



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

Councillor Ian Bailey
Councillor Kirilee Boyd
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Linda Green
Councillor Malcolm Herrmann
Councillor John Kemp
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Andrew Stratford

Notice is given pursuant to the provisions under Section 83 of the *Local Government Act 1999* that the next meeting of the Council will be held on:

Tuesday 22 February 2022
6.30pm
Zoom Virtual Meeting Room

Notice of this meeting is supplied to Council Members under Section 83 of the Act.

Public notice of this meeting is supplied under Section 84 of the Act.

Following amendments to s90 of the Act, this meeting of the Council is taken to be conducted in a place open to the public given that the Council Members will be participating via electronic means and the public can access a live stream of the meeting via the link contained on Council's website.

Andrew Aitken
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 22 February 2022
6.30pm
Zoom Virtual Meeting Room

ORDER OF BUSINESS

1. COMMENCEMENT

2. OPENING STATEMENT

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. They are Custodians of this ancient and beautiful land and so we pay our respects to Elders past, present and emerging. We will care for this country together by ensuring the decisions we make will be guided by the principle that we should never decrease our children's ability to live on this land.

3. APOLOGIES/LEAVE OF ABSENCE

- 3.1. Apology
Apologies were received from
- 3.2. Leave of Absence
- 3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

- 4.1. Council Meeting – 25 January 2022
That the minutes of the ordinary meeting held on 25 January 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.
- 4.2. Special Council Meeting - 15 February 2022
That the minutes of the special meeting held on 15 February 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

6. MAYOR'S OPENING REMARKS

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
Nil
- 8.2. Deputations
 - 8.2.1. Campbell Stafford – Main Road environs in Lenswood
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

- 9.1. Damian Cooke, Regional Development Australia

10. QUESTIONS ON NOTICE

- 10.1. Property at Lobethal Road Lenswood (Cr Chris Grant)

11. MOTIONS ON NOTICE

Nil

12. ADMINISTRATION REPORTS – DECISION ITEMS

- 12.1. Regional Development Australia Funding Agreement

1. *That the report be received and noted.*
2. *That the three-year funding agreement with Regional Development Australia – Adelaide Hills, Fleurieu and Kangaroo Island Inc, for 2022-23 be \$67,885 plus CPI with CPI increases in 2023-24 and 2024-25 as contained in Appendix 2, be approved by Council.*
3. *That the Chief Executive Officer be authorised to make any minor changes to the funding agreement as required, in his opinion, to finalise the matter.*
4. *That the Mayor and CEO be authorised to sign and seal the funding agreement on behalf of Council.*

12.2. Budget Review 2

1. *That the report be received and noted.*
2. *To adopt the proposed budget adjustments presented in the 2020-21 Budget Review 2 which result in:*
 - a. *An increase in the Operating Surplus from \$1.115m to \$1.546m for the 2021-22 financial year.*
 - b. *Changes to Capital Works, reducing capital income by \$1.299m and reducing capital expenditure by \$5.253m for the 2021-22 financial year resulting in a revised capital expenditure budget for 2021-22 of \$21.982m.*
 - c. *A reduction in Council's current Net Borrowing Result from \$7.348m to \$2.572m for the 2021-22 financial year as a result of the proposed operating and capital adjustments.*

12.3. Bridge Asset Management Plan

1. *That the report be received and noted*
2. *That Council notes the community feedback on the Bridge Asset Management Plan, as contained in Appendix 1.*
3. *With an effective date of 4 March 2022, The Bridge Asset Management Plan, as contained in Appendix 2, be adopted by Council.*
4. *Feedback regarding Department of Infrastructure and Transport (DIT) bridge assets collected during the consultation phase will be forwarded onto DIT.*
5. *That the CEO, or delegate, be authorised to make any necessary formatting, nomenclature or other minor changes to the Bridge Asset Management Plan prior to 4 March 2022.*

12.4. Long Term Financial Plan for Consultation

1. *To endorse the Draft Long Term Financial Plan, as contained in Appendix 1 for community consultation in accordance with Section 122 of the Local Government Act 1999.*
2. *That the CEO be authorised to:*
 - a. *Make any formatting, nomenclature or other minor changes to the Plan 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.*

12.5. Local Government Aboriginal Place Naming Action Plan

1. *That the report be received and noted.*
2. *With an effective date of 8 March 2022, that Council adopts the draft Aboriginal Place Naming Action Plan 2022 to 2025 as contained in Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the draft 22 February 2022 Aboriginal Place Naming Action Plan 2022 to 2025 prior to the effective date.*

- 12.6. Telecommunications Installation Small Cell Stobie Pole Mounted Antennae Policy Update
1. *That the report be received and noted.*
 2. *With an effective date of 1 March 2022, to revoke the 23 July 2019 Telecommunications Installation - Small Cell Stobie Pole Mounted Antennae Policy and to adopt the draft 22 February 2022 Telecommunications Installation - Small Cell Stobie Pole Mounted Antennae Policy as contained in Appendix 2.*
 3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the draft 22 February 2022 Telecommunications Installation - Small Cell Stobie Pole Mounted Antennae Policy prior to the effective date.*
- 12.7. Volunteer Engagement Policy
1. *That the report be received and noted.*
 2. *With an effective date of 8 March 2022, to revoke the Volunteer Engagement Policy 24 July 2018 and to adopt the draft Volunteer Engagement Policy 22 February 2022, as contained in Appendix 1.*
 3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Volunteer Engagement Policy 22 February 2022 prior to the effective date of adoption.*
- 12.8. Alteration and Occupation of Road Policy Review
1. *That the report be received and noted*
 2. *With an effective date of 8 March 2022, to revoke the 24 April 2018 Road Rents Policy and adopt the 22 February 2022 draft Alteration and Occupation of Public Roads Policy as contained in Appendix 1.*
 3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 22 February 2022 draft Alteration and Occupation of Public Roads Policy prior to the effective date.*
- 12.9. Outdoor Dining Policy Review
1. *That the report be received and noted*
 2. *With an effective date of 8 March 2022, to revoke the 24 April 2018 Outdoor Dining Permit Policy and to adopt the 22 February 2022 draft Outdoor Dining Policy as contained in Appendix 1.*
 3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 22 February 2022 draft Outdoor Dining Policy prior to the effective date.*

12.10. Access to Development Application Information Policy

1. *That the report be received and noted.*
2. *With an effective date of 8 March 2022, to revoke the 11 October 2016 Development Application Document Reproduction Policy and to adopt the 22 February 2022 Access to Development Application Information Policy as contained in Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the draft 22 February 2022 Access to Development Application Information Policy prior to the effective date.*

12.11. Status Report – Council Resolutions Update
Refer to Agenda

12.12. Lobethal Bushland Park
A late report may be prepared on this item.

13. ADMINISTRATION REPORTS – INFORMATION ITEMS
Nil

14. QUESTIONS WITHOUT NOTICE

15. MOTIONS WITHOUT NOTICE

16. REPORTS

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

16.2. Reports of Members/Officers as Council Representatives on External Organisations

16.3. CEO Report

17. REPORTS OF COMMITTEES

17.1. Council Assessment Panel – 9 February 2022

That the minutes of the CAP meeting held on 9 February 2022 as supplied, be received and noted.

17.2. Audit Committee - 14 February 2022

That the minutes of the Audit Committee meeting held on 14 February 2022 as supplied, be received and noted

17.2.1. Audit Committee Recommendations

1. *That the report be received and noted*
2. *To adopt the revised Strategic Internal Audit Plan v1.9a as contained in Appendix 1.*
3. *To approve the 2021-22 External Audit Plan by Galpins Accountants, Auditors and Business Consultants as contained in Appendix 2.*
4. *To note the status of the Risk Management Plan at Appendix 3.*

17.3. CEO Performance Review Panel
To be included in March Agenda

18. CONFIDENTIAL ITEMS
Nil

19. NEXT MEETING

Tuesday 22 March 2022, 6.30pm, 63 Mt Barker Road, Stirling

20. CLOSE MEETING

Council Meeting/Workshop Venues 2022

DATE	TYPE	LOCATION	MINUTE TAKER
MARCH 2022			
Tues 8 March	Workshop	Woodside	N/A
Wed 9 March	CAP	TBA	Karen Savage
Tues 15 March	Professional Development	Stirling	N/A
Tues 22 March	Council	Stirling	Pam Williams
APRIL 2022			
Tues 12 April	Workshop	Woodside	N/A
Wed 13 April	CAP	TBA	Karen Savage
Wed 20 April	Audit Committee	Stirling	TBA
Tues 19 April	Professional Development	Stirling	N/A
Tues 26 April	Council	Stirling	Pam Williams
MAY 2022			
Tues 10 May	Workshop	Woodside	N/A
Wed 11 May	CAP	TBA	Karen Savage
Thur 12 May	CEOPRP	Stirling	TBA
Tues 17 May	Professional Development	Stirling	N/A
Mon 23 May	Audit Committee	Stirling	TBA
Tues 24 May	Council	Stirling	Pam Williams

Meetings are subject to change, please check agendas for times and venues. All meetings (except Council Member Professional Development) are open to the public.

Community Forums 2022

6.00 for 6.30pm

(dates and venues to be confirmed)

DATE	LOCATION

Conflict of Interest Disclosure Form

CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS

Councillor:

Date:

Meeting name:

Agenda item no:

1. I have identified a conflict of interest as:

MATERIAL ACTUAL PERCEIVED

MATERIAL: Conflict arises when a council member or a nominated person will gain a benefit or suffer a loss (whether directly or indirectly and whether pecuniary or personal) if the matter is decided in a particular manner. If declaring a material conflict of interest, Councillors must declare the conflict and leave the meeting at any time the item is discussed.

ACTUAL: Conflict arises when there is a conflict between a council member's interests (whether direct or indirect, personal or pecuniary) and the public interest, which might lead to decision that, is contrary to the public interest.

PERCEIVED: Conflict arises in relation to a matter to be discussed at a meeting of council, if a council member could reasonably be taken, from the perspective of an impartial, fair-minded person, to have a conflict of interest in the matter – whether or not this is in fact the case.

2. The nature of my conflict of interest is as follows:

(Describe the nature of the interest, including whether the interest is direct or indirect and personal or pecuniary)

3. I intend to deal with my conflict of interest in the following transparent and accountable way:

I intend to **leave** the meeting (*mandatory if you intend to declare a Material conflict of interest*)

OR

I intend to **stay** in the meeting (**complete part 4**) (*only applicable if you intend to declare a Perceived (Actual conflict of interest)*)

4. The reason I intend to stay in the meeting and consider this matter is as follows:

(This section must be filled in. Ensure sufficient detail is recorded of the specific circumstances of your interest.)

and that I will receive no benefit or detriment direct or indirect, personal or pecuniary from considering and voting on this matter.

CONFLICTS MUST ALSO BE DECLARED VERBALLY DURING MEETINGS

Governance use only: Member voted FOR/AGAINST the motion.



Ordinary Business Matters

A **material, actual or perceived** Conflict of Interest does not apply to a matter of ordinary business of the council of a kind prescribed by regulation.

The following ordinary business matters are prescribed under Regulation 8AAA of the Local Government (General) Regulations 2013.

- (a) the preparation, discussion, conduct, consideration or determination of a review under section 12 of the Act
 - (b) the preparation, discussion, adoption or revision of a policy relating to allowances and benefits payable to members if the policy relates to allowances and benefits payable equally to each member (rather than allowances and benefits payable to particular members or particular office holders)
 - (c) the preparation, discussion, adoption or alteration of a training and development policy under section 80A of the Act
 - (d) the preparation, discussion, adoption or amendment of a strategic management plan under section 122 of the Act
 - (e) the adoption or revision of an annual business plan
 - (f) the adoption or revision of a budget
 - (g) the declaration of rates (other than a separate rate) or a charge with the character of a rate, and any preparation or discussion in relation to such a declaration
 - (h) a discussion or decision of a matter at a meeting of a council if the matter—
 - (i) relates to a matter that was discussed before a meeting of a subsidiary or committee of the council
 - (ii) the relevant interest in the matter is the interest of the council that established the committee or which appointed, or nominated for appointment, a member of the board of management of the council subsidiary or regional subsidiary.
- (2) For the purposes of section 75(3)(b) of the Act, a member of a council who is a member, officer or employee of an agency or instrumentality of the Crown (within the meaning of section 73(4) of the Act) will not be regarded as having an interest in a matter before the council by virtue of being a member, officer or employee.

Engagement and membership with groups and organisations exemption

A member will not be regarded as having a conflict of interest **actual or perceived** in a matter to be discussed at a meeting of council by reason only of:

- an engagement with a community group, sporting club or similar organisation undertaken by the member in his or her capacity as a member; or membership of a political party
- membership of a community group, sporting club or similar organisation (as long as the member **is not** an office holder for the group, club or organisation)
- the member having been a student of a particular school or his or her involvement with a school as parent of a student at the school
- a nomination or appointment as a member of a board of a corporation or other association, if the member was nominated for appointment by a Council.

However, the member will still be required to give careful consideration to the nature of their association with the above bodies. Refer Conflict of Interest Guidelines.

For example: *If your **only** involvement with a group is in your role as a Council appointed liaison as outlined in the Council appointed liaison policy, you will not be regarded as having a conflict of interest actual or perceived in a matter, and are NOT required to declare your interest.*

8. DEPUTATIONS

For full details, see Code of Practice for Meeting Procedures on www.ahc.sa.gov.au

1. A request to make a deputation should be made by submitting a Deputation Request Form, (available on Council's website and at Service and Community Centres) to the CEO seven clear days prior to the Council meeting for inclusion in the agenda.
2. Each deputation is to be no longer than ten (10) minutes, excluding questions from Members.
3. Deputations will be limited to a maximum of two per meeting.
4. In determining whether a deputation is allowed, the following considerations will be taken into account:
 - the number of deputations that have already been granted for the meeting
 - the subject matter of the proposed deputation
 - relevance to the Council agenda nominated – and if not, relevance to the Council's powers or purpose
 - the integrity of the request (i.e. whether it is considered to be frivolous and/or vexatious)
 - the size and extent of the agenda for the particular meeting and
 - the number of times the deputee has addressed Council (either in a deputation or public forum) on the subject matter or a similar subject matter.

8.3 PUBLIC FORUM

For full details, see Code of Practice for Meeting Procedures on www.ahc.sa.gov.au

1. The public may be permitted to address or ask questions of the Council on a relevant and/or timely topic.
2. The Presiding Member will determine if an answer is to be provided.
3. People wishing to speak in the public forum must advise the Presiding Member of their intention at the beginning of this section of the meeting.
4. Each presentation in the Public Forum is to be no longer than five (5) minutes (including questions), except with leave from the Council.
5. The total time allocation for the Public Forum will be ten (10) minutes, except with leave from the Council.
6. If a large number of presentations have been requested, with leave from the Council, the time allocation of five (5) minutes may be reduced.
7. Any comments that may amount to a criticism of individual Council Members or staff must not be made. As identified in the Deputation Conduct section above, the normal laws of defamation will apply to statements made during the Public Forum.
8. Members may ask questions of all persons appearing relating to the subject of their presentation.