised. DEM will continue to provide updates on its website through the White Rock page as new information is received or key milestones achieved. If you, or your staff, have any further queries, please direct them to the Mining Regulation central mailbox dem.miningregrehab@sa.gov.au and they will be allocated the relevant officer for actioning.

Yours sincerely

A handwritten signature in black ink, appearing to read 'B Zammit'.

Benjamin Zammit
A/EXECUTIVE DIRECTOR
MINERAL RESOURCES DIVISION

02/05/2023

Cc: pwilliams@ahc.sa.gov.au



In reply please quote #90280

Enquiries to dit.officeofthechiefexecutive@sa.gov.au

OFFICE OF THE CHIEF
EXECUTIVE

83 Pirie Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

ABN 92 366 288 135

Mr David Waters
A/Chief Executive Officer
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

Email: mail@ahc.sa.gov.au

Dear David

REQUEST FOR SPEED LIMIT REVIEW AT INGLEWOOD

Further to my letter dated 1 February 2023, regarding the speed limit review at Inglewood, I can advise that the Department for Infrastructure and Transport's (the Department) investigation into this matter is now complete.

Speed limits are determined and applied in accordance with the Speed Limit Guidelines for South Australia. Speed limits are set having regard to factors such as road function, abutting roadside development and, road and traffic characteristics.

Road users are more likely to comply with a speed limit if it is consistent with limits on other roads in the network with similar characteristics, and if limits in general reflect the factors that most influence speed choice.

Consistent with the Department's Guidelines, an 80 km/h speed limit is applied to roads in partially built-up areas with limited adjacent development, with 60 km/h speed limits reserved for sections of road that are built-up in nature. Nearby examples of similar nature roads that have an 80 km/h speed limit are Lower North East Road, Torrens Valley Road and sections of Gorge Road.

This section of North East Road between Houghton and Inglewood is considered to serve a movement function, which is to transport people and goods, rather than a place function, such as Townships which, generally have a lower speed limit.

OFFICIAL

A review of North East Road revealed that the 80 km/h speed zone coincides with low levels of roadside development, with little direct access to/from North East Road. The areas of North East Road that contain tighter more physically constraining curves are signed with advisory travel speeds that advise drivers of the nature of the approaching curves and a sensible speed to drive them at.

Accordingly, in view of the above, the Department considers the existing speed limit to be appropriate for existing roadside conditions, and no changes to the existing speed limit is proposed, at this time.

However, if Council has a different opinion and would like to discuss this matter further and provide Council's position in relation to this request, please contact Mr Phil Stratton, A/Director Network Management Services on telephone 0407 011 701 or via email phil.stratton@sa.gov.au.

Yours sincerely



Jon Whelan
Chief Executive

6 May 2023